

**House File 697 - Introduced**

HOUSE FILE 697

BY COMMITTEE ON APPROPRIATIONS

(SUCCESSOR TO LSB 2811YC)

**A BILL FOR**

1 An Act relating to state and local finances by providing for  
2 funding of property tax credits and reimbursements, by  
3 making and adjusting appropriations, providing for salaries  
4 and compensation of state employees, providing for matters  
5 relating to taxation, providing for fees and penalties,  
6 providing for legal responsibilities, and providing for  
7 properly related matters, and including effective date and  
8 retroactive and other applicability provisions.

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

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DIVISION I  
ADMINISTRATION AND REGULATION  
FY 2011-2012

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, 2011, and ending June 30, 2012, the following amounts, or so much thereof as is necessary, to be used for the purposes designated, and for not more than the following full-time equivalent positions:

a. For salaries, support, maintenance, and miscellaneous purposes:

..... \$ 4,020,344  
..... FTEs 84.18

b. For the payment of utility costs:

..... \$ 2,939,400  
..... 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.

c. For Terrace Hill operations:

..... \$ 405,914  
..... FTEs 6.88

d. For the I3 distribution account:

..... \$ 3,328,000

e. For operations and maintenance of the Iowa building:

..... \$ 1,018,185  
..... FTEs 4.00

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

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

10 Sec. 2. LEASING AUTHORITY IMPLEMENTATION.

11 1. A state agency that has entered into a lease for any  
12 buildings or office space shall forward a copy of each such  
13 existing lease to the department of administrative services for  
14 review prior to July 1, 2011.

15 2. A state agency that is in the process of entering into or  
16 renewing a lease for any building or office space shall contact  
17 the department of administrative services prior to finalizing  
18 such lease. Such lease shall not be entered into or renewed  
19 without the approval of the department.

20 3. The department shall provide space management services  
21 and begin to lease all buildings and office space wherever  
22 located throughout the state as provided in section 8A.321,  
23 as amended by this Act, as soon as practicable, but by  
24 no later than December 1, 2011. Prior to assuming those  
25 responsibilities, the department shall review and approve  
26 leases under subsection 2 unless, in the department's  
27 discretion, it is determined that entering into or renewing  
28 such lease would not be in the best interests of the state.

29 4. The department is authorized to assess a fee to a state  
30 agency for which a lease is negotiated or renewed pursuant  
31 to this Act sufficient to cover the department's costs in  
32 providing space management services under this Act.

33 Sec. 3. TRAVEL REIMBURSEMENT IMPLEMENTATION.

34 1. If this Act is approved by the governor prior to July 1,  
35 2011, the electronic online travel authorization form provided

1 for in section 8A.512A, if enacted, shall be developed on or  
2 before July 1, 2011, and executive branch employees seeking  
3 reimbursement shall utilize the form on and after that date.

4 2. The database to be made available by the department of  
5 administrative services as provided in section 8A.512A, if  
6 enacted, shall be developed and available for public access on  
7 or before January 1, 2012.

8 3. The department shall develop a plan for converting  
9 the existing reimbursement process to a paperless process,  
10 including implementation steps, a timeline, and an estimated  
11 budget. The plan shall be submitted to the governor by no  
12 later than January 1, 2012.

13 Sec. 4. REVOLVING FUNDS. There is appropriated to the  
14 department of administrative services for the fiscal year  
15 beginning July 1, 2011, and ending June 30, 2012, from the  
16 revolving funds designated in chapter 8A and from internal  
17 service funds created by the department such amounts as the  
18 department deems necessary for the operation of the department  
19 consistent with the requirements of chapter 8A.

20 Sec. 5. FUNDING FOR IOWACCESS.

21 1. Notwithstanding section 321A.3, subsection 1, for the  
22 fiscal year beginning July 1, 2011, and ending June 30, 2012,  
23 the first \$750,000 collected and transferred by the department  
24 of transportation to the treasurer of state with respect to the  
25 fees for transactions involving the furnishing of a certified  
26 abstract of a vehicle operating record under section 321A.3,  
27 subsection 1, shall be transferred to the IowAccess revolving  
28 fund for the purposes of developing, implementing, maintaining,  
29 and expanding electronic access to government records as  
30 provided by law.

31 2. All fees collected with respect to transactions  
32 involving IowAccess shall be deposited in the IowAccess  
33 revolving fund and shall be used only for the support of  
34 IowAccess projects.

35 3. For the fiscal year beginning July 1, 2011, and ending

1 June 30, 2012, there is appropriated from the IowAccess  
2 revolving fund, to the office of the secretary of state \$75,000  
3 for costs associated with decennial redistricting.

4 Sec. 6. STATE EMPLOYEE HEALTH INSURANCE ADMINISTRATION  
5 CHARGE. For the fiscal year beginning July 1, 2011, and ending  
6 June 30, 2012, the monthly per contract administrative charge  
7 which may be assessed by the department of administrative  
8 services shall be \$2 per contract on all health insurance plans  
9 administered by the department.

10 Sec. 7. AUDITOR OF STATE.

11 1. There is appropriated from the general fund of the state  
12 to the office of the auditor of state for the fiscal year  
13 beginning July 1, 2011, and ending June 30, 2012, the following  
14 amount, or so much thereof as is necessary, to be used for  
15 the purposes designated, and for not more than the following  
16 full-time equivalent positions:

17 For salaries, support, maintenance, and miscellaneous  
18 purposes:

19 .....	\$	935,529
20 .....	FTEs	103.00

21 2. The auditor of state may retain additional full-time  
22 equivalent positions as is reasonable and necessary to  
23 perform governmental subdivision audits which are reimbursable  
24 pursuant to section 11.20 or 11.21, to perform audits which are  
25 requested by and reimbursable from the federal government, and  
26 to perform work requested by and reimbursable from departments  
27 or agencies pursuant to section 11.5A or 11.5B. The auditor  
28 of state shall notify the department of management, the  
29 legislative fiscal committee, and the legislative services  
30 agency of the additional full-time equivalent positions  
31 retained.

32 3. The auditor of state shall allocate resources from the  
33 appropriation in this section solely for audit work related to  
34 the comprehensive annual financial report, federally required  
35 audits, and investigations of embezzlement, theft, or other

1 significant financial irregularities until the audit of the  
2 comprehensive annual financial report is complete.

3 Sec. 8. IOWA ETHICS AND CAMPAIGN DISCLOSURE BOARD. There  
4 is appropriated from the general fund of the state to the  
5 Iowa ethics and campaign disclosure board for the fiscal year  
6 beginning July 1, 2011, and ending June 30, 2012, the following  
7 amount, or so much thereof as is necessary, for the purposes  
8 designated:

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

12 .....	\$	475,000
13 .....	FTEs	5.00

14 Sec. 9. DEPARTMENT OF COMMERCE.

15 1. There is appropriated from the general fund of the  
16 state to the department of commerce for the fiscal year  
17 beginning July 1, 2011, and ending June 30, 2012, the following  
18 amounts, or so much thereof as is necessary, for the purposes  
19 designated:

20 a. ALCOHOLIC BEVERAGES DIVISION

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

24 .....	\$	1,220,391
25 .....	FTEs	21.00

26 (2) Of the funds appropriated pursuant to this paragraph, up  
27 to \$60,000 shall be used to establish and implement a web-based  
28 alcohol compliance employee training program for alcoholic  
29 beverage sales personnel.

30 b. PROFESSIONAL LICENSING AND REGULATION BUREAU

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

34 .....	\$	609,353
35 .....	FTEs	12.00

1 2. There is appropriated from the department of commerce  
2 revolving fund created in section 546.12 to the department of  
3 commerce for the fiscal year beginning July 1, 2011, and ending  
4 June 30, 2012, the following amounts, or so much thereof as is  
5 necessary, for the purposes designated:

6 a. BANKING DIVISION

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

10 ..... \$ 8,851,670  
11 ..... FTEs 80.00

12 b. CREDIT UNION DIVISION

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

16 ..... \$ 1,727,995  
17 ..... FTEs 19.00

18 c. INSURANCE DIVISION

19 (1) For salaries, support, maintenance, and miscellaneous  
20 purposes, and for not more than the following full-time  
21 equivalent positions:

22 ..... \$ 4,983,244  
23 ..... FTEs 106.50

24 (2) The insurance division may reallocate authorized  
25 full-time equivalent positions as necessary to respond to  
26 accreditation recommendations or requirements. The insurance  
27 division expenditures for examination purposes may exceed the  
28 projected receipts, refunds, and reimbursements, estimated  
29 pursuant to section 505.7, subsection 7, including the  
30 expenditures for retention of additional personnel, if the  
31 expenditures are fully reimbursable and the division first does  
32 both of the following:

33 (a) Notifies the department of management, the legislative  
34 services agency, and the legislative fiscal committee of the  
35 need for the expenditures.

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

4 d. UTILITIES DIVISION

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

8 .....	\$	8,173,069
9 .....	FTEs	79.00

10 (2) The utilities division may expend additional funds,  
11 including funds for additional personnel, if those additional  
12 expenditures are actual expenses which exceed the funds  
13 budgeted for utility regulation and the expenditures are fully  
14 reimbursable. Before the division expends or encumbers an  
15 amount in excess of the funds budgeted for regulation, the  
16 division shall first do both of the following:

17 (a) Notify the department of management, the legislative  
18 services agency, and the legislative fiscal committee of the  
19 need for the expenditures.

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

23 (3) In addition to the funds otherwise appropriated to the  
24 division in subparagraph (1), and contingent upon the enactment  
25 of legislation during the 2011 legislative session relating  
26 to the permitting, licensing, construction, and operation of  
27 nuclear generation facilities and establishing rate-making  
28 principles in relation thereto, for salaries, support,  
29 maintenance, and miscellaneous purposes, and for not more than  
30 the following full-time equivalent positions:

31 .....	\$	500,000
32 .....	FTEs	3.50

33 3. CHARGES. Each division and the office of consumer  
34 advocate shall include in its charges assessed or revenues  
35 generated an amount sufficient to cover the amount stated



1 in its appropriation and any state-assessed indirect costs  
2 determined by the department of administrative services.

3     Sec. 10. DEPARTMENT OF COMMERCE — PROFESSIONAL LICENSING  
4 AND REGULATION BUREAU. There is appropriated from the housing  
5 trust fund of the Iowa finance authority created in section  
6 16.181, to the bureau of professional licensing and regulation  
7 of the banking division of the department of commerce for the  
8 fiscal year beginning July 1, 2011, and ending June 30, 2012,  
9 the following amount, or so much thereof as is necessary, to be  
10 used for the purposes designated:

11     For salaries, support, maintenance, and miscellaneous  
12 purposes:

13 ..... \$       62,317

14     Sec. 11. GOVERNOR AND LIEUTENANT GOVERNOR. There is  
15 appropriated from the general fund of the state to the offices  
16 of the governor and the lieutenant governor for the fiscal year  
17 beginning July 1, 2011, and ending June 30, 2012, the following  
18 amounts, or so much thereof as is necessary, to be used for the  
19 purposes designated:

20     For salaries, support, maintenance, and miscellaneous  
21 purposes:

22 ..... \$   2,288,025

23 ..... FTEs       22.88

24     Sec. 12. GOVERNOR'S OFFICE OF DRUG CONTROL POLICY. There  
25 is appropriated from the general fund of the state to the  
26 governor's office of drug control policy for the fiscal year  
27 beginning July 1, 2011, and ending June 30, 2012, the following  
28 amount, or so much thereof as is necessary, to be used for the  
29 purposes designated:

30     For salaries, support, maintenance, and miscellaneous  
31 purposes, including statewide coordination of the drug abuse  
32 resistance education (D.A.R.E.) programs or similar programs,  
33 and for not more than the following full-time equivalent  
34 positions:

35 ..... \$       326,043

1 ..... FTEs 8.00

2 Sec. 13. DEPARTMENT OF HUMAN RIGHTS. There is appropriated  
3 from the general fund of the state to the department of human  
4 rights for the fiscal year beginning July 1, 2011, and ending  
5 June 30, 2012, the following amounts, or so much thereof as is  
6 necessary, to be used for the purposes designated:

7 1. CENTRAL ADMINISTRATION DIVISION

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

11 ..... \$ 206,103

12 ..... FTEs 7.00

13 2. COMMUNITY ADVOCACY AND SERVICES DIVISION

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

17 ..... \$ 820,135

18 ..... FTEs 17.00

19 3. CRIMINAL AND JUVENILE JUSTICE PLANNING DIVISION

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

23 ..... \$ 1,023,892

24 ..... FTEs 10.00

25 The criminal and juvenile justice planning advisory council  
26 and the juvenile justice advisory council shall coordinate  
27 their efforts in carrying out their respective duties relative  
28 to juvenile justice.

29 Sec. 14. DEPARTMENT OF INSPECTIONS AND APPEALS. There  
30 is appropriated from the general fund of the state to the  
31 department of inspections and appeals for the fiscal year  
32 beginning July 1, 2011, and ending June 30, 2012, the following  
33 amounts, or so much thereof as is necessary, for the purposes  
34 designated:

35 1. ADMINISTRATION DIVISION

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

4 ..... \$ 1,537,715  
5 ..... FTEs 37.40

6 2. ADMINISTRATIVE HEARINGS DIVISION

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

10 ..... \$ 528,753  
11 ..... FTEs 23.00

12 3. INVESTIGATIONS DIVISION

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

16 ..... \$ 1,168,639  
17 ..... FTEs 58.50

18 b. The department, in coordination with the investigations  
19 division, shall provide a report to the general assembly by  
20 January 10, 2012, concerning the fiscal impact of additional  
21 full-time equivalent positions on the department's efforts  
22 relative to the Medicaid divestiture program under chapter  
23 249F.

24 4. HEALTH FACILITIES DIVISION

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

28 ..... \$ 3,555,328  
29 ..... FTEs 134.75

30 b. The department shall, in coordination with the health  
31 facilities division, make the following information available  
32 to the public in a timely manner, to include providing the  
33 information on the department's internet website, during the  
34 fiscal year beginning July 1, 2011, and ending June 30, 2012:

35 (1) The number of inspections conducted by the division

1 annually by type of service provider and type of inspection.

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

5 (3) The total number of full-time equivalent positions in  
6 the division, to include the number of full-time equivalent  
7 positions serving in a supervisory capacity, and serving as  
8 surveyors, inspectors, or monitors in the field by type of  
9 service provider inspected.

10 (4) Identification of state and federal survey trends,  
11 cited regulations, the scope and severity of deficiencies  
12 identified, and federal and state fines assessed and collected  
13 concerning nursing and assisted living facilities and programs.

14 c. It is the intent of the general assembly that the  
15 department and division continuously solicit input from  
16 facilities regulated by the division to assess and improve  
17 the division's level of collaboration and to identify new  
18 opportunities for cooperation.

19 5. EMPLOYMENT APPEAL BOARD

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

23 .....	\$	42,215
24 .....	FTEs	14.00

25 b. The employment appeal board shall be reimbursed by  
26 the labor services division of the department of workforce  
27 development for all costs associated with hearings conducted  
28 under chapter 91C, related to contractor registration. The  
29 board may expend, in addition to the amount appropriated under  
30 this subsection, additional amounts as are directly billable  
31 to the labor services division under this subsection and to  
32 retain the additional full-time equivalent positions as needed  
33 to conduct hearings required pursuant to chapter 91C.

34 6. CHILD ADVOCACY BOARD

35 a. For foster care review and the court appointed special

1 advocate program, including salaries, support, maintenance, and  
2 miscellaneous purposes, and for not more than the following  
3 full-time equivalent positions:

4 .....	\$	2,554,771
5 .....	FTEs	40.80

6 b. The department of human services, in coordination with  
7 the child advocacy board and the department of inspections and  
8 appeals, shall submit an application for funding available  
9 pursuant to Tit. IV-E of the federal Social Security Act for  
10 claims for child advocacy board administrative review costs.

11 c. The court appointed special advocate program shall  
12 investigate and develop opportunities for expanding  
13 fund-raising for the program.

14 d. Administrative costs charged by the department of  
15 inspections and appeals for items funded under this subsection  
16 shall not exceed 4 percent of the amount appropriated in this  
17 subsection.

18 Sec. 15. DEPARTMENT OF INSPECTIONS AND APPEALS — MUNICIPAL  
19 CORPORATION FOOD INSPECTIONS. For the fiscal year beginning  
20 July 1, 2011, and ending June 30, 2012, the department of  
21 inspections and appeals shall retain any license fees generated  
22 during the fiscal year as a result of actions under section  
23 137F.3A occurring during the period beginning July 1, 2009,  
24 and ending June 30, 2011, for the purpose of enforcing the  
25 provisions of chapters 137C, 137D, and 137F.

26 Sec. 16. DEPARTMENT OF INSPECTIONS AND APPEALS —  
27 HEALTH CARE FACILITIES INSPECTIONS. Notwithstanding any  
28 provision of section 135C.16 to the contrary, inspections of  
29 health care facilities that are only state-licensed and not  
30 certified under the Medicare or Medicaid programs shall not be  
31 inspected by the department of inspections and appeals every  
32 thirty months, but only as provided pursuant to sections 135C.9  
33 and 135C.38.

34 Sec. 17. DEPARTMENT OF INSPECTIONS AND APPEALS — GENERAL  
35 SUPPORT — MEDICAID FRAUD FUND APPROPRIATION. There is

1 appropriated from the Medicaid fraud fund created in section  
2 249.7 to the health facilities division of the department of  
3 inspections and appeals for the fiscal year beginning July  
4 1, 2011, and ending June 30, 2012, the following amount, or  
5 so much thereof as is necessary, to be used for the purposes  
6 designated:

7 For salaries, support, maintenance, and miscellaneous  
8 purposes:

9 ..... \$ 650,000

10 Sec. 18. INVESTIGATIONS DIVISION OF DEPARTMENT OF  
11 INSPECTIONS AND APPEALS — CONTINGENT FTE AUTHORIZATION. If  
12 Senate File 313 or successor legislation providing for debt  
13 setoff or other recovery activities for nonpayment of premiums  
14 pursuant to section 249A.3, subsection 2, paragraph "a",  
15 subparagraph (1), relating to a special income eligibility  
16 group under the Medicaid program, or pursuant to section  
17 249J.8, subsection 1, relating to the expansion population  
18 eligibility group under the IowaCare program, is enacted by  
19 the Eighty-fourth General Assembly, 2011 Session, in addition  
20 to other full-time equivalent positions authorized for the  
21 investigations division of the department of inspections and  
22 appeals for the fiscal year beginning July 1, 2011, not more  
23 than 2.00 FTEs are authorized, to the extent funded through  
24 moneys available to the department of human services, to  
25 be used to implement such provisions of Senate File 313 or  
26 successor legislation.

27 Sec. 19. RACING AND GAMING COMMISSION.

28 1. RACETRACK REGULATION

29 There is appropriated from the gaming regulatory revolving  
30 fund established in section 99F.20 to the racing and gaming  
31 commission of the department of inspections and appeals for the  
32 fiscal year beginning July 1, 2011, and ending June 30, 2012,  
33 the following amount, or so much thereof as is necessary, to be  
34 used for the purposes designated:

35 For salaries, support, maintenance, and miscellaneous

1 purposes for the regulation of pari-mutuel racetracks, and for  
2 not more than the following full-time equivalent positions:

3 ..... \$ 2,511,440  
4 ..... FTEs 28.53

5 2. EXCURSION BOAT AND GAMBLING STRUCTURE REGULATION

6 There is appropriated from the gaming regulatory revolving  
7 fund established in section 99F.20 to the racing and gaming  
8 commission of the department of inspections and appeals for the  
9 fiscal year beginning July 1, 2011, and ending June 30, 2012,  
10 the following amount, or so much thereof as is necessary, to be  
11 used for the purposes designated:

12 For salaries, support, maintenance, and miscellaneous  
13 purposes for administration and enforcement of the excursion  
14 boat gambling and gambling structure laws, and for not more  
15 than the following full-time equivalent positions:

16 ..... \$ 3,078,100  
17 ..... FTEs 44.22

18 Sec. 20. ROAD USE TAX FUND APPROPRIATION — DEPARTMENT OF  
19 INSPECTIONS AND APPEALS. There is appropriated from the road  
20 use tax fund created in section 312.1 to the administrative  
21 hearings division of the department of inspections and appeals  
22 for the fiscal year beginning July 1, 2011, and ending June 30,  
23 2012, the following amount, or so much thereof as is necessary,  
24 for the purposes designated:

25 For salaries, support, maintenance, and miscellaneous  
26 purposes:

27 ..... \$ 1,623,897

28 Sec. 21. DEPARTMENT OF MANAGEMENT.

29 1. There is appropriated from the general fund of the state  
30 to the department of management for the fiscal year beginning  
31 July 1, 2011, and ending June 30, 2012, the following amounts,  
32 or so much thereof as is necessary, to be used for the purposes  
33 designated:

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

1 equivalent positions:

2 .....	\$	2,423,998
3 .....	FTEs	25.00

4 2. Of the moneys appropriated in this section, the  
5 department shall use a portion for enterprise resource  
6 planning, providing for a salary model administrator,  
7 conducting performance audits, and for the department's LEAN  
8 process.

9 Sec. 22. ROAD USE TAX APPROPRIATION — DEPARTMENT OF  
10 MANAGEMENT. There is appropriated from the road use tax fund  
11 created in section 312.1 to the department of management for  
12 the fiscal year beginning July 1, 2011, and ending June 30,  
13 2012, the following amount, or so much thereof as is necessary,  
14 to be used for the purposes designated:

15 For salaries, support, maintenance, and miscellaneous  
16 purposes:

17 .....	\$	56,000
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18 Sec. 23. DEPARTMENT OF REVENUE.

19 1. There is appropriated from the general fund of the state  
20 to the department of revenue for the fiscal year beginning July  
21 1, 2011, and ending June 30, 2012, the following amounts, or  
22 so much thereof as is necessary, to be used for the purposes  
23 designated:

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

27 .....	\$	17,615,484
28 .....	FTEs	303.48

29 2. Of the funds appropriated pursuant to this section,  
30 \$400,000 shall be used to pay the direct costs of compliance  
31 related to the collection and distribution of local sales and  
32 services taxes imposed pursuant to chapters 423B and 423E.

33 3. The director of revenue shall prepare and issue a state  
34 appraisal manual and the revisions to the state appraisal  
35 manual as provided in section 421.17, subsection 17, without



1 cost to a city or county.

2 Sec. 24. MOTOR VEHICLE FUEL TAX APPROPRIATION. There is  
3 appropriated from the motor fuel tax fund created by section  
4 452A.77 to the department of revenue for the fiscal year  
5 beginning July 1, 2011, and ending June 30, 2012, the following  
6 amount, or so much thereof as is necessary, to be used for the  
7 purposes designated:

8 For salaries, support, maintenance, miscellaneous purposes,  
9 and for administration and enforcement of the provisions of  
10 chapter 452A and the motor vehicle use tax program:  
11 ..... \$ 1,305,775

12 Sec. 25. SECRETARY OF STATE.

13 1. There is appropriated from the general fund of the state  
14 to the office of the secretary of state for the fiscal year  
15 beginning July 1, 2011, and ending June 30, 2012, the following  
16 amounts, or so much thereof as is necessary, to be used for the  
17 purposes designated:

18 For salaries, support, maintenance, and miscellaneous  
19 purposes, and for not more than the following full-time  
20 equivalent positions:  
21 ..... \$ 2,895,585  
22 ..... FTEs 45.00

23 2. The state department or state agency which provides  
24 data processing services to support voter registration file  
25 maintenance and storage shall provide those services without  
26 charge.

27 Sec. 26. SECRETARY OF STATE FILING FEES REFUND.  
28 Notwithstanding the obligation to collect fees pursuant to the  
29 provisions of section 490.122, subsection 1, paragraphs "a" and  
30 "s", and section 504.113, subsection 1, paragraphs "a", "c",  
31 "d", "j", "k", "l", and "m", for the fiscal year beginning July  
32 1, 2011, the secretary of state may refund these fees to the  
33 filer pursuant to rules established by the secretary of state.  
34 The decision of the secretary of state not to issue a refund  
35 under rules established by the secretary of state is final and

1 not subject to review pursuant to chapter 17A.

2 Sec. 27. TREASURER.

3 1. There is appropriated from the general fund of the  
4 state to the office of treasurer of state for the fiscal year  
5 beginning July 1, 2011, and ending June 30, 2012, 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, and for not more than the following full-time  
10 equivalent positions:

11 .....	\$	854,289
12 .....	FTEs	28.80

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

15 Sec. 28. ROAD USE TAX APPROPRIATION — OFFICE OF TREASURER

16 OF STATE. There is appropriated from the road use tax fund  
17 created in section 312.1 to the office of treasurer of state  
18 for the fiscal year beginning July 1, 2011, and ending June 30,  
19 2012, the following amount, or so much thereof as is necessary,  
20 to be used for the purposes designated:

21 For enterprise resource management costs related to the  
22 distribution of road use tax funds:

23 .....	\$	93,148
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24 Sec. 29. IPERS — GENERAL OFFICE. There is appropriated  
25 from the Iowa public employees' retirement system fund to the  
26 Iowa public employees' retirement system for the fiscal year  
27 beginning July 1, 2011, and ending June 30, 2012, the following  
28 amount, or so much thereof as is necessary, to be used for the  
29 purposes designated:

30 For salaries, support, maintenance, and other operational  
31 purposes to pay the costs of the Iowa public employees'  
32 retirement system, and for not more than the following  
33 full-time equivalent positions:

34 .....	\$	17,686,968
35 .....	FTEs	90.13

1     Sec. 30. STATE CAPITOL SIDEWALK HEATING —  
2 DISCONNECTION. The department of administrative services  
3 shall disconnect electricity to the heated sidewalk installed  
4 in the entry walkway on the East side of the state capitol  
5 building, and shall not reconnect the electricity without the  
6 authorization of the general assembly.

7     Sec. 31. Section 8A.111, subsection 4, Code 2011, is amended  
8 by striking the subsection.

9     Sec. 32. Section 8A.311, subsection 15, Code 2011, is  
10 amended to read as follows:

11     15. a. A bidder awarded, to be considered for an award  
12 of a state construction contract, shall disclose to the state  
13 agency awarding the contract the names of all subcontractors,  
14 and suppliers who will work on the project being bid, within  
15 forty-eight hours after the award of the contract published  
16 date and time by which bids must submitted.

17     b. A bidder shall not replace a subcontractor or supplier  
18 disclosed under paragraph "a" without the approval of the state  
19 agency awarding the contract.

20     c. A bidder, prior to an award or who is awarded a state  
21 construction contract, shall disclose all of the following, as  
22 applicable:

23     b. (1) If a subcontractor named or supplier disclosed under  
24 paragraph "a" by a bidder awarded a state construction contract  
25 is replaced, or if the reason for replacement and the name of  
26 the new subcontractor or supplier.

27     (2) If the cost of work to be done by a subcontractor or  
28 supplier is reduced, the bidder shall disclose the name of  
29 the new subcontractor or changed or if the replacement of a  
30 subcontractor or supplier results in a change in the cost, the  
31 amount of the reduced change in cost.

32     Sec. 33. Section 8A.315, subsection 1, paragraph d, Code  
33 2011, is amended by striking the paragraph.

34     Sec. 34. Section 8A.321, subsection 6, Code 2011, is amended  
35 to read as follows:

1     6. *a.* Lease all buildings and office space necessary to  
2 carry out the provisions of this subchapter or necessary for  
3 the proper functioning of any state agency ~~at the seat of~~  
4 ~~government~~ wherever located throughout the state. For state  
5 agencies at the seat of government, the director may lease  
6 buildings and office space in Polk county or in a county  
7 contiguous to Polk county. If no specific appropriation  
8 has been made, the proposed lease shall be submitted to the  
9 executive council for approval. The cost of any lease for  
10 which no specific appropriation has been made shall be paid  
11 from the fund provided in section 7D.29. Additionally, the  
12 director shall also develop cooperative relationships with the  
13 state board of regents in order to promote colocation of state  
14 agencies.

15     *b.* When the general assembly is not in session, the director  
16 may request moneys from the executive council for moving  
17 state agencies ~~located at the seat of government~~ from one  
18 location to another. The request may include moving costs,  
19 telecommunications costs, repair costs, or any other costs  
20 relating to the move. The executive council may approve and  
21 shall pay the costs from funds provided in section 7D.29 if it  
22 determines the agency or department has no available funds for  
23 these expenses.

24     ~~*c.* Coordinate the leasing of buildings and office space by~~  
25 ~~state agencies throughout the state and develop cooperative~~  
26 ~~relationships with the state board of regents in order to~~  
27 ~~promote the colocation of state agencies.~~

28     Sec. 35. Section 8A.327, subsection 1, Code 2011, is amended  
29 to read as follows:

30     1. A rent revolving fund is created in the state treasury  
31 under the control of the department to be used by the  
32 department to pay the lease or rental costs of all buildings  
33 and office space necessary for the proper functioning of any  
34 state agency ~~at the seat of state government~~ wherever located  
35 throughout the state as provided in section 8A.321, subsection

1 6, except that this fund shall not be used to pay the rental  
2 or lease costs of a state agency which has not received funds  
3 budgeted for rental or lease purposes.

4 Sec. 36. Section 8A.361, Code 2011, is amended to read as  
5 follows:

6 **8A.361 Vehicle assignment — authority in department.**

7 The department shall provide for the assignment of all  
8 ~~state-owned~~ motor vehicles ~~to~~ utilized by all state officers  
9 and employees, and ~~to~~ by all state offices, departments,  
10 bureaus, and commissions, except the state department of  
11 transportation, institutions under the control of the state  
12 board of regents, the department for the blind, and any other  
13 agencies exempted by law.

14 Sec. 37. Section 8A.362, subsection 4, paragraphs a through  
15 c, Code 2011, are amended to read as follows:

16 a. The director shall provide for the purchase of ~~all~~ motor  
17 vehicles for all branches of the state government, except the  
18 state department of transportation, institutions under the  
19 control of the state board of regents, the department for the  
20 blind, and any other state agency exempted by law, which are  
21 not rented or leased pursuant to section 8A.367. The director  
22 shall purchase new vehicles in accordance with competitive  
23 bidding procedures for items or services as provided in  
24 this subchapter. The director may purchase used or preowned  
25 vehicles at governmental or dealer auctions if the purchase is  
26 determined to be in the best interests of the state.

27 b. The director, and any other state agency, which for  
28 purposes of this subsection includes but is not limited to  
29 community colleges and institutions under the control of the  
30 state board of regents, or local governmental subdivisions  
31 purchasing new motor vehicles, shall purchase ~~new passenger~~  
32 motor vehicles and light trucks, which are not rented or leased  
33 pursuant to section 8A.367, so that the average fuel efficiency  
34 for the fleet of new passenger vehicles and light trucks  
35 purchased in that year equals or exceeds the average fuel

1 economy standard for the vehicles' model year as established by  
 2 the United States secretary of transportation under 15 U.S.C.  
 3 § 2002. This paragraph does not apply to vehicles purchased  
 4 for law enforcement purposes or used for off-road maintenance  
 5 work, or work vehicles used to pull loaded trailers.

6 c. Not later than June 15 of each year, the director  
 7 shall report compliance with the corporate average fuel  
 8 economy standards published by the United States secretary  
 9 of transportation for ~~new~~ assigned motor vehicles, other  
 10 than motor vehicles purchased by the state department of  
 11 transportation, institutions under the control of the state  
 12 board of regents, the department for the blind, and any other  
 13 state agency exempted from the requirements of this subsection.  
 14 The report of compliance shall classify the vehicles ~~purchased~~  
 15 assigned for the current vehicle model year using the following  
 16 categories: passenger automobiles, enforcement automobiles,  
 17 vans, and light trucks. The director shall deliver a copy  
 18 of the report to the office of energy independence. As used  
 19 in this paragraph, "*corporate average fuel economy*" means the  
 20 corporate average fuel economy as defined in 49 C.F.R. § 533.5.  
 21 Sec. 38. Section 8A.362, subsection 5, Code 2011, is amended  
 22 by striking the subsection.

23 Sec. 39. Section 8A.362, subsections 7 through 9, Code 2011,  
 24 are amended to read as follows:

25 7. The director may authorize the establishment of motor  
 26 pools consisting of a number of ~~state-owned~~ state-assigned  
 27 motor vehicles under the director's supervision. The director  
 28 may store the motor vehicles in a public or private garage. If  
 29 the director establishes a motor pool, any state officer or  
 30 employee desiring the use of a ~~state-owned~~ state-assigned motor  
 31 vehicle on state business shall notify the director of the need  
 32 for a vehicle within a reasonable time prior to actual use of  
 33 the motor vehicle. The director may assign a motor vehicle  
 34 from the motor pool to the state officer or employee, or from  
 35 the vendor awarded a contract pursuant to section 8A.367. If

1 two or more state officers or employees desire the use of a  
2 ~~state-owned~~ state-assigned motor vehicle for a trip to the  
3 same destination for the same length of time, the director may  
4 assign one vehicle to make the trip.

5 8. The director shall require that a sign be placed on  
6 each state-owned motor vehicle in a conspicuous place which  
7 indicates its ownership by the state. This requirement  
8 shall not apply to motor vehicles requested to be exempt by  
9 the director or by the commissioner of public safety. All  
10 state-owned motor vehicles shall display registration plates  
11 bearing the word "official" except motor vehicles requested to  
12 be furnished with ordinary plates by the director or by the  
13 commissioner of public safety pursuant to section 321.19. The  
14 director shall keep an accurate record of the registration  
15 plates used on all state-owned motor vehicles. This subsection  
16 shall not apply to an assigned vehicle rented or leased  
17 pursuant to section 8A.367.

18 9. All fuel used in ~~state-owned~~ state-assigned automobiles  
19 shall be purchased at cost from the various installations  
20 or garages of the state department of transportation, state  
21 board of regents, department of human services, or state motor  
22 pools throughout the state, unless the state-owned sources  
23 for the purchase of fuel are not reasonably accessible. If  
24 the director determines that state-owned sources for the  
25 purchase of fuel are not reasonably accessible, the director  
26 shall authorize the purchase of fuel from other sources. The  
27 director may prescribe a manner, other than the use of the  
28 revolving fund, in which the purchase of fuel from state-owned  
29 sources is charged to the state agency responsible for the  
30 use of the motor vehicle. The director shall prescribe the  
31 manner in which oil and other normal motor vehicle maintenance  
32 for state-owned motor vehicles may be purchased from private  
33 sources, if they cannot be reasonably obtained from a state  
34 motor pool. The director may advertise for bids and award  
35 contracts in accordance with competitive bidding procedures

1 for items and services as provided in this subchapter for  
2 furnishing fuel, oil, grease, and vehicle replacement parts for  
3 all state-owned motor vehicles. The director and other state  
4 agencies, when advertising for bids for gasoline, shall also  
5 seek bids for ethanol blended gasoline.

6 Sec. 40. Section 8A.363, subsection 1, Code 2011, is amended  
7 to read as follows:

8 1. A state officer or employee shall not use a ~~state-owned~~  
9 state-assigned motor vehicle for personal private use. A  
10 state officer or employee shall not be compensated for driving  
11 a privately owned motor vehicle unless it is done on state  
12 business with the approval of the director. In that case  
13 the state officer or employee shall receive an amount to be  
14 determined by the director. The amount shall not exceed  
15 the maximum allowable under the federal internal revenue  
16 service rules per mile, notwithstanding established mileage  
17 requirements or depreciation allowances. However, the director  
18 may authorize private motor vehicle rates in excess of the  
19 rate allowed under the federal internal revenue service rules  
20 for state business use of substantially modified or specially  
21 equipped privately owned vehicles required by persons with  
22 disabilities. A statutory provision establishing reimbursement  
23 for necessary mileage, travel, or actual expenses to a state  
24 officer falls under the private motor vehicle mileage rate  
25 limitation provided in this section unless specifically  
26 provided otherwise. Any peace officer employed by the state  
27 as defined in section 801.4 who is required to use a private  
28 motor vehicle in the performance of official duties shall  
29 receive the private vehicle mileage rate at the rate provided  
30 in this section. However, the director may delegate authority  
31 to officials of the state, and department heads, for the  
32 use of private vehicles on state business up to a yearly  
33 mileage figure established by the director. If a ~~state~~ motor  
34 vehicle has been assigned to a state officer or employee, the  
35 officer or employee shall not collect mileage for the use of a



1 privately owned motor vehicle unless the state motor vehicle  
2 assigned is not usable.

3 Sec. 41. NEW SECTION. **8A.367 State-owned passenger vehicles**  
4 **— disposition and sale — fleet privatization.**

5 1. For purposes of this section, "*passenger vehicles*"  
6 means United States environmental protection agency designated  
7 compact sedans, compact wagon, midsize sedans, midsize wagons,  
8 full-size sedans, and passenger minivans, and additional  
9 vehicle classes determined by the department to be able to be  
10 reasonably supported by a private entity for rental or leasing.  
11 "*Passenger vehicles*" does not mean utility vehicles, vans other  
12 than passenger minivans, fire trucks, ambulances, motor homes,  
13 buses, medium-duty and heavy-duty trucks, heavy construction  
14 equipment, and other highway maintenance vehicles, vehicles  
15 assigned for law enforcement purposes, and any other classes of  
16 vehicles of limited application approved by the director of the  
17 department of administrative services.

18 2. On or before September 30, 2011, the department shall  
19 implement a request for proposal process to enter into a  
20 contract for the purpose of state passenger vehicle rental or  
21 leasing from a private entity. Prior to awarding a contract, a  
22 private entity shall demonstrate the following:

23 a. Existence of sufficient inventory of passenger vehicles  
24 within this state to accommodate the needs of the state in  
25 assigning passenger vehicles.

26 b. Existence of adequate personnel in any county within  
27 the state where rental and leasing activity can be supported  
28 to satisfy the terms of the contract in renting or leasing  
29 state-assigned vehicles.

30 c. Existence of adequate personnel to facilitate the  
31 sale and disposition of the existing state-owned passenger  
32 vehicles returned to the department pursuant to subsection 3 or  
33 otherwise under the control of the department. Notwithstanding  
34 the provisions of section 8A.364 to the contrary, proceeds from  
35 the sale of motor vehicles as provided by this subsection shall

1 be credited to the fund from which the motor vehicles were  
2 purchased.

3 3. By March 1, 2012, the department shall award a vehicle  
4 rental or leasing contract to a private entity, and shall  
5 assign passenger vehicles for rental or lease pursuant to that  
6 contract, to the extent the department determines doing so  
7 would be economically feasible and financially advantageous.  
8 By March 1, 2012, all state-assigned passenger vehicles  
9 designated for use by multiple drivers, and located in any  
10 county of this state which can support the operation of a  
11 private entity for rental and leasing purposes, which the  
12 department determines would be suitable for rental or leasing  
13 shall be returned to the department for use and disposition as  
14 provided in this section.

15 4. Notwithstanding any other provision of state law to the  
16 contrary, a private entity awarded a contract pursuant to this  
17 section shall not be required to indemnify or hold harmless the  
18 state for any liability the state might have to any third party  
19 due to the negligence of the state or any of its employees.

20 5. The department shall conduct an ongoing evaluation  
21 regarding the economic advantages of renting or leasing  
22 state-assigned vehicles versus state ownership of such  
23 vehicles, and shall accordingly adjust the number of vehicles  
24 subject to the rental and leasing contract pursuant to this  
25 section at intervals specified in the contract.

26 Sec. 42. Section 8A.512, subsection 2, Code 2011, is amended  
27 by striking the subsection.

28 Sec. 43. NEW SECTION. 8A.512A Executive branch employee  
29 travel — information and database.

30 1. The department shall develop and maintain the following:

31 a. An electronic travel authorization form to be used  
32 for any executive branch employee's reimbursable travel,  
33 conference, or related expenditures associated with  
34 the employee's official duties. The electronic travel  
35 authorization form shall include all of the following:

1 (1) The identification of the employee, the employee's  
2 title, and the employee's department or agency.

3 (2) The travel departure point and destination point.

4 (3) The reason for the travel.

5 (4) The estimated reimbursable expenses.

6 (5) The date or dates upon which the travel is to occur.

7 *b.* A searchable database available on the department's  
8 internet site containing information related to all executive  
9 branch employee travel that includes all of the following:

10 (1) The identification of the employee who engaged in the  
11 travel, the employee's department or agency, and the employee's  
12 title.

13 (2) The travel departure point and destination point.

14 (3) The reason for the travel.

15 (4) The actual amount of expenses reimbursed.

16 (5) The date or dates upon which the travel occurred.

17 2. A claim for reimbursement for any travel, conference, or  
18 related expenditures shall only be allowed after the occurrence  
19 of both of the following:

20 *a.* The electronic travel authorization form is approved by  
21 the head of the employee's department.

22 *b.* The request for reimbursement is submitted by the  
23 employee on the appropriate form with required approvals.

24 3. For purposes of this section, "*executive branch employee*"  
25 means an employee of the executive branch as defined in section  
26 7D.2, other than a member or employee of the state board of  
27 regents and institutions under the control of the state board  
28 of regents.

29 Sec. 44. Section 22.3A, subsection 1, paragraph e, Code  
30 2011, is amended to read as follows:

31 *e.* "*Data processing software*" means an ordered set of  
32 instructions or statements that, when executed by a computer,  
33 causes the computer to process data, and includes any program  
34 or set of programs, procedures, or routines used to employ  
35 and control capabilities of computer hardware. As used in

1 this paragraph *"data processing software"* includes but is not  
2 limited to an operating system, compiler, assembler, utility,  
3 library resource, maintenance routine, application, ~~or~~ computer  
4 networking program, or the associated documentation.

5 Sec. 45. Section 99D.14, subsection 2, paragraph b, Code  
6 2011, is amended to read as follows:

7 b. Notwithstanding sections 8.60 and 99D.17, the portion of  
8 the fee paid pursuant to paragraph "a" relating to the costs  
9 of special agents plus any direct and indirect support costs  
10 for the agents, for the division of criminal investigation's  
11 racetrack activities, shall not be deposited in the general  
12 fund of the state but instead shall be deposited into either  
13 the gaming enforcement revolving fund established in section  
14 80.43 or the gaming regulatory revolving fund established in  
15 section 99F.20, as determined by the department.

16 Sec. 46. Section 99F.10, subsection 4, paragraph b, Code  
17 2011, is amended to read as follows:

18 b. Notwithstanding sections 8.60 and 99F.4, the portion of  
19 the fee paid pursuant to paragraph "a" relating to the costs  
20 of special agents and officers plus any direct and indirect  
21 support costs for the agents and officers, for the division of  
22 criminal investigation's excursion gambling boat or gambling  
23 structure activities, shall not be deposited in the general  
24 fund of the state but instead shall be deposited into either  
25 the gaming enforcement revolving fund established in section  
26 80.43 or the gaming regulatory revolving fund established in  
27 section 99F.20, as determined by the department.

28 Sec. 47. NEW SECTION. 99F.20 Gaming regulatory revolving  
29 fund.

30 1. A gaming regulatory revolving fund is created in the  
31 state treasury under the control of the department. The fund  
32 shall consist of fees collected and deposited into the fund  
33 paid by licensees pursuant to section 99D.14, subsection 2,  
34 paragraph "b", and fees paid by licensees pursuant to section  
35 99F.10, subsection 4, paragraph "b". All costs relating to

1 racetrack, excursion boat, and gambling structure regulation  
2 shall be paid from the fund as provided in appropriations made  
3 for this purpose by the general assembly. The department shall  
4 provide quarterly reports to the department of management and  
5 the legislative services agency specifying revenues billed  
6 and collected and expenditures from the fund in a format as  
7 determined by the department of management in consultation with  
8 the legislative services agency.

9     2. To meet the department's cash flow needs, the department  
10 may temporarily use funds from the general fund of the state  
11 to pay expenses in excess of moneys available in the revolving  
12 fund if those additional expenditures are fully reimbursable  
13 and the department reimburses the general fund of the state  
14 and ensures all moneys are repaid in full by the close of the  
15 fiscal year. Notwithstanding any provision to the contrary,  
16 the department shall, to the fullest extent possible, make  
17 an estimate of billings and make such billings as early as  
18 possible in each fiscal year, so that the need for the use  
19 of general fund moneys is minimized to the lowest extent  
20 possible. Because any general fund moneys used shall be fully  
21 reimbursed, such temporary use of funds from the general fund  
22 of the state shall not constitute an appropriation for purposes  
23 of calculating the state general fund expenditure limitation  
24 pursuant to section 8.54.

25     3. Section 8.33 does not apply to any moneys credited or  
26 appropriated to the revolving fund from any other fund.

27     4. The establishment of the revolving fund pursuant to this  
28 section shall not be interpreted in any manner to compromise  
29 or impact the accountability of, or limit authority with  
30 respect to, the department under state law. Any provision  
31 applicable to, or responsibility of, the department shall not  
32 be altered or impacted by the existence of the fund and shall  
33 remain applicable to the same extent as if the department were  
34 receiving moneys pursuant to a general fund appropriation.  
35 The department shall comply with directions by the governor

1 to executive branch departments regarding restrictions on  
2 out-of-state travel, hiring justifications, association  
3 memberships, equipment purchases, consulting contracts, and  
4 any other expenditure efficiencies that the governor deems  
5 appropriate.

6 Sec. 48. Section 217.20, Code 2011, is amended by striking  
7 the section.

8 Sec. 49. Section 249A.7, subsection 3, as amended by 2011  
9 Iowa Acts, House File 389, section 1, is amended by striking  
10 the subsection and inserting in lieu thereof the following:

11 3. a. A Medicaid fraud fund is created in the state  
12 treasury under the authority of the department of inspections  
13 and appeals. Moneys from penalties, investigative costs  
14 recoupled by the Medicaid fraud control unit, and other amounts  
15 received as a result of prosecutions involving the department  
16 of inspections and appeals investigations and audits to ensure  
17 compliance with the medical assistance program that are not  
18 credited to the program shall be credited to the fund.

19 b. Notwithstanding section 8.33, moneys credited to the  
20 fund from any other account or fund shall not revert to the  
21 other account or fund. Moneys in the fund shall only be used as  
22 provided in appropriations from the fund and shall be used in  
23 accordance with applicable laws, regulations, and the policies  
24 of the office of inspector general of the United States  
25 department of health and human services.

26 c. For the purposes of this subsection, "*investigative*  
27 *costs*" means the reasonable value of a Medicaid fraud control  
28 unit investigator's, auditor's or employee's time, any moneys  
29 expended by the Medicaid fraud control unit, and the reasonable  
30 fair market value of resources used or expended by the Medicaid  
31 fraud control unit in a case resulting in a criminal conviction  
32 of a provider under this chapter or chapter 714 or 715A.

33 Sec. 50. Section 546.12, Code 2011, is amended to read as  
34 follows:

35 **546.12 Department of commerce revolving fund.**

1 1. A department of commerce revolving fund is created in  
2 the state treasury. The fund shall consist of moneys collected  
3 by the banking division; credit union division; utilities  
4 division, including moneys collected on behalf of the office  
5 of consumer advocate established in section 475A.3; and the  
6 insurance division of the department; and deposited into an  
7 account for that division or office within the fund on a  
8 monthly basis. Except as otherwise provided by statute, all  
9 costs for operating the office of consumer advocate and the  
10 banking division, the credit union division, the utilities  
11 division, and the insurance division of the department shall be  
12 paid from the division's accounts within the fund, subject to  
13 appropriation by the general assembly. The insurance division  
14 shall administer the fund and all other divisions shall work  
15 with the insurance division to make sure the fund is properly  
16 accounted and reported to the department of management and the  
17 department of administrative services. The divisions shall  
18 provide quarterly reports to the department of management  
19 and the legislative services agency on revenues billed and  
20 collected and expenditures from the fund in a format as  
21 determined by the department of management in consultation with  
22 the legislative services agency.

23 2. To meet cash flow needs for the office of consumer  
24 advocate and the banking division, credit union division,  
25 utilities division, or the insurance division of the  
26 department, the administrative head of that division or  
27 office may temporarily use funds from the general fund of the  
28 state to pay expenses in excess of moneys available in the  
29 revolving fund for that division or office if those additional  
30 expenditures are fully reimbursable and the division or office  
31 reimburses the general fund of the state and ensures all  
32 moneys are repaid in full by the close of the fiscal year.  
33 Notwithstanding any provision to the contrary, the divisions  
34 shall, to the fullest extent possible, make an estimate of  
35 billings and make such billings as early as possible in each

1 fiscal year, so that the need for the use of general fund  
2 moneys is minimized to the lowest extent possible. Because  
3 any general fund moneys used shall be fully reimbursed, such  
4 temporary use of funds from the general fund of the state shall  
5 not constitute an appropriation for purposes of calculating the  
6 state general fund expenditure limitation pursuant to section  
7 8.54.

8 3. Section 8.33 does not apply to any moneys credited or  
9 appropriated to the revolving fund from any other fund.

10 4. The establishment of the revolving fund pursuant  
11 to this section shall not be interpreted in any manner to  
12 compromise or impact the accountability of, or limit authority  
13 with respect to, an agency or entity under state law. Any  
14 provision applicable to, or responsibility of, a division or  
15 office collecting moneys for deposit into the fund established  
16 pursuant to this section shall not be altered or impacted by  
17 the existence of the fund and shall remain applicable to the  
18 same extent as if the division or office were receiving moneys  
19 pursuant to a general fund appropriation. The divisions of  
20 the department of commerce shall comply with directions by the  
21 governor to executive branch departments regarding restrictions  
22 on out-of-state travel, hiring justifications, association  
23 memberships, equipment purchases, consulting contracts, and  
24 any other expenditure efficiencies that the governor deems  
25 appropriate.

26 Sec. 51. Section 715C.2, subsection 1, Code 2011, is amended  
27 to read as follows:

28 1. Any person who owns or licenses computerized data that  
29 includes a consumer's personal information that is used in  
30 the course of the person's business, vocation, occupation,  
31 or volunteer activities and that was subject to a breach  
32 of security shall give notice of the breach of security  
33 following discovery of such breach of security, or receipt  
34 of notification under subsection 2, to any consumer whose  
35 personal information was included in the information that was



1 breached. The consumer notification shall be made in the most  
2 expeditious manner possible and without unreasonable delay,  
3 consistent with the legitimate needs of law enforcement as  
4 provided in subsection 3, and consistent with any measures  
5 necessary to sufficiently determine contact information for  
6 the affected consumers, determine the scope of the breach, and  
7 restore the reasonable integrity, security, and confidentiality  
8 of the data. A person required to provide notice of a breach  
9 of security under this section shall also notify the attorney  
10 general as to the timing, content, and distribution of the  
11 notice to consumers and an approximate number of affected  
12 consumers.

13 Sec. 52. Section 904.114, Code 2011, is amended to read as  
14 follows:

15 **904.114 Travel expenses.**

16 The director, staff members, assistants, and employees, in  
17 addition to salary, shall receive their necessary traveling  
18 expenses by the nearest practicable route, when engaged in  
19 the performance of official business. Permission shall not  
20 be granted to any person to travel to another state except by  
21 approval of the board ~~and the executive council.~~

22 Sec. 53. 2009 Iowa Acts, chapter 169, section 4, subsection  
23 2, is amended to read as follows:

24 2. a. From the moneys appropriated in this section,  
25 there is transferred to the department of human rights two  
26 hundred fifty thousand dollars for deposit in the individual  
27 development account state match fund created in section 541A.7.  
28 Notwithstanding other provisions to the contrary in section  
29 541A.3, subsection 1, moneys appropriated to the individual  
30 development account state match fund under this subsection  
31 shall be used to provide the state match to account holders  
32 affected by a natural disaster occurring in 2008 for which the  
33 president of the United States declared a disaster area, and  
34 who have a household income that is equal to or less than three  
35 hundred percent of the federal poverty level as defined by the

1 most recently revised poverty income guidelines published by  
2 the United States department of health and human services.

3 b. Moneys transferred pursuant to paragraph "a" that  
4 remain unencumbered or unobligated on July 1, 2011, shall be  
5 transferred to the taxpayers trust fund created in section  
6 8.57E.

7 Sec. 54. 2010 Iowa Acts, chapter 1193, section 29, is  
8 amended to read as follows:

9 SEC. 29. DEPARTMENT OF ADMINISTRATIVE SERVICES —  
10 INFORMATION TECHNOLOGY.

11 1. There is appropriated from the general fund of the state  
12 to the department of administrative services for the fiscal  
13 year beginning July 1, 2010, and ending June 30, 2011, the  
14 following amount, or so much thereof as is necessary, to be  
15 used for the purposes designated:

16 For implementing 2010 Iowa Acts, Senate File 2088, division  
17 I, including salaries, support, maintenance, and miscellaneous  
18 purposes:

19 ..... \$ 2,300,000

20 2. Notwithstanding section 8.33, moneys appropriated in  
21 this section that remain unencumbered or unobligated at the  
22 close of the fiscal year ending June 30, 2011, shall not revert  
23 but shall remain available for expenditure for the purposes  
24 designated until the close of the fiscal year ending June 30,  
25 2012.

26 Sec. 55. 2011 Iowa Acts, House File 45, section 8, is  
27 amended to read as follows:

28 SEC. 8. SALE OR LEASE OF IOWA COMMUNICATIONS NETWORK. The  
29 Iowa telecommunications and technology commission shall  
30 implement a request for proposals process to sell or lease  
31 the Iowa communications network. The request for proposals  
32 shall provide for the sale to be concluded or the lease to  
33 commence during the fiscal year beginning July 1, ~~2011~~ 2012.  
34 The commission shall condition the sale or lease of the Iowa  
35 communications network with terms that will allow existing

1 authorized users of the network to continue such use at a  
2 lower overall long-term cost when compared to the anticipated  
3 operation and maintenance costs if state ownership and control  
4 were to continue. Public funds shall not be used to secure  
5 the purchase of the network. The commission shall submit  
6 periodic status reports to the general assembly at three-month  
7 intervals, beginning on October 1, 2011, regarding progress  
8 made toward selling or leasing the network. Compliance with  
9 or implementation of this section shall be deemed to satisfy  
10 the statutory requirement specified in section 8D.12 regarding  
11 prior authorization to dispose of the network.

12 Sec. 56. REPEAL. 2009 Iowa Acts, chapter 179, section 146,  
13 is repealed.

14 Sec. 57. CODE EDITOR DIRECTIVE. The Code editor is directed  
15 to change the words "state-owned" to "state-assigned", to the  
16 extent not otherwise changed pursuant to this Act, in Code  
17 sections 8A.362, 8A.363, 8A.364, and 8A.366.

18 Sec. 58. EFFECTIVE UPON ENACTMENT.

19 1. The section of this division of this Act directing the  
20 department of administrative services to disconnect electricity  
21 to the heated sidewalk installed at the state capitol building,  
22 being deemed of immediate importance, takes effect upon  
23 enactment.

24 2. The section of this division of this Act providing  
25 implementation provisions regarding leasing authority of  
26 the department of administrative services, being deemed of  
27 immediate importance, takes effect upon enactment.

28 3. The sections of this division of this Act relating to  
29 executive branch employee travel and travel reimbursement  
30 implementation, being deemed of immediate importance, take  
31 effect upon enactment.

32 4. The section of this division of this Act relating to  
33 nonreversion of moneys appropriated to the department of  
34 administrative services for implementation of 2010 Iowa Acts,  
35 chapter 1031, division I, being deemed of immediate importance,

1 takes effect upon enactment.

2 DIVISION II  
3 ADMINISTRATION AND REGULATION  
4 FY 2012-2013

5 Sec. 59. DEPARTMENT OF ADMINISTRATIVE SERVICES.

6 1. There is appropriated from the general fund of the state  
7 to the department of administrative services for the fiscal  
8 year beginning July 1, 2012, and ending June 30, 2013, the  
9 following amounts, or so much thereof as is necessary, to be  
10 used for the purposes designated, and for not more than the  
11 following full-time equivalent positions:

12 a. For salaries, support, maintenance, and miscellaneous  
13 purposes:

14 ..... \$ 3,417,292  
15 ..... FTEs 84.18

16 b. For the payment of utility costs:

17 ..... \$ 2,498,490  
18 ..... FTEs 1.00

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

24 c. For Terrace Hill operations:

25 ..... \$ 345,027  
26 ..... FTEs 6.88

27 d. For the I3 distribution account:

28 ..... \$ 2,828,800

29 e. For operations and maintenance of the Iowa building:

30 ..... \$ 865,457  
31 ..... FTEs 4.00

32 2. Members of the general assembly serving as members of  
33 the deferred compensation advisory board shall be entitled  
34 to receive per diem and necessary travel and actual expenses  
35 pursuant to section 2.10, subsection 5, while carrying out

1 their official duties as members of the board.

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

11 Sec. 60. REVOLVING FUNDS. There is appropriated to the  
12 department of administrative services for the fiscal year  
13 beginning July 1, 2012, and ending June 30, 2013, from the  
14 revolving funds designated in chapter 8A and from internal  
15 service funds created by the department such amounts as the  
16 department deems necessary for the operation of the department  
17 consistent with the requirements of chapter 8A.

18 Sec. 61. FUNDING FOR IOWACCESS.

19 1. Notwithstanding section 321A.3, subsection 1, for the  
20 fiscal year beginning July 1, 2012, and ending June 30, 2013,  
21 the first \$750,000 collected and transferred by the department  
22 of transportation to the treasurer of state with respect to the  
23 fees for transactions involving the furnishing of a certified  
24 abstract of a vehicle operating record under section 321A.3,  
25 subsection 1, shall be transferred to the IowAccess revolving  
26 fund for the purposes of developing, implementing, maintaining,  
27 and expanding electronic access to government records as  
28 provided by law.

29 2. All fees collected with respect to transactions  
30 involving IowAccess shall be deposited in the IowAccess  
31 revolving fund and shall be used only for the support of  
32 IowAccess projects.

33 Sec. 62. STATE EMPLOYEE HEALTH INSURANCE ADMINISTRATION  
34 CHARGE. For the fiscal year beginning July 1, 2012, and ending  
35 June 30, 2013, the monthly per contract administrative charge

1 which may be assessed by the department of administrative  
2 services shall be \$2 per contract on all health insurance plans  
3 administered by the department.

4 Sec. 63. AUDITOR OF STATE.

5 1. There is appropriated from the general fund of the state  
6 to the office of the auditor of state for the fiscal year  
7 beginning July 1, 2012, and ending June 30, 2013, the following  
8 amount, or so much thereof as is necessary, to be used for  
9 the purposes designated, and for not more than the following  
10 full-time equivalent positions:

11 For salaries, support, maintenance, and miscellaneous  
12 purposes:

13 .....	\$	795,200
14 .....	FTEs	103.00

15 2. The auditor of state may retain additional full-time  
16 equivalent positions as is reasonable and necessary to  
17 perform governmental subdivision audits which are reimbursable  
18 pursuant to section 11.20 or 11.21, to perform audits which are  
19 requested by and reimbursable from the federal government, and  
20 to perform work requested by and reimbursable from departments  
21 or agencies pursuant to section 11.5A or 11.5B. The auditor  
22 of state shall notify the department of management, the  
23 legislative fiscal committee, and the legislative services  
24 agency of the additional full-time equivalent positions  
25 retained.

26 Sec. 64. IOWA ETHICS AND CAMPAIGN DISCLOSURE BOARD. There  
27 is appropriated from the general fund of the state to the  
28 Iowa ethics and campaign disclosure board for the fiscal year  
29 beginning July 1, 2012, and ending June 30, 2013, the following  
30 amount, or so much thereof as is necessary, for the purposes  
31 designated:

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

35 .....	\$	403,750
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1 ..... FTEs 5.00

2 Sec. 65. DEPARTMENT OF COMMERCE.

3 1. There is appropriated from the general fund of the  
4 state to the department of commerce for the fiscal year  
5 beginning July 1, 2012, and ending June 30, 2013, the following  
6 amounts, or so much thereof as is necessary, for the purposes  
7 designated:

8 a. ALCOHOLIC BEVERAGES DIVISION

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

12 ..... \$ 1,037,332  
13 ..... FTEs 21.00

14 b. PROFESSIONAL LICENSING AND REGULATION BUREAU

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

18 ..... \$ 517,950  
19 ..... FTEs 12.00

20 2. There is appropriated from the department of commerce  
21 revolving fund created in section 546.12 to the department of  
22 commerce for the fiscal year beginning July 1, 2012, and ending  
23 June 30, 2013, the following amounts, or so much thereof as is  
24 necessary, for the purposes designated:

25 a. BANKING DIVISION

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

29 ..... \$ 7,523,920  
30 ..... FTEs 80.00

31 b. CREDIT UNION DIVISION

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

35 ..... \$ 1,468,796

1 ..... FTEs 19.00

2 c. INSURANCE DIVISION

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

6 ..... \$ 4,235,757

7 ..... FTEs 106.50

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

17 (a) Notifies the department of management, the legislative  
18 services agency, and the legislative fiscal committee of the  
19 need for the expenditures.

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

23 d. UTILITIES DIVISION

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

27 ..... \$ 6,947,109

28 ..... FTEs 79.00

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



1 (a) Notify the department of management, the legislative  
2 services agency, and the legislative fiscal committee of the  
3 need for the expenditures.

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

7 (3) In addition to the funds otherwise appropriated to the  
8 division in subparagraph (1), and contingent upon the enactment  
9 of legislation during the 2011 legislative session relating  
10 to the permitting, licensing, construction, and operation of  
11 nuclear generation facilities and establishing rate-making  
12 principles in relation thereto, for salaries, support,  
13 maintenance, and miscellaneous purposes, and for not more than  
14 the following full-time equivalent positions:

15 .....	\$	425,000
16 .....	FTEs	5.00

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

22 Sec. 66. DEPARTMENT OF COMMERCE — PROFESSIONAL LICENSING  
23 AND REGULATION BUREAU. There is appropriated from the housing  
24 trust fund of the Iowa finance authority created in section  
25 16.181, to the bureau of professional licensing and regulation  
26 of the banking division of the department of commerce for the  
27 fiscal year beginning July 1, 2012, and ending June 30, 2013,  
28 the following amount, or so much thereof as is necessary, to be  
29 used for the purposes designated:

30 For salaries, support, maintenance, and miscellaneous  
31 purposes:

32 .....	\$	52,969
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33 Sec. 67. GOVERNOR AND LIEUTENANT GOVERNOR. There is  
34 appropriated from the general fund of the state to the offices  
35 of the governor and the lieutenant governor for the fiscal year

1 beginning July 1, 2012, and ending June 30, 2013, the following  
2 amounts, or so much thereof as is necessary, to be used for the  
3 purposes designated:

4 For salaries, support, maintenance, and miscellaneous  
5 purposes:  
6 ..... \$ 1,944,821  
7 ..... FTEs 22.88

8 Sec. 68. GOVERNOR'S OFFICE OF DRUG CONTROL POLICY. There  
9 is appropriated from the general fund of the state to the  
10 governor's office of drug control policy for the fiscal year  
11 beginning July 1, 2012, and ending June 30, 2013, the following  
12 amount, or so much thereof as is necessary, to be used for the  
13 purposes designated:

14 For salaries, support, maintenance, and miscellaneous  
15 purposes, including statewide coordination of the drug abuse  
16 resistance education (D.A.R.E.) programs or similar programs,  
17 and for not more than the following full-time equivalent  
18 positions:  
19 ..... \$ 277,137  
20 ..... FTEs 8.00

21 Sec. 69. DEPARTMENT OF HUMAN RIGHTS. There is appropriated  
22 from the general fund of the state to the department of human  
23 rights for the fiscal year beginning July 1, 2012, and ending  
24 June 30, 2013, the following amounts, or so much thereof as is  
25 necessary, to be used for the purposes designated:

26 1. CENTRAL ADMINISTRATION DIVISION  
27 For salaries, support, maintenance, and miscellaneous  
28 purposes, and for not more than the following full-time  
29 equivalent positions:  
30 ..... \$ 175,188  
31 ..... FTEs 7.00

32 2. COMMUNITY ADVOCACY AND SERVICES DIVISION  
33 For salaries, support, maintenance, and miscellaneous  
34 purposes, and for not more than the following full-time  
35 equivalent positions:

1 .....	\$	697,115
2 .....	FTEs	17.00

3 3. CRIMINAL AND JUVENILE JUSTICE PLANNING DIVISION  
4 For salaries, support, maintenance, and miscellaneous  
5 purposes, and for not more than the following full-time  
6 equivalent positions:

7 .....	\$	870,308
8 .....	FTEs	10.00

9 The criminal and juvenile justice planning advisory council  
10 and the juvenile justice advisory council shall coordinate  
11 their efforts in carrying out their respective duties relative  
12 to juvenile justice.

13 Sec. 70. DEPARTMENT OF INSPECTIONS AND APPEALS. There  
14 is appropriated from the general fund of the state to the  
15 department of inspections and appeals for the fiscal year  
16 beginning July 1, 2012, and ending June 30, 2013, the following  
17 amounts, or so much thereof as is necessary, for the purposes  
18 designated:

19 1. ADMINISTRATION DIVISION

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

23 .....	\$	1,307,058
24 .....	FTEs	37.40

25 2. ADMINISTRATIVE HEARINGS DIVISION

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

29 .....	\$	449,440
30 .....	FTEs	23.00

31 3. INVESTIGATIONS DIVISION

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

35 .....	\$	993,343
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1 ..... FTEs 58.50

2 b. The department, in coordination with the investigations  
3 division, shall provide a report to the general assembly by  
4 January 10, 2013, concerning the fiscal impact of additional  
5 full-time equivalent positions on the department's efforts  
6 relative to the Medicaid divestiture program under chapter  
7 249F.

8 4. HEALTH FACILITIES DIVISION

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

12 ..... \$ 3,022,029  
13 ..... FTEs 134.75

14 b. The department shall, in coordination with the health  
15 facilities division, make the following information available  
16 to the public in a timely manner, to include providing the  
17 information on the department's internet website, during the  
18 fiscal year beginning July 1, 2012, and ending June 30, 2013:

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

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

24 (3) The total number of full-time equivalent positions in  
25 the division, to include the number of full-time equivalent  
26 positions serving in a supervisory capacity, and serving as  
27 surveyors, inspectors, or monitors in the field by type of  
28 service provider inspected.

29 (4) Identification of state and federal survey trends,  
30 cited regulations, the scope and severity of deficiencies  
31 identified, and federal and state fines assessed and collected  
32 concerning nursing and assisted living facilities and programs.

33 c. It is the intent of the general assembly that the  
34 department and division continuously solicit input from  
35 facilities regulated by the division to assess and improve

1 the division's level of collaboration and to identify new  
2 opportunities for cooperation.

3 5. EMPLOYMENT APPEAL BOARD

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

7 .....	\$	35,883
8 .....	FTEs	14.00

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

18 6. CHILD ADVOCACY BOARD

19 a. For foster care review and the court appointed special  
20 advocate program, including salaries, support, maintenance, and  
21 miscellaneous purposes, and for not more than the following  
22 full-time equivalent positions:

23 .....	\$	2,171,555
24 .....	FTEs	40.80

25 b. The department of human services, in coordination with  
26 the child advocacy board and the department of inspections and  
27 appeals, shall submit an application for funding available  
28 pursuant to Tit. IV-E of the federal Social Security Act for  
29 claims for child advocacy board administrative review costs.

30 c. The court appointed special advocate program shall  
31 investigate and develop opportunities for expanding  
32 fund-raising for the program.

33 d. Administrative costs charged by the department of  
34 inspections and appeals for items funded under this subsection  
35 shall not exceed 4 percent of the amount appropriated in this

1 subsection.

2 Sec. 71. DEPARTMENT OF INSPECTIONS AND APPEALS — MUNICIPAL  
3 CORPORATION FOOD INSPECTIONS. For the fiscal year beginning  
4 July 1, 2012, and ending June 30, 2013, the department of  
5 inspections and appeals shall retain any license fees generated  
6 during the fiscal year as a result of actions under section  
7 137F.3A occurring during the period beginning July 1, 2009,  
8 and ending June 30, 2012, for the purpose of enforcing the  
9 provisions of chapters 137C, 137D, and 137F.

10 Sec. 72. DEPARTMENT OF INSPECTIONS AND APPEALS —  
11 HEALTH CARE FACILITIES INSPECTIONS. Notwithstanding any  
12 provision of section 135C.16 to the contrary, inspections of  
13 health care facilities that are only state-licensed and not  
14 certified under the Medicare or Medicaid programs shall not be  
15 inspected by the department of inspections and appeals every  
16 thirty months, but only as provided pursuant to sections 135C.9  
17 and 135C.38.

18 Sec. 73. RACING AND GAMING COMMISSION.

19 1. RACETRACK REGULATION

20 There is appropriated from the gaming regulatory revolving  
21 fund established in section 99F.20 to the racing and gaming  
22 commission of the department of inspections and appeals for the  
23 fiscal year beginning July 1, 2012, and ending June 30, 2013,  
24 the following amount, or so much thereof as is necessary, to be  
25 used for the purposes designated:

26 For salaries, support, maintenance, and miscellaneous  
27 purposes for the regulation of pari-mutuel racetracks, and for  
28 not more than the following full-time equivalent positions:  
29 ..... \$ 2,616,385  
30 ..... FTEs 28.53

31 2. EXCURSION BOAT AND GAMBLING STRUCTURE REGULATION

32 There is appropriated from the gaming regulatory revolving  
33 fund established in section 99F.20 to the racing and gaming  
34 commission of the department of inspections and appeals for the  
35 fiscal year beginning July 1, 2012, and ending June 30, 2013,

1 the following amount, or so much thereof as is necessary, to be  
2 used for the purposes designated:

3 For salaries, support, maintenance, and miscellaneous  
4 purposes for administration and enforcement of the excursion  
5 boat gambling and gambling structure laws, and for not more  
6 than the following full-time equivalent positions:  
7 ..... \$ 2,134,724  
8 ..... FTEs 44.22

9 Sec. 74. ROAD USE TAX FUND APPROPRIATION — DEPARTMENT OF  
10 INSPECTIONS AND APPEALS. There is appropriated from the road  
11 use tax fund created in section 312.1 to the administrative  
12 hearings division of the department of inspections and appeals  
13 for the fiscal year beginning July 1, 2012, and ending June 30,  
14 2013, the following amount, or so much thereof as is necessary,  
15 for the purposes designated:

16 For salaries, support, maintenance, and miscellaneous  
17 purposes:  
18 ..... \$ 1,380,312

19 Sec. 75. DEPARTMENT OF MANAGEMENT.

20 1. There is appropriated from the general fund of the state  
21 to the department of management for the fiscal year beginning  
22 July 1, 2012, and ending June 30, 2013, the following amounts,  
23 or so much thereof as is necessary, to be used for the purposes  
24 designated:

25 For salaries, support, maintenance, and miscellaneous  
26 purposes, and for not more than the following full-time  
27 equivalent positions:  
28 ..... \$ 2,060,398  
29 ..... FTEs 25.00

30 2. Of the moneys appropriated in this section, the  
31 department shall use a portion for enterprise resource  
32 planning, providing for a salary model administrator,  
33 conducting performance audits, and for the department's LEAN  
34 process.

35 Sec. 76. ROAD USE TAX APPROPRIATION — DEPARTMENT OF

1 MANAGEMENT. There is appropriated from the road use tax fund  
2 created in section 312.1 to the department of management for  
3 the fiscal year beginning July 1, 2012, and ending June 30,  
4 2013, the following amount, or so much thereof as is necessary,  
5 to be used for the purposes designated:

6 For salaries, support, maintenance, and miscellaneous  
7 purposes:  
8 ..... \$ 47,600

9 Sec. 77. DEPARTMENT OF REVENUE.

10 1. There is appropriated from the general fund of the state  
11 to the department of revenue for the fiscal year beginning July  
12 1, 2012, and ending June 30, 2013, the following amounts, 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, and for not more than the following full-time  
17 equivalent positions:  
18 ..... \$ 14,973,161  
19 ..... FTEs 303.48

20 2. Of the funds appropriated pursuant to this section,  
21 \$400,000 shall be used to pay the direct costs of compliance  
22 related to the collection and distribution of local sales and  
23 services taxes imposed pursuant to chapters 423B and 423E.

24 3. The director of revenue shall prepare and issue a state  
25 appraisal manual and the revisions to the state appraisal  
26 manual as provided in section 421.17, subsection 17, without  
27 cost to a city or county.

28 Sec. 78. MOTOR VEHICLE FUEL TAX APPROPRIATION. There is  
29 appropriated from the motor fuel tax fund created by section  
30 452A.77 to the department of revenue for the fiscal year  
31 beginning July 1, 2012, and ending June 30, 2013, the following  
32 amount, or so much thereof as is necessary, to be used for the  
33 purposes designated:

34 For salaries, support, maintenance, miscellaneous purposes,  
35 and for administration and enforcement of the provisions of



1 chapter 452A and the motor vehicle use tax program:  
2 ..... \$ 1,109,909

3 Sec. 79. SECRETARY OF STATE.

4 1. There is appropriated from the general fund of the state  
5 to the office of the secretary of state for the fiscal year  
6 beginning July 1, 2012, and ending June 30, 2013, the following  
7 amounts, or so much thereof as is necessary, to be used for the  
8 purposes designated:

9 For salaries, support, maintenance, and miscellaneous  
10 purposes, and for not more than the following full-time  
11 equivalent positions:  
12 ..... \$ 2,461,247  
13 ..... FTEs 45.00

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

18 Sec. 80. SECRETARY OF STATE FILING FEES REFUND.

19 Notwithstanding the obligation to collect fees pursuant to the  
20 provisions of section 490.122, subsection 1, paragraphs "a" and  
21 "s", and section 504.113, subsection 1, paragraphs "a", "c",  
22 "d", "j", "k", "l", and "m", for the fiscal year beginning July  
23 1, 2012, the secretary of state may refund these fees to the  
24 filer pursuant to rules established by the secretary of state.  
25 The decision of the secretary of state not to issue a refund  
26 under rules established by the secretary of state is final and  
27 not subject to review pursuant to chapter 17A.

28 Sec. 81. TREASURER.

29 1. There is appropriated from the general fund of the  
30 state to the office of treasurer of state for the fiscal year  
31 beginning July 1, 2012, and ending June 30, 2013, the following  
32 amount, or so much thereof as is necessary, to be used for the  
33 purposes designated:

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

1 equivalent positions:

2 .....	\$	726,146
3 .....	FTEs	28.80

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

6 Sec. 82. ROAD USE TAX APPROPRIATION — OFFICE OF TREASURER  
7 OF STATE. There is appropriated from the road use tax fund  
8 created in section 312.1 to the office of treasurer of state  
9 for the fiscal year beginning July 1, 2012, and ending June 30,  
10 2013, the following amount, or so much thereof as is necessary,  
11 to be used for the purposes designated:

12 For enterprise resource management costs related to the  
13 distribution of road use tax funds:

14 .....	\$	79,176
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15 Sec. 83. IPERS — GENERAL OFFICE. There is appropriated  
16 from the Iowa public employees' retirement system fund to the  
17 Iowa public employees' retirement system for the fiscal year  
18 beginning July 1, 2012, and ending June 30, 2013, the following  
19 amount, or so much thereof as is necessary, to be used for the  
20 purposes designated:

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

25 .....	\$	15,033,923
26 .....	FTEs	90.13

27 DIVISION III

28 AGRICULTURE AND NATURAL RESOURCES

29 DEPARTMENT OF AGRICULTURE AND LAND STEWARDSHIP

30 GENERAL APPROPRIATIONS FOR FY 2011-2012

31 Sec. 84. GENERAL FUND — DEPARTMENT.

32 1. There is appropriated from the general fund of the state  
33 to the department of agriculture and land stewardship for the  
34 fiscal year beginning July 1, 2011, and ending June 30, 2012,  
35 the following amount, or so much thereof as is necessary, to be

1 used for the purposes designated:

2 For purposes of supporting the department, including its  
3 divisions, for administration, regulation, and programs; for  
4 salaries, support, maintenance, and miscellaneous purposes; and  
5 for not more than the following full-time equivalent positions:  
6 ..... \$ 16,497,308  
7 ..... FTEs 366.00

8 2. The department shall submit a report each quarter of the  
9 fiscal year to the legislative services agency, the department  
10 of management, the members of the joint appropriations  
11 subcommittee on agriculture and natural resources, and the  
12 chairpersons and ranking members of the senate and house  
13 committees on appropriations. The report shall describe in  
14 detail the expenditure of moneys appropriated in this section  
15 to support the department's administration, regulation, and  
16 programs.

17 3. Of the amount appropriated in this section, \$238,000 is  
18 transferred to Iowa state university of science and technology,  
19 to be used for the university's midwest grape and wine industry  
20 institute.

21 DESIGNATED APPROPRIATIONS — ANIMAL HUSBANDRY

22 Sec. 85. UNCLAIMED PARI-MUTUEL WAGERING WINNINGS —  
23 HORSE AND DOG RACING. There is appropriated from the moneys  
24 available under section 99D.13 to the department of agriculture  
25 and land stewardship for the fiscal year beginning July 1,  
26 2011, and ending June 30, 2012, the following amount, or so  
27 much thereof as is necessary, to be used for the purposes  
28 designated:

29 For purposes of supporting the department's administration  
30 and enforcement of horse and dog racing law pursuant to section  
31 99D.22, including for salaries, support, maintenance, and  
32 miscellaneous purposes:  
33 ..... \$ 305,516

34 DESIGNATED APPROPRIATIONS — MOTOR FUEL

35 Sec. 86. RENEWABLE FUEL INFRASTRUCTURE FUND — MOTOR

1 FUEL INSPECTION. There is appropriated from the renewable  
2 fuel infrastructure fund created in section 15G.205 to the  
3 department of agriculture and land stewardship for the fiscal  
4 year beginning July 1, 2011, and ending June 30, 2012, the  
5 following amount, or so much thereof as is necessary, to be  
6 used for the purposes designated:

7 For purposes of the inspection of motor fuel, including  
8 salaries, support, maintenance, and miscellaneous purposes:  
9 ..... \$ 500,000

10 The department shall establish and administer programs  
11 for the auditing of motor fuel including biofuel processing  
12 and production plants, for screening and testing motor fuel,  
13 including renewable fuel, and for the inspection of motor fuel  
14 sold by dealers including retail dealers who sell and dispense  
15 motor fuel from motor fuel pumps.

16 DIVISION IV

17 AGRICULTURE AND NATURAL RESOURCES

18 DEPARTMENT OF NATURAL RESOURCES

19 GENERAL APPROPRIATIONS FOR FY 2011-2012

20 Sec. 87. GENERAL FUND — DEPARTMENT.

21 1. There is appropriated from the general fund of the state  
22 to the department of natural resources for the fiscal year  
23 beginning July 1, 2011, and ending June 30, 2012, the following  
24 amount, or so much thereof as is necessary, to be used for the  
25 purposes designated:

26 For purposes of supporting the department, including its  
27 divisions, for administration, regulation, and programs; for  
28 salaries, support, maintenance, and miscellaneous purposes; and  
29 for not more than the following full-time equivalent positions:  
30 ..... \$ 12,266,688  
31 ..... FTEs 1,145.95

32 2. Of the number of full-time equivalent positions  
33 authorized to the department pursuant to subsection 1, 50.00  
34 full-time equivalent positions shall be allocated by the  
35 department for seasonal employees for purposes of providing

1 maintenance, upkeep, and sanitary services at state parks.  
 2 3. The department shall submit a report each quarter of the  
 3 fiscal year to the legislative services agency, the department  
 4 of management, the members of the joint appropriations  
 5 subcommittee on agriculture and natural resources, and the  
 6 chairpersons and ranking members of the senate and house  
 7 committees on appropriations. The report shall describe in  
 8 detail the expenditure of moneys appropriated under this  
 9 section to support the department's administration, regulation,  
 10 and programs.

11 Sec. 88. STATE FISH AND GAME PROTECTION FUND — DIVISION OF  
 12 FISH AND WILDLIFE.

13 1. There is appropriated from the state fish and game  
 14 protection fund to the department of natural resources for the  
 15 fiscal year beginning July 1, 2011, and ending June 30, 2012,  
 16 the following amount, or so much thereof as is necessary, to be  
 17 used for the purposes designated:

18 For purposes of supporting the division of fish and  
 19 wildlife, including for administration, regulation, and  
 20 programs; and for salaries, support, maintenance, equipment,  
 21 and miscellaneous purposes:  
 22 ..... \$ 38,793,154

23 2. Notwithstanding section 455A.10, the department may use  
 24 the unappropriated balance remaining in the state fish and game  
 25 protection fund to provide for the funding of health and life  
 26 insurance premium payments from unused sick leave balances of  
 27 conservation peace officers employed in a protection occupation  
 28 who retire, pursuant to section 97B.49B.

29 3. Notwithstanding section 455A.10, the department of  
 30 natural resources may use the unappropriated balance remaining  
 31 in the state fish and game protection fund for the fiscal  
 32 year beginning July 1, 2011, and ending June 30, 2012, as is  
 33 necessary to fund salary adjustments for departmental employees  
 34 which the general assembly has made an operating budget  
 35 appropriation for in subsection 1.

1     Sec. 89. GROUNDWATER PROTECTION FUND — WATER  
2 QUALITY. There is appropriated from the groundwater protection  
3 fund created in section 455E.11 to the department of natural  
4 resources for the fiscal year beginning July 1, 2011,  
5 and ending June 30, 2012, from those moneys which are not  
6 allocated pursuant to that section, the following amount, or  
7 so much thereof as is necessary, to be used for the purposes  
8 designated:

9     For purposes of supporting the department's protection  
10 of the state's groundwater, including for administration,  
11 regulation, and programs, and for salaries, support,  
12 maintenance, equipment, and miscellaneous purposes:  
13 ..... \$ 3,455,832

14             DESIGNATED APPROPRIATIONS — MISCELLANEOUS

15     Sec. 90. SPECIAL SNOWMOBILE FUND — SNOWMOBILE  
16 PROGRAM. There is appropriated from the special snowmobile  
17 fund created under section 321G.7 to the department of natural  
18 resources for the fiscal year beginning July 1, 2011, and  
19 ending June 30, 2012, the following amount, or so much thereof  
20 as is necessary, to be used for the purpose designated:

21     For purposes of administering and enforcing the state  
22 snowmobile programs:  
23 ..... \$ 100,000

24     Sec. 91. SPECIAL SNOWMOBILE FUND. Notwithstanding section  
25 321G.7, subsection 2, for the fiscal year beginning July  
26 1, 2011, and ending June 30, 2012, at least seventy-five  
27 percent of the moneys in the special snowmobile fund which are  
28 appropriated to the department of natural resources as provided  
29 in that subsection shall be made available for use by political  
30 subdivisions or incorporated private organizations, or both,  
31 for their use as provided in that subsection.

32     Sec. 92. UNASSIGNED REVENUE FUND — UNDERGROUND STORAGE  
33 TANK SECTION EXPENSES. There is appropriated from the  
34 unassigned revenue fund administered by the Iowa comprehensive  
35 underground storage tank fund board to the department of

1 natural resources for the fiscal year beginning July 1, 2011,  
2 and ending June 30, 2012, the following amount, or so much  
3 thereof as is necessary, to be used for the purpose designated:

4 For purposes of paying for administration expenses of the  
5 department's underground storage tank section:  
6 ..... \$ 200,000

7 Sec. 93. STORM WATER DISCHARGE PERMIT FEES — SUPPORT FOR  
8 SPECIAL PURPOSES. Notwithstanding any contrary provision of  
9 state law, for the fiscal year beginning July 1, 2011, and  
10 ending June 30, 2012, the department of natural resources may  
11 use additional moneys available to the department collected  
12 from storm water discharge permit fees as provided in sections  
13 455B.103A and 455B.197 for the staffing of the following  
14 additional full-time equivalent positions for the purposes  
15 designated:

16 1. For purposes of reducing the department's floodplain  
17 permit backlog:  
18 ..... FTEs 2.00

19 2. For purposes of implementing the federal total maximum  
20 daily load program:  
21 ..... FTEs 2.00

22 DIVISION V  
23 AGRICULTURE AND NATURAL RESOURCES  
24 IOWA STATE UNIVERSITY  
25 APPROPRIATION FOR FY 2011-2012

26 Sec. 94. GENERAL FUND — VETERINARY DIAGNOSTIC LABORATORY.

27 1. There is appropriated from the general fund of the state  
28 to Iowa state university of science and technology for the  
29 fiscal year beginning July 1, 2011, and ending June 30, 2012,  
30 the following amount, or so much thereof as is necessary, to be  
31 used for the purposes designated:

32 For purposes of supporting the college of veterinary  
33 medicine for the operation of the veterinary diagnostic  
34 laboratory and for not more than the following full-time  
35 equivalent positions:

1 ..... \$ 3,237,636  
2 ..... FTEs 50.00

3 2. a. Iowa state university of science and technology  
4 shall not reduce the amount that it allocates to support the  
5 college of veterinary medicine from any other source due to the  
6 appropriation made in this section.

7 b. Paragraph "a" does not apply to a reduction made to  
8 support the college of veterinary medicine, if the same  
9 percentage of reduction imposed on the college of veterinary  
10 medicine is also imposed on all of Iowa state university's  
11 budget units.

12 3. If by June 30, 2012, Iowa state university of science and  
13 technology fails to allocate the moneys appropriated in this  
14 section to the college of veterinary medicine in accordance  
15 with this section, the moneys appropriated in this section for  
16 that fiscal year shall revert to the general fund of the state.

17 Sec. 95. VETERINARY DIAGNOSTIC LABORATORY — FUTURE  
18 YEAR. This section applies if appropriations made in this  
19 Act and all other Acts enacted by the Eighty-fourth General  
20 Assembly during the 2011 regular session and all extraordinary  
21 sessions, for the fiscal year beginning July 1, 2011, and  
22 ending June 30, 2012, for purposes of supporting the operation  
23 of the veterinary diagnostic laboratory associated with the  
24 college of veterinary medicine at Iowa state university, total  
25 less than \$4,000,000. It is the intent of the general assembly  
26 that the amount of any deficit will be appropriated by the  
27 general assembly during its 2012 regular session for purposes  
28 of supporting the operation of the veterinary diagnostic  
29 laboratory for the fiscal year beginning July 1, 2012, and  
30 ending June 30, 2013.

31 DIVISION VI  
32 AGRICULTURE AND NATURAL RESOURCES  
33 ENVIRONMENT FIRST FUND  
34 GENERAL APPROPRIATIONS FOR FY 2011-2012  
35 Sec. 96. DEPARTMENT OF AGRICULTURE AND LAND



1 STEWARDSHIP. There is appropriated from the environment first  
2 fund created in section 8.57A to the department of agriculture  
3 and land stewardship for the fiscal year beginning July 1,  
4 2011, and ending June 30, 2012, the following amounts, or so  
5 much thereof as is necessary, to be used for the purposes  
6 designated:

7 1. CONSERVATION RESERVE ENHANCEMENT PROGRAM (CREP)

8 a. For the conservation reserve enhancement program to  
9 restore and construct wetlands for the purposes of intercepting  
10 tile line runoff, reducing nutrient loss, improving water  
11 quality, and enhancing agricultural production practices:

12 ..... \$ 1,000,000

13 b. Not more than 10 percent of the moneys appropriated  
14 in paragraph "a" may be used for costs of administration and  
15 implementation of soil and water conservation practices.

16 c. Notwithstanding any other provision in law, the  
17 department may provide state resources from this appropriation,  
18 in combination with other appropriate environment first  
19 fund appropriations, for cost sharing to match United States  
20 department of agriculture, natural resources conservation  
21 service, wetlands reserve enhancement program (WREP) funding  
22 available to Iowa.

23 2. WATERSHED PROTECTION

24 a. For continuation of a program that provides  
25 multiobjective resource protections for flood control, water  
26 quality, erosion control, and natural resource conservation:

27 ..... \$ 900,000

28 b. Not more than 10 percent of the moneys appropriated  
29 in paragraph "a" may be used for costs of administration and  
30 implementation of soil and water conservation practices.

31 3. FARM MANAGEMENT DEMONSTRATION PROGRAM

32 a. For continuation of a statewide voluntary farm  
33 management demonstration program to demonstrate the  
34 effectiveness and adaptability of emerging practices in  
35 agronomy that protect water resources and provide other

1 environmental benefits:

2 ..... \$ 725,000

3 b. Not more than 10 percent of the moneys appropriated  
4 in paragraph "a" may be used for costs of administration and  
5 implementation of soil and water conservation practices.

6 c. Of the amount appropriated in paragraph "a", \$400,000  
7 shall be allocated to an organization representing soybean  
8 growers to provide for an agriculture and environment  
9 performance program in order to carry out the purposes of this  
10 subsection as specified in paragraph "a".

11 4. AGRICULTURAL EDUCATION

12 For purposes of allocating moneys to an Iowa association  
13 affiliated with a national organization which promotes  
14 agricultural education providing for future farmers:

15 ..... \$ 25,000

16 5. SOIL AND WATER CONSERVATION — ADMINISTRATION

17 For use by the department for costs of administration and  
18 implementation of soil and water conservation practices:

19 ..... \$ 2,375,000

20 6. CONSERVATION RESERVE PROGRAM (CRP)

21 a. To encourage and assist farmers in enrolling in and the  
22 implementation of the federal conservation reserve program and  
23 to work with them to enhance their revegetation efforts to  
24 improve water quality and habitat:

25 ..... \$ 1,000,000

26 b. Not more than 10 percent of the moneys appropriated  
27 in paragraph "a" may be used for costs of administration and  
28 implementation of soil and water conservation practices.

29 7. LOESS HILLS DEVELOPMENT AND CONSERVATION FUND

30 a. For deposit in the loess hills development and  
31 conservation fund created in section 161D.2:

32 ..... \$ 575,000

33 b. (1) Of the amount appropriated in paragraph "a",  
34 \$460,000 shall be allocated to the fund's hungry canyons  
35 account.

1 (2) Not more than 10 percent of the moneys allocated to the  
2 hungry canyons account as provided in subparagraph (1) may be  
3 used for administrative costs.

4 c. (1) Of the amount appropriated in paragraph "a",  
5 \$115,000 shall be allocated to the fund's loess hills alliance  
6 account.

7 (2) Not more than 10 percent of the moneys allocated to the  
8 loess hills alliance account as provided in subparagraph (1)  
9 may be used for administrative costs.

10 8. SOUTHERN IOWA DEVELOPMENT AND CONSERVATION FUND

11 a. For deposit in the southern Iowa development and  
12 conservation fund created in section 161D.12:

13 ..... \$ 225,000

14 b. Not more than 10 percent of the moneys appropriated in  
15 paragraph "a" may be used for administrative costs.

16 9. SOIL AND WATER CONSERVATION

17 a. For use by the department in providing for soil and  
18 water conservation administration, the conservation of soil and  
19 water resources, or the support of soil and water conservation  
20 district commissioners:

21 ..... \$ 6,300,000

22 b. The department may deposit any amount of the moneys into  
23 the Mississippi river basin healthy watersheds initiative fund  
24 created in section 161G.2.

25 c. Not more than 5 percent of the moneys appropriated in  
26 paragraph "a" may be allocated for cost sharing to address  
27 complaints filed under section 161A.47.

28 d. Of the moneys appropriated in paragraph "a", 5 percent  
29 shall be allocated for financial incentives to establish  
30 practices to protect watersheds above publicly owned lakes of  
31 the state from soil erosion and sediment as provided in section  
32 161A.73.

33 e. Not more than 30 percent of a soil and water conservation  
34 district's allocation of moneys as financial incentives may be  
35 provided for the purpose of establishing management practices

1 to control soil erosion on land that is row cropped, including  
2 but not limited to no-till planting, ridge-till planting,  
3 contouring, and contour strip-cropping as provided in section  
4 161A.73.

5 f. The state soil conservation committee established by  
6 section 161A.4 may allocate moneys appropriated in paragraph  
7 "a" to conduct research and demonstration projects to promote  
8 conservation tillage and nonpoint source pollution control  
9 practices.

10 g. The allocation of moneys as financial incentives as  
11 provided in section 161A.73 may be used in combination with  
12 moneys allocated by the department of natural resources.

13 h. Not more than 15 percent of the moneys appropriated  
14 in paragraph "a" may be used for costs of administration and  
15 implementation of soil and water conservation practices.

16 10. LOCAL FOOD AND FARM PROGRAM COORDINATOR

17 a. For purposes of supporting a local food and farm program  
18 coordinator as established pursuant to new Code chapter 267A as  
19 enacted in this Act, for salaries, support, maintenance, and  
20 miscellaneous purposes:

21 ..... \$ 75,000

22 b. The department shall enter into a cost-sharing agreement  
23 with Iowa state university to support the local food and farm  
24 program coordinator position as part of the university's  
25 cooperative extension service in agriculture and home economics  
26 pursuant to new Code chapter 267A as enacted in this Act.

27 Sec. 97. DEPARTMENT OF NATURAL RESOURCES. There is  
28 appropriated from the environment first fund created in section  
29 8.57A to the department of natural resources for the fiscal  
30 year beginning July 1, 2011, and ending June 30, 2012, the  
31 following amounts, or so much thereof as is necessary, to be  
32 used for the purposes designated:

33 1. KEEPERS OF THE LAND

34 For statewide coordination of volunteer efforts under the  
35 water quality and keepers of the land programs:

1 ..... \$ 100,000  
2 2. STATE PARKS MAINTENANCE AND OPERATIONS  
3 For regular maintenance of state parks and staff time  
4 associated with these activities:  
5 ..... \$ 3,110,000  
6 3. GEOGRAPHIC INFORMATION SYSTEM (GIS)  
7 To provide local watershed managers with geographic  
8 information system data for their use in developing,  
9 monitoring, and displaying results of their watershed work:  
10 ..... \$ 195,000  
11 4. WATER QUALITY MONITORING  
12 For continuing the establishment and operation of water  
13 quality monitoring stations:  
14 ..... \$ 2,955,000  
15 5. PUBLIC WATER SUPPLY SYSTEM ACCOUNT  
16 For deposit in the public water supply system account of the  
17 water quality protection fund created in section 455B.183A:  
18 ..... \$ 500,000  
19 6. REGULATION OF ANIMAL FEEDING OPERATIONS  
20 For the regulation of animal feeding operations, including  
21 as provided for in chapters 459 through 459B:  
22 ..... \$ 420,000  
23 7. AMBIENT AIR QUALITY  
24 For the abatement, control, and prevention of ambient  
25 air pollution in this state, including measures as necessary  
26 to assure attainment and maintenance of ambient air quality  
27 standards from particulate matter:  
28 ..... \$ 425,000  
29 8. WATER QUANTITY REGULATION  
30 For regulating water quantity from surface and subsurface  
31 sources by providing for the allocation and use of water  
32 resources, the protection and management of water resources,  
33 and the preclusion of conflicts among users of water resources,  
34 including as provided in chapter 455B, division III, part 4:  
35 ..... \$ 495,000

1 9. FORESTRY MANAGEMENT

2 To provide for forestry health management programs:

3 ..... \$ 100,000

4 Sec. 98. REVERSION. Notwithstanding section 8.33,  
5 moneys appropriated for the fiscal year beginning July 1,  
6 2011, in this division of this Act that remain unencumbered  
7 or unobligated at the close of the fiscal year shall not  
8 revert but shall remain available to be used for the purposes  
9 designated until the close of the fiscal year beginning July 1,  
10 2012, or until the project for which the appropriation was made  
11 is completed, whichever is earlier.

12 DIVISION VII

13 AGRICULTURE AND NATURAL RESOURCES

14 ENVIRONMENT FIRST FUND — APPROPRIATION TO THE

15 RESOURCES ENHANCEMENT AND PROTECTION

16 (REAP) FUND FOR FY 2011-2012

17 GENERAL APPROPRIATIONS

18 Sec. 99. ENVIRONMENT FIRST FUND. Notwithstanding the  
19 amount of the standing appropriation from the general fund of  
20 the state to the Iowa resources enhancement and protection  
21 fund as provided in section 455A.18, there is appropriated  
22 from the environment first fund created in section 8.57A to  
23 the Iowa resources enhancement and protection fund, in lieu of  
24 the appropriation made in section 455A.18, for the fiscal year  
25 beginning July 1, 2011, and ending June 30, 2012, the following  
26 amount, to be allocated as provided in section 455A.19:

27 ..... \$ 11,500,000

28 DIVISION VIII

29 AGRICULTURE AND NATURAL RESOURCES

30 RELATED MISCELLANEOUS PROVISIONS FOR FY 2011-2012

31 Sec. 100. AGRICULTURAL DRAINAGE WELL CLOSURE — REPORT. The  
32 department of agriculture and land stewardship shall prepare  
33 a report regarding agricultural drainage wells that have not  
34 been closed as provided in chapter 460. The report shall  
35 include an inventory of agricultural drainage wells that remain

1 unclosed, a projected timeline for closing the agricultural  
2 drainage wells, and an estimate of the costs for closing each  
3 agricultural drainage well. The department shall submit the  
4 report to the governor and fiscal services division of the  
5 legislative services agency not later than January 1, 2012.

6 DIVISION IX

7 AGRICULTURE AND NATURAL RESOURCES

8 RELATED STATUTORY CHANGES FOR CODIFICATION IN 2011 — SPECIAL  
9 FUNDS

10 GROUNDWATER PROTECTION FUND

11 Sec. 101. Section 455E.11, subsection 2, paragraph a,  
12 subparagraph (1), subparagraph division (a), subparagraph  
13 subdivision (ii), subparagraph part (B), Code 2011, is amended  
14 to read as follows:

15 (B) Expend not more than fifty percent of the moneys  
16 for a community partnership program designed to support  
17 community beautification projects ~~including the deconstruction,~~  
18 ~~renovation, or removal of derelict buildings. Eligible~~  
19 ~~communities are limited to cities of five thousand or fewer in~~  
20 ~~population. Eligible costs shall include but are not limited~~  
21 ~~to asbestos abatement and removal, the recovery and processing~~  
22 ~~of recyclable or reusable material from derelict buildings, and~~  
23 ~~reimbursement for purchased recycled content materials used~~  
24 ~~in the renovation of buildings. Special consideration may be~~  
25 ~~given to communities that hire the unemployed to deconstruct~~  
26 ~~structures, clean up the properties, and, if there is no~~  
27 ~~immediate buyer for the properties, turn the properties into~~  
28 ~~green spaces. Any business entity or individual engaged in the~~  
29 ~~removal or abatement of asbestos must have obtained a valid~~  
30 ~~license or permit as required in chapter 88B.~~

31 Sec. 102. Section 455E.11, subsection 2, paragraph a,  
32 subparagraph (1), Code 2011, is amended by adding the following  
33 new subparagraph division:

34 NEW SUBPARAGRAPH DIVISION. (0e) Not more than four  
35 hundred thousand dollars to the department for purposes of

1 providing funding assistance to eligible communities to address  
2 abandoned buildings by promoting waste abatement, diversion,  
3 selective dismantlement of building components, and recycling.  
4 Eligible communities include a city with a population of five  
5 thousand or fewer. Eligible costs for program assistance  
6 include but are not limited to asbestos and other hazardous  
7 material abatement and removal, the recovery processing  
8 of recyclable or reusable material through the selective  
9 dismantlement of abandoned buildings, and reimbursement for  
10 purchased recycled content materials used in the renovation of  
11 buildings. For projects that support community beautification,  
12 the department may elect to administer funding to eligible  
13 communities in collaboration with the organization awarded the  
14 beautification grant in accordance with subparagraph division  
15 (a), subparagraph subdivision (i).

16 IOWA COMPREHENSIVE PETROLEUM UNDERGROUND STORAGE TANK FUND  
17 Sec. 103. Section 455G.3, subsections 6 and 7, Code 2011,  
18 are amended to read as follows:

19 6. a. For the fiscal year beginning July 1, 2010, and each  
20 fiscal year thereafter, there is appropriated from the Iowa  
21 comprehensive petroleum underground storage tank fund to the  
22 department of natural resources two hundred thousand dollars  
23 for purposes of technical review support to be conducted by  
24 nongovernmental entities for leaking underground storage tank  
25 assessments.

26 b. Notwithstanding section 8.33, moneys appropriated in this  
27 subsection that remain unencumbered or unobligated at the close  
28 of the fiscal year shall not revert but shall remain available  
29 for expenditure for the purposes designated until the close of  
30 the succeeding fiscal year.

31 7. a. For the fiscal year beginning July 1, 2010, there is  
32 appropriated from the Iowa comprehensive petroleum underground  
33 storage tank fund to the department of natural resources one  
34 hundred thousand dollars for purposes of database modifications  
35 necessary to accept batched external data regarding underground



1 storage tank inspections conducted by nongovernmental entities.

2 b. Notwithstanding section 8.33, moneys appropriated in this  
3 subsection that remain unencumbered or unobligated at the close  
4 of the fiscal year shall not revert but shall remain available  
5 for expenditure for the purposes designated until the close of  
6 the succeeding fiscal year.

7 Sec. 104. Section 455G.3, subsection 8, Code 2011, is  
8 amended by adding the following new unnumbered paragraph:

9 NEW UNNUMBERED PARAGRAPH. Notwithstanding section 8.33,  
10 moneys appropriated in this subsection that remain unencumbered  
11 or unobligated at the close of the fiscal year shall not revert  
12 but shall remain available for expenditure for the purposes  
13 designated until the close of the succeeding fiscal year.

14 Sec. 105. EFFECTIVE UPON ENACTMENT. This division of this  
15 Act, being deemed of immediate importance, takes effect upon  
16 enactment.

17 DIVISION X

18 AGRICULTURE AND NATURAL RESOURCES

19 RELATED STATUTORY CHANGES FOR CODIFICATION IN 2011 — LOCAL

20 FOOD AND FARM INITIATIVE

21 Sec. 106. NEW SECTION. **267A.1 Purpose and goals.**

22 1. The purpose of this chapter is to empower farmers  
23 and food entrepreneurs to provide for strong local food  
24 economies that promote self-sufficiency and job growth in the  
25 agricultural sector and allied sectors of the economy.

26 2. The goals of this chapter are to accomplish all of the  
27 following:

28 a. Promote the expansion of the production of local foods,  
29 including all of the following:

30 (1) The production of Iowa-grown food, including but not  
31 limited to livestock, eggs, milk, fruit, vegetables, grains,  
32 herbs, honey, and nuts.

33 (2) The processing of Iowa-grown agricultural products  
34 into food products, including canning, freezing, dehydrating,  
35 bottling, or otherwise packaging and preserving such products.

1 (3) The distribution and marketing of fresh and processed  
2 Iowa-grown agricultural food products to markets in this state  
3 and neighboring states.

4 *b.* Increase consumer and institutional spending on  
5 Iowa-produced and marketed foods.

6 *c.* Increase the profitability of farmers and businesses  
7 engaged in enterprises related to producing, processing,  
8 distributing, and marketing local food.

9 *d.* Increase the number of jobs in this state's farm and  
10 business economies associated with producing, processing,  
11 distributing, and marketing local food.

12 Sec. 107. NEW SECTION. **267A.2 Definitions.**

13 As used in this section, unless the context otherwise  
14 requires:

15 1. "*Coordinator*" means the local food and farm program  
16 coordinator created in section 267A.4.

17 2. "*Council*" means the local food and farm program council  
18 established in section 267A.3.

19 3. "*Department*" means the department of agriculture and land  
20 stewardship.

21 4. "*Fund*" means the local food and farm program fund created  
22 in section 267A.5.

23 5. "*State agency*" means the same as defined in section  
24 8A.101.

25 Sec. 108. NEW SECTION. **267A.3 Local food and farm program**  
26 **council.**

27 1. A local food and farm program council is established to  
28 advise the local food and farm program coordinator carrying out  
29 the purpose and goals of this chapter as provided in section  
30 267A.1.

31 2. The council shall be composed of members appointed as  
32 follows:

33 *a.* Voting members appointed at the discretion of and by the  
34 following organizations to represent the private sector:

35 (1) One person by the Iowa farm bureau federation who is

1 engaged in local food production.

2 (2) One person by the practical farmers of Iowa who is  
3 involved in local food production.

4 (3) One person by the Iowa farmers union who is involved in  
5 local food production.

6 (4) One person by the Iowa food policy council.

7 (5) One person by the Iowa grocery industry association who  
8 is involved in local food marketing.

9 (6) One person by the Iowa meat processors association.

10 (7) One person by the Iowa fruit and vegetable growers  
11 association.

12 (8) One person by the Iowa farmers market association.

13 (9) One person by the Iowa bankers association.

14 *b.* Voting members appointed by the governor to represent the  
15 private sector which include all of the following:

16 (1) One person actively engaged in the distribution of local  
17 food to processors, wholesalers, or retailers.

18 (2) Two persons from two regional food systems working  
19 groups.

20 *c.* Nonvoting, ex officio members appointed by the titular  
21 heads of state agencies to represent their respective state  
22 agencies or institutions as follows:

23 (1) The department of agriculture and land stewardship.

24 (2) The department of economic development.

25 (3) The department of administrative services.

26 (4) The department of human services. The appointed person  
27 shall have a special knowledge of refugee services.

28 (5) The department of inspections and appeals.

29 (6) The department of education.

30 (7) The department of public health.

31 (8) The department of workforce development.

32 (9) The department of cultural affairs.

33 (10) The Leopold center for sustainable agriculture.

34 (11) Iowa state university extension service.

35 (12) Iowa state university of science and technology.

1 (13) The university of Iowa.

2 (14) The university of northern Iowa.

3 3. A nonvoting, ex officio member shall attend a council  
4 meeting as necessary to provide comment or advice to the  
5 council. Nothing in this section requires a nonvoting, ex  
6 officio member to attend a council meeting if the member's  
7 comments or advice is not needed.

8 4. A member appointed under this section to serve on  
9 the council shall serve at the pleasure of the appointing  
10 organization, official, state agency, or institution.

11 5. The council shall be part of the department. The  
12 department shall perform administrative functions necessary for  
13 the operation of the council.

14 6. The council shall elect a chairperson from among its  
15 voting members each year on a rotating basis as provided by  
16 the council. The council shall meet on a regular basis and at  
17 the call of the chairperson or upon the written request to the  
18 chairperson of a majority of the voting members.

19 7. The members of the council shall not receive compensation  
20 for their services including as provided in section 7E.6.  
21 However, the voting members may be reimbursed for their actual  
22 and necessary expenses incurred in the performance of their  
23 duties as members of the council if allowed by the council.

24 8. A majority of the voting members constitutes a quorum  
25 and the affirmative vote of a majority of the members present  
26 is necessary for any substantive action to be taken by the  
27 council. The majority shall not include any member who has  
28 a conflict of interest and a statement by a member that the  
29 member has a conflict of interest is conclusive for this  
30 purpose. A vacancy in the membership does not impair the  
31 duties of the council.

32 Sec. 109. NEW SECTION. **267A.4 Local food and farm program**  
33 **coordinator.**

34 The position of local food and farm program coordinator  
35 is created within the department. The coordinator shall be

1 the primary state official charged with carrying out the  
2 purpose and goals of this chapter. The coordinator shall be  
3 stationed by the department at Iowa state university as part  
4 of the cooperative extension service in agriculture and home  
5 economics.

6 Sec. 110. NEW SECTION. **267A.5 Local food and farm program**  
7 **fund.**

8 A local food and farm program fund is created in the state  
9 treasury under the control of the department. The fund is  
10 separate from the general fund of the state. The fund is  
11 composed of moneys appropriated by the general assembly and  
12 moneys available to and obtained or accepted by the local food  
13 and farm program from the United States government or private  
14 sources for placement in the fund. Moneys in the fund shall  
15 be used to carry out the purpose and goals of this chapter  
16 as provided in section 267A.1, including but not limited to  
17 administering the local food and farm program as provided in  
18 section 267A.6. The fund shall be managed by the local food  
19 and farm program coordinator under the supervision of the local  
20 food and farm program council.

21 Sec. 111. NEW SECTION. **267A.6 Local food and farm program.**

22 1. The local food and farm program coordinator, with advice  
23 from the local food and farm program council, shall develop and  
24 administer a local food and farm program necessary to carry out  
25 the purpose and goals of this chapter.

26 2. The purpose of the program is to do any of the following:

27 a. Improve communication and cooperation between and among  
28 farmers, food entrepreneurs, and consumers.

29 b. Improve coordination between and among government  
30 agencies, public universities and community colleges,  
31 organizations, and private-sector firms working on local food  
32 and farm-related issues.

33 c. Assist in educational needs assessment and curriculum  
34 development and delivery regarding local food and farm-related  
35 services.

1     Sec. 112. NEW SECTION.   **267A.7 Local food and farm program**  
2 **report.**

3     1. The local food and farm program coordinator shall prepare  
4 an annual report dated June 30, which shall evaluate the  
5 state's progress in accomplishing the purpose and goals of this  
6 chapter.

7     2. The report shall include a summary of all the following:

8       a. Benchmarks and goals of the program.

9       b. Actions taken by the local food and farm program council.

10      c. Activities and accomplishments of the local food and farm  
11 program coordinator.

12      d. Recommendations for proposed legislation to be considered  
13 by the general assembly and the governor.

14      e. The amount and source of moneys appropriated or credited  
15 to, or deposited into the local food and farm program fund, and  
16 the amount and purposes of expenditures from the fund.

17     3. The annual report shall be delivered to the governor and  
18 general assembly not later than October 1.

19     Sec. 113. **CONSIDERATION OF IOWA LOCAL FOOD AND FARM**  
20 **PLAN.** In developing the local food and farm program as  
21 provided in this division of this Act, the local food and  
22 farm program coordinator shall consider the implementation  
23 of feasible recommendations contained in the Iowa local farm  
24 and food plan published by the Leopold center for sustainable  
25 agriculture in January 2011. The coordinator shall provide  
26 the plan to the division of libraries and information services  
27 of the department of education for publication as provided in  
28 section 256.53.

29                                   **DIVISION XI**

30                                 **AGRICULTURE AND NATURAL RESOURCES**

31                             **DEPARTMENT OF AGRICULTURE AND LAND STEWARDSHIP**

32                         **GENERAL APPROPRIATIONS FOR FY 2012-2013**

33     Sec. 114. **GENERAL FUND — DEPARTMENT.**

34     1. There is appropriated from the general fund of the state  
35 to the department of agriculture and land stewardship for the

1 fiscal year beginning July 1, 2012, and ending June 30, 2013,  
2 the following amount, or so much thereof as is necessary, to be  
3 used for the purposes designated:

4 For purposes of supporting the department, including its  
5 divisions, for administration, regulation, and programs; for  
6 salaries, support, maintenance, and miscellaneous purposes; and  
7 for not more than the following full-time equivalent positions:  
8 ..... \$ 14,183,529  
9 ..... FTEs 368.00

10 2. The department shall submit a report each quarter of the  
11 fiscal year to the legislative services agency, the department  
12 of management, the members of the joint appropriations  
13 subcommittee on agriculture and natural resources, and the  
14 chairpersons and ranking members of the senate and house  
15 committees on appropriations. The report shall describe in  
16 detail the expenditure of moneys appropriated in this section  
17 to support the department's administration, regulation, and  
18 programs.

19 3. Of the amount appropriated in this section, \$202,300 is  
20 transferred to Iowa state university of science and technology,  
21 to be used for the university's midwest grape and wine industry  
22 institute.

23 DESIGNATED APPROPRIATIONS — ANIMAL HUSBANDRY

24 Sec. 115. UNCLAIMED PARI-MUTUEL WAGERING WINNINGS —  
25 HORSE AND DOG RACING. There is appropriated from the moneys  
26 available under section 99D.13 to the department of agriculture  
27 and land stewardship for the fiscal year beginning July 1,  
28 2012, and ending June 30, 2013, the following amount, or so  
29 much thereof as is necessary, to be used for the purposes  
30 designated:

31 For purposes of supporting the department's administration  
32 and enforcement of horse and dog racing law pursuant to section  
33 99D.22, including for salaries, support, maintenance, and  
34 miscellaneous purposes:  
35 ..... \$ 259,689

1 DESIGNATED APPROPRIATIONS — MOTOR FUEL

2 Sec. 116. RENEWABLE FUEL INFRASTRUCTURE FUND — MOTOR  
3 FUEL INSPECTION. There is appropriated from the renewable  
4 fuel infrastructure fund created in section 15G.205 to the  
5 department of agriculture and land stewardship for the fiscal  
6 year beginning July 1, 2012, and ending June 30, 2013, the  
7 following amount, or so much thereof as is necessary, to be  
8 used for the purposes designated:

9 For purposes of the inspection of motor fuel, including  
10 salaries, support, maintenance, and miscellaneous purposes:  
11 ..... \$ 425,000

12 The department shall establish and administer programs  
13 for the auditing of motor fuel including biofuel processing  
14 and production plants, for screening and testing motor fuel,  
15 including renewable fuel, and for the inspection of motor fuel  
16 sold by dealers including retail dealers who sell and dispense  
17 motor fuel from motor fuel pumps.

18 DIVISION XII  
19 AGRICULTURE AND NATURAL RESOURCES  
20 DEPARTMENT OF NATURAL RESOURCES  
21 GENERAL APPROPRIATIONS FOR FY 2012-2013

22 Sec. 117. GENERAL FUND — DEPARTMENT.

23 1. There is appropriated from the general fund of the state  
24 to the department of natural resources for the fiscal year  
25 beginning July 1, 2012, and ending June 30, 2013, the following  
26 amount, or so much thereof as is necessary, to be used for the  
27 purposes designated:

28 For purposes of supporting the department, including its  
29 divisions, for administration, regulation, and programs; for  
30 salaries, support, maintenance, and miscellaneous purposes; and  
31 for not more than the following full-time equivalent positions:  
32 ..... \$ 10,426,685  
33 ..... FTEs 1,145.95

34 2. Of the number of full-time equivalent positions  
35 authorized to the department pursuant to subsection 1, 50.00



1 full-time equivalent positions shall be allocated by the  
2 department for seasonal employees for purposes of providing  
3 maintenance, upkeep, and sanitary services at state parks.

4 3. The department shall submit a report each quarter of the  
5 fiscal year to the legislative services agency, the department  
6 of management, the members of the joint appropriations  
7 subcommittee on agriculture and natural resources, and the  
8 chairpersons and ranking members of the senate and house  
9 committees on appropriations. The report shall describe in  
10 detail the expenditure of moneys appropriated under this  
11 section to support the department's administration, regulation,  
12 and programs.

13 Sec. 118. STATE FISH AND GAME PROTECTION FUND — DIVISION OF  
14 FISH AND WILDLIFE.

15 1. There is appropriated from the state fish and game  
16 protection fund to the department of natural resources for the  
17 fiscal year beginning July 1, 2012, and ending June 30, 2013,  
18 the following amount, or so much thereof as is necessary, to be  
19 used for the purposes designated:

20 For purposes of supporting the division of fish and  
21 wildlife, including for administration, regulation, and  
22 programs; and for salaries, support, maintenance, equipment,  
23 and miscellaneous purposes:  
24 ..... \$ 32,974,181

25 2. Notwithstanding section 455A.10, the department may use  
26 the unappropriated balance remaining in the state fish and game  
27 protection fund to provide for the funding of health and life  
28 insurance premium payments from unused sick leave balances of  
29 conservation peace officers employed in a protection occupation  
30 who retire, pursuant to section 97B.49B.

31 Sec. 119. GROUNDWATER PROTECTION FUND — WATER  
32 QUALITY. There is appropriated from the groundwater protection  
33 fund created in section 455E.11 to the department of natural  
34 resources for the fiscal year beginning July 1, 2012,  
35 and ending June 30, 2013, from those moneys which are not

1 allocated pursuant to that section, the following amount, or  
2 so much thereof as is necessary, to be used for the purposes  
3 designated:

4 For purposes of supporting the department's protection  
5 of the state's groundwater, including for administration,  
6 regulation, and programs, and for salaries, support,  
7 maintenance, equipment, and miscellaneous purposes:  
8 ..... \$ 2,937,457

9 DESIGNATED APPROPRIATIONS — MISCELLANEOUS

10 Sec. 120. SPECIAL SNOWMOBILE FUND — SNOWMOBILE  
11 PROGRAM. There is appropriated from the special snowmobile  
12 fund created under section 321G.7 to the department of natural  
13 resources for the fiscal year beginning July 1, 2012, and  
14 ending June 30, 2013, the following amount, or so much thereof  
15 as is necessary, to be used for the purpose designated:

16 For purposes of administering and enforcing the state  
17 snowmobile programs:  
18 ..... \$ 85,000

19 Sec. 121. SPECIAL SNOWMOBILE FUND. Notwithstanding  
20 section 321G.7, subsection 2, for the fiscal year beginning  
21 July 1, 2012, and ending June 30, 2013, at least seventy-five  
22 percent of the moneys in the special snowmobile fund which are  
23 appropriated to the department of natural resources as provided  
24 in that subsection shall be made available for use by political  
25 subdivisions or incorporated private organizations, or both,  
26 for their use as provided in that subsection.

27 Sec. 122. UNASSIGNED REVENUE FUND — UNDERGROUND STORAGE  
28 TANK SECTION EXPENSES. There is appropriated from the  
29 unassigned revenue fund administered by the Iowa comprehensive  
30 underground storage tank fund board to the department of  
31 natural resources for the fiscal year beginning July 1, 2012,  
32 and ending June 30, 2013, the following amount, or so much  
33 thereof as is necessary, to be used for the purpose designated:

34 For purposes of paying for administration expenses of the  
35 department's underground storage tank section:

1 ..... \$ 170,000  
 2 Sec. 123. STORM WATER DISCHARGE PERMIT FEES — SUPPORT FOR  
 3 SPECIAL PURPOSES. Notwithstanding any contrary provision of  
 4 state law, for the fiscal year beginning July 1, 2012, and  
 5 ending June 30, 2013, the department of natural resources may  
 6 use additional moneys available to the department collected  
 7 from storm water discharge permit fees as provided in sections  
 8 455B.103A and 455B.197 for the staffing of the following  
 9 additional full-time equivalent positions for the purposes  
 10 designated:

11 1. For purposes of reducing the department's floodplain  
 12 permit backlog:  
 13 ..... FTEs 2.00

14 2. For purposes of implementing the federal total maximum  
 15 daily load program:  
 16 ..... FTEs 2.00

17 DIVISION XIII  
 18 AGRICULTURE AND NATURAL RESOURCES  
 19 STATE UNIVERSITIES  
 20 APPROPRIATIONS FOR FY 2012-2013

21 Sec. 124. GENERAL FUND — IOWA STATE UNIVERSITY —  
 22 VETERINARY DIAGNOSTIC LABORATORY.

23 1. There is appropriated from the general fund of the state  
 24 to Iowa state university of science and technology for the  
 25 fiscal year beginning July 1, 2012, and ending June 30, 2013,  
 26 the following amount, or so much thereof as is necessary, to be  
 27 used for the purposes designated:

28 For purposes of supporting the college of veterinary  
 29 medicine for the operation of the veterinary diagnostic  
 30 laboratory and for not more than the following full-time  
 31 equivalent positions:

32 ..... \$ 2,751,991  
 33 ..... FTEs 50.00

34 2. a. Iowa state university of science and technology  
 35 shall not reduce the amount that it allocates to support the

1 college of veterinary medicine from any other source due to the  
2 appropriation made in this section.

3 b. Paragraph "a" does not apply to a reduction made to  
4 support the college of veterinary medicine, if the same  
5 percentage of reduction imposed on the college of veterinary  
6 medicine is also imposed on all of Iowa state university's  
7 budget units.

8 3. If by June 30, 2013, Iowa state university of science and  
9 technology fails to allocate the moneys appropriated in this  
10 section to the college of veterinary medicine in accordance  
11 with this section, the moneys appropriated in this section for  
12 that fiscal year shall revert to the general fund of the state.

13 Sec. 125. VETERINARY DIAGNOSTIC LABORATORY — FUTURE  
14 YEAR. This section applies if appropriations made in this  
15 Act and all other Acts enacted by the Eighty-fourth General  
16 Assembly during the 2012 regular session and all extraordinary  
17 sessions, for the fiscal year beginning July 1, 2012, and  
18 ending June 30, 2013, for purposes of supporting the operation  
19 of the veterinary diagnostic laboratory associated with the  
20 college of veterinary medicine at Iowa state university, total  
21 less than \$4,000,000. It is the intent of the general assembly  
22 that the amount of any deficit will be appropriated by the  
23 general assembly during its 2013 regular session for purposes  
24 of supporting the operation of the veterinary diagnostic  
25 laboratory for the fiscal year beginning July 1, 2013, and  
26 ending June 30, 2014.

27 DIVISION XIV

28 AGRICULTURE AND NATURAL RESOURCES

29 ENVIRONMENT FIRST FUND APPROPRIATION FOR FY 2012-2013

30 GENERAL APPROPRIATIONS

31 Sec. 126. DEPARTMENT OF AGRICULTURE AND LAND  
32 STEWARDSHIP. There is appropriated from the environment first  
33 fund created in section 8.57A to the department of agriculture  
34 and land stewardship for the fiscal year beginning July 1,  
35 2012, and ending June 30, 2013, the following amounts, or so

1 much thereof as is necessary, to be used for the purposes  
2 designated:

3 1. CONSERVATION RESERVE ENHANCEMENT PROGRAM (CREP)

4 a. For the conservation reserve enhancement program to  
5 restore and construct wetlands for the purposes of intercepting  
6 tile line runoff, reducing nutrient loss, improving water  
7 quality, and enhancing agricultural production practices:

8 ..... \$ 850,000

9 b. Not more than 10 percent of the moneys appropriated  
10 in paragraph "a" may be used for costs of administration and  
11 implementation of soil and water conservation practices.

12 c. Notwithstanding any other provision in law, the  
13 department may provide state resources from this appropriation,  
14 in combination with other appropriate environment first  
15 fund appropriations, for cost sharing to match United States  
16 department of agriculture, natural resources conservation  
17 service, wetlands reserve enhancement program (WREP) funding  
18 available to Iowa.

19 2. WATERSHED PROTECTION

20 a. For continuation of a program that provides  
21 multiobjective resource protections for flood control, water  
22 quality, erosion control, and natural resource conservation:

23 ..... \$ 765,000

24 b. Not more than 10 percent of the moneys appropriated  
25 in paragraph "a" may be used for costs of administration and  
26 implementation of soil and water conservation practices.

27 3. FARM MANAGEMENT DEMONSTRATION PROGRAM

28 a. For continuation of a statewide voluntary farm  
29 management demonstration program to demonstrate the  
30 effectiveness and adaptability of emerging practices in  
31 agronomy that protect water resources and provide other  
32 environmental benefits:

33 ..... \$ 616,250

34 b. Not more than 10 percent of the moneys appropriated  
35 in paragraph "a" may be used for costs of administration and

1 implementation of soil and water conservation practices.

2 c. Of the amount appropriated in paragraph "a", \$400,000  
3 shall be allocated to an organization representing soybean  
4 growers to provide for an agriculture and environment  
5 performance program in order to carry out the purposes of this  
6 subsection as specified in paragraph "a".

7 4. AGRICULTURAL EDUCATION

8 For purposes of allocating moneys to an Iowa association  
9 affiliated with a national organization which promotes  
10 agricultural education providing for future farmers:

11 ..... \$ 21,250

12 5. SOIL AND WATER CONSERVATION — ADMINISTRATION

13 For use by the department for costs of administration and  
14 implementation of soil and water conservation practices:

15 ..... \$ 2,018,750

16 6. CONSERVATION RESERVE PROGRAM (CRP)

17 a. To encourage and assist farmers in enrolling in and the  
18 implementation of the federal conservation reserve program and  
19 to work with them to enhance their revegetation efforts to  
20 improve water quality and habitat:

21 ..... \$ 850,000

22 b. Not more than 10 percent of the moneys appropriated  
23 in paragraph "a" may be used for costs of administration and  
24 implementation of soil and water conservation practices.

25 7. LOESS HILLS DEVELOPMENT AND CONSERVATION FUND

26 a. For deposit in the loess hills development and  
27 conservation fund created in section 161D.2:

28 ..... \$ 488,750

29 b. (1) Of the amount appropriated in paragraph "a",  
30 \$391,000 shall be allocated to the fund's hungry canyons  
31 account.

32 (2) Not more than 10 percent of the moneys allocated to the  
33 hungry canyons account as provided in subparagraph (1) may be  
34 used for administrative costs.

35 c. (1) Of the amount appropriated in paragraph "a", \$97,750

1 shall be allocated to the fund's loess hills alliance account.

2 (2) Not more than 10 percent of the moneys allocated to the  
3 loess hills alliance account as provided in subparagraph (1)  
4 may be used for administrative costs.

5 8. SOUTHERN IOWA DEVELOPMENT AND CONSERVATION FUND

6 a. For deposit in the southern Iowa development and  
7 conservation fund created in section 161D.12:

8 ..... \$ 191,250

9 b. Not more than 10 percent of the moneys appropriated in  
10 paragraph "a" may be used for administrative costs.

11 9. SOIL AND WATER CONSERVATION

12 a. For use by the department in providing for soil and  
13 water conservation administration, the conservation of soil and  
14 water resources, or the support of soil and water conservation  
15 district commissioners:

16 ..... \$ 5,355,000

17 b. The department may deposit any amount of the moneys into  
18 the Mississippi river basin healthy watersheds initiative fund  
19 created in section 161G.2.

20 c. Not more than 5 percent of the moneys appropriated in  
21 paragraph "a" may be allocated for cost sharing to address  
22 complaints filed under section 161A.47.

23 d. Of the moneys appropriated in paragraph "a", 5 percent  
24 shall be allocated for financial incentives to establish  
25 practices to protect watersheds above publicly owned lakes of  
26 the state from soil erosion and sediment as provided in section  
27 161A.73.

28 e. Not more than 30 percent of a soil and water conservation  
29 district's allocation of moneys as financial incentives may be  
30 provided for the purpose of establishing management practices  
31 to control soil erosion on land that is row cropped, including  
32 but not limited to no-till planting, ridge-till planting,  
33 contouring, and contour strip-cropping as provided in section  
34 161A.73.

35 f. The state soil conservation committee established by

1 section 161A.4 may allocate moneys appropriated in paragraph  
2 "a" to conduct research and demonstration projects to promote  
3 conservation tillage and nonpoint source pollution control  
4 practices.

5 g. The allocation of moneys as financial incentives as  
6 provided in section 161A.73 may be used in combination with  
7 moneys allocated by the department of natural resources.

8 h. Not more than 15 percent of the moneys appropriated  
9 in paragraph "a" may be used for costs of administration and  
10 implementation of soil and water conservation practices.

11 10. LOCAL FOOD AND FARM PROGRAM COORDINATOR

12 a. For purposes of supporting a local food and farm program  
13 coordinator as established pursuant to new Code chapter 267A as  
14 enacted in this Act, for salaries, support, maintenance, and  
15 miscellaneous purposes:

16 ..... \$ 63,750

17 b. The department shall enter into a cost-sharing agreement  
18 with Iowa state university to support the local food and farm  
19 program coordinator position as part of the university's  
20 cooperative extension service in agriculture and home economics  
21 pursuant to new Code chapter 267A as enacted in this Act.

22 Sec. 127. DEPARTMENT OF NATURAL RESOURCES. There is  
23 appropriated from the environment first fund created in section  
24 8.57A to the department of natural resources for the fiscal  
25 year beginning July 1, 2012, and ending June 30, 2013, the  
26 following amounts, or so much thereof as is necessary, to be  
27 used for the purposes designated:

28 1. KEEPERS OF THE LAND

29 For statewide coordination of volunteer efforts under the  
30 water quality and keepers of the land programs:

31 ..... \$ 85,000

32 2. STATE PARKS MAINTENANCE AND OPERATIONS

33 For regular maintenance of state parks and staff time  
34 associated with these activities:

35 ..... \$ 2,643,500



1     3. GEOGRAPHIC INFORMATION SYSTEM (GIS)  
2     To provide local watershed managers with geographic  
3 information system data for their use in developing,  
4 monitoring, and displaying results of their watershed work:  
5 ..... \$     165,750

6     4. WATER QUALITY MONITORING  
7     For continuing the establishment and operation of water  
8 quality monitoring stations:  
9 ..... \$   2,511,750

10    5. PUBLIC WATER SUPPLY SYSTEM ACCOUNT  
11    For deposit in the public water supply system account of the  
12 water quality protection fund created in section 455B.183A:  
13 ..... \$     425,000

14    6. REGULATION OF ANIMAL FEEDING OPERATIONS  
15    For the regulation of animal feeding operations, including  
16 as provided for in chapters 459 through 459B:  
17 ..... \$     357,000

18    7. AMBIENT AIR QUALITY  
19    For the abatement, control, and prevention of ambient  
20 air pollution in this state, including measures as necessary  
21 to assure attainment and maintenance of ambient air quality  
22 standards from particulate matter:  
23 ..... \$     361,250

24    8. WATER QUANTITY REGULATION  
25    For regulating water quantity from surface and subsurface  
26 sources by providing for the allocation and use of water  
27 resources, the protection and management of water resources,  
28 and the preclusion of conflicts among users of water resources,  
29 including as provided in chapter 455B, division III, part 4:  
30 ..... \$     420,750

31    9. FORESTRY MANAGEMENT  
32    To provide for forestry health management programs:  
33 ..... \$     85,000

34    Sec. 128. REVERSION. Notwithstanding section 8.33,  
35 moneys appropriated for the fiscal year beginning July 1,

1 2012, in this division of this Act that remain unencumbered  
2 or unobligated at the close of the fiscal year shall not  
3 revert but shall remain available to be used for the purposes  
4 designated until the close of the fiscal year beginning July 1,  
5 2013, or until the project for which the appropriation was made  
6 is completed, whichever is earlier.

7 DIVISION XV

8 AGRICULTURE AND NATURAL RESOURCES

9 ENVIRONMENT FIRST FUND — APPROPRIATION TO THE  
10 RESOURCES ENHANCEMENT AND PROTECTION (REAP)

11 FUND FOR FY 2012-2013

12 GENERAL APPROPRIATIONS

13 Sec. 129. ENVIRONMENT FIRST FUND. Notwithstanding the  
14 amount of the standing appropriation from the general fund of  
15 the state to the Iowa resources enhancement and protection  
16 fund as provided in section 455A.18, there is appropriated  
17 from the environment first fund created in section 8.57A to  
18 the Iowa resources enhancement and protection fund, in lieu of  
19 the appropriation made in section 455A.18, for the fiscal year  
20 beginning July 1, 2012, and ending June 30, 2013, the following  
21 amount, to be allocated as provided in section 455A.19:

22 ..... \$ 9,775,000

23 DIVISION XVI

24 ECONOMIC DEVELOPMENT

25 FY 2011-2012

26 Sec. 130. DEPARTMENT OF CULTURAL AFFAIRS. There is  
27 appropriated from the general fund of the state to the  
28 department of cultural affairs for the fiscal year beginning  
29 July 1, 2011, and ending June 30, 2012, the following amounts,  
30 or so much thereof as is necessary, to be used for the purposes  
31 designated:

32 1. ADMINISTRATION

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

1 ..... \$ 171,813  
2 ..... FTEs 69.87  
3 b. The department of cultural affairs shall coordinate  
4 activities with the tourism office of the department of  
5 economic development to promote attendance at the state  
6 historical building and at this state's historic sites.  
7 c. Full-time equivalent positions authorized under this  
8 subsection shall be funded, in full or in part, using moneys  
9 appropriated under this subsection and subsections 2, 3, 4, 5,  
10 6, and 8.  
11 2. HISTORICAL DIVISION  
12 For the support of the historical division:  
13 ..... \$ 2,767,701  
14 3. HISTORIC SITES  
15 For the administration and support of historic sites:  
16 ..... \$ 426,398  
17 4. ARTS DIVISION  
18 For the support of the arts division:  
19 ..... \$ 933,764  
20 5. GREAT PLACES  
21 For the great places program:  
22 ..... \$ 150,000  
23 6. ARCHIVE IOWA GOVERNORS' RECORDS  
24 For archiving the records of Iowa governors:  
25 ..... \$ 5,000  
26 7. RECORDS CENTER RENT  
27 For payment of rent for the state records center:  
28 ..... \$ 227,243  
29 8. BATTLE FLAGS  
30 For continuation of the project recommended by the Iowa  
31 battle flag advisory committee to stabilize the condition of  
32 the battle flag collection:  
33 ..... \$ 100,000  
34 Sec. 131. GOALS AND ACCOUNTABILITY — ECONOMIC DEVELOPMENT.  
35 1. For the fiscal year beginning July 1, 2011, the goals for

1 the department of economic development shall be to expand and  
2 stimulate the state economy, increase the wealth of Iowans, and  
3 increase the population of the state.

4 2. To achieve the goals in subsection 1, the department  
5 of economic development shall do all of the following for the  
6 fiscal year beginning July 1, 2011:

7 a. Concentrate its efforts on programs and activities that  
8 result in commercially viable products and services.

9 b. Adopt practices and services consistent with free  
10 market, private sector philosophies.

11 c. Ensure economic growth and development throughout the  
12 state.

13 d. Work with businesses and communities to continually  
14 improve the economic development climate along with the  
15 economic well-being and quality of life for Iowans.

16 e. Coordinate with other state agencies to ensure that they  
17 are attentive to the needs of an entrepreneurial culture.

18 f. Establish a strong and aggressive marketing image to  
19 showcase Iowa's workforce, existing industry, and potential.  
20 A priority shall be placed on recruiting new businesses,  
21 business expansion, and retaining existing Iowa businesses.  
22 Emphasis shall be placed on entrepreneurial development through  
23 helping entrepreneurs secure capital, and developing networks  
24 and a business climate conducive to entrepreneurs and small  
25 businesses.

26 g. Encourage the development of communities and quality of  
27 life to foster economic growth.

28 h. Prepare communities for future growth and development  
29 through development, expansion, and modernization of  
30 infrastructure.

31 i. Develop public-private partnerships with Iowa businesses  
32 in the tourism industry, Iowa tour groups, Iowa tourism  
33 organizations, and political subdivisions in this state to  
34 assist in the development of advertising efforts.

35 j. Develop, to the fullest extent possible, cooperative

1 efforts for advertising with contributions from other sources.

2 Sec. 132. DEPARTMENT OF ECONOMIC DEVELOPMENT.

3 1. APPROPRIATION

4 There is appropriated from the general fund of the state  
5 to the department of economic development for the fiscal year  
6 beginning July 1, 2011, and ending June 30, 2012, the following  
7 amounts, or so much thereof as is necessary, to be used for the  
8 purposes designated in subsection 2, and for not more than the  
9 following full-time equivalent positions:

10 .....	\$	9,928,058
11 .....	FTEs	149.00

12 2. DESIGNATED PURPOSES

13 a. For salaries, support, miscellaneous purposes, programs,  
14 and the maintenance of an administration division, a business  
15 development division, and a community development division.

16 b. The full-time equivalent positions authorized under this  
17 section shall be funded, in whole or in part, by the moneys  
18 appropriated under subsection 1 or by other moneys received by  
19 the department, including certain federal moneys.

20 c. For transfer to the Iowa state commission grant program.

21 d. For business development operations and programs, the  
22 film office, international trade, export assistance, workforce  
23 recruitment, and the partner state program.

24 e. For transfer to the strategic investment fund.

25 f. For community economic development programs, tourism  
26 operations, community assistance, plans for Iowa green corps  
27 and summer youth programs, the mainstreet and rural mainstreet  
28 programs, the school-to-career program, the community  
29 development block grant, and housing and shelter-related  
30 programs.

31 g. For achieving the goals and accountability, fulfilling  
32 the requirements, and doing all other things required under  
33 this Act.

34 3. NONREVERSION

35 Notwithstanding section 8.33, moneys appropriated in

1 subsection 1 that remain unencumbered or unobligated at the  
2 close of the fiscal year shall not revert but shall remain  
3 available for expenditure for the purposes designated in  
4 subsection 2 until the close of the succeeding fiscal year.

5 4. FINANCIAL ASSISTANCE RESTRICTIONS

6 a. A business creating jobs with economic development  
7 assistance through moneys appropriated in this section shall be  
8 subject to contract provisions stating that new and retained  
9 jobs shall be filled by individuals who are citizens of the  
10 United States who reside within the United States or any person  
11 authorized to work in the United States pursuant to federal  
12 law, including legal resident aliens in the United States.

13 b. Any vendor who receives such public moneys shall adhere  
14 to such contract provisions and provide periodic assurances  
15 as the state shall require that the jobs are filled solely by  
16 citizens of the United States who reside within the United  
17 States or any person authorized to work in the United States  
18 pursuant to federal law, including legal resident aliens in the  
19 United States.

20 c. A business that receives financial assistance from  
21 the department from moneys appropriated in this Act shall  
22 only employ individuals legally authorized to work in this  
23 state. In addition to all other applicable penalties provided  
24 by current law, all or a portion of the assistance received  
25 by a business which is found to knowingly employ individuals  
26 not legally authorized to work in this state is subject to  
27 recapture by the department.

28 5. USES OF APPROPRIATIONS

29 a. From the moneys appropriated in this section, the  
30 department may provide financial assistance in the form of a  
31 grant to a community economic development entity for conducting  
32 a local workforce recruitment effort designed to recruit former  
33 citizens of the state and former students at colleges and  
34 universities in the state to meet the needs of local employers.

35 b. From the moneys appropriated in this section, the

1 department may provide financial assistance to early stage  
2 industry companies being established by women entrepreneurs.

3 c. From the moneys appropriated in this section, the  
4 department may provide financial assistance in the form of  
5 grants, loans, or forgivable loans for advanced research and  
6 commercialization projects involving value-added agriculture,  
7 advanced technology, or biotechnology.

8 d. The department shall not use any moneys appropriated in  
9 this section for purposes of providing financial assistance for  
10 the Iowa green streets pilot project or for any other program  
11 or project that involves the installation of geothermal systems  
12 for melting snow and ice from streets or sidewalks.

13 6. WORLD FOOD PRIZE AWARD

14 For allocating moneys for the world food prize and  
15 notwithstanding the standing appropriation in section 15.368,  
16 subsection 1:

17 ..... \$ 500,000

18 Sec. 133. VISION IOWA PROGRAM — FTE AUTHORIZATION. For  
19 purposes of administrative duties associated with the vision  
20 Iowa program, the department of economic development is  
21 authorized an additional 2.25 FTEs above those otherwise  
22 authorized in this Act.

23 Sec. 134. INSURANCE ECONOMIC DEVELOPMENT. From the moneys  
24 collected by the division of insurance in excess of the  
25 anticipated gross revenues under section 505.7, subsection 3,  
26 during the fiscal year beginning July 1, 2011, \$100,000 shall  
27 be transferred to the department of economic development for  
28 insurance economic development and international insurance  
29 economic development.

30 Sec. 135. COMMUNITY DEVELOPMENT LOAN FUND. Notwithstanding  
31 section 15E.120, subsection 5, there is appropriated from the  
32 Iowa community development loan fund all moneys available  
33 during the fiscal year beginning July 1, 2011, and ending  
34 June 30, 2012, to the department of economic development for  
35 purposes of the community development program.

1     Sec. 136. WORKFORCE DEVELOPMENT FUND. There is  
2 appropriated from the workforce development fund account  
3 created in section 15.342A to the workforce development fund  
4 created in section 15.343 for the fiscal year beginning July  
5 1, 2011, and ending June 30, 2012, the following amount, for  
6 purposes of the workforce development fund, and for not more  
7 than the following full-time equivalent positions:

8 .....	\$	4,000,000
9 .....	FTEs	4.00

10     Sec. 137. WORKFORCE DEVELOPMENT ADMINISTRATION. From  
11 moneys appropriated or transferred to or receipts credited to  
12 the workforce development fund created in section 15.343, up to  
13 \$400,000 for the fiscal year beginning July 1, 2011, and ending  
14 June 30, 2012, are appropriated to the department of economic  
15 development for the administration of workforce development  
16 activities including salaries, support, maintenance, and  
17 miscellaneous purposes, and for not more than the following  
18 full-time equivalent positions:

19 .....	FTEs	4.00
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20     Sec. 138. JOB TRAINING FUND. Notwithstanding section  
21 15.251, all moneys in the job training fund on July 1, 2011,  
22 and any moneys appropriated or credited to the fund during the  
23 fiscal year beginning July 1, 2011, shall be transferred to  
24 the workforce development fund established pursuant to section  
25 15.343.

26     Sec. 139. GREEN INITIATIVES EXPENDITURE REPORT. By January  
27 1, 2012, the department of economic development shall compile a  
28 report on all expenditures made during the previous fiscal year  
29 for purposes of green initiatives, sustainability programs,  
30 and all such similar efforts. The report shall identify such  
31 expenditures with a level of specificity sufficient to allow  
32 the general assembly to evaluate and assess the propriety of  
33 such expenditures under the spending authority given to the  
34 department for such purposes.

35     Sec. 140. IOWA STATE UNIVERSITY.



1 1. There is appropriated from the general fund of the state  
2 to Iowa state university of science and technology for the  
3 fiscal year beginning July 1, 2011, and ending June 30, 2012,  
4 the following amount, or so much thereof as is necessary, to  
5 be used for small business development centers, the science  
6 and technology research park, and the institute for physical  
7 research and technology, and for not more than the following  
8 full-time equivalent positions:

9 .....	\$	2,424,302
10 .....	FTEs	56.63

11 2. Of the moneys appropriated in subsection 1, Iowa state  
12 university of science and technology shall allocate at least  
13 \$936,345 for purposes of funding small business development  
14 centers.

15 3. Iowa state university of science and technology shall do  
16 all of the following:

17 a. Direct expenditures for research toward projects that  
18 will provide economic stimulus for Iowa.

19 b. Provide emphasis to providing services to Iowa-based  
20 companies.

21 4. a. It is the intent of the general assembly that  
22 the industrial incentive program focus on Iowa industrial  
23 sectors and seek contributions and in-kind donations from  
24 businesses, industrial foundations, and trade associations,  
25 and that moneys for the institute for physical research and  
26 technology industrial incentive program shall be allocated  
27 only for projects which are matched by private sector moneys  
28 for directed contract research or for nondirected research.  
29 The match required of small businesses as defined in section  
30 15.102, subsection 6, for directed contract research or for  
31 nondirected research shall be \$1 for each \$3 of state funds.  
32 The match required for other businesses for directed contract  
33 research or for nondirected research shall be \$1 for each \$1 of  
34 state funds. The match required of industrial foundations or  
35 trade associations shall be \$1 for each \$1 of state funds.

1 b. Iowa state university of science and technology shall  
2 report annually to the joint appropriations subcommittee on  
3 economic development and the legislative services agency the  
4 total amount of private contributions, the proportion of  
5 contributions from small businesses and other businesses, and  
6 the proportion for directed contract research and nondirected  
7 research of benefit to Iowa businesses and industrial sectors.

8 5. Notwithstanding section 8.33, moneys appropriated in  
9 this section that remain unencumbered or unobligated at the  
10 close of the fiscal year shall not revert but shall remain  
11 available for expenditure for the purposes designated until the  
12 close of the succeeding fiscal year.

13 Sec. 141. UNIVERSITY OF IOWA.

14 1. There is appropriated from the general fund of the state  
15 to the state university of Iowa for the fiscal year beginning  
16 July 1, 2011, and ending June 30, 2012, the following amount,  
17 or so much thereof as is necessary, to be used for the state  
18 university of Iowa research park and for the advanced drug  
19 development program at the Oakdale research park, including  
20 salaries, support, maintenance, equipment, miscellaneous  
21 purposes, and for not more than the following full-time  
22 equivalent positions:

23 .....	\$	209,279
24 .....	FTEs	6.00

25 2. The state university of Iowa shall do all of the  
26 following:

27 a. Direct expenditures for research toward projects that  
28 will provide economic stimulus for Iowa.

29 b. Provide emphasis to providing services to Iowa-based  
30 companies.

31 3. Notwithstanding section 8.33, moneys appropriated in  
32 this section that remain unencumbered or unobligated at the  
33 close of the fiscal year shall not revert but shall remain  
34 available for expenditure for the purposes designated until the  
35 close of the succeeding fiscal year.

1     Sec. 142.   UNIVERSITY OF NORTHERN IOWA.

2     1.   There is appropriated from the general fund of the  
3 state to the university of northern Iowa for the fiscal year  
4 beginning July 1, 2011, and ending June 30, 2012, the following  
5 amount, or so much thereof as is necessary, to be used for the  
6 metal casting institute, the MyEntreNet internet application,  
7 and the institute for decision making, including salaries,  
8 support, maintenance, miscellaneous purposes, and for not more  
9 than the following full-time equivalent positions:

10 .....	\$	574,716
11 .....	FTEs	6.75

12     Of the moneys appropriated in this subsection, the  
13 university of northern Iowa shall allocate not more than  
14 \$117,639 for purposes of expanded support for entrepreneurs  
15 through the university's regional business center.

16     2.   The university of northern Iowa shall do all of the  
17 following:

18     a.   Direct expenditures for research toward projects that  
19 will provide economic stimulus for Iowa.

20     b.   Provide emphasis to providing services to Iowa-based  
21 companies.

22     3.   Notwithstanding section 8.33, moneys appropriated in  
23 this section that remain unencumbered or unobligated at the  
24 close of the fiscal year shall not revert but shall remain  
25 available for expenditure for the purposes designated until the  
26 close of the succeeding fiscal year.

27     Sec. 143.   BOARD OF REGENTS REPORT.   By January 15, 2012, the  
28 state board of regents shall submit a report on the progress  
29 of regents institutions in meeting the strategic plan for  
30 technology transfer and economic development to the secretary  
31 of the senate, the chief clerk of the house of representatives,  
32 and the legislative services agency.

33     Sec. 144.   DEPARTMENT OF WORKFORCE DEVELOPMENT.   There  
34 is appropriated from the general fund of the state to the  
35 department of workforce development for the fiscal year

1 beginning July 1, 2011, and ending June 30, 2012, the following  
2 amounts, or so much thereof as is necessary, for the purposes  
3 designated:

4 1. DIVISION OF LABOR SERVICES

5 a. For the division of labor services, including salaries,  
6 support, maintenance, miscellaneous purposes, and for not more  
7 than the following full-time equivalent positions:

8 ..... \$ 3,495,440  
9 ..... FTEs 62.75

10 b. From the contractor registration fees, the division of  
11 labor services shall reimburse the department of inspections  
12 and appeals for all costs associated with hearings under  
13 chapter 91C, relating to contractor registration.

14 2. DIVISION OF WORKERS' COMPENSATION

15 a. For the division of workers' compensation, including  
16 salaries, support, maintenance, miscellaneous purposes, and for  
17 not more than the following full-time equivalent positions:

18 ..... \$ 2,267,788  
19 ..... FTEs 29.00

20 b. The division of workers' compensation shall charge a  
21 \$100 filing fee for workers' compensation cases. The filing  
22 fee shall be paid by the petitioner of a claim. However, the  
23 fee can be taxed as a cost and paid by the losing party, except  
24 in cases where it would impose an undue hardship or be unjust  
25 under the circumstances. The moneys generated by the filing  
26 fee allowed under this subsection are appropriated to the  
27 department of workforce development to be used for purposes of  
28 administering the division of workers' compensation.

29 3. WORKFORCE DEVELOPMENT OPERATIONS

30 a. For the operation of field offices, the workforce  
31 development board, and for not more than the following  
32 full-time equivalent positions:

33 ..... \$ 9,707,042  
34 ..... FTEs 130.00

35 b. The department shall not reduce the number of field

1 offices being operated as of January 1, 2009.

2 4. OFFENDER REENTRY PROGRAM

3 a. For the development and administration of an offender  
4 reentry program to provide offenders with employment skills,  
5 and for not more than the following full-time equivalent  
6 positions:

7 .....	\$	284,464
8 .....	FTEs	3.00

9 b. The department shall partner with the department of  
10 corrections to provide staff within the correctional facilities  
11 to improve offenders' abilities to find and retain productive  
12 employment.

13 5. Notwithstanding section 8.33, moneys appropriated in  
14 this section that remain unencumbered or unobligated at the  
15 close of the fiscal year shall not revert but shall remain  
16 available for expenditure for the purposes designated until the  
17 close of the succeeding fiscal year.

18 Sec. 145. ACCOUNTABILITY — AUDIT. The auditor of  
19 state shall annually conduct an audit of the department of  
20 workforce development and shall report the findings of such  
21 annual audit, including the accountability of programs of the  
22 department, to the chairpersons and ranking members of the  
23 joint appropriations subcommittee on economic development. The  
24 department shall pay for the costs associated with the audit.

25 Sec. 146. EMPLOYMENT SECURITY CONTINGENCY FUND — DIVISION  
26 OF WORKERS' COMPENSATION.

27 1. There is appropriated from the special employment  
28 security contingency fund to the department of workforce  
29 development for the fiscal year beginning July 1, 2011, and  
30 ending June 30, 2012, the following amount, or so much thereof  
31 as is necessary, for the division of workers' compensation,  
32 salaries, support, maintenance, and miscellaneous purposes:

33 .....	\$	471,000
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34 2. Any remaining additional penalty and interest revenue  
35 is appropriated to the department of workforce development to

1 accomplish the mission of the department.

2 Sec. 147. SPECIAL EMPLOYMENT SECURITY CONTINGENCY FUND  
3 — FIELD OFFICES. There is appropriated from the special  
4 employment security contingency fund to the department of  
5 workforce development for the fiscal year beginning July 1,  
6 2011, and ending June 30, 2012, the following amount, or so  
7 much thereof as is necessary, to be used for field offices:

8 ..... \$ 662,427

9 Sec. 148. UNEMPLOYMENT COMPENSATION RESERVE FUND —  
10 FIELD OFFICES. Notwithstanding section 96.9, subsection 8,  
11 paragraph "e", there is appropriated from interest earned on  
12 the unemployment compensation reserve fund to the department  
13 of workforce development for the fiscal year beginning July 1,  
14 2011, and ending June 30, 2012, the following amount or so much  
15 thereof as is necessary, for the operation of field offices:

16 ..... \$ 4,238,260

17 Sec. 149. GENERAL FUND — EMPLOYEE MISCLASSIFICATION  
18 PROGRAM. There is appropriated from the general fund of the  
19 state to the department of workforce development for the  
20 fiscal year beginning July 1, 2011, and ending June 30, 2012,  
21 the following amount, or so much thereof as is necessary,  
22 to be used for enhancing efforts to investigate employers  
23 that misclassify workers and for not more than the following  
24 full-time equivalent positions:

25 ..... \$ 451,458

26 ..... FTEs 8.10

27 Sec. 150. APPROPRIATIONS RESTRICTED. The department  
28 of workforce development shall not use any of the moneys  
29 appropriated pursuant to this Act for purposes of the national  
30 career readiness certificate program.

31 Sec. 151. IOWA FINANCE AUTHORITY.

32 1. There is appropriated from the general fund of the state  
33 to the Iowa finance authority for the fiscal year beginning  
34 July 1, 2011, and ending June 30, 2012, the following amount,  
35 or so much thereof as is necessary, to be used to provide

1 reimbursement for rent expenses to eligible persons under the  
2 rent subsidy program:

3 ..... \$ 658,000

4 2. Participation in the rent subsidy program shall be  
5 limited to only those persons who meet the requirements for the  
6 nursing facility level of care for home and community-based  
7 services waiver services as in effect on July 1, 2011, and  
8 to those individuals who are eligible for the federal money  
9 follows the person grant program under the medical assistance  
10 program. Of the moneys appropriated in this section, not more  
11 than \$35,000 may be used for administrative costs.

12 Sec. 152. PUBLIC EMPLOYMENT RELATIONS BOARD.

13 1. There is appropriated from the general fund of the state  
14 to the public employment relations board for the fiscal year  
15 beginning July 1, 2011, and ending June 30, 2012, the following  
16 amount, or so much thereof as is necessary, for salaries,  
17 support, maintenance, miscellaneous purposes, and for not more  
18 than the following full-time equivalent positions:

19 ..... \$ 1,057,871

20 ..... FTEs 9.00

21 2. Of the moneys appropriated in this section, the board  
22 shall allocate \$15,000 for maintaining a website that allows  
23 searchable access to a database of collective bargaining  
24 information.

25 Sec. 153. UNEMPLOYMENT COMPENSATION PROGRAM. Notwithstanding  
26 section 96.9, subsection 4, paragraph "a", moneys credited to  
27 the state by the secretary of the treasury of the United  
28 States pursuant to section 903 of the Social Security  
29 Act are appropriated to the department of workforce  
30 development and shall be used by the department for the  
31 administration of the unemployment compensation program only.  
32 This appropriation shall not apply to any fiscal year  
33 beginning after December 31, 2011.

34 DIVISION XVII  
35 ECONOMIC DEVELOPMENT

1 FY 2012-2013

2 Sec. 154. DEPARTMENT OF CULTURAL AFFAIRS. There is  
3 appropriated from the general fund of the state to the  
4 department of cultural affairs for the fiscal year beginning  
5 July 1, 2012, and ending June 30, 2013, the following amounts,  
6 or so much thereof as is necessary, to be used for the purposes  
7 designated:

8 1. ADMINISTRATION

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

12 .....	\$	146,041
13 .....	FTEs	69.87

14 b. The department of cultural affairs shall coordinate  
15 activities with the tourism office of the department of  
16 economic development to promote attendance at the state  
17 historical building and at this state's historic sites.

18 c. Full-time equivalent positions authorized under this  
19 subsection shall be funded, in full or in part, using moneys  
20 appropriated under this subsection and subsections 2, 3, 4, 5,  
21 6, and 8.

22 2. HISTORICAL DIVISION

23 For the support of the historical division:

24 .....	\$	2,352,546
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25 3. HISTORIC SITES

26 For the administration and support of historic sites:

27 .....	\$	362,438
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28 4. ARTS DIVISION

29 For the support of the arts division:

30 .....	\$	793,699
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31 5. GREAT PLACES

32 For the great places program:

33 .....	\$	127,500
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34 6. ARCHIVE IOWA GOVERNORS' RECORDS

35 For archiving the records of Iowa governors:



1 ..... \$ 4,250

2 7. RECORDS CENTER RENT

3 For payment of rent for the state records center:

4 ..... \$ 193,157

5 8. BATTLE FLAGS

6 For continuation of the project recommended by the Iowa  
7 battle flag advisory committee to stabilize the condition of  
8 the battle flag collection:

9 ..... \$ 100,000

10 Sec. 155. GOALS AND ACCOUNTABILITY — ECONOMIC DEVELOPMENT.

11 1. For the fiscal year beginning July 1, 2012, the goals for  
12 the department of economic development shall be to expand and  
13 stimulate the state economy, increase the wealth of Iowans, and  
14 increase the population of the state.

15 2. To achieve the goals in subsection 1, the department  
16 of economic development shall do all of the following for the  
17 fiscal year beginning July 1, 2012:

18 a. Concentrate its efforts on programs and activities that  
19 result in commercially viable products and services.

20 b. Adopt practices and services consistent with free  
21 market, private sector philosophies.

22 c. Ensure economic growth and development throughout the  
23 state.

24 d. Work with businesses and communities to continually  
25 improve the economic development climate along with the  
26 economic well-being and quality of life for Iowans.

27 e. Coordinate with other state agencies to ensure that they  
28 are attentive to the needs of an entrepreneurial culture.

29 f. Establish a strong and aggressive marketing image to  
30 showcase Iowa's workforce, existing industry, and potential.

31 A priority shall be placed on recruiting new businesses,  
32 business expansion, and retaining existing Iowa businesses.  
33 Emphasis shall be placed on entrepreneurial development through  
34 helping entrepreneurs secure capital, and developing networks  
35 and a business climate conducive to entrepreneurs and small

1 businesses.

2 g. Encourage the development of communities and quality of  
3 life to foster economic growth.

4 h. Prepare communities for future growth and development  
5 through development, expansion, and modernization of  
6 infrastructure.

7 i. Develop public-private partnerships with Iowa businesses  
8 in the tourism industry, Iowa tour groups, Iowa tourism  
9 organizations, and political subdivisions in this state to  
10 assist in the development of advertising efforts.

11 j. Develop, to the fullest extent possible, cooperative  
12 efforts for advertising with contributions from other sources.

13 Sec. 156. DEPARTMENT OF ECONOMIC DEVELOPMENT.

14 1. APPROPRIATION

15 There is appropriated from the general fund of the state  
16 to the department of economic development for the fiscal year  
17 beginning July 1, 2012, and ending June 30, 2013, the following  
18 amounts, or so much thereof as is necessary, to be used for the  
19 purposes designated in subsection 2, and for not more than the  
20 following full-time equivalent positions:

21 .....	\$	8,438,849
22 .....	FTEs	149.00

23 2. DESIGNATED PURPOSES

24 a. For salaries, support, miscellaneous purposes, programs,  
25 and the maintenance of an administration division, a business  
26 development division, and a community development division.

27 b. The full-time equivalent positions authorized under this  
28 section shall be funded, in whole or in part, by the moneys  
29 appropriated under subsection 1 or by other moneys received by  
30 the department, including certain federal moneys.

31 c. For transfer to the Iowa state commission grant program.

32 d. For business development operations and programs, the  
33 film office, international trade, export assistance, workforce  
34 recruitment, and the partner state program.

35 e. For transfer to the strategic investment fund.

1 f. For community economic development programs, tourism  
2 operations, community assistance, plans for Iowa green corps  
3 and summer youth programs, the mainstreet and rural mainstreet  
4 programs, the school-to-career program, the community  
5 development block grant, and housing and shelter-related  
6 programs.

7 g. For achieving the goals and accountability, fulfilling  
8 the requirements, and doing all other things required under  
9 this Act.

10 3. NONREVERSION

11 Notwithstanding section 8.33, moneys appropriated in  
12 subsection 1 that remain unencumbered or unobligated at the  
13 close of the fiscal year shall not revert but shall remain  
14 available for expenditure for the purposes designated in  
15 subsection 2 until the close of the succeeding fiscal year.

16 4. FINANCIAL ASSISTANCE RESTRICTIONS

17 a. A business creating jobs with economic development  
18 assistance through moneys appropriated in this section shall be  
19 subject to contract provisions stating that new and retained  
20 jobs shall be filled by individuals who are citizens of the  
21 United States who reside within the United States or any person  
22 authorized to work in the United States pursuant to federal  
23 law, including legal resident aliens in the United States.

24 b. Any vendor who receives such public moneys shall adhere  
25 to such contract provisions and provide periodic assurances  
26 as the state shall require that the jobs are filled solely by  
27 citizens of the United States who reside within the United  
28 States or any person authorized to work in the United States  
29 pursuant to federal law, including legal resident aliens in the  
30 United States.

31 c. A business that receives financial assistance from  
32 the department from moneys appropriated in this Act shall  
33 only employ individuals legally authorized to work in this  
34 state. In addition to all other applicable penalties provided  
35 by current law, all or a portion of the assistance received

1 by a business which is found to knowingly employ individuals  
2 not legally authorized to work in this state is subject to  
3 recapture by the department.

4 5. USES OF APPROPRIATIONS

5 a. From the moneys appropriated in this section, the  
6 department may provide financial assistance in the form of a  
7 grant to a community economic development entity for conducting  
8 a local workforce recruitment effort designed to recruit former  
9 citizens of the state and former students at colleges and  
10 universities in the state to meet the needs of local employers.

11 b. From the moneys appropriated in this section, the  
12 department may provide financial assistance to early stage  
13 industry companies being established by women entrepreneurs.

14 c. From the moneys appropriated in this section, the  
15 department may provide financial assistance in the form of  
16 grants, loans, or forgivable loans for advanced research and  
17 commercialization projects involving value-added agriculture,  
18 advanced technology, or biotechnology.

19 d. The department shall not use any moneys appropriated in  
20 this section for purposes of providing financial assistance for  
21 the Iowa green streets pilot project or for any other program  
22 or project that involves the installation of geothermal systems  
23 for melting snow and ice from streets or sidewalks.

24 6. WORLD FOOD PRIZE

25 For allocating moneys for the world food prize and  
26 notwithstanding the standing appropriation in section 15.368,  
27 subsection 1:

28 ..... \$ 425,000

29 Sec. 157. VISION IOWA PROGRAM — FTE AUTHORIZATION. For  
30 purposes of administrative duties associated with the vision  
31 Iowa program, the department of economic development is  
32 authorized an additional 2.25 FTEs above those otherwise  
33 authorized in this Act.

34 Sec. 158. INSURANCE ECONOMIC DEVELOPMENT. From the moneys  
35 collected by the division of insurance in excess of the

1 anticipated gross revenues under section 505.7, subsection 3,  
2 during the fiscal year beginning July 1, 2012, \$100,000 shall  
3 be transferred to the department of economic development for  
4 insurance economic development and international insurance  
5 economic development.

6 Sec. 159. COMMUNITY DEVELOPMENT LOAN FUND. Notwithstanding  
7 section 15E.120, subsection 5, there is appropriated from the  
8 Iowa community development loan fund all moneys available  
9 during the fiscal year beginning July 1, 2012, and ending  
10 June 30, 2013, to the department of economic development for  
11 purposes of the community development program.

12 Sec. 160. WORKFORCE DEVELOPMENT FUND. There is  
13 appropriated from the workforce development fund account  
14 created in section 15.342A to the workforce development fund  
15 created in section 15.343 for the fiscal year beginning July  
16 1, 2012, and ending June 30, 2013, the following amount, for  
17 purposes of the workforce development fund, and for not more  
18 than the following full-time equivalent positions:

19 .....	\$	3,400,000
20 .....	FTEs	4.00

21 Sec. 161. WORKFORCE DEVELOPMENT ADMINISTRATION. From  
22 moneys appropriated or transferred to or receipts credited to  
23 the workforce development fund created in section 15.343, up to  
24 \$400,000 for the fiscal year beginning July 1, 2012, and ending  
25 June 30, 2013, are appropriated to the department of economic  
26 development for the administration of workforce development  
27 activities including salaries, support, maintenance, and  
28 miscellaneous purposes, and for not more than the following  
29 full-time equivalent positions:

30 .....	FTEs	4.00
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31 Sec. 162. JOB TRAINING FUND. Notwithstanding section  
32 15.251, all moneys in the job training fund on July 1, 2012,  
33 and any moneys appropriated or credited to the fund during the  
34 fiscal year beginning July 1, 2012, shall be transferred to  
35 the workforce development fund established pursuant to section

1 15.343.

2 Sec. 163. IOWA STATE UNIVERSITY.

3 1. There is appropriated from the general fund of the state  
4 to Iowa state university of science and technology for the  
5 fiscal year beginning July 1, 2012, and ending June 30, 2013,  
6 the following amount, or so much thereof as is necessary, to  
7 be used for small business development centers, the science  
8 and technology research park, and the institute for physical  
9 research and technology, and for not more than the following  
10 full-time equivalent positions:

11 .....	\$	2,060,657
12 .....	FTEs	56.63

13 2. Of the moneys appropriated in subsection 1, Iowa state  
14 university of science and technology shall allocate at least  
15 \$795,893 for purposes of funding small business development  
16 centers.

17 3. Iowa state university of science and technology shall do  
18 all of the following:

19 a. Direct expenditures for research toward projects that  
20 will provide economic stimulus for Iowa.

21 b. Provide emphasis to providing services to Iowa-based  
22 companies.

23 4. a. It is the intent of the general assembly that  
24 the industrial incentive program focus on Iowa industrial  
25 sectors and seek contributions and in-kind donations from  
26 businesses, industrial foundations, and trade associations,  
27 and that moneys for the institute for physical research and  
28 technology industrial incentive program shall be allocated  
29 only for projects which are matched by private sector moneys  
30 for directed contract research or for nondirected research.  
31 The match required of small businesses as defined in section  
32 15.102, subsection 6, for directed contract research or for  
33 nondirected research shall be \$1 for each \$3 of state funds.  
34 The match required for other businesses for directed contract  
35 research or for nondirected research shall be \$1 for each \$1 of

1 state funds. The match required of industrial foundations or  
2 trade associations shall be \$1 for each \$1 of state funds.

3 b. Iowa state university of science and technology shall  
4 report annually to the joint appropriations subcommittee on  
5 economic development and the legislative services agency the  
6 total amount of private contributions, the proportion of  
7 contributions from small businesses and other businesses, and  
8 the proportion for directed contract research and nondirected  
9 research of benefit to Iowa businesses and industrial sectors.

10 5. Notwithstanding section 8.33, moneys appropriated in  
11 this section that remain unencumbered or unobligated at the  
12 close of the fiscal year shall not revert but shall remain  
13 available for expenditure for the purposes designated until the  
14 close of the succeeding fiscal year.

15 Sec. 164. UNIVERSITY OF IOWA.

16 1. There is appropriated from the general fund of the state  
17 to the state university of Iowa for the fiscal year beginning  
18 July 1, 2012, and ending June 30, 2013, the following amount,  
19 or so much thereof as is necessary, to be used for the state  
20 university of Iowa research park and for the advanced drug  
21 development program at the Oakdale research park, including  
22 salaries, support, maintenance, equipment, miscellaneous  
23 purposes, and for not more than the following full-time  
24 equivalent positions:

25 .....	\$	177,887
26 .....	FTEs	6.00

27 2. The state university of Iowa shall do all of the  
28 following:

29 a. Direct expenditures for research toward projects that  
30 will provide economic stimulus for Iowa.

31 b. Provide emphasis to providing services to Iowa-based  
32 companies.

33 3. Notwithstanding section 8.33, moneys appropriated in  
34 this section that remain unencumbered or unobligated at the  
35 close of the fiscal year shall not revert but shall remain

1 available for expenditure for the purposes designated until the  
2 close of the succeeding fiscal year.

3 Sec. 165. UNIVERSITY OF NORTHERN IOWA.

4 1. There is appropriated from the general fund of the  
5 state to the university of northern Iowa for the fiscal year  
6 beginning July 1, 2012, and ending June 30, 2013, the following  
7 amount, or so much thereof as is necessary, to be used for the  
8 metal casting institute, the MyEntreNet internet application,  
9 and the institute for decision making, including salaries,  
10 support, maintenance, miscellaneous purposes, and for not more  
11 than the following full-time equivalent positions:

12 .....	\$	488,509
13 .....	FTEs	6.75

14 Of the moneys appropriated in this subsection, the  
15 university of northern Iowa shall allocate not more than  
16 \$99,993 for purposes of expanded support for entrepreneurs  
17 through the university's regional business center.

18 2. The university of northern Iowa shall do all of the  
19 following:

20 a. Direct expenditures for research toward projects that  
21 will provide economic stimulus for Iowa.

22 b. Provide emphasis to providing services to Iowa-based  
23 companies.

24 3. Notwithstanding section 8.33, moneys appropriated in  
25 this section that remain unencumbered or unobligated at the  
26 close of the fiscal year shall not revert but shall remain  
27 available for expenditure for the purposes designated until the  
28 close of the succeeding fiscal year.

29 Sec. 166. BOARD OF REGENTS REPORT. By January 15, 2013, the  
30 state board of regents shall submit a report on the progress  
31 of regents institutions in meeting the strategic plan for  
32 technology transfer and economic development to the secretary  
33 of the senate, the chief clerk of the house of representatives,  
34 and the legislative services agency.

35 Sec. 167. DEPARTMENT OF WORKFORCE DEVELOPMENT. There



1 is appropriated from the general fund of the state to the  
2 department of workforce development for the fiscal year  
3 beginning July 1, 2012, and ending June 30, 2013, the following  
4 amounts, or so much thereof as is necessary, for the purposes  
5 designated:

6 1. DIVISION OF LABOR SERVICES

7 a. For the division of labor services, including salaries,  
8 support, maintenance, miscellaneous purposes, and for not more  
9 than the following full-time equivalent positions:

10 .....	\$	2,971,124
11 .....	FTEs	62.75

12 b. From the contractor registration fees, the division of  
13 labor services shall reimburse the department of inspections  
14 and appeals for all costs associated with hearings under  
15 chapter 91C, relating to contractor registration.

16 2. DIVISION OF WORKERS' COMPENSATION

17 a. For the division of workers' compensation, including  
18 salaries, support, maintenance, miscellaneous purposes, and for  
19 not more than the following full-time equivalent positions:

20 .....	\$	1,927,620
21 .....	FTEs	29.00

22 b. The division of workers' compensation shall charge a  
23 \$100 filing fee for workers' compensation cases. The filing  
24 fee shall be paid by the petitioner of a claim. However, the  
25 fee can be taxed as a cost and paid by the losing party, except  
26 in cases where it would impose an undue hardship or be unjust  
27 under the circumstances. The moneys generated by the filing  
28 fee allowed under this subsection are appropriated to the  
29 department of workforce development to be used for purposes of  
30 administering the division of workers' compensation.

31 3. WORKFORCE DEVELOPMENT OPERATIONS

32 a. For the operation of field offices, the workforce  
33 development board, and for not more than the following  
34 full-time equivalent positions:

35 .....	\$	8,250,986
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1 ..... FTEs 130.00

2 b. The department shall not reduce the number of field  
3 offices being operated as of January 1, 2009.

4 4. OFFENDER REENTRY PROGRAM

5 a. For the development and administration of an offender  
6 reentry program to provide offenders with employment skills,  
7 and for not more than the following full-time equivalent  
8 positions:

9 ..... \$ 241,794

10 ..... FTEs 3.00

11 b. The department shall partner with the department of  
12 corrections to provide staff within the correctional facilities  
13 to improve offenders' abilities to find and retain productive  
14 employment.

15 5. Notwithstanding section 8.33, moneys appropriated in  
16 this section that remain unencumbered or unobligated at the  
17 close of the fiscal year shall not revert but shall remain  
18 available for expenditure for the purposes designated until the  
19 close of the succeeding fiscal year.

20 Sec. 168. ACCOUNTABILITY — AUDIT. The auditor of  
21 state shall annually conduct an audit of the department of  
22 workforce development and shall report the findings of such  
23 annual audit, including the accountability of programs of the  
24 department, to the chairpersons and ranking members of the  
25 joint appropriations subcommittee on economic development. The  
26 department shall pay for the costs associated with the audit.

27 Sec. 169. EMPLOYMENT SECURITY CONTINGENCY FUND — DIVISION  
28 OF WORKERS' COMPENSATION.

29 1. There is appropriated from the special employment  
30 security contingency fund to the department of workforce  
31 development for the fiscal year beginning July 1, 2012, and  
32 ending June 30, 2013, the following amount, or so much thereof  
33 as is necessary, for the division of workers' compensation,  
34 salaries, support, maintenance, and miscellaneous purposes:

35 ..... \$ 400,350

1 2. Any remaining additional penalty and interest revenue  
2 is appropriated to the department of workforce development to  
3 accomplish the mission of the department.

4 Sec. 170. SPECIAL EMPLOYMENT SECURITY CONTINGENCY FUND  
5 — FIELD OFFICES. There is appropriated from the special  
6 employment security contingency fund to the department of  
7 workforce development for the fiscal year beginning July 1,  
8 2012, and ending June 30, 2013, the following amount, or so  
9 much thereof as is necessary, to be used for field offices:  
10 ..... \$ 563,063

11 Sec. 171. UNEMPLOYMENT COMPENSATION RESERVE FUND —  
12 FIELD OFFICES. Notwithstanding section 96.9, subsection 8,  
13 paragraph "e", there is appropriated from interest earned on  
14 the unemployment compensation reserve fund to the department  
15 of workforce development for the fiscal year beginning July 1,  
16 2012, and ending June 30, 2013, the following amount or so much  
17 thereof as is necessary, for the operation of field offices:  
18 ..... \$ 1,020,000

19 Sec. 172. GENERAL FUND — EMPLOYEE MISCLASSIFICATION  
20 PROGRAM. There is appropriated from the general fund of the  
21 state to the department of workforce development for the  
22 fiscal year beginning July 1, 2012, and ending June 30, 2013,  
23 the following amount, or so much thereof as is necessary,  
24 to be used for enhancing efforts to investigate employers  
25 that misclassify workers and for not more than the following  
26 full-time equivalent positions:  
27 ..... \$ 383,739  
28 ..... FTEs 8.10

29 Sec. 173. APPROPRIATIONS RESTRICTED. The department  
30 of workforce development shall not use any of the moneys  
31 appropriated pursuant to this Act for purposes of the national  
32 career readiness certificate program.

33 Sec. 174. IOWA FINANCE AUTHORITY.  
34 1. There is appropriated from the general fund of the state  
35 to the Iowa finance authority for the fiscal year beginning

1 July 1, 2012, and ending June 30, 2013, the following amount,  
2 or so much thereof as is necessary, to be used to provide  
3 reimbursement for rent expenses to eligible persons under the  
4 rent subsidy program:

5 ..... \$ 559,300

6 2. Participation in the rent subsidy program shall be  
7 limited to only those persons who meet the requirements for the  
8 nursing facility level of care for home and community-based  
9 services waiver services as in effect on July 1, 2012, and  
10 to those individuals who are eligible for the federal money  
11 follows the person grant program under the medical assistance  
12 program. Of the moneys appropriated in this section, not more  
13 than \$35,000 may be used for administrative costs.

14 Sec. 175. PUBLIC EMPLOYMENT RELATIONS BOARD.

15 1. There is appropriated from the general fund of the state  
16 to the public employment relations board for the fiscal year  
17 beginning July 1, 2012, and ending June 30, 2013, the following  
18 amount, or so much thereof as is necessary, for salaries,  
19 support, maintenance, miscellaneous purposes, and for not more  
20 than the following full-time equivalent positions:

21 ..... \$ 899,190

22 ..... FTEs 9.00

23 2. Of the moneys appropriated in this section, the board  
24 shall allocate \$15,000 for maintaining a website that allows  
25 searchable access to a database of collective bargaining  
26 information.

27 Sec. 176. UNEMPLOYMENT COMPENSATION PROGRAM. Notwithstanding  
28 section 96.9, subsection 4, paragraph "a", moneys credited to  
29 the state by the secretary of the treasury of the United  
30 States pursuant to section 903 of the Social Security  
31 Act are appropriated to the department of workforce  
32 development and shall be used by the department for the  
33 administration of the unemployment compensation program only.  
34 This appropriation shall not apply to any fiscal year  
35 beginning after December 31, 2012.

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DIVISION XVIII

ECONOMIC DEVELOPMENT

AGENCY APPEARANCES BEFORE APPROPRIATIONS SUBCOMMITTEE

Sec. 177. AGENCY APPEARANCES BEFORE APPROPRIATIONS

SUBCOMMITTEE. The directors, or the directors' designees, of the Iowa finance authority and the department of economic development, and any successor entities, shall annually appear before the members of the joint subcommittee on economic development appropriations and present a proposed budget. The proposed budget shall include a detailed accounting of all moneys received, from any source, and all moneys expended, for any purpose, during the current fiscal year and the prior fiscal year. The proposed budget shall also include a detailed expenditure plan for such moneys during the next fiscal year.

DIVISION XIX

EDUCATION

FY 2011-2012

DEPARTMENT FOR THE BLIND

Sec. 178. ADMINISTRATION. There is appropriated from the general fund of the state to the department for the blind for the fiscal year beginning July 1, 2011, and ending June 30, 2012, the following amount, or so much thereof as is necessary, to be used for the purposes designated:

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

.....	\$	1,706,053
.....	FTEs	88.00

COLLEGE STUDENT AID COMMISSION

Sec. 179. There is appropriated from the general fund of the state to the college student aid commission for the fiscal year beginning July 1, 2011, and ending June 30, 2012, the following amounts, or so much thereof as may be necessary, to be used for the purposes designated:

1. GENERAL ADMINISTRATION

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

4 ..... \$ 234,903  
5 ..... FTEs 3.95

6 2. STUDENT AID PROGRAMS

7 For payments to students for the Iowa grant program  
8 established in section 261.93:

9 ..... \$ 848,761

10 3. DES MOINES UNIVERSITY — HEALTH CARE PROFESSIONAL  
11 RECRUITMENT PROGRAM

12 For forgivable loans to Iowa students attending Des Moines  
13 university — osteopathic medical center under the forgivable  
14 loan program pursuant to section 261.19:

15 ..... \$ 349,699

16 4. NATIONAL GUARD EDUCATIONAL ASSISTANCE PROGRAM

17 For purposes of providing national guard educational  
18 assistance under the program established in section 261.86:

19 ..... \$ 4,186,233

20 5. TEACHER SHORTAGE LOAN FORGIVENESS PROGRAM

21 For the teacher shortage loan forgiveness program  
22 established in section 261.112:

23 ..... \$ 250,000

24 6. ALL IOWA OPPORTUNITY FOSTER CARE GRANT PROGRAM

25 For purposes of the all Iowa opportunity foster care grant  
26 program established pursuant to section 261.6:

27 ..... \$ 594,383

28 7. ALL IOWA OPPORTUNITY SCHOLARSHIP PROGRAM

29 a. For purposes of the all Iowa opportunity scholarship  
30 program established pursuant to section 261.87:

31 ..... \$ 2,403,949

32 b. If the moneys appropriated by the general assembly to the  
33 college student aid commission for fiscal year 2011-2012 for  
34 purposes of the all Iowa opportunity scholarship program exceed  
35 \$500,000, "eligible institution" as defined in section 261.87,

1 shall, during fiscal year 2011-2012, include accredited private  
2 institutions as defined in section 261.9, subsection 1.

3 8. REGISTERED NURSE AND NURSE EDUCATOR LOAN FORGIVENESS  
4 PROGRAM

5 a. For purposes of the registered nurse and nurse educator  
6 loan forgiveness program established pursuant to section  
7 261.23:

8 ..... \$ 86,736

9 b. It is the intent of the general assembly that the  
10 commission continue to consider moneys allocated pursuant to  
11 this subsection as moneys that meet the state matching funds  
12 requirements of the federal leveraging educational assistance  
13 program and the federal supplemental leveraging educational  
14 assistance program established under the Higher Education Act  
15 of 1965, as amended.

16 9. BARBER AND COSMETOLOGY ARTS AND SCIENCES TUITION GRANT  
17 PROGRAM

18 For purposes of the barber and cosmetology arts and sciences  
19 tuition grant program established pursuant to section 261.18:

20 ..... \$ 39,626

21 Sec. 180. CHIROPRACTIC LOAN FUNDS. Notwithstanding  
22 section 261.72, the moneys deposited in the chiropractic loan  
23 revolving fund created pursuant to section 261.72 may be used  
24 for purposes of the chiropractic loan forgiveness program  
25 established in section 261.73.

26 Sec. 181. WORK-STUDY APPROPRIATION FOR FY 2011-2012.  
27 Notwithstanding section 261.85, for the fiscal year beginning  
28 July 1, 2011, and ending June 30, 2012, the amount appropriated  
29 from the general fund of the state to the college student aid  
30 commission for the work-study program under section 261.85  
31 shall be zero.

32 DEPARTMENT OF EDUCATION

33 Sec. 182. There is appropriated from the general fund of  
34 the state to the department of education for the fiscal year  
35 beginning July 1, 2011, and ending June 30, 2012, the following

1 amounts, or so much thereof as may be necessary, to be used for  
2 the purposes designated:

3 1. GENERAL ADMINISTRATION

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

7 ..... \$ 6,019,042  
8 ..... FTEs 81.67

9 2. VOCATIONAL EDUCATION ADMINISTRATION

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

13 ..... \$ 422,319  
14 ..... FTEs 11.50

15 3. VOCATIONAL REHABILITATION SERVICES DIVISION

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

19 ..... \$ 4,477,378  
20 ..... FTEs 255.00

21 b. For matching funds for programs to enable persons  
22 with severe physical or mental disabilities to function more  
23 independently, including salaries and support, and for not more  
24 than the following full-time equivalent position:

25 ..... \$ 39,457  
26 ..... FTEs 1.00

27 c. For the entrepreneurs with disabilities program  
28 established pursuant to section 259.4, subsection 9:

29 ..... \$ 146,760

30 d. For costs associated with centers for independent  
31 living:

32 ..... \$ 40,633

33 4. STATE LIBRARY

34 a. For salaries, support, maintenance, miscellaneous  
35 purposes, and for not more than the following full-time



1 equivalent positions:  
2 ..... \$ 1,219,799  
3 ..... FTEs 17.00  
4 b. For the enrich Iowa program established under section  
5 256.57:  
6 ..... \$ 1,688,316  
7 5. LIBRARY SERVICE AREA SYSTEM  
8 For state aid:  
9 ..... \$ 934,917  
10 6. PUBLIC BROADCASTING DIVISION  
11 For salaries, support, maintenance, capital expenditures,  
12 miscellaneous purposes, and for not more than the following  
13 full-time equivalent positions:  
14 ..... \$ 7,710,017  
15 ..... FTEs 82.00  
16 7. REGIONAL TELECOMMUNICATIONS COUNCILS  
17 For state aid:  
18 ..... \$ 1,001,269  
19 The regional telecommunications councils established  
20 in section 8D.5 shall use the moneys appropriated in this  
21 subsection to provide technical assistance for network  
22 classrooms, planning and troubleshooting for local area  
23 networks, scheduling of video sites, and other related support  
24 activities.  
25 8. VOCATIONAL EDUCATION TO SECONDARY SCHOOLS  
26 For reimbursement for vocational education expenditures made  
27 by secondary schools:  
28 ..... \$ 2,435,234  
29 Moneys appropriated in this subsection shall be used  
30 to reimburse school districts for vocational education  
31 expenditures made by secondary schools to meet the standards  
32 set in sections 256.11, 258.4, and 260C.14.  
33 9. SCHOOL FOOD SERVICE  
34 For use as state matching funds for federal programs that  
35 shall be disbursed according to federal regulations, including

1 salaries, support, maintenance, miscellaneous purposes, and for  
 2 not more than the following full-time equivalent positions:  
 3 ..... \$ 1,993,795  
 4 ..... FTEs 20.58

5 10. EARLY CHILDHOOD IOWA FUND — GENERAL AID

6 For deposit in the school ready children grants account of  
 7 the early childhood Iowa fund created in section 256I.11:  
 8 ..... \$ 5,386,113

9 a. From the moneys deposited in the school ready children  
 10 grants account for the fiscal year beginning July 1, 2011, and  
 11 ending June 30, 2012, not more than \$265,950 is allocated for  
 12 the early childhood Iowa office and other technical assistance  
 13 activities. The early childhood Iowa state board shall direct  
 14 staff to work with the early childhood stakeholders alliance  
 15 created in section 256I.12 to inventory technical assistance  
 16 needs. Moneys allocated under this lettered paragraph may be  
 17 used by the early childhood Iowa state board for the purpose of  
 18 skills development and support for ongoing training of staff.  
 19 However, except as otherwise provided in this subsection,  
 20 moneys shall not be used for additional staff or for the  
 21 reimbursement of staff.

22 b. As a condition of receiving moneys appropriated in  
 23 this subsection, each early childhood Iowa area board shall  
 24 report to the early childhood Iowa state board progress on  
 25 each of the local indicators approved by the area board. Each  
 26 early childhood Iowa area board must also submit an annual  
 27 budget for the area's comprehensive school ready children  
 28 grant developed for providing services for children from birth  
 29 through five years of age, and provide other information  
 30 specified by the early childhood Iowa state board, including  
 31 budget amendments as needed. The early childhood Iowa state  
 32 board shall establish a submission deadline for the annual  
 33 budget and any budget amendments that allow a reasonable period  
 34 of time for preparation by the early childhood Iowa area boards  
 35 and for review and approval or request for modification of

1 the materials by the early childhood Iowa state board. In  
2 addition, each early childhood Iowa area board must continue to  
3 comply with reporting provisions and other requirements adopted  
4 by the early childhood Iowa state board in implementing section  
5 256I.9.

6 c. Of the amount appropriated in this subsection for  
7 deposit in the school ready children grants account of the  
8 early childhood Iowa fund, \$2,318,018 shall be used for efforts  
9 to improve the quality of early care, health, and education  
10 programs. Moneys allocated pursuant to this paragraph may be  
11 used for additional staff and for the reimbursement of staff.  
12 The early childhood Iowa state board may reserve a portion  
13 of the allocation, not to exceed \$88,650, for the technical  
14 assistance expenses of the early childhood Iowa state office,  
15 including the reimbursement of staff, and shall distribute  
16 the remainder to early childhood Iowa areas for local quality  
17 improvement efforts through a methodology identified by the  
18 early childhood Iowa state board to make the most productive  
19 use of the funding, which may include use of the distribution  
20 formula, grants, or other means.

21 d. Of the amount appropriated in this subsection for  
22 deposit in the school ready children grants account of  
23 the early childhood Iowa fund, \$825,030 shall be used for  
24 support of professional development and training activities  
25 for persons working in early care, health, and education by  
26 the early childhood Iowa state board in collaboration with  
27 the professional development component group of the early  
28 childhood Iowa stakeholders alliance maintained pursuant to  
29 section 256I.12, subsection 7, paragraph "b", and the early  
30 childhood Iowa area boards. Expenditures shall be limited to  
31 professional development and training activities agreed upon by  
32 the parties participating in the collaboration.

33 11. EARLY CHILDHOOD IOWA FUND — PRESCHOOL TUITION  
34 ASSISTANCE

35 a. For deposit in the school ready children grants account

1 of the early childhood Iowa fund created in section 256I.11:  
2 ..... \$ 3,128,877

3 b. The amount appropriated in this subsection shall be  
4 used for early care, health, and education programs to assist  
5 low-income parents with tuition for preschool and other  
6 supportive services for children ages three, four, and five  
7 who are not attending kindergarten in order to increase the  
8 basic family income eligibility requirement to not more than  
9 200 percent of the federal poverty level. In addition, if  
10 sufficient funding is available after addressing the needs of  
11 those who meet the basic income eligibility requirement, an  
12 early childhood Iowa area board may provide for eligibility  
13 for those with a family income in excess of the basic income  
14 eligibility requirement through use of a sliding scale or other  
15 copayment provisions.

16 12. EARLY CHILDHOOD IOWA FUND — FAMILY SUPPORT AND PARENT  
17 EDUCATION

18 a. For deposit in the school ready children grants account  
19 of the early childhood Iowa fund created in section 256I.11:  
20 ..... \$ 12,364,434

21 b. The amount appropriated in this subsection shall be  
22 used for family support services and parent education programs  
23 targeted to families expecting a child or with newborn and  
24 infant children through age five and shall be distributed using  
25 the distribution formula approved by the early childhood Iowa  
26 state board and shall be used by an early childhood Iowa area  
27 board only for family support services and parent education  
28 programs targeted to families expecting a child or with newborn  
29 and infant children through age five.

30 13. BIRTH TO AGE THREE SERVICES

31 For expansion of the federal Individuals with Disabilities  
32 Education Improvement Act of 2004, Pub. L. No. 108-446, as  
33 amended to January 1, 2011, birth through age three services  
34 due to increased numbers of children qualifying for those  
35 services:

1 ..... \$ 1,618,116

2 From the moneys appropriated in this subsection, \$383,769  
3 shall be allocated to the child health specialty clinic at the  
4 state university of Iowa to provide additional support for  
5 infants and toddlers who are born prematurely, drug-exposed, or  
6 medically fragile.

7 14. TEXTBOOKS OF NONPUBLIC SCHOOL PUPILS

8 To provide moneys for costs of providing textbooks to each  
9 resident pupil who attends a nonpublic school as authorized by  
10 section 301.1:

11 ..... \$ 600,987

12 Funding under this subsection is limited to \$20 per pupil and  
13 shall not exceed the comparable services offered to resident  
14 public school pupils.

15 15. BEGINNING ADMINISTRATOR MENTORING AND INDUCTION PROGRAM

16 For purposes of administering the beginning administrator  
17 mentoring and induction program established pursuant to chapter  
18 284A:

19 ..... \$ 183,448

20 16. STUDENT ACHIEVEMENT AND TEACHER QUALITY PROGRAM

21 For purposes of the student achievement and teacher quality  
22 program established pursuant to chapter 284, and for not more  
23 than the following full-time equivalent positions:

24 ..... \$ 4,498,878

25 ..... FTEs 2.00

26 17. JOBS FOR AMERICA'S GRADUATES

27 For school districts to provide direct services to the  
28 most at-risk senior high school students enrolled in school  
29 districts through direct intervention by a jobs for America's  
30 graduates specialist:

31 ..... \$ 540,000

32 18. COMMUNITY COLLEGES

33 For general state financial aid to merged areas as defined in  
34 section 260C.2 in accordance with chapters 258 and 260C:

35 ..... \$154,412,677

1 Notwithstanding the allocation formula in section 260C.18C,  
 2 the funds appropriated in this subsection shall be allocated  
 3 as follows:

4	a. Merged Area I.....	\$ 7,695,292
5	b. Merged Area II.....	\$ 8,172,028
6	c. Merged Area III.....	\$ 7,524,049
7	d. Merged Area IV.....	\$ 3,695,569
8	e. Merged Area V.....	\$ 8,487,222
9	f. Merged Area VI.....	\$ 7,197,423
10	g. Merged Area VII.....	\$ 10,743,219
11	h. Merged Area IX.....	\$ 13,371,544
12	i. Merged Area X.....	\$ 23,601,571
13	j. Merged Area XI.....	\$ 23,840,304
14	k. Merged Area XII.....	\$ 8,764,410
15	l. Merged Area XIII.....	\$ 9,042,641
16	m. Merged Area XIV.....	\$ 3,753,787
17	n. Merged Area XV.....	\$ 11,762,668
18	o. Merged Area XVI.....	\$ 6,760,950

19 Sec. 183. DEPARTMENT OF EDUCATION TRANSFERS. There is  
 20 transferred between the following designated appropriations  
 21 made to the department of education for the fiscal year  
 22 beginning July 1, 2010, and ending June 30, 2011, not more than  
 23 the following amounts:

24 From the appropriation made for purposes of the student  
 25 achievement and teacher quality program in 2010 Iowa Acts,  
 26 chapter 1183, section 6, subsection 18, as follows:

27 1. To the appropriation made for purposes of vocational  
 28 education administration in 2010 Iowa Acts, chapter 1183,  
 29 section 6, subsection 2:

30 ..... \$ 110,521

31 2. To the appropriation made for purposes of vocational  
 32 education to secondary schools in 2010 Iowa Acts, chapter 1183,  
 33 section 6, subsection 8:

34 ..... \$ 39,458

35 3. To the appropriation made for purposes of school food

1 service in 2010 Iowa Acts, chapter 1183, section 6, subsection  
2 9:

3 ..... \$ 55,739

4 STATE BOARD OF REGENTS

5 Sec. 184. There is appropriated from the general fund of  
6 the state to the state board of regents for the fiscal year  
7 beginning July 1, 2011, and ending June 30, 2012, the following  
8 amounts, or so much thereof as may be necessary, to be used for  
9 the purposes designated:

10 1. OFFICE OF STATE BOARD OF REGENTS

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

14 ..... \$ 1,023,664

15 ..... FTEs 15.00

16 The state board of regents shall submit a monthly financial  
17 report in a format agreed upon by the state board of regents  
18 office and the legislative services agency.

19 b. For moneys to be allocated to the southwest Iowa graduate  
20 studies center:

21 ..... \$ 85,320

22 c. For moneys to be allocated to the siouxland interstate  
23 metropolitan planning council for the tristate graduate center  
24 under section 262.9, subsection 22:

25 ..... \$ 64,963

26 d. For moneys to be allocated to the quad-cities graduate  
27 studies center:

28 ..... \$ 126,585

29 e. For moneys to be distributed to Iowa public radio for  
30 public radio operations:

31 ..... \$ 381,939

32 2. STATE UNIVERSITY OF IOWA

33 a. General university, including lakeside laboratory

34 For salaries, support, maintenance, equipment, miscellaneous  
35 purposes, and for not more than the following full-time

1 equivalent positions:  
2 ..... \$202,530,663  
3 ..... FTEs 5,058.55  
4     b. Oakdale campus  
5     For salaries, support, maintenance, miscellaneous purposes,  
6 and for not more than the following full-time equivalent  
7 positions:  
8 ..... \$ 2,132,789  
9 ..... FTEs 38.25  
10     c. State hygienic laboratory  
11     For salaries, support, maintenance, miscellaneous purposes,  
12 and for not more than the following full-time equivalent  
13 positions:  
14 ..... \$ 3,449,746  
15 ..... FTEs 102.50  
16     d. Family practice program  
17     For allocation by the dean of the college of medicine, with  
18 approval of the advisory board, to qualified participants  
19 to carry out the provisions of chapter 148D for the family  
20 practice program, including salaries and support, and for not  
21 more than the following full-time equivalent positions:  
22 ..... \$ 1,744,290  
23 ..... FTEs 190.40  
24     e. Child health care services  
25     For specialized child health care services, including  
26 childhood cancer diagnostic and treatment network programs,  
27 rural comprehensive care for hemophilia patients, and the  
28 Iowa high-risk infant follow-up program, including salaries  
29 and support, and for not more than the following full-time  
30 equivalent positions:  
31 ..... \$ 643,239  
32 ..... FTEs 57.97  
33     f. Statewide cancer registry  
34     For the statewide cancer registry, and for not more than the  
35 following full-time equivalent positions:



1 ..... \$ 145,386

2 ..... FTEs 2.10

3 g. Substance abuse consortium

4 For moneys to be allocated to the Iowa consortium for  
5 substance abuse research and evaluation, and for not more than  
6 the following full-time equivalent position:

7 ..... \$ 54,164

8 ..... FTEs 1.00

9 h. Center for biocatalysis

10 For the center for biocatalysis, and for not more than the  
11 following full-time equivalent positions:

12 ..... \$ 705,931

13 ..... FTEs 6.28

14 i. Primary health care initiative

15 For the primary health care initiative in the college  
16 of medicine, and for not more than the following full-time  
17 equivalent positions:

18 ..... \$ 632,972

19 ..... FTEs 5.89

20 From the moneys appropriated in this lettered paragraph,  
21 \$254,889 shall be allocated to the department of family  
22 practice at the state university of Iowa college of medicine  
23 for family practice faculty and support staff.

24 j. Birth defects registry

25 For the birth defects registry, and for not more than the  
26 following full-time equivalent position:

27 ..... \$ 37,346

28 ..... FTEs 1.00

29 k. Larned A. Waterman Iowa nonprofit resource center

30 For the Larned A. Waterman Iowa nonprofit resource center,  
31 and for not more than the following full-time equivalent  
32 positions:

33 ..... \$ 158,542

34 ..... FTEs 2.75

35 3. IOWA STATE UNIVERSITY OF SCIENCE AND TECHNOLOGY

1 a. General university

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

5 ..... \$158,698,238  
6 ..... FTEs 3,647.42

7 b. Agricultural experiment station

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

11 ..... \$ 27,420,590  
12 ..... FTEs 546.98

13 c. Cooperative extension service in agriculture and home  
14 economics

15 For the cooperative extension service in agriculture and  
16 home economics salaries, support, maintenance, miscellaneous  
17 purposes, and for not more than the following full-time  
18 equivalent positions:

19 ..... \$ 17,495,648  
20 ..... FTEs 383.34

21 d. Leopold center

22 For agricultural research grants at Iowa state university of  
23 science and technology under section 266.39B, and for not more  
24 than the following full-time equivalent positions:

25 ..... \$ 387,645  
26 ..... FTEs 11.25

27 e. Livestock disease research

28 For deposit in and the use of the livestock disease research  
29 fund under section 267.8:

30 ..... \$ 168,595

31 4. UNIVERSITY OF NORTHERN IOWA

32 a. General university

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

1 ..... \$ 72,166,679

2 ..... FTEs 1,447.50

3 b. Recycling and reuse center

4 For purposes of the recycling and reuse center, and for not  
5 more than the following full-time equivalent positions:

6 ..... \$ 170,947

7 ..... FTEs 3.00

8 c. Science, technology, engineering, and mathematics (STEM)  
9 collaborative initiative

10 For purposes of establishing a science, technology,  
11 engineering, and mathematics (STEM) collaborative initiative,  
12 and for not more than the following full-time equivalent  
13 positions:

14 ..... \$ 1,692,000

15 ..... FTEs 6.20

16 (1) From the moneys appropriated in this lettered  
17 paragraph, up to \$282,000 shall be allocated for salaries,  
18 staffing, and institutional support. The remainder of the  
19 moneys appropriated in this lettered paragraph shall be  
20 expended only to support activities directly related to  
21 recruitment of kindergarten through grade 12 mathematics and  
22 science teachers and for ongoing mathematics and science  
23 programming for students enrolled in kindergarten through grade  
24 12.

25 (2) The university of northern Iowa shall work with the  
26 community colleges to develop STEM professional development  
27 programs for community college instructors and STEM curriculum  
28 development.

29 d. Real estate education program

30 For purposes of the real estate education program, and for  
31 not more than the following full-time equivalent position:

32 ..... \$ 122,221

33 ..... FTEs 1.00

34 5. STATE SCHOOL FOR THE DEAF

35 For salaries, support, maintenance, miscellaneous purposes,

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

3 ..... \$ 8,159,166  
4 ..... FTEs 126.60

5 6. IOWA BRAILLE AND SIGHT SAVING SCHOOL

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

9 ..... \$ 3,622,320  
10 ..... FTEs 62.87

11 7. TUITION AND TRANSPORTATION COSTS

12 For payment to local school boards for the tuition and  
13 transportation costs of students residing in the Iowa braille  
14 and sight saving school and the state school for the deaf  
15 pursuant to section 262.43 and for payment of certain clothing,  
16 prescription, and transportation costs for students at these  
17 schools pursuant to section 270.5:

18 ..... \$ 11,474

19 8. LICENSED CLASSROOM TEACHERS

20 For distribution at the Iowa braille and sight saving school  
21 and the Iowa school for the deaf based upon the average yearly  
22 enrollment at each school as determined by the state board of  
23 regents:

24 ..... \$ 80,032

25 Sec. 185. ENERGY COST-SAVINGS PROJECTS — FINANCING. For  
26 the fiscal year beginning July 1, 2011, and ending June 30,  
27 2012, the state board of regents may use notes, bonds, or  
28 other evidences of indebtedness issued under section 262.48 to  
29 finance projects that will result in energy cost savings in an  
30 amount that will cause the state board to recover the cost of  
31 the projects within an average of six years.

32 Sec. 186. PRESCRIPTION DRUG COSTS. Notwithstanding section  
33 270.7, the department of administrative services shall pay  
34 the state school for the deaf and the Iowa braille and sight  
35 saving school the moneys collected from the counties during the

1 fiscal year beginning July 1, 2011, for expenses relating to  
2 prescription drug costs for students attending the state school  
3 for the deaf and the Iowa braille and sight saving school.

4 Sec. 187. Section 256C.5, subsection 1, paragraph c, Code  
5 2011, is amended to read as follows:

6 *c. "Preschool budget enrollment" means the figure that is*  
7 *equal to ~~sixty~~ thirty percent of the actual enrollment of*  
8 *eligible students in the preschool programming provided by*  
9 *a school district approved to participate in the preschool*  
10 *program on October 1 of the base year, or the first Monday in*  
11 *October if October 1 falls on a Saturday or Sunday.*

12 Sec. 188. Section 256C.5, subsection 4, Code 2011, is  
13 amended to read as follows:

14 *4. Administration and oversight.*

15 *a.* Except as otherwise provided by law for a fiscal year,  
16 of the amount appropriated for that fiscal year for payment  
17 of preschool foundation aid statewide, the department may use  
18 an amount sufficient to fund up to three full-time equivalent  
19 positions which shall be in addition to the number of positions  
20 authorized for the fiscal year, as necessary to provide  
21 administration and oversight of the preschool program.

22 *b. Of the amount of preschool foundation aid received by a*  
23 *school district for a fiscal year, not more than five percent*  
24 *shall be used by the school district for administering the*  
25 *district's approved local program.*

26 Sec. 189. Section 256I.9, subsection 3, paragraph b, Code  
27 2011, is amended to read as follows:

28 *b.* Family support services and parent education programs  
29 promoted to parents of children from zero through age five.  
30 Family support services shall include but are not limited  
31 to home visitation. Of the state funding ~~from all sources~~  
32 that an area board designates for family support programs, at  
33 least sixty percent shall be committed to programs with a home  
34 visitation component.

35 Sec. 190. Section 261.19, Code 2011, is amended to read as

1 follows:

2 **261.19 ~~Osteopathic physician~~ Health care professional**  
3 **recruitment program.**

4 1. A ~~physician~~ health care professional recruitment program  
5 is established, to be administered by the college student aid  
6 commission, for Des Moines university — ~~osteopathic medical~~  
7 center. The program shall consist of a ~~forgivable loan program~~  
8 and a ~~tuition scholarship program for students and a loan~~  
9 repayment program for ~~physicians~~ health care professionals.  
10 The commission shall regularly adjust the ~~physician~~ service  
11 requirement under each aspect of the program to provide, to the  
12 extent possible, an equal financial benefit for each period of  
13 service required.

14 2. ~~a.~~ Notwithstanding the administration provisions of  
15 subsection 1, the ~~forgivable loan program established pursuant~~  
16 to subsection 1 shall be administered by the commission in  
17 conjunction with Des Moines university — ~~osteopathic medical~~  
18 center. Des Moines university — ~~osteopathic medical center~~  
19 shall match on an equal basis state aid appropriated for  
20 purposes of the ~~forgivable loan program~~.

21 ~~b.~~ Des Moines university — ~~osteopathic medical center~~  
22 shall provide recommendations to the commission for students  
23 who meet the eligibility requirements of the ~~forgivable loan~~  
24 program. A ~~forgivable loan~~ may be awarded to a resident of  
25 Iowa who is enrolled at Des Moines university — ~~osteopathic~~  
26 medical center if the student agrees to practice in this state  
27 for a period of time to be determined by the commission at  
28 the time the loan is awarded. ~~Forgivable loans to eligible~~  
29 ~~students shall not become due until after the student completes~~  
30 a residency program. Interest on the loans shall begin to  
31 accrue the day following the student's graduation date. If  
32 the student completes the period of practice established by  
33 the commission and agreed to by the student, the loan amount  
34 shall be forgiven. The loan amount shall not be forgiven if  
35 the ~~osteopathic physician~~ fails to complete the required time

1 ~~period of practice in this state or fails to satisfactorily~~  
2 ~~continue in the university's program of medical education.~~  
3 ~~3. A student enrolled at Des Moines university —~~  
4 ~~osteopathic medical center shall be eligible for a tuition~~  
5 ~~scholarship for the student's study at the university. The~~  
6 ~~scholarship shall be for an amount not to exceed the annual~~  
7 ~~tuition at the university. A student who receives a tuition~~  
8 ~~scholarship shall not be eligible for the loan repayment~~  
9 ~~program provided for by this section. A student who receives~~  
10 ~~a tuition scholarship shall agree to practice in an eligible~~  
11 ~~rural community in this state for a period of time to be~~  
12 ~~determined by the commission at the time the scholarship is~~  
13 ~~awarded. The student shall repay the scholarship to the~~  
14 ~~commission if the student fails to practice in a medically~~  
15 ~~underserved rural community in this state for the required~~  
16 ~~period of time.~~

17 4. 2. A physician health care professional shall be  
18 eligible for the physician loan repayment program if the  
19 physician health care professional agrees to practice in  
20 an eligible rural community in this state. Des Moines  
21 university — ~~osteopathic medical center~~ shall recruit and  
22 place physicians health care professionals in rural communities  
23 which have agreed to provide additional funds for the  
24 physician's recipient's loan repayment. The contract for the  
25 loan repayment shall stipulate the time period the physician  
26 recipient shall practice in an eligible rural community in this  
27 state. In addition, the contract shall stipulate that the  
28 physician recipient repay any funds paid on the physician's  
29 recipient's loan by the commission if the physician recipient  
30 fails to practice in an eligible rural community in this state  
31 for the required period of time.

32 3. A health care professional recruitment revolving fund  
33 is created in the state treasury as a separate fund under  
34 the control of the commission. The commission shall deposit  
35 payments made by health care professional recruitment program

1 recipients and the proceeds from the sale of osteopathic loans  
2 awarded pursuant to section 261.19, subsection 2, paragraph  
3 "b", Code 2011, into the health care professional recruitment  
4 revolving fund. Moneys credited to the fund shall be used to  
5 supplement moneys appropriated for the health care professional  
6 recruitment program, for loan repayment in accordance with this  
7 section, and to pay for loan or interest repayment defaults by  
8 program recipients. Notwithstanding section 8.33, any balance  
9 in the fund on June 30 of any fiscal year shall not revert to  
10 the general fund of the state.

11 4. For purposes of this subsection, "eligible section:

12 a. "Eligible rural community" means a medically underserved  
13 rural community which agrees to match state funds provided  
14 on at least a dollar-for-dollar basis for the loan repayment  
15 of a ~~physician~~ health care professional who practices in the  
16 community.

17 b. "Health care professional" means a physician, physician  
18 assistant, podiatrist, or physical therapist.

19 5. The commission shall adopt rules pursuant to chapter 17A  
20 to administer this section.

21 Sec. 191. Section 261.25, subsection 2, Code 2011, is  
22 amended to read as follows:

23 2. There is appropriated from the general fund of the state  
24 to the commission for each fiscal year the sum of four million  
25 ~~six two~~ two hundred fifty thousand ~~four hundred eighty-seven~~  
26 dollars for tuition grants for students attending for-profit  
27 accredited private institutions located in Iowa. A for-profit  
28 institution which, effective March 9, 2005, or effective  
29 January 8, 2010, purchased an accredited private institution  
30 that was exempt from taxation under section 501(c) of the  
31 Internal Revenue Code, shall be an eligible institution under  
32 the tuition grant program. For purposes of the tuition grant  
33 program, "*for-profit accredited private institution*" means  
34 an accredited private institution which is not exempt from  
35 taxation under section 501(c)(3) of the Internal Revenue Code



1 but which otherwise meets the requirements of section 261.9,  
2 subsection 1, paragraph "b", and whose students were eligible  
3 to receive tuition grants in the fiscal year beginning July 1,  
4 2003.

5 Sec. 192. Section 284.13, subsection 1, paragraphs a  
6 through c, Code 2011, are amended to read as follows:

7 a. For the fiscal year beginning July 1, ~~2010~~ 2011, and  
8 ~~ending June 30, 2011~~ succeeding fiscal years, to the department  
9 of education, the amount of ~~nine six hundred sixty-four~~  
10 eighty-five thousand dollars for the issuance of national  
11 board certification awards in accordance with section 256.44.  
12 Of the amount allocated under this paragraph, not less than  
13 ~~seventy-six eighty-five~~ thousand ~~five hundred~~ dollars shall  
14 be used to administer the ambassador to education position in  
15 accordance with section 256.45.

16 b. For the fiscal year beginning July 1, ~~2010~~ 2011, and  
17 succeeding fiscal years, an amount up to ~~four~~ three million  
18 ~~one two~~ hundred ~~seven~~ thousand ~~two hundred forty~~ dollars  
19 for first-year and second-year beginning teachers, to the  
20 department of education for distribution to school districts  
21 and area education agencies for purposes of the beginning  
22 teacher mentoring and induction programs. A school district or  
23 area education agency shall receive one thousand three hundred  
24 dollars per beginning teacher participating in the program.  
25 If the funds appropriated for the program are insufficient to  
26 pay mentors, school districts, and area education agencies  
27 as provided in this paragraph, the department shall prorate  
28 the amount distributed to school districts and area education  
29 agencies based upon the amount appropriated. Moneys received  
30 by a school district or area education agency pursuant to  
31 this paragraph shall be expended to provide each mentor with  
32 an award of five hundred dollars per semester, at a minimum,  
33 for participation in the school district's or area education  
34 agency's beginning teacher mentoring and induction program;  
35 to implement the plan; and to pay any applicable costs of the

1 employer's share of contributions to federal social security  
2 and the Iowa public employees' retirement system or a pension  
3 and annuity retirement system established under chapter 294,  
4 for such amounts paid by the district or area education agency.

5 c. For the fiscal year beginning July 1, ~~2010~~ 2011, and  
6 ~~ending June 30, 2011~~ succeeding fiscal years, up to six hundred  
7 thirteen thousand eight hundred seventy-eight dollars to the  
8 department for purposes of implementing the professional  
9 development program requirements of section 284.6, assistance  
10 in developing model evidence for teacher quality committees  
11 established pursuant to section 284.4, subsection 1, paragraph  
12 "c", and the evaluator training program in section 284.10.  
13 A portion of the funds allocated to the department for  
14 purposes of this paragraph may be used by the department for  
15 administrative purposes and for not more than four full-time  
16 equivalent positions.

17 Sec. 193. Section 284.13, subsection 1, paragraph d, Code  
18 2011, is amended by striking the paragraph.

19 Sec. 194. Section 299A.2, Code 2011, is amended to read as  
20 follows:

21 **299A.2 Competent private instruction by licensed**  
22 **practitioner.**

23 If a licensed practitioner provides competent instruction  
24 to a school-age child ~~of compulsory attendance age~~, the  
25 practitioner shall possess a valid license or certificate which  
26 has been issued by the state board of educational examiners  
27 under chapter 272 and which is appropriate to the ages and  
28 grade levels of the children to be taught. Competent private  
29 instruction may include, but is not limited to, a home school  
30 assistance program which provides instruction or instructional  
31 supervision offered through an accredited nonpublic school or  
32 public school district by a teacher, who is employed by the  
33 accredited nonpublic school or public school district, who  
34 assists and supervises a parent, guardian, or legal custodian  
35 in providing instruction to a child. If competent private

1 instruction is provided through a public school district, the  
2 child shall be enrolled and included in the basic enrollment  
3 of the school district as provided in section 257.6. Sections  
4 299A.3 through 299A.7 do not apply to competent private  
5 instruction provided by a licensed practitioner under this  
6 section. However, the reporting requirement contained in  
7 section 299A.3, subsection 1, shall apply to competent private  
8 instruction provided by licensed practitioners that is not  
9 part of a home school assistance program offered through an  
10 accredited nonpublic school or public school district.

11 Sec. 195. Section 299A.8, Code 2011, is amended to read as  
12 follows:

13 **299A.8 Dual enrollment.**

14 If a parent, guardian, or legal custodian of a school-age  
15 child who is receiving competent private instruction under  
16 this chapter ~~or a child over compulsory age who is receiving~~  
17 ~~private instruction~~ submits a request, the child shall also be  
18 registered in a public school for dual enrollment purposes.  
19 If the child is enrolled in a public school district for  
20 dual enrollment purposes, the child shall be permitted to  
21 participate in any academic activities in the district and  
22 shall also be permitted to participate on the same basis as  
23 public school children in any extracurricular activities  
24 available to children in the child's grade or group, and the  
25 parent, guardian, or legal custodian shall not be required to  
26 pay the costs of any annual evaluation under this chapter. If  
27 the child is enrolled for dual enrollment purposes, the child  
28 shall be included in the public school's basic enrollment  
29 under section 257.6. A pupil who is participating only in  
30 extracurricular activities shall be counted under section  
31 257.6, subsection 1, paragraph "a", subparagraph (6). A pupil  
32 enrolled in grades nine through twelve under this section shall  
33 be counted in the same manner as a shared-time pupil under  
34 section 257.6, subsection 1, paragraph "a", subparagraph (3).

35 Sec. 196. Section 299A.12, subsection 1, Code 2011, is

1 amended to read as follows:

2 1. The board of directors of a school district ~~may~~ shall  
3 expend moneys received pursuant to section 257.6, subsection  
4 1, paragraph "a", subparagraph (5), for purposes of providing a  
5 home school assistance program.

6 Sec. 197. Section 299A.12, subsection 2, paragraphs a and b,  
7 Code 2011, are amended to read as follows:

8 a. ~~Assisting~~ Instruction for students and assisting parents  
9 with instruction.

10 b. ~~Student Support services for students and teaching-parent~~  
11 ~~support services~~ teaching parents and staff support services.

12 Sec. 198. Section 299A.12, subsection 2, paragraph g,  
13 unnumbered paragraph 1, Code 2011, is amended to read as  
14 follows:

15 Resources, materials, computer software and hardware, and  
16 supplies, and purchased services that meet the following  
17 criteria:

18 Sec. 199. Section 299A.12, subsection 3, paragraphs b, c, e,  
19 and f, Code 2011, are amended to read as follows:

20 b. Operational or maintenance costs ~~in addition to the cost~~  
21 ~~of maintaining school district facilities~~ other than those  
22 necessary to operate and maintain the program.

23 c. Capital expenditures other than equipment or facility  
24 acquisition, including the lease or rental of space to  
25 supplement existing schoolhouse facilities.

26 e. Administrative costs other than the costs necessary to  
27 administer the program.

28 f. Concurrent and dual enrollment ~~program~~ costs and  
29 postsecondary enrollment options program costs.

30 Sec. 200. REPEAL. Section 261.19B, Code 2011, is repealed.

31 Sec. 201. EFFECTIVE UPON ENACTMENT. The section of this  
32 division of this Act transferring moneys appropriated pursuant  
33 to 2010 Iowa Acts, chapter 1183, section 6, subsection 18,  
34 being deemed of immediate importance, takes effect upon  
35 enactment and, if approved by the governor on or after July 1,

1 2011, shall apply retroactively to June 30, 2011.

2 Sec. 202. APPLICABILITY. The section of this division of  
3 this Act amending section 256C.5, subsection 1, takes effect  
4 upon enactment, and applies to budget years beginning on or  
5 after July 1, 2011.

6 Sec. 203. RETROACTIVE APPLICABILITY. The sections of this  
7 division of this Act amending sections 299A.2 and 299A.8 apply  
8 retroactively to the base year beginning July 1, 2009.

9 DIVISION XX

10 EDUCATION

11 FY 2012-2013

12 DEPARTMENT FOR THE BLIND

13 Sec. 204. ADMINISTRATION. There is appropriated from the  
14 general fund of the state to the department for the blind for  
15 the fiscal year beginning July 1, 2012, and ending June 30,  
16 2013, the following amount, or so much thereof as is necessary,  
17 to be used for the purposes designated:

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

21 .....	\$	1,450,145
22 .....	FTEs	88.00

23 COLLEGE STUDENT AID COMMISSION

24 Sec. 205. There is appropriated from the general fund of the  
25 state to the college student aid commission for the fiscal year  
26 beginning July 1, 2012, and ending June 30, 2013, the following  
27 amounts, or so much thereof as may be necessary, to be used for  
28 the purposes designated:

29 1. GENERAL ADMINISTRATION

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

33 .....	\$	199,668
34 .....	FTEs	3.95

35 2. STUDENT AID PROGRAMS

1 For payments to students for the Iowa grant program  
2 established in section 261.93:  
3 ..... \$ 721,447  
4 3. DES MOINES UNIVERSITY — HEALTH CARE PROFESSIONAL  
5 RECRUITMENT PROGRAM  
6 For forgivable loans to Iowa students attending Des Moines  
7 university — osteopathic medical center under the forgivable  
8 loan program pursuant to section 261.19:  
9 ..... \$ 297,244  
10 4. NATIONAL GUARD EDUCATIONAL ASSISTANCE PROGRAM  
11 For purposes of providing national guard educational  
12 assistance under the program established in section 261.86:  
13 ..... \$ 3,558,298  
14 5. TEACHER SHORTAGE LOAN FORGIVENESS PROGRAM  
15 For the teacher shortage loan forgiveness program  
16 established in section 261.112:  
17 ..... \$ 212,500  
18 6. ALL IOWA OPPORTUNITY FOSTER CARE GRANT PROGRAM  
19 For purposes of the all Iowa opportunity foster care grant  
20 program established pursuant to section 261.6:  
21 ..... \$ 505,226  
22 7. ALL IOWA OPPORTUNITY SCHOLARSHIP PROGRAM  
23 a. For purposes of the all Iowa opportunity scholarship  
24 program established pursuant to section 261.87:  
25 ..... \$ 2,043,357  
26 b. If the moneys appropriated by the general assembly to the  
27 college student aid commission for fiscal year 2012-2013 for  
28 purposes of the all Iowa opportunity scholarship program exceed  
29 \$500,000, "eligible institution" as defined in section 261.87,  
30 shall, during fiscal year 2012-2013, include accredited private  
31 institutions as defined in section 261.9, subsection 1.  
32 8. REGISTERED NURSE AND NURSE EDUCATOR LOAN FORGIVENESS  
33 PROGRAM  
34 a. For purposes of the registered nurse and nurse educator  
35 loan forgiveness program established pursuant to section

1 261.23:

2 ..... \$ 73,726

3 b. It is the intent of the general assembly that the  
4 commission continue to consider moneys allocated pursuant to  
5 this subsection as moneys that meet the state matching funds  
6 requirements of the federal leveraging educational assistance  
7 program and the federal supplemental leveraging educational  
8 assistance program established under the Higher Education Act  
9 of 1965, as amended.

10 9. BARBER AND COSMETOLOGY ARTS AND SCIENCES TUITION GRANT  
11 PROGRAM

12 For purposes of the barber and cosmetology arts and sciences  
13 tuition grant program established pursuant to section 261.18:  
14 ..... \$ 33,682

15 Sec. 206. IOWA TUITION AND VOCATIONAL-TECHNICAL TUITION  
16 GRANT APPROPRIATIONS FOR FY 2012-2013. Notwithstanding the  
17 standing appropriations in the following designated sections  
18 for the fiscal year beginning July 1, 2012, and ending June 30,  
19 2013, the amounts appropriated from the general fund of the  
20 state to the college student aid commission pursuant to these  
21 sections for the following designated purposes shall not exceed  
22 the following amounts:

23 1. For Iowa tuition grants under section 261.25, subsection  
24 1:

25 ..... \$ 37,411,431

26 2. For tuition grants for students attending for-profit  
27 accredited private institutions located in Iowa under section  
28 261.25, subsection 2:

29 ..... \$ 3,570,000

30 3. For vocational-technical tuition grants under section  
31 261.25, subsection 3:

32 ..... \$ 2,051,865

33 Sec. 207. CHIROPRACTIC LOAN FUNDS. Notwithstanding  
34 section 261.72, the moneys deposited in the chiropractic loan  
35 revolving fund created pursuant to section 261.72 may be used

1 for purposes of the chiropractic loan forgiveness program  
2 established in section 261.73.

3 Sec. 208. WORK-STUDY APPROPRIATION FOR FY  
4 2012-2013. Notwithstanding section 261.85, for the fiscal year  
5 beginning July 1, 2012, and ending June 30, 2013, the amount  
6 appropriated from the general fund of the state to the college  
7 student aid commission for the work-study program under section  
8 261.85 shall be zero.

9 DEPARTMENT OF EDUCATION

10 Sec. 209. There is appropriated from the general fund of  
11 the state to the department of education for the fiscal year  
12 beginning July 1, 2012, and ending June 30, 2013, the following  
13 amounts, or so much thereof as may be necessary, to be used for  
14 the purposes designated:

15 1. GENERAL ADMINISTRATION

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

19 .....	\$	5,116,186
20 .....	FTEs	81.67

21 2. VOCATIONAL EDUCATION ADMINISTRATION

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

25 .....	\$	358,971
26 .....	FTEs	11.50

27 3. VOCATIONAL REHABILITATION SERVICES DIVISION

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

31 .....	\$	3,805,771
32 .....	FTEs	255.00

33 b. For matching funds for programs to enable persons  
34 with severe physical or mental disabilities to function more  
35 independently, including salaries and support, and for not more



1 than the following full-time equivalent position:  
2 ..... \$ 33,538  
3 ..... FTEs 1.00  
4 c. For the entrepreneurs with disabilities program  
5 established pursuant to section 259.4, subsection 9:  
6 ..... \$ 124,746  
7 d. For costs associated with centers for independent  
8 living:  
9 ..... \$ 34,538  
10 4. STATE LIBRARY  
11 a. For salaries, support, maintenance, miscellaneous  
12 purposes, and for not more than the following full-time  
13 equivalent positions:  
14 ..... \$ 1,036,829  
15 ..... FTEs 17.00  
16 b. For the enrich Iowa program established under section  
17 256.57:  
18 ..... \$ 1,435,069  
19 5. LIBRARY SERVICE AREA SYSTEM  
20 For state aid:  
21 ..... \$ 794,679  
22 6. PUBLIC BROADCASTING DIVISION  
23 For salaries, support, maintenance, capital expenditures,  
24 miscellaneous purposes, and for not more than the following  
25 full-time equivalent positions:  
26 ..... \$ 6,553,514  
27 ..... FTEs 82.00  
28 7. REGIONAL TELECOMMUNICATIONS COUNCILS  
29 For state aid:  
30 ..... \$ 851,079  
31 The regional telecommunications councils established  
32 in section 8D.5 shall use the moneys appropriated in this  
33 subsection to provide technical assistance for network  
34 classrooms, planning and troubleshooting for local area  
35 networks, scheduling of video sites, and other related support

1 activities.

2 8. VOCATIONAL EDUCATION TO SECONDARY SCHOOLS

3 For reimbursement for vocational education expenditures made  
4 by secondary schools:

5 ..... \$ 2,069,949

6 Moneys appropriated in this subsection shall be used  
7 to reimburse school districts for vocational education  
8 expenditures made by secondary schools to meet the standards  
9 set in sections 256.11, 258.4, and 260C.14.

10 9. SCHOOL FOOD SERVICE

11 For use as state matching funds for federal programs that  
12 shall be disbursed according to federal regulations, including  
13 salaries, support, maintenance, miscellaneous purposes, and for  
14 not more than the following full-time equivalent positions:

15 ..... \$ 1,694,726

16 ..... FTEs 20.58

17 10. EARLY CHILDHOOD IOWA FUND — GENERAL AID

18 For deposit in the school ready children grants account of  
19 the early childhood Iowa fund created in section 256I.11:

20 ..... \$ 4,578,196

21 a. From the moneys deposited in the school ready children  
22 grants account for the fiscal year beginning July 1, 2012, and  
23 ending June 30, 2013, not more than \$265,950 is allocated for  
24 the early childhood Iowa office and other technical assistance  
25 activities. The early childhood Iowa state board shall direct  
26 staff to work with the early childhood stakeholders alliance  
27 created in section 256I.12 to inventory technical assistance  
28 needs. Moneys allocated under this lettered paragraph may be  
29 used by the early childhood Iowa state board for the purpose of  
30 skills development and support for ongoing training of staff.  
31 However, except as otherwise provided in this subsection,  
32 moneys shall not be used for additional staff or for the  
33 reimbursement of staff.

34 b. As a condition of receiving moneys appropriated in  
35 this subsection, each early childhood Iowa area board shall

1 report to the early childhood Iowa state board progress on  
2 each of the local indicators approved by the area board. Each  
3 early childhood Iowa area board must also submit an annual  
4 budget for the area's comprehensive school ready children  
5 grant developed for providing services for children from birth  
6 through five years of age, and provide other information  
7 specified by the early childhood Iowa state board, including  
8 budget amendments as needed. The early childhood Iowa state  
9 board shall establish a submission deadline for the annual  
10 budget and any budget amendments that allow a reasonable period  
11 of time for preparation by the early childhood Iowa area boards  
12 and for review and approval or request for modification of  
13 the materials by the early childhood Iowa state board. In  
14 addition, each early childhood Iowa area board must continue to  
15 comply with reporting provisions and other requirements adopted  
16 by the early childhood Iowa state board in implementing section  
17 256I.9.

18 c. Of the amount appropriated in this subsection for  
19 deposit in the school ready children grants account of the  
20 early childhood Iowa fund, \$2,318,018 shall be used for efforts  
21 to improve the quality of early care, health, and education  
22 programs. Moneys allocated pursuant to this paragraph may be  
23 used for additional staff and for the reimbursement of staff.  
24 The early childhood Iowa state board may reserve a portion  
25 of the allocation, not to exceed \$88,650, for the technical  
26 assistance expenses of the early childhood Iowa state office,  
27 including the reimbursement of staff, and shall distribute  
28 the remainder to early childhood Iowa areas for local quality  
29 improvement efforts through a methodology identified by the  
30 early childhood Iowa state board to make the most productive  
31 use of the funding, which may include use of the distribution  
32 formula, grants, or other means.

33 d. Of the amount appropriated in this subsection for  
34 deposit in the school ready children grants account of  
35 the early childhood Iowa fund, \$825,030 shall be used for

1 support of professional development and training activities  
2 for persons working in early care, health, and education by  
3 the early childhood Iowa state board in collaboration with  
4 the professional development component group of the early  
5 childhood Iowa stakeholders alliance maintained pursuant to  
6 section 256I.12, subsection 7, paragraph "b", and the early  
7 childhood Iowa area boards. Expenditures shall be limited to  
8 professional development and training activities agreed upon by  
9 the parties participating in the collaboration.

10 11. EARLY CHILDHOOD IOWA FUND — PRESCHOOL TUITION  
11 ASSISTANCE

12 a. For deposit in the school ready children grants account  
13 of the early childhood Iowa fund created in section 256I.11:  
14 ..... \$ 2,659,545

15 b. The amount appropriated in this subsection shall be  
16 used for early care, health, and education programs to assist  
17 low-income parents with tuition for preschool and other  
18 supportive services for children ages three, four, and five  
19 who are not attending kindergarten in order to increase the  
20 basic family income eligibility requirement to not more than  
21 200 percent of the federal poverty level. In addition, if  
22 sufficient funding is available after addressing the needs of  
23 those who meet the basic income eligibility requirement, an  
24 early childhood Iowa area board may provide for eligibility  
25 for those with a family income in excess of the basic income  
26 eligibility requirement through use of a sliding scale or other  
27 copayment provisions.

28 12. EARLY CHILDHOOD IOWA FUND — FAMILY SUPPORT AND PARENT  
29 EDUCATION

30 a. For deposit in the school ready children grants account  
31 of the early childhood Iowa fund created in section 256I.11:  
32 ..... \$ 10,509,769

33 b. The amount appropriated in this subsection shall be  
34 used for family support services and parent education programs  
35 targeted to families expecting a child or with newborn and

1 infant children through age five and shall be distributed using  
2 the distribution formula approved by the early childhood Iowa  
3 state board and shall be used by an early childhood Iowa area  
4 board only for family support services and parent education  
5 programs targeted to families expecting a child or with newborn  
6 and infant children through age five.

7 13. BIRTH TO AGE THREE SERVICES

8 For expansion of the federal Individuals with Disabilities  
9 Education Improvement Act of 2004, Pub. L. No. 108-446, as  
10 amended to January 1, 2012, birth through age three services  
11 due to increased numbers of children qualifying for those  
12 services:

13 ..... \$ 1,375,399

14 From the moneys appropriated in this subsection, \$383,769  
15 shall be allocated to the child health specialty clinic at the  
16 state university of Iowa to provide additional support for  
17 infants and toddlers who are born prematurely, drug-exposed, or  
18 medically fragile.

19 14. TEXTBOOKS OF NONPUBLIC SCHOOL PUPILS

20 To provide moneys for costs of providing textbooks to each  
21 resident pupil who attends a nonpublic school as authorized by  
22 section 301.1:

23 ..... \$ 510,839

24 Funding under this subsection is limited to \$20 per pupil and  
25 shall not exceed the comparable services offered to resident  
26 public school pupils.

27 15. BEGINNING ADMINISTRATOR MENTORING AND INDUCTION PROGRAM

28 For purposes of administering the beginning administrator  
29 mentoring and induction program established pursuant to chapter  
30 284A:

31 ..... \$ 155,931

32 16. STUDENT ACHIEVEMENT AND TEACHER QUALITY PROGRAM

33 For purposes of the student achievement and teacher quality  
34 program established pursuant to chapter 284, and for not more  
35 than the following full-time equivalent positions:

1 ..... \$ 3,824,046  
2 ..... FTEs 2.00

3 17. JOBS FOR AMERICA'S GRADUATES

4 For school districts to provide direct services to the  
5 most at-risk senior high school students enrolled in school  
6 districts through direct intervention by a jobs for America's  
7 graduates specialist:

8 ..... \$ 459,000

9 18. COMMUNITY COLLEGES

10 For general state financial aid to merged areas as defined in  
11 section 260C.2 in accordance with chapters 258 and 260C:

12 ..... \$131,250,775

13 The funds appropriated in this subsection shall be allocated  
14 pursuant to the formula established in section 206C.18C.

15 STATE BOARD OF REGENTS

16 Sec. 210. There is appropriated from the general fund of  
17 the state to the state board of regents for the fiscal year  
18 beginning July 1, 2012, and ending June 30, 2013, the following  
19 amounts, or so much thereof as may be necessary, to be used for  
20 the purposes designated:

21 1. OFFICE OF STATE BOARD OF REGENTS

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

25 ..... \$ 870,114

26 ..... FTEs 15.00

27 The state board of regents shall submit a monthly financial  
28 report in a format agreed upon by the state board of regents  
29 office and the legislative services agency.

30 b. For moneys to be allocated to the southwest Iowa graduate  
31 studies center:

32 ..... \$ 72,522

33 c. For moneys to be allocated to the siouxland interstate  
34 metropolitan planning council for the tristate graduate center  
35 under section 262.9, subsection 22:

1 ..... \$ 55,219  
2 d. For moneys to be allocated to the quad-cities graduate  
3 studies center:  
4 ..... \$ 107,597  
5 e. For moneys to be distributed to Iowa public radio for  
6 public radio operations:  
7 ..... \$ 324,648  
8 2. STATE UNIVERSITY OF IOWA  
9 a. General university, including lakeside laboratory  
10 For salaries, support, maintenance, equipment, miscellaneous  
11 purposes, and for not more than the following full-time  
12 equivalent positions:  
13 ..... \$172,151,064  
14 ..... FTEs 5,058.55  
15 b. Oakdale campus  
16 For salaries, support, maintenance, miscellaneous purposes,  
17 and for not more than the following full-time equivalent  
18 positions:  
19 ..... \$ 1,812,871  
20 ..... FTEs 38.25  
21 c. State hygienic laboratory  
22 For salaries, support, maintenance, miscellaneous purposes,  
23 and for not more than the following full-time equivalent  
24 positions:  
25 ..... \$ 2,932,284  
26 ..... FTEs 102.50  
27 d. Family practice program  
28 For allocation by the dean of the college of medicine, with  
29 approval of the advisory board, to qualified participants  
30 to carry out the provisions of chapter 148D for the family  
31 practice program, including salaries and support, and for not  
32 more than the following full-time equivalent positions:  
33 ..... \$ 1,482,647  
34 ..... FTEs 190.40  
35 e. Child health care services

1 For specialized child health care services, including  
2 childhood cancer diagnostic and treatment network programs,  
3 rural comprehensive care for hemophilia patients, and the  
4 Iowa high-risk infant follow-up program, including salaries  
5 and support, and for not more than the following full-time  
6 equivalent positions:

7 ..... \$ 546,753  
8 ..... FTEs 57.97

9 f. Statewide cancer registry

10 For the statewide cancer registry, and for not more than the  
11 following full-time equivalent positions:

12 ..... \$ 123,578  
13 ..... FTEs 2.10

14 g. Substance abuse consortium

15 For moneys to be allocated to the Iowa consortium for  
16 substance abuse research and evaluation, and for not more than  
17 the following full-time equivalent position:

18 ..... \$ 46,039  
19 ..... FTEs 1.00

20 h. Center for biocatalysis

21 For the center for biocatalysis, and for not more than the  
22 following full-time equivalent positions:

23 ..... \$ 600,041  
24 ..... FTEs 6.28

25 i. Primary health care initiative

26 For the primary health care initiative in the college  
27 of medicine, and for not more than the following full-time  
28 equivalent positions:

29 ..... \$ 538,026  
30 ..... FTEs 5.89

31 From the moneys appropriated in this lettered paragraph,  
32 \$254,889 shall be allocated to the department of family  
33 practice at the state university of Iowa college of medicine  
34 for family practice faculty and support staff.

35 j. Birth defects registry



1 For the birth defects registry, and for not more than the  
2 following full-time equivalent position:

3 ..... \$ 31,744  
4 ..... FTEs 1.00

5 k. Larned A. Waterman Iowa nonprofit resource center  
6 For the Larned A. Waterman Iowa nonprofit resource center,  
7 and for not more than the following full-time equivalent  
8 positions:

9 ..... \$ 134,761  
10 ..... FTEs 2.75

11 3. IOWA STATE UNIVERSITY OF SCIENCE AND TECHNOLOGY

12 a. General university

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

16 ..... \$134,893,502  
17 ..... FTEs 3,647.42

18 b. Agricultural experiment station

19 For the agricultural experiment station salaries, support,  
20 maintenance, miscellaneous purposes, and for not more than the  
21 following full-time equivalent positions:

22 ..... \$ 23,307,502  
23 ..... FTEs 546.98

24 c. Cooperative extension service in agriculture and home  
25 economics

26 For the cooperative extension service in agriculture and  
27 home economics salaries, support, maintenance, miscellaneous  
28 purposes, and for not more than the following full-time  
29 equivalent positions:

30 ..... \$ 14,871,301  
31 ..... FTEs 383.34

32 d. Leopold center

33 For agricultural research grants at Iowa state university of  
34 science and technology under section 266.39B, and for not more  
35 than the following full-time equivalent positions:

H.F. 697

1 ..... \$ 329,498  
2 ..... FTEs 11.25  
3 e. Livestock disease research  
4 For deposit in and the use of the livestock disease research  
5 fund under section 267.8:  
6 ..... \$ 143,306  
7 4. UNIVERSITY OF NORTHERN IOWA  
8 a. General university  
9 For salaries, support, maintenance, equipment, miscellaneous  
10 purposes, and for not more than the following full-time  
11 equivalent positions:  
12 ..... \$ 61,341,677  
13 ..... FTEs 1,447.50  
14 b. Recycling and reuse center  
15 For purposes of the recycling and reuse center, and for not  
16 more than the following full-time equivalent positions:  
17 ..... \$ 145,305  
18 ..... FTEs 3.00  
19 c. Science, technology, engineering, and mathematics (STEM)  
20 collaborative initiative  
21 For purposes of establishing a science, technology,  
22 engineering, and mathematics (STEM) collaborative initiative,  
23 and for not more than the following full-time equivalent  
24 positions:  
25 ..... \$ 1,438,200  
26 ..... FTEs 6.20  
27 (1) From the moneys appropriated in this lettered  
28 paragraph, up to \$282,000 shall be allocated for salaries,  
29 staffing, and institutional support. The remainder of the  
30 moneys appropriated in this lettered paragraph shall be  
31 expended only to support activities directly related to  
32 recruitment of kindergarten through grade 12 mathematics and  
33 science teachers and for ongoing mathematics and science  
34 programming for students enrolled in kindergarten through grade  
35 12.

1 (2) The university of northern Iowa shall work with the  
2 community colleges to develop STEM professional development  
3 programs for community college instructors and STEM curriculum  
4 development.

5 d. Real estate education program

6 For purposes of the real estate education program, and for  
7 not more than the following full-time equivalent position:

8 ..... \$ 103,888  
9 ..... FTEs 1.00

10 5. STATE SCHOOL FOR THE DEAF

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

14 ..... \$ 6,935,291  
15 ..... FTEs 126.60

16 6. IOWA BRAILLE AND SIGHT SAVING SCHOOL

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

20 ..... \$ 3,078,972  
21 ..... FTEs 62.87

22 7. TUITION AND TRANSPORTATION COSTS

23 For payment to local school boards for the tuition and  
24 transportation costs of students residing in the Iowa braille  
25 and sight saving school and the state school for the deaf  
26 pursuant to section 262.43 and for payment of certain clothing,  
27 prescription, and transportation costs for students at these  
28 schools pursuant to section 270.5:

29 ..... \$ 9,753

30 8. LICENSED CLASSROOM TEACHERS

31 For distribution at the Iowa braille and sight saving school  
32 and the Iowa school for the deaf based upon the average yearly  
33 enrollment at each school as determined by the state board of  
34 regents:

35 ..... \$ 68,027

1 Sec. 211. ENERGY COST-SAVINGS PROJECTS — FINANCING. For  
2 the fiscal year beginning July 1, 2012, and ending June 30,  
3 2013, the state board of regents may use notes, bonds, or  
4 other evidences of indebtedness issued under section 262.48 to  
5 finance projects that will result in energy cost savings in an  
6 amount that will cause the state board to recover the cost of  
7 the projects within an average of six years.

8 Sec. 212. PRESCRIPTION DRUG COSTS. Notwithstanding section  
9 270.7, the department of administrative services shall pay  
10 the state school for the deaf and the Iowa braille and sight  
11 saving school the moneys collected from the counties during the  
12 fiscal year beginning July 1, 2012, for expenses relating to  
13 prescription drug costs for students attending the state school  
14 for the deaf and the Iowa braille and sight saving school.

15 DIVISION XXI

16 EDUCATION — MIDWESTERN HIGHER EDUCATION COMPACT

17 FY 2010-2011, FY 2011-2012, AND FY 2012-2013

18 Sec. 213. There is appropriated from the general fund of  
19 the state to the state board of regents for the following  
20 fiscal years, the following amounts, or so much thereof as is  
21 necessary, to be used for the purposes designated:

22 To be distributed to the midwestern higher education compact  
23 to pay Iowa's member state annual obligation:

24	FY 2010-2011.....	\$	39,000
25	FY 2011-2012.....	\$	100,000
26	FY 2012-2013.....	\$	100,000

27 Sec. 214. REPEAL. Section 261D.4, Code 2011, is repealed.

28 Sec. 215. EFFECTIVE UPON ENACTMENT AND RETROACTIVE  
29 APPLICABILITY. This division of this Act, being deemed of  
30 immediate importance, takes effect upon enactment, and if  
31 approved by the governor on or after July 1, 2011, shall apply  
32 retroactively to June 30, 2011.

33 DIVISION XXII

34 HEALTH AND HUMAN SERVICES

35 DEPARTMENT ON AGING — FY 2011-2012

1 Sec. 216. DEPARTMENT ON AGING. There is appropriated from  
2 the general fund of the state to the department on aging for  
3 the fiscal year beginning July 1, 2011, and ending June 30,  
4 2012, the following amount, or so much thereof as is necessary,  
5 to be used for the purposes designated:

6 For aging programs for the department on aging and area  
7 agencies on aging to provide citizens of Iowa who are 60 years  
8 of age and older with case management for frail elders, Iowa's  
9 aging and disabilities resource center, and other services  
10 which may include but are not limited to adult day services,  
11 respite care, chore services, information and assistance,  
12 and material aid, for information and options counseling for  
13 persons with disabilities who are 18 years of age or older,  
14 and for salaries, support, administration, maintenance, and  
15 miscellaneous purposes, and for not more than the following  
16 full-time equivalent positions:

17 ..... \$ 10,302,577  
18 ..... FTEs 35.00

19 1. Funds appropriated in this section may be used to  
20 supplement federal funds under federal regulations. To  
21 receive funds appropriated in this section, a local area  
22 agency on aging shall match the funds with moneys from other  
23 sources according to rules adopted by the department. Funds  
24 appropriated in this section may be used for elderly services  
25 not specifically enumerated in this section only if approved  
26 by an area agency on aging for provision of the service within  
27 the area.

28 2. The amount appropriated in this section includes  
29 additional funding of \$450,000 for delivery of long-term care  
30 services to older individuals with low or moderate incomes.

31 3. Of the funds appropriated in this section, \$179,946 shall  
32 be transferred to the department of economic development for  
33 the Iowa commission on volunteer services to be used for the  
34 retired and senior volunteer program.

35 4. a. The department on aging shall establish and enforce

1 procedures relating to expenditure of state and federal funds  
2 by area agencies on aging that require compliance with both  
3 state and federal laws, rules, and regulations, including but  
4 not limited to all of the following:

5 (1) Requiring that expenditures are incurred only for goods  
6 or services received or performed prior to the end of the  
7 fiscal period designated for use of the funds.

8 (2) Prohibiting prepayment for goods or services not  
9 received or performed prior to the end of the fiscal period  
10 designated for use of the funds.

11 (3) Prohibiting the prepayment for goods or services  
12 not defined specifically by good or service, time period, or  
13 recipient.

14 (4) Prohibiting the establishment of accounts from which  
15 future goods or services which are not defined specifically by  
16 good or service, time period, or recipient, may be purchased.

17 b. The procedures shall provide that if any funds are  
18 expended in a manner that is not in compliance with the  
19 procedures and applicable federal and state laws, rules, and  
20 regulations, and are subsequently subject to repayment, the  
21 area agency on aging expending such funds in contravention of  
22 such procedures, laws, rules and regulations, not the state,  
23 shall be liable for such repayment.

24 DIVISION XXIII

25 HEALTH AND HUMAN SERVICES

26 DEPARTMENT OF PUBLIC HEALTH — FY 2011-2012

27 Sec. 217. DEPARTMENT OF PUBLIC HEALTH. There is  
28 appropriated from the general fund of the state to the  
29 department of public health for the fiscal year beginning July  
30 1, 2011, and ending June 30, 2012, the following amounts, or  
31 so much thereof as is necessary, to be used for the purposes  
32 designated:

33 1. ADDICTIVE DISORDERS

34 For reducing the prevalence of use of tobacco, alcohol, and  
35 other drugs, and treating individuals affected by addictive

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

3 .....	\$ 20,703,190
4 .....	FTEs 13.00

5 a. (1) Of the funds appropriated in this subsection 1,  
6 \$453,830 shall be transferred to the alcoholic beverages  
7 division of the department of commerce for enforcement of  
8 tobacco laws, regulations, and ordinances in accordance with  
9 2011 Iowa Acts, House File 467, as enacted.

10 (2) Implementation of the tobacco use prevention and  
11 control initiative for the fiscal year beginning July 1, 2011,  
12 including efforts at the state and local levels, as provided  
13 in chapter 142A, shall be limited to the extent of the funding  
14 available.

15 b. Of the funds appropriated in this subsection 1,  
16 \$20,249,360 shall be used for problem gambling and substance  
17 abuse prevention, treatment, and recovery services, including a  
18 24-hour helpline, public information resources, professional  
19 training, and program evaluation.

20 (1) Of the funds allocated in this paragraph "b",  
21 \$17,132,508 shall be used for substance abuse prevention and  
22 treatment.

23 (a) Of the funds allocated in this subparagraph (1),  
24 \$899,300 shall be used for the public purpose of a grant  
25 program to provide substance abuse prevention programming for  
26 children.

27 (i) Of the funds allocated in this subparagraph division  
28 (a), \$427,539 shall be used for grant funding for organizations  
29 that provide programming for children by utilizing mentors.  
30 Programs approved for such grants shall be certified or will  
31 be certified within six months of receiving the grant award  
32 by the Iowa commission on volunteer services as utilizing the  
33 standards for effective practice for mentoring programs.

34 (ii) Of the funds allocated in this subparagraph division  
35 (a), \$426,839 shall be used for grant funding for organizations

1 that provide programming that includes youth development and  
2 leadership. The programs shall also be recognized as being  
3 programs that are scientifically based with evidence of their  
4 effectiveness in reducing substance abuse in children.

5 (iii) The department of public health shall utilize a  
6 request for proposals process to implement the grant program.

7 (iv) All grant recipients shall participate in a program  
8 evaluation as a requirement for receiving grant funds.

9 (v) Of the funds allocated in this subparagraph division  
10 (a), up to \$44,922 may be used to administer substance abuse  
11 prevention grants and for program evaluations.

12 (b) Of the funds allocated in this subparagraph (1),  
13 \$273,062 shall be used for culturally competent substance abuse  
14 treatment pilot projects.

15 (i) The department shall utilize the amount allocated  
16 in this subparagraph division (b) for at least three pilot  
17 projects to provide culturally competent substance abuse  
18 treatment in various areas of the state. Each pilot project  
19 shall target a particular ethnic minority population. The  
20 populations targeted shall include but are not limited to  
21 African American, Asian, and Latino.

22 (ii) The pilot project requirements shall provide for  
23 documentation or other means to ensure access to the cultural  
24 competence approach used by a pilot project so that such  
25 approach can be replicated and improved upon in successor  
26 programs.

27 (2) Of the funds allocated in this paragraph "b", up  
28 to \$3,116,852 may be used for problem gambling prevention,  
29 treatment, and recovery services.

30 (a) Of the funds allocated in this subparagraph (2),  
31 \$2,579,000 shall be used for problem gambling prevention and  
32 treatment.

33 (b) Of the funds allocated in this subparagraph (2), up to  
34 \$437,852 may be used for a 24-hour helpline, public information  
35 resources, professional training, and program evaluation.



1 (c) Of the funds allocated in this subparagraph (2), up  
2 to \$100,000 may be used for the licensing of problem gambling  
3 treatment programs.

4 (3) It is the intent of the general assembly that from the  
5 moneys allocated in this paragraph "b", persons with a dual  
6 diagnosis of substance abuse and gambling addictions shall be  
7 given priority in treatment services.

8 c. Notwithstanding any provision of law to the contrary,  
9 to standardize the availability, delivery, cost of delivery,  
10 and accountability of problem gambling and substance abuse  
11 treatment services statewide, the department shall continue  
12 implementation of a process to create a system for delivery  
13 of treatment services in accordance with the requirements  
14 specified in 2008 Iowa Acts, chapter 1187, section 3,  
15 subsection 4. To ensure the system provides a continuum of  
16 treatment services that best meets the needs of Iowans, the  
17 problem gambling and substance abuse treatment services in any  
18 area may be provided either by a single agency or by separate  
19 agencies submitting a joint proposal.

20 (1) The system for delivery of substance abuse and  
21 problem gambling treatment shall include problem gambling  
22 prevention by July 1, 2012. The department shall submit a  
23 proposed legislative bill in accordance with section 2.16, for  
24 consideration during the 2012 legislative session, addressing  
25 any statutory revisions necessary for full implementation of  
26 the system.

27 (2) The system for delivery of substance abuse and problem  
28 gambling treatment shall include substance abuse prevention by  
29 July 1, 2014.

30 (3) Of the funds allocated in paragraph "b", the department  
31 may use up to \$100,000 for administrative costs to continue  
32 developing and implementing the process in accordance with this  
33 paragraph "c".

34 d. The requirement of section 123.53, subsection 5, is met  
35 by the appropriations and allocations made in the health and

1 human services divisions of this Act for purposes of substance  
2 abuse treatment and addictive disorders for the fiscal year  
3 beginning July 1, 2011.

4 e. The department of public health shall work with all other  
5 departments that fund substance abuse prevention and treatment  
6 services and all such departments shall, to the extent  
7 necessary, collectively meet the state maintenance of effort  
8 requirements for expenditures for substance abuse services  
9 as required under the federal substance abuse prevention and  
10 treatment block grant.

11 f. The department shall amend or otherwise revise  
12 departmental policies and contract provisions in order to  
13 eliminate free t-shirt distribution, banner production, and  
14 other unnecessary promotional expenditures.

15 2. HEALTHY CHILDREN AND FAMILIES

16 For promoting the optimum health status for children,  
17 adolescents from birth through 21 years of age, and families,  
18 and for not more than the following full-time equivalent  
19 positions:

20 .....	\$	2,594,270
21 .....	FTEs	10.00

22 a. Of the funds appropriated in this subsection, not more  
23 than \$739,318 shall be used for the healthy opportunities to  
24 experience success (HOPES)-healthy families Iowa (HFI) program  
25 established pursuant to section 135.106. The funding shall  
26 be distributed to renew the grants that were provided to the  
27 grantees that operated the program during the fiscal year  
28 ending June 30, 2011.

29 b. Of the funds appropriated in this subsection, \$329,885  
30 shall be used to continue to address the healthy mental  
31 development of children from birth through five years of age  
32 through local evidence-based strategies that engage both the  
33 public and private sectors in promoting healthy development,  
34 prevention, and treatment for children.

35 c. Of the funds appropriated in this subsection, \$31,597

1 shall be distributed to a statewide dental carrier to provide  
2 funds to continue the donated dental services program patterned  
3 after the projects developed by the dental lifeline network  
4 to provide dental services to indigent elderly and disabled  
5 individuals.

6 d. Of the funds appropriated in this subsection, \$112,677  
7 shall be used for childhood obesity prevention.

8 e. Of the funds appropriated in this subsection, \$163,760  
9 shall be used to provide audiological services and hearing  
10 aids for children. The department may enter into a contract  
11 to administer this paragraph.

12 3. CHRONIC CONDITIONS

13 For serving individuals identified as having chronic  
14 conditions or special health care needs, and for not more than  
15 the following full-time equivalent positions:

16 .....	\$	3,438,591
17 .....	FTEs	4.00

18 a. Of the funds appropriated in this subsection, \$160,582  
19 shall be used for grants to individual patients who have  
20 phenylketonuria (PKU) to assist with the costs of necessary  
21 special foods.

22 b. Of the funds appropriated in this subsection, \$483,600  
23 is allocated for continuation of the contracts for resource  
24 facilitator services in accordance with section 135.22B,  
25 subsection 9, and for brain injury training services and  
26 recruiting of service providers to increase the capacity within  
27 this state to address the needs of individuals with brain  
28 injuries and such individuals' families.

29 c. Of the funds appropriated in this subsection, \$468,874  
30 shall be used as additional funding to leverage federal funding  
31 through the federal Ryan White Care Act, Tit. II, AIDS drug  
32 assistance program supplemental drug treatment grants.

33 d. Of the funds appropriated in this subsection, \$31,254  
34 shall be used for the public purpose of providing a grant to an  
35 existing national-affiliated organization to provide education,

1 client-centered programs, and client and family support for  
2 people living with epilepsy and their families.

3 e. Of the funds appropriated in this subsection, \$12,500  
4 shall be used for the purposes of the epilepsy treatment and  
5 education task force as specified in 2011 Iowa Acts, House File  
6 322, as enacted.

7 f. Of the funds appropriated in this subsection, \$788,303  
8 shall be used for child health specialty clinics.

9 g. Of the funds appropriated in this subsection, \$711,052  
10 shall be used for the comprehensive cancer control program to  
11 reduce the burden of cancer in Iowa through prevention, early  
12 detection, effective treatment, and ensuring quality of life.  
13 Of the funds allocated in this lettered paragraph, \$363,987  
14 shall be used to support a melanoma research symposium, a  
15 melanoma biorepository and registry, basic and translational  
16 melanoma research, and clinical trials.

17 h. Of the funds appropriated in this subsection, \$126,450  
18 shall be used for cervical and colon cancer screening.

19 i. Of the funds appropriated in this subsection, \$421,782  
20 shall be used for the center for congenital and inherited  
21 disorders.

22 j. Of the funds appropriated in this subsection, \$129,937  
23 shall be used for the prescription drug donation repository  
24 program created in chapter 135M.

25 4. COMMUNITY CAPACITY

26 For strengthening the health care delivery system at the  
27 local level, and for not more than the following full-time  
28 equivalent positions:

29 .....	\$	4,414,063
30 .....	FTEs	14.00

31 a. Of the funds appropriated in this subsection, \$100,000  
32 is allocated for a child vision screening program implemented  
33 through the university of Iowa hospitals and clinics in  
34 collaboration with early childhood Iowa areas.

35 b. Of the funds appropriated in this subsection, \$111,308 is

1 allocated for continuation of an initiative implemented at the  
2 university of Iowa and \$100,493 is allocated for continuation  
3 of an initiative at the state mental health institute at  
4 Cherokee to expand and improve the workforce engaged in  
5 mental health treatment and services. The initiatives shall  
6 receive input from the university of Iowa, the department  
7 of human services, the department of public health, and the  
8 mental health, mental retardation, developmental disabilities,  
9 and brain injury commission to address the focus of the  
10 initiatives.

11 c. Of the funds appropriated in this subsection, \$1,171,491  
12 shall be used for essential public health services that promote  
13 healthy aging throughout the lifespan, contracted through a  
14 formula for local boards of health, to enhance health promotion  
15 and disease prevention services.

16 d. Of the funds appropriated in this section, \$121,817 shall  
17 be deposited in the governmental public health system fund  
18 created in section 135A.8 to be used for the purposes of the  
19 fund.

20 e. Of the funds appropriated in this subsection, \$106,279  
21 shall be used for the mental health professional shortage area  
22 program implemented pursuant to section 135.80.

23 f. Of the funds appropriated in this subsection,  
24 \$38,263 shall be used for a grant to a statewide association  
25 of psychologists that is affiliated with the American  
26 psychological association to be used for continuation of a  
27 program to rotate intern psychologists in placements in urban  
28 and rural mental health professional shortage areas, as defined  
29 in section 135.80.

30 g. Of the funds appropriated in this subsection, the  
31 following amounts shall be allocated to the Iowa collaborative  
32 safety net provider network established pursuant to section  
33 135.153 to be used for the purposes designated. The following  
34 amounts allocated under this lettered paragraph shall be  
35 distributed to the specified provider and shall not be reduced

1 for administrative or other costs prior to distribution:

2 (1) For distribution to the Iowa primary care association  
3 for statewide coordination of the Iowa collaborative safety net  
4 provider network:

5 ..... \$ 116,597

6 (2) For distribution to the local boards of health that  
7 provide direct services for pilot programs in three counties to  
8 assist patients in determining an appropriate medical home:

9 ..... \$ 68,332

10 (3) For distribution to maternal and child health centers  
11 for pilot programs in three counties to assist patients in  
12 determining an appropriate medical home:

13 ..... \$ 68,332

14 (4) For distribution to free clinics for necessary  
15 infrastructure, statewide coordination, provider recruitment,  
16 service delivery, and provision of assistance to patients in  
17 determining an appropriate medical home:

18 ..... \$ 113,754

19 (5) For distribution to rural health clinics for necessary  
20 infrastructure, statewide coordination, provider recruitment,  
21 service delivery, and provision of assistance to patients in  
22 determining an appropriate medical home:

23 ..... \$ 101,264

24 (6) For continuation of the safety net provider patient  
25 access to specialty health care initiative as described in 2007  
26 Iowa Acts, chapter 218, section 109:

27 ..... \$ 238,420

28 (7) For continuation of the pharmaceutical infrastructure  
29 for safety net providers as described in 2007 Iowa Acts,  
30 chapter 218, section 108:

31 ..... \$ 247,590

32 The Iowa collaborative safety net provider network may  
33 continue to distribute funds allocated pursuant to this  
34 lettered paragraph through existing contracts or renewal of  
35 existing contracts.

1 h. (1) Of the funds appropriated in this subsection,  
2 \$100,000 shall be used for continued implementation of  
3 the recommendations of the direct care worker task force  
4 established pursuant to 2005 Iowa Acts, chapter 88, based upon  
5 the report submitted to the governor and the general assembly  
6 in December 2006. The department may use a portion of the  
7 funds allocated in this lettered paragraph for an additional  
8 position to assist in the continued implementation.

9 (2) The direct care worker advisory council shall submit  
10 a final report no later than March 1, 2012, to the governor  
11 and the general assembly, in accordance with 2010 Iowa  
12 Acts, chapter 1192, section 2, subsection 4, paragraph "h",  
13 subparagraph (3).

14 (3) The department of public health shall report to  
15 the persons designated in the department of human services  
16 division of this Act for FY 2011-2012 for submission of  
17 reports regarding use of the funds allocated in this lettered  
18 paragraph, on or before January 15, 2012.

19 i. Of the funds appropriated in this subsection, \$150,000  
20 shall be used for allocation through a request for proposals  
21 process to an independent statewide direct care worker  
22 association for education, outreach, and mentoring intended to  
23 enhance the recruitment and retention of direct care workers  
24 in health care and long-term care settings. Funding allocated  
25 in this lettered paragraph shall not be used by the recipient  
26 association for lobbying activities as described in section  
27 689B.36.

28 j. The department may utilize one of the full-time  
29 equivalent positions authorized in this subsection for  
30 administration of the activities related to the Iowa  
31 collaborative safety net provider network.

32 k. Of the funds appropriated in this subsection, the  
33 department may use up to \$60,000 for up to one full-time  
34 equivalent position to administer the volunteer health care  
35 provider program pursuant to section 135.24.

1 1. Of the funds appropriated in this subsection, \$50,000  
2 shall be used for a matching dental education loan repayment  
3 program to be allocated to a dental nonprofit health service  
4 corporation to develop the criteria and implement the loan  
5 repayment program.

6 m. Of the funds appropriated in this subsection,  
7 \$363,987 shall be used as state matching funds for the health  
8 information network as established by the department of public  
9 health.

10 5. HEALTHY AGING

11 To provide public health services that reduce risks and  
12 invest in promoting and protecting good health over the  
13 course of a lifetime with a priority given to older Iowans and  
14 vulnerable populations:

15 ..... \$ 7,297,142

16 a. Of the funds appropriated in this subsection, \$2,009,187  
17 shall be used for local public health nursing services.

18 b. Of the funds appropriated in this subsection, \$5,287,955  
19 shall be used for home care aide services.

20 6. ENVIRONMENTAL HAZARDS

21 For reducing the public's exposure to hazards in the  
22 environment, primarily chemical hazards, and for not more than  
23 the following full-time equivalent positions:

24 ..... \$ 813,777

25 ..... FTEs 4.00

26 Of the funds appropriated in this subsection, \$544,377 shall  
27 be used for childhood lead poisoning provisions.

28 7. INFECTIOUS DISEASES

29 For reducing the incidence and prevalence of communicable  
30 diseases, and for not more than the following full-time  
31 equivalent positions:

32 ..... \$ 1,345,847

33 ..... FTEs 4.00

34 8. PUBLIC PROTECTION

35 For protecting the health and safety of the public through



1 establishing standards and enforcing regulations, and for not  
2 more than the following full-time equivalent positions:

3 .....	\$	2,776,232
4 .....	FTEs	125.00

5 a. Of the funds appropriated in this subsection, not more  
6 than \$471,690 shall be credited to the emergency medical  
7 services fund created in section 135.25. Moneys in the  
8 emergency medical services fund are appropriated to the  
9 department to be used for the purposes of the fund.

10 b. Of the funds appropriated in this subsection, \$210,619  
11 shall be used for sexual violence prevention programming  
12 through a statewide organization representing programs serving  
13 victims of sexual violence through the department's sexual  
14 violence prevention program. The amount allocated in this  
15 lettered paragraph shall not be used to supplant funding  
16 administered for other sexual violence prevention or victims  
17 assistance programs.

18 c. Of the funds appropriated in this subsection, not more  
19 than \$436,582 shall be used for the state poison control  
20 center.

21 9. RESOURCE MANAGEMENT

22 For establishing and sustaining the overall ability of the  
23 department to deliver services to the public, and for not more  
24 than the following full-time equivalent positions:

25 .....	\$	819,554
26 .....	FTEs	7.00

27 The university of Iowa hospitals and clinics under the  
28 control of the state board of regents shall not receive  
29 indirect costs from the funds appropriated in this section.  
30 The university of Iowa hospitals and clinics billings to the  
31 department shall be on at least a quarterly basis.

32 DIVISION XXIV

33 HEALTH AND HUMAN SERVICES

34 DEPARTMENT OF VETERANS AFFAIRS — FY 2011-2012

35 Sec. 218. DEPARTMENT OF VETERANS AFFAIRS. There is

1 appropriated from the general fund of the state to the  
2 department of veterans affairs for the fiscal year beginning  
3 July 1, 2011, and ending June 30, 2012, the following amounts,  
4 or so much thereof as is necessary, to be used for the purposes  
5 designated:

6 1. DEPARTMENT OF VETERANS AFFAIRS ADMINISTRATION

7 For salaries, support, maintenance, and miscellaneous  
8 purposes, including the war orphans educational assistance fund  
9 created in section 35.8, and for not more than the following  
10 full-time equivalent positions:

11 .....	\$	998,832
12 .....	FTEs	16.34

13 2. IOWA VETERANS HOME

14 For salaries, support, maintenance, and miscellaneous  
15 purposes:

16 ..... \$ 8,952,151

17 a. The Iowa veterans home billings involving the department  
18 of human services shall be submitted to the department on at  
19 least a monthly basis.

20 b. If there is a change in the employer of employees  
21 providing services at the Iowa veterans home under a collective  
22 bargaining agreement, such employees and the agreement shall  
23 be continued by the successor employer as though there had not  
24 been a change in employer.

25 c. Within available resources and in conformance with  
26 associated state and federal program eligibility requirements,  
27 the Iowa veterans home may implement measures to provide  
28 financial assistance to or on behalf of veterans or their  
29 spouses participating in the community reentry program.

30 3. STATE EDUCATIONAL ASSISTANCE — CHILDREN OF DECEASED  
31 VETERANS

32 For provision of educational assistance pursuant to section  
33 35.9:

34 ..... \$ 12,416

35 Sec. 219. LIMITATION OF COUNTY COMMISSION OF VETERANS

1 AFFAIRS FUND STANDING APPROPRIATIONS. Notwithstanding the  
2 standing appropriation in the following designated section for  
3 the fiscal year beginning July 1, 2011, and ending June 30,  
4 2012, the amounts appropriated from the general fund of the  
5 state pursuant to that section for the following designated  
6 purposes shall not exceed the following amount:

7 For the county commissions of veterans affairs fund under  
8 section 35A.16:

9 ..... \$ 990,000

10 DIVISION XXV

11 HEALTH AND HUMAN SERVICES

12 DEPARTMENT OF HUMAN SERVICES — FY 2011-2012

13 Sec. 220. TEMPORARY ASSISTANCE FOR NEEDY FAMILIES BLOCK  
14 GRANT. There is appropriated from the fund created in section  
15 8.41 to the department of human services for the fiscal year  
16 beginning July 1, 2011, and ending June 30, 2012, from moneys  
17 received under the federal temporary assistance for needy  
18 families (TANF) block grant pursuant to the federal Personal  
19 Responsibility and Work Opportunity Reconciliation Act of 1996,  
20 Pub. L. No. 104-193, and successor legislation, and from moneys  
21 received under the emergency contingency fund for temporary  
22 assistance for needy families state program established  
23 pursuant to the federal American Recovery and Reinvestment Act  
24 of 2009, Pub. L. No. 111-5 § 2101, and successor legislation,  
25 the following amounts, or so much thereof as is necessary, to  
26 be used for the purposes designated:

27 1. To be credited to the family investment program account  
28 and used for assistance under the family investment program  
29 under chapter 239B:

30 ..... \$ 21,500,738

31 2. To be credited to the family investment program account  
32 and used for the job opportunities and basic skills (JOBS)  
33 program and implementing family investment agreements in  
34 accordance with chapter 239B:

35 ..... \$ 12,411,528

1 3. To be used for the family development and  
2 self-sufficiency grant program in accordance with section  
3 216A.107:

4 ..... \$ 2,898,980

5 Notwithstanding section 8.33, moneys appropriated in this  
6 subsection that remain unencumbered or unobligated at the close  
7 of the fiscal year shall not revert but shall remain available  
8 for expenditure for the purposes designated until the close of  
9 the succeeding fiscal year. However, unless such moneys are  
10 encumbered or obligated on or before September 30, 2012, the  
11 moneys shall revert.

12 4. For field operations:

13 ..... \$ 31,296,232

14 5. For general administration:

15 ..... \$ 3,744,000

16 6. For state child care assistance:

17 ..... \$ 16,382,687

18 The funds appropriated in this subsection shall be  
19 transferred to the child care and development block grant  
20 appropriation made by the Eighty-fourth General Assembly, 2011  
21 Session, for the federal fiscal year beginning October 1,  
22 2011, and ending September 30, 2012. Of this amount, \$200,000  
23 shall be used for provision of educational opportunities to  
24 registered child care home providers in order to improve  
25 services and programs offered by this category of providers  
26 and to increase the number of providers. The department may  
27 contract with institutions of higher education or child care  
28 resource and referral centers to provide the educational  
29 opportunities. Allowable administrative costs under the  
30 contracts shall not exceed 5 percent. The application for a  
31 grant shall not exceed two pages in length.

32 7. For mental health and developmental disabilities  
33 community services:

34 ..... \$ 4,894,052

35 8. For child and family services:

1 ..... \$ 32,084,430

2 9. For child abuse prevention grants:

3 ..... \$ 125,000

4 10. For pregnancy prevention grants on the condition that  
5 family planning services are funded:

6 ..... \$ 1,930,067

7 Pregnancy prevention grants shall be awarded to pregnancy  
8 prevention programs that are based on existing models that  
9 have demonstrated positive outcomes. Grants shall comply with  
10 the requirements provided in 1997 Iowa Acts, chapter 208,  
11 section 14, subsections 1 and 2, including the requirement that  
12 grant programs must emphasize sexual abstinence. Priority in  
13 the awarding of grants shall be given to programs that serve  
14 areas of the state which demonstrate the highest percentage of  
15 unplanned pregnancies of females of childbearing age within the  
16 geographic area to be served by the grant.

17 11. For technology needs and other resources necessary  
18 to meet federal welfare reform reporting, tracking, and case  
19 management requirements:

20 ..... \$ 1,037,186

21 12. To be credited to the state child care assistance  
22 appropriation made in this section to be used for funding of  
23 community-based early childhood programs targeted to children  
24 from birth through five years of age developed by early  
25 childhood Iowa areas as provided in section 256I.11:

26 ..... \$ 6,350,000

27 The department shall transfer TANF block grant funding  
28 appropriated and allocated in this subsection to the child care  
29 and development block grant appropriation in accordance with  
30 federal law as necessary to comply with the provisions of this  
31 subsection.

32 13. a. Notwithstanding any provision to the contrary,  
33 including but not limited to requirements in section 8.41  
34 or provisions in 2010 Iowa Acts regarding the receipt and  
35 appropriation of federal block grants, federal funds from the

1 emergency contingency fund for temporary assistance for needy  
2 families state program established pursuant to the federal  
3 American Recovery and Reinvestment Act of 2009, Pub. L. No.  
4 111-5 § 2101, received by the state during the fiscal year  
5 beginning July 1, 2010, and ending June 30, 2011, not otherwise  
6 appropriated in this section and remaining available as of  
7 July 1, 2011, and received by the state during the fiscal  
8 year beginning July 1, 2011, and ending June 30, 2012, are  
9 appropriated to the extent as may be necessary to be used in  
10 the following priority order: the family investment program  
11 for the fiscal year and for state child care assistance program  
12 payments for individuals enrolled in the family investment  
13 program who are employed. The federal funds appropriated in  
14 this paragraph "a" shall be expended only after all other  
15 funds appropriated in subsection 1 for the assistance under  
16 the family investment program under chapter 239B have been  
17 expended.

18 b. The department shall, on a quarterly basis, advise the  
19 legislative services agency and department of management of  
20 the amount of funds appropriated in this subsection that was  
21 expended in the prior quarter.

22 14. Of the amounts appropriated in this section,  
23 \$12,962,008 for the fiscal year beginning July 1, 2011, shall  
24 be transferred to the appropriation of the federal social  
25 services block grant made for that fiscal year.

26 15. For continuation of the program allowing the department  
27 to maintain categorical eligibility for the food assistance  
28 program as required under the section of this division of this  
29 Act relating to the family investment account:

30 ..... \$ 146,072

31 16. The department may transfer funds allocated in this  
32 section to the appropriations made in this division of this Act  
33 for general administration and field operations for resources  
34 necessary to implement and operate the services referred to in  
35 this section and those funded in the appropriation made in this

1 division of this Act for the family investment program from the  
2 general fund of the state.

3 Sec. 221. FAMILY INVESTMENT PROGRAM ACCOUNT.

4 1. Moneys credited to the family investment program (FIP)  
5 account for the fiscal year beginning July 1, 2011, and  
6 ending June 30, 2012, shall be used to provide assistance in  
7 accordance with chapter 239B.

8 2. The department may use a portion of the moneys credited  
9 to the FIP account under this section as necessary for  
10 salaries, support, maintenance, and miscellaneous purposes.

11 3. The department may transfer funds allocated in this  
12 section to the appropriations in this division of this Act  
13 for general administration and field operations for resources  
14 necessary to implement and operate the services referred to in  
15 this section and those funded in the appropriation made in this  
16 division of this Act for the family investment program from the  
17 general fund of the state.

18 4. Moneys appropriated in this division of this Act and  
19 credited to the FIP account for the fiscal year beginning July  
20 1, 2011, and ending June 30, 2012, are allocated as follows:

21 a. To be retained by the department of human services to  
22 be used for coordinating with the department of human rights  
23 to more effectively serve participants in the FIP program and  
24 other shared clients and to meet federal reporting requirements  
25 under the federal temporary assistance for needy families block  
26 grant:

27 ..... \$ 20,000

28 b. To the department of human rights for staffing,  
29 administration, and implementation of the family development  
30 and self-sufficiency grant program in accordance with section  
31 216A.107:

32 ..... \$ 5,342,834

33 (1) Of the funds allocated for the family development and  
34 self-sufficiency grant program in this lettered paragraph,  
35 not more than 5 percent of the funds shall be used for the

1 administration of the grant program.

2 (2) The department of human rights may continue to implement  
3 the family development and self-sufficiency grant program  
4 statewide during fiscal year 2011-2012.

5 c. For the diversion subaccount of the FIP account:  
6 ..... \$ 1,698,400

7 A portion of the moneys allocated for the subaccount may  
8 be used for field operations salaries, data management system  
9 development, and implementation costs and support deemed  
10 necessary by the director of human services in order to  
11 administer the FIP diversion program.

12 d. For the food stamp employment and training program:  
13 ..... \$ 66,588

14 (1) The department shall amend the food stamp employment and  
15 training state plan in order to maximize to the fullest extent  
16 permitted by federal law the use of the 50-50 match provisions  
17 for the claiming of allowable federal matching funds from the  
18 United States department of agriculture pursuant to the federal  
19 food stamp employment and training program for providing  
20 education, employment, and training services for eligible food  
21 assistance program participants, including but not limited to  
22 related dependent care and transportation expenses.

23 (2) The department shall continue the categorical federal  
24 food assistance program eligibility at 160 percent of the  
25 federal poverty level and continue to eliminate the asset test  
26 from eligibility requirements, consistent with federal food  
27 assistance program requirements. The department shall include  
28 as many food assistance households as is allowed by federal  
29 law. The eligibility provisions shall conform to all federal  
30 requirements including requirements addressing individuals who  
31 are incarcerated or otherwise ineligible.

32 e. For the JOBS program:  
33 ..... \$ 20,235,905

34 5. Of the child support collections assigned under FIP,  
35 an amount equal to the federal share of support collections



1 shall be credited to the child support recovery appropriation  
2 made in this division of this Act. Of the remainder of the  
3 assigned child support collections received by the child  
4 support recovery unit, a portion shall be credited to the FIP  
5 account, a portion may be used to increase recoveries, and a  
6 portion may be used to sustain cash flow in the child support  
7 payments account. If as a consequence of the appropriations  
8 and allocations made in this section the resulting amounts  
9 are insufficient to sustain cash assistance payments and meet  
10 federal maintenance of effort requirements, the department  
11 shall seek supplemental funding. If child support collections  
12 assigned under FIP are greater than estimated or are otherwise  
13 determined not to be required for maintenance of effort, the  
14 state share of either amount may be transferred to or retained  
15 in the child support payment account.

16 6. The department may adopt emergency rules for the family  
17 investment, JOBS, food stamp, and medical assistance programs  
18 if necessary to comply with federal requirements.

19 Sec. 222. FAMILY INVESTMENT PROGRAM GENERAL FUND. There  
20 is appropriated from the general fund of the state to the  
21 department of human services for the fiscal year beginning July  
22 1, 2011, and ending June 30, 2012, the following amount, or  
23 so much thereof as is necessary, to be used for the purpose  
24 designated:

25 To be credited to the family investment program (FIP)  
26 account and used for family investment program assistance under  
27 chapter 239B:

28 ..... \$ 50,171,027

29 1. Of the funds appropriated in this section, \$7,824,377 is  
30 allocated for the JOBS program.

31 2. Of the funds appropriated in this section, \$2,463,854 is  
32 allocated for the family development and self-sufficiency grant  
33 program.

34 3. Notwithstanding section 8.39, for the fiscal year  
35 beginning July 1, 2011, if necessary to meet federal

1 maintenance of effort requirements or to transfer federal  
2 temporary assistance for needy families block grant funding  
3 to be used for purposes of the federal social services block  
4 grant or to meet cash flow needs resulting from delays in  
5 receiving federal funding or to implement, in accordance with  
6 this division of this Act, activities currently funded with  
7 juvenile court services, county, or community moneys and state  
8 moneys used in combination with such moneys, the department  
9 of human services may transfer funds within or between any  
10 of the appropriations made in this division of this Act and  
11 appropriations in law for the federal social services block  
12 grant to the department for the following purposes, provided  
13 that the combined amount of state and federal temporary  
14 assistance for needy families block grant funding for each  
15 appropriation remains the same before and after the transfer:

- 16 a. For the family investment program.
- 17 b. For child care assistance.
- 18 c. For child and family services.
- 19 d. For field operations.
- 20 e. For general administration.
- 21 f. MH/MR/DD/BI community services (local purchase).

22 This subsection shall not be construed to prohibit the use  
23 of existing state transfer authority for other purposes. The  
24 department shall report any transfers made pursuant to this  
25 subsection to the legislative services agency.

26 4. Of the funds appropriated in this section, \$195,678 shall  
27 be used for continuation of a grant to an Iowa-based nonprofit  
28 organization with a history of providing tax preparation  
29 assistance to low-income Iowans in order to expand the usage of  
30 the earned income tax credit. The purpose of the grant is to  
31 supply this assistance to underserved areas of the state.

32 Sec. 223. CHILD SUPPORT RECOVERY. There is appropriated  
33 from the general fund of the state to the department of human  
34 services for the fiscal year beginning July 1, 2011, and ending  
35 June 30, 2012, the following amount, or so much thereof as is

1 necessary, to be used for the purposes designated:

2 For child support recovery, including salaries, support,  
3 maintenance, and miscellaneous purposes, and for not more than  
4 the following full-time equivalent positions:

5 .....	\$ 13,044,451
6 .....	FTEs 475.00

7 1. The department shall expend up to \$24,329, including  
8 federal financial participation, for the fiscal year beginning  
9 July 1, 2011, for a child support public awareness campaign.  
10 The department and the office of the attorney general shall  
11 cooperate in continuation of the campaign. The public  
12 awareness campaign shall emphasize, through a variety of  
13 media activities, the importance of maximum involvement of  
14 both parents in the lives of their children as well as the  
15 importance of payment of child support obligations.

16 2. Federal access and visitation grant moneys shall be  
17 issued directly to private not-for-profit agencies that provide  
18 services designed to increase compliance with the child access  
19 provisions of court orders, including but not limited to  
20 neutral visitation sites and mediation services.

21 3. The appropriation made to the department for child  
22 support recovery may be used throughout the fiscal year in the  
23 manner necessary for purposes of cash flow management, and for  
24 cash flow management purposes the department may temporarily  
25 draw more than the amount appropriated, provided the amount  
26 appropriated is not exceeded at the close of the fiscal year.

27 4. With the exception of the funding amount specified, the  
28 requirements established under 2001 Iowa Acts, chapter 191,  
29 section 3, subsection 5, paragraph "c", subparagraph (3), shall  
30 be applicable to parental obligation pilot projects for the  
31 fiscal year beginning July 1, 2011, and ending June 30, 2012.  
32 Notwithstanding 441 IAC 100.8, providing for termination of  
33 rules relating to the pilot projects, the rules shall remain  
34 in effect until June 30, 2012.

35 Sec. 224. HEALTH CARE TRUST FUND — MEDICAL ASSISTANCE. Any

1 funds remaining in the health care trust fund created in  
2 section 453A.35A for the fiscal year beginning July 1, 2011,  
3 and ending June 30, 2012, are appropriated to the department  
4 of human services to supplement the medical assistance  
5 program appropriations made in the health and human services  
6 divisions of this Act, for medical assistance reimbursement and  
7 associated costs, including program administration and costs  
8 associated with implementation.

9 Sec. 225. MEDICAL ASSISTANCE. There is appropriated from  
10 the general fund of the state to the department of human  
11 services for the fiscal year beginning July 1, 2011, and ending  
12 June 30, 2012, the following amount, or so much thereof as is  
13 necessary, to be used for the purpose designated:

14 For medical assistance reimbursement and associated costs  
15 as specifically provided in the reimbursement methodologies  
16 in effect on June 30, 2011, except as otherwise expressly  
17 authorized by law, including reimbursement for abortion  
18 services which shall be available under the medical assistance  
19 program only for those abortions which are medically necessary:  
20 ..... \$907,087,190

21 1. Medically necessary abortions are those performed under  
22 any of the following conditions:

23 a. The attending physician certifies that continuing the  
24 pregnancy would endanger the life of the pregnant woman.

25 b. Any spontaneous abortion, commonly known as a  
26 miscarriage, if not all of the products of conception are  
27 expelled.

28 2. The department shall utilize not more than \$60,000 of  
29 the funds appropriated in this section to continue the AIDS/HIV  
30 health insurance premium payment program as established in 1992  
31 Iowa Acts, Second Extraordinary Session, chapter 1001, section  
32 409, subsection 6. Of the funds allocated in this subsection,  
33 not more than \$5,000 may be expended for administrative  
34 purposes.

35 3. Of the funds appropriated in the department of public

1 health division of this Act for FY 2011-2012 to the department  
2 of public health for addictive disorders, \$950,000 for the  
3 fiscal year beginning July 1, 2011, shall be transferred to  
4 the department of human services for an integrated substance  
5 abuse managed care system. The department shall not assume  
6 management of the substance abuse system in place of the  
7 managed care contractor unless such a change in approach is  
8 specifically authorized in law. The departments of human  
9 services and public health shall work together to maintain  
10 the level of mental health and substance abuse services  
11 provided by the managed care contractor through the Iowa plan  
12 for behavioral health. Each department shall take the steps  
13 necessary to continue the federal waivers as necessary to  
14 maintain the level of services.

15 4. a. The department shall aggressively pursue options for  
16 providing medical assistance or other assistance to individuals  
17 with special needs who become ineligible to continue receiving  
18 services under the early and periodic screening, diagnostic,  
19 and treatment program under the medical assistance program  
20 due to becoming 21 years of age who have been approved for  
21 additional assistance through the department's exception to  
22 policy provisions, but who have health care needs in excess  
23 of the funding available through the exception to policy  
24 provisions.

25 b. Of the funds appropriated in this section, \$100,000  
26 shall be used for participation in one or more pilot projects  
27 operated by a private provider to allow the individual or  
28 individuals to receive service in the community in accordance  
29 with principles established in *Olmstead v. L.C.*, 527 U.S. 581  
30 (1999), for the purpose of providing medical assistance or  
31 other assistance to individuals with special needs who become  
32 ineligible to continue receiving services under the early and  
33 periodic screening, diagnosis, and treatment program under  
34 the medical assistance program due to becoming 21 years of  
35 age who have been approved for additional assistance through

1 the department's exception to policy provisions, but who have  
2 health care needs in excess of the funding available through  
3 the exception to the policy provisions.

4 5. Of the funds appropriated in this section, up to  
5 \$3,050,082 may be transferred to the field operations or  
6 general administration appropriations in this division of this  
7 Act for operational costs associated with Part D of the federal  
8 Medicare Prescription Drug Improvement and Modernization Act  
9 of 2003, Pub. L. No. 108-173.

10 6. Of the funds appropriated in this section, up to \$442,100  
11 may be transferred to the appropriation in this division  
12 of this Act for medical contracts to be used for clinical  
13 assessment services and prior authorization of services.

14 7. A portion of the funds appropriated in this section  
15 may be transferred to the appropriations in this division of  
16 this Act for general administration, medical contracts, the  
17 children's health insurance program, or field operations to be  
18 used for the state match cost to comply with the payment error  
19 rate measurement (PERM) program for both the medical assistance  
20 and children's health insurance programs as developed by the  
21 centers for Medicare and Medicaid services of the United States  
22 department of health and human services to comply with the  
23 federal Improper Payments Information Act of 2002, Pub. L. No.  
24 107-300.

25 8. It is the intent of the general assembly that the  
26 department continue to implement the recommendations of  
27 the assuring better child health and development initiative  
28 II (ABCDII) clinical panel to the Iowa early and periodic  
29 screening, diagnostic, and treatment services healthy mental  
30 development collaborative board regarding changes to billing  
31 procedures, codes, and eligible service providers.

32 9. Of the funds appropriated in this section, a sufficient  
33 amount is allocated to supplement the incomes of residents of  
34 nursing facilities, intermediate care facilities for persons  
35 with mental illness, and intermediate care facilities for

1 persons with mental retardation, with incomes of less than \$50  
2 in the amount necessary for the residents to receive a personal  
3 needs allowance of \$50 per month pursuant to section 249A.30A.

4 10. Of the funds appropriated in this section, the following  
5 amounts shall be transferred to the appropriations made in this  
6 division of this Act for the state mental health institutes:

- 7 a. Cherokee mental health institute ..... \$ 9,098,425
- 8 b. Clarinda mental health institute ..... \$ 1,977,305
- 9 c. Independence mental health institute ..... \$ 9,045,894
- 10 d. Mount Pleasant mental health institute .... \$ 5,752,587

11 11. a. Of the funds appropriated in this section,  
12 \$7,425,684 is allocated for the state match for a  
13 disproportionate share hospital payment of \$19,133,430 to  
14 hospitals that meet both of the conditions specified in  
15 subparagraphs (1) and (2). In addition, the hospitals that  
16 meet the conditions specified shall either certify public  
17 expenditures or transfer to the medical assistance program  
18 an amount equal to provide the nonfederal share for a  
19 disproportionate share hospital payment of \$7,500,000. The  
20 hospitals that meet the conditions specified shall receive and  
21 retain 100 percent of the total disproportionate share hospital  
22 payment of \$26,633,430.

23 (1) The hospital qualifies for disproportionate share and  
24 graduate medical education payments.

25 (2) The hospital is an Iowa state-owned hospital with more  
26 than 500 beds and eight or more distinct residency specialty  
27 or subspecialty programs recognized by the American college of  
28 graduate medical education.

29 b. Distribution of the disproportionate share payments  
30 shall be made on a monthly basis. The total amount of  
31 disproportionate share payments including graduate medical  
32 education, enhanced disproportionate share, and Iowa  
33 state-owned teaching hospital payments shall not exceed the  
34 amount of the state's allotment under Pub. L. No. 102-234.  
35 In addition, the total amount of all disproportionate

1 share payments shall not exceed the hospital-specific  
2 disproportionate share limits under Pub. L. No. 103-66.

3 12. The university of Iowa hospitals and clinics shall  
4 either certify public expenditures or transfer to the medical  
5 assistance appropriation an amount equal to provide the  
6 nonfederal share for increased medical assistance payments for  
7 inpatient and outpatient hospital services of \$9,900,000. The  
8 university of Iowa hospitals and clinics shall receive and  
9 retain 100 percent of the total increase in medical assistance  
10 payments.

11 13. Of the funds appropriated in this section, up to  
12 \$4,480,304 may be transferred to the IowaCare account created  
13 in section 249J.24.

14 14. Of the funds appropriated in this section, \$200,000  
15 shall be used for the Iowa chronic care consortium pursuant to  
16 2003 Iowa Acts, chapter 112, section 12, as amended by 2003  
17 Iowa Acts, chapter 179, sections 166 and 167.

18 15. One hundred percent of the nonfederal share of payments  
19 to area education agencies that are medical assistance  
20 providers for medical assistance-covered services provided to  
21 medical assistance-covered children, shall be made from the  
22 appropriation made in this section.

23 16. Any new or renewed contract entered into by the  
24 department with a third party to administer behavioral health  
25 services under the medical assistance program shall provide  
26 that any interest earned on payments from the state during  
27 the state fiscal year shall be remitted to the department  
28 and treated as recoveries to offset the costs of the medical  
29 assistance program.

30 17. The department shall continue to implement the  
31 provisions in 2007 Iowa Acts, chapter 218, section 124 and  
32 section 126, as amended by 2008 Iowa Acts, chapter 1188,  
33 section 55, relating to eligibility for certain persons with  
34 disabilities under the medical assistance program in accordance  
35 with the federal family opportunity Act.



1 18. A portion of the funds appropriated in this section  
2 may be transferred to the appropriation in this division of  
3 this Act for medical contracts to be used for administrative  
4 activities associated with the money follows the person  
5 demonstration project.

6 19. Of the funds appropriated in this section, \$349,011  
7 shall be used for the administration of the health insurance  
8 premium payment program, including salaries, support,  
9 maintenance, and miscellaneous purposes for the fiscal year  
10 beginning July 1, 2011.

11 20. a. The department may implement cost containment  
12 strategies recommended by the governor, and may adopt emergency  
13 rules for such implementation.

14 b. The department may increase the amounts allocated for  
15 salaries, support, maintenance, and miscellaneous purposes  
16 associated with the medical assistance program, as necessary,  
17 to implement the cost containment strategies. The department  
18 shall report any such increase to the legislative services  
19 agency and the department of management.

20 c. If the savings to the medical assistance program exceed  
21 the cost, the department may transfer any savings generated  
22 for the fiscal year due to medical assistance program cost  
23 containment efforts initiated pursuant to 2010 Iowa Acts,  
24 chapter 1031, Executive Order No. 20, issued December 16, 2009,  
25 or cost containment strategies initiated pursuant to this  
26 subsection, to the appropriation made in this division of this  
27 Act for medical contracts or general administration to defray  
28 the increased contract costs associated with implementing such  
29 efforts.

30 d. The department shall report the implementation of  
31 any cost containment strategies under this subsection to  
32 the individuals specified in this division of this Act for  
33 submission of reports on a quarterly basis.

34 21. Notwithstanding any provision of law to the contrary,  
35 the department of human services shall amend the section

1 1915(b) waiver and Iowa plan contract to include remedial  
2 services under the Iowa plan contract effective July 1, 2011.

3 22. a. The department may submit medical assistance program  
4 state plan amendments to the centers for Medicare and Medicaid  
5 services of the United States department of health and human  
6 services, and may adopt administrative rules pursuant to  
7 chapter 17A to implement any of the following if the respective  
8 state plan amendment is approved:

9 (1) Health homes pursuant to section 2703 of the federal  
10 Patient Protection and Affordable Care Act, Pub. L. No.  
11 111-148. The department shall collaborate with the medical  
12 home system advisory council created pursuant to section  
13 135.159 in developing such health homes.

14 (2) Accountable care organization pilot programs, if such  
15 programs are advantageous to the medical assistance program.

16 b. Any health home or accountable care organization  
17 pilot program implemented pursuant to this subsection shall  
18 demonstrate value to the state with a positive return on  
19 investment within two years of implementation, and may utilize  
20 care coordination fees, pay-for-performance fees, or shared  
21 saving strategies if approved as part of the state plan  
22 amendment.

23 Sec. 226. MEDICAL CONTRACTS. There is appropriated from the  
24 general fund of the state to the department of human services  
25 for the fiscal year beginning July 1, 2011, and ending June 30,  
26 2012, the following amount, or so much thereof as is necessary,  
27 to be used for the purpose designated:

28 For medical contracts:

29 ..... \$ 5,823,844

30 1. The department of inspections and appeals shall  
31 provide all state matching funds for survey and certification  
32 activities performed by the department of inspections  
33 and appeals. The department of human services is solely  
34 responsible for distributing the federal matching funds for  
35 such activities.

1 2. The department shall amend the state Medicaid health  
2 information technology plan to include costs related to the  
3 one-time development costs of the health information network  
4 established by the department of public health.

5 3. Of the amount appropriated in this section, up to  
6 \$200,000 may be transferred to the appropriation for general  
7 administration in this division of this Act to be used for  
8 additional full-time equivalent positions in the development of  
9 key health initiatives such as cost containment, development  
10 and oversight of managed care programs, and development of  
11 health strategies targeted toward improved quality and reduced  
12 costs in the Medicaid program.

13 4. Of the funds appropriated in this section, \$50,000 shall  
14 be used for home and community-based services waiver quality  
15 assurance programs, including the review and streamlining  
16 of processes and policies related to oversight and quality  
17 management to meet state and federal requirements. The  
18 department shall submit a report to the persons designated in  
19 this division of this Act for submission of reports by December  
20 15, 2011, regarding the modifications to the quality assurance  
21 programs.

22 Sec. 227. STATE SUPPLEMENTARY ASSISTANCE.

23 1. There is appropriated from the general fund of the  
24 state to the department of human services for the fiscal year  
25 beginning July 1, 2011, and ending June 30, 2012, the following  
26 amount, or so much thereof as is necessary, to be used for the  
27 purpose designated:

28 For the state supplementary assistance program:  
29 ..... \$ 16,850,747

30 2. The department shall increase the personal needs  
31 allowance for residents of residential care facilities by the  
32 same percentage and at the same time as federal supplemental  
33 security income and federal social security benefits are  
34 increased due to a recognized increase in the cost of living.  
35 The department may adopt emergency rules to implement this

1 subsection.

2 3. If during the fiscal year beginning July 1, 2011,  
3 the department projects that state supplementary assistance  
4 expenditures for a calendar year will not meet the federal  
5 pass-through requirement specified in Tit. XVI of the federal  
6 Social Security Act, section 1618, as codified in 42 U.S.C.  
7 § 1382g, the department may take actions including but not  
8 limited to increasing the personal needs allowance for  
9 residential care facility residents and making programmatic  
10 adjustments or upward adjustments of the residential care  
11 facility or in-home health-related care reimbursement rates  
12 prescribed in this division of this Act to ensure that federal  
13 requirements are met. In addition, the department may make  
14 other programmatic and rate adjustments necessary to remain  
15 within the amount appropriated in this section while ensuring  
16 compliance with federal requirements. The department may adopt  
17 emergency rules to implement the provisions of this subsection.

18 Sec. 228. CHILDREN'S HEALTH INSURANCE PROGRAM.

19 There is appropriated from the general fund of the state to  
20 the department of human services for the fiscal year beginning  
21 July 1, 2011, and ending June 30, 2012, the following amount,  
22 or so much thereof as is necessary, to be used for the purpose  
23 designated:

24 For maintenance of the healthy and well kids in Iowa (hawk-i)  
25 program pursuant to chapter 514I, including supplemental dental  
26 services, for receipt of federal financial participation under  
27 Tit. XXI of the federal Social Security Act, which creates the  
28 children's health insurance program:

29 ..... \$ 32,677,152

30 Sec. 229. CHILD CARE ASSISTANCE. There is appropriated  
31 from the general fund of the state to the department of human  
32 services for the fiscal year beginning July 1, 2011, and ending  
33 June 30, 2012, the following amount, or so much thereof as is  
34 necessary, to be used for the purpose designated:

35 For child care programs:

1 ..... \$ 55,237,662

2 1. Of the funds appropriated in this section, \$51,868,235  
3 shall be used for state child care assistance in accordance  
4 with section 237A.13.

5 2. Nothing in this section shall be construed or is  
6 intended as or shall imply a grant of entitlement for services  
7 to persons who are eligible for assistance due to an income  
8 level consistent with the waiting list requirements of section  
9 237A.13. Any state obligation to provide services pursuant to  
10 this section is limited to the extent of the funds appropriated  
11 in this section.

12 3. Of the funds appropriated in this section, \$432,453 is  
13 allocated for the statewide program for child care resource  
14 and referral services under section 237A.26. A list of the  
15 registered and licensed child care facilities operating in the  
16 area served by a child care resource and referral service shall  
17 be made available to the families receiving state child care  
18 assistance in that area.

19 4. Of the funds appropriated in this section, \$936,974  
20 is allocated for child care quality improvement initiatives  
21 including but not limited to the voluntary quality rating  
22 system in accordance with section 237.30.

23 5. The department may use any of the funds appropriated  
24 in this section as a match to obtain federal funds for use in  
25 expanding child care assistance and related programs. For  
26 the purpose of expenditures of state and federal child care  
27 funding, funds shall be considered obligated at the time  
28 expenditures are projected or are allocated to the department's  
29 service areas. Projections shall be based on current and  
30 projected caseload growth, current and projected provider  
31 rates, staffing requirements for eligibility determination  
32 and management of program requirements including data systems  
33 management, staffing requirements for administration of the  
34 program, contractual and grant obligations and any transfers  
35 to other state agencies, and obligations for decategorization

1 or innovation projects.

2 6. A portion of the state match for the federal child care  
3 and development block grant shall be provided as necessary to  
4 meet federal matching funds requirements through the state  
5 general fund appropriation made for child development grants  
6 and other programs for at-risk children in section 279.51.

7 7. If a uniform reduction ordered by the governor under  
8 section 8.31 or other operation of law, transfer, or federal  
9 funding reduction reduces the appropriation made in this  
10 section for the fiscal year, the percentage reduction in the  
11 amount paid out to or on behalf of the families participating  
12 in the state child care assistance program shall be equal to or  
13 less than the percentage reduction made for any other purpose  
14 payable from the appropriation made in this section and the  
15 federal funding relating to it. The percentage reduction to  
16 the other allocations made in this section shall be the same as  
17 the uniform reduction ordered by the governor or the percentage  
18 change of the federal funding reduction, as applicable.

19 If there is an unanticipated increase in federal funding  
20 provided for state child care assistance, the entire amount  
21 of the increase shall be used for state child care assistance  
22 payments. If the appropriations made for purposes of the  
23 state child care assistance program for the fiscal year are  
24 determined to be insufficient, it is the intent of the general  
25 assembly to appropriate sufficient funding for the fiscal year  
26 in order to avoid establishment of waiting list requirements.

27 8. Notwithstanding section 8.33, moneys appropriated in  
28 this section or received from the federal appropriations made  
29 for the purposes of this section that remain unencumbered or  
30 unobligated at the close of the fiscal year shall not revert  
31 to any fund but shall remain available for expenditure for the  
32 purposes designated until the close of the succeeding fiscal  
33 year.

34 Sec. 230. JUVENILE INSTITUTIONS. There is appropriated  
35 from the general fund of the state to the department of human

1 services for the fiscal year beginning July 1, 2011, and ending  
2 June 30, 2012, the following amounts, or so much thereof as is  
3 necessary, to be used for the purposes designated:

4 1. For operation of the Iowa juvenile home at Toledo and for  
5 salaries, support, maintenance, and miscellaneous purposes, and  
6 for not more than the following full-time equivalent positions:

7 ..... \$ 8,258,251  
8 ..... FTEs 114.00

9 2. For operation of the state training school at Eldora and  
10 for salaries, support, maintenance, and miscellaneous purposes,  
11 and for not more than the following full-time equivalent  
12 positions:

13 ..... \$ 10,638,677  
14 ..... FTEs 164.30

15 Of the funds appropriated in this subsection, \$91,150 shall  
16 be used for distribution to licensed classroom teachers at this  
17 and other institutions under the control of the department of  
18 human services based upon the average student yearly enrollment  
19 at each institution as determined by the department.

20 3. A portion of the moneys appropriated in this section  
21 shall be used by the state training school and by the Iowa  
22 juvenile home for grants for adolescent pregnancy prevention  
23 activities at the institutions in the fiscal year beginning  
24 July 1, 2011.

25 Sec. 231. CHILD AND FAMILY SERVICES.

26 1. There is appropriated from the general fund of the  
27 state to the department of human services for the fiscal year  
28 beginning July 1, 2011, and ending June 30, 2012, the following  
29 amount, or so much thereof as is necessary, to be used for the  
30 purpose designated:

31 For child and family services:

32 ..... \$ 82,330,967

33 2. In order to address a reduction of \$5,200,000 from the  
34 amount allocated under the appropriation made for the purposes  
35 of this section in prior years for purposes of juvenile

1 delinquent graduated sanction services, up to \$5,200,000 of the  
2 amount of federal temporary assistance for needy families block  
3 grant funding appropriated in this division of this Act for  
4 child and family services shall be made available for purposes  
5 of juvenile delinquent graduated sanction services.

6 3. The department may transfer funds appropriated in this  
7 section as necessary to pay the nonfederal costs of services  
8 reimbursed under the medical assistance program, state child  
9 care assistance program, or the family investment program which  
10 are provided to children who would otherwise receive services  
11 paid under the appropriation in this section. The department  
12 may transfer funds appropriated in this section to the  
13 appropriations made in this division of this Act for general  
14 administration and for field operations for resources necessary  
15 to implement and operate the services funded in this section.

16 4. a. Of the funds appropriated in this section, up to  
17 \$30,169,129 is allocated as the statewide expenditure target  
18 under section 232.143 for group foster care maintenance and  
19 services. If the department projects that such expenditures  
20 for the fiscal year will be less than the target amount  
21 allocated in this lettered paragraph, the department may  
22 reallocate the excess to provide additional funding for shelter  
23 care or the child welfare emergency services addressed with the  
24 allocation for shelter care.

25 b. If at any time after September 30, 2011, annualization  
26 of a service area's current expenditures indicates a service  
27 area is at risk of exceeding its group foster care expenditure  
28 target under section 232.143 by more than 5 percent, the  
29 department and juvenile court services shall examine all  
30 group foster care placements in that service area in order to  
31 identify those which might be appropriate for termination.  
32 In addition, any aftercare services believed to be needed  
33 for the children whose placements may be terminated shall be  
34 identified. The department and juvenile court services shall  
35 initiate action to set dispositional review hearings for the



1 placements identified. In such a dispositional review hearing,  
2 the juvenile court shall determine whether needed aftercare  
3 services are available and whether termination of the placement  
4 is in the best interest of the child and the community.

5 5. In accordance with the provisions of section 232.188,  
6 the department shall continue the child welfare and juvenile  
7 justice funding initiative during fiscal year 2011-2012. Of  
8 the funds appropriated in this section, \$1,717,753 is allocated  
9 specifically for expenditure for fiscal year 2011-2012 through  
10 the decategorization service funding pools and governance  
11 boards established pursuant to section 232.188. However, if  
12 this subsection is enacted on or after June 15, 2011, the  
13 determination shall be made not later than 10 calendar days  
14 after the effective date.

15 6. A portion of the funds appropriated in this section  
16 may be used for emergency family assistance to provide other  
17 resources required for a family participating in a family  
18 preservation or reunification project or successor project to  
19 stay together or to be reunified.

20 7. Notwithstanding section 234.35 or any other provision  
21 of law to the contrary, state funding for shelter care and  
22 the child welfare emergency services contracting implemented  
23 to provide for or prevent the need for shelter care shall be  
24 limited to \$7,170,116. The department may execute contracts  
25 that result from the department's request for proposal, bid  
26 number ACFS-11-114, to provide the range of child welfare  
27 emergency services described in the request for proposals, and  
28 any subsequent amendments to the request for proposals.

29 8. Federal funds received by the state during the fiscal  
30 year beginning July 1, 2011, as the result of the expenditure  
31 of state funds appropriated during a previous state fiscal  
32 year for a service or activity funded under this section are  
33 appropriated to the department to be used as additional funding  
34 for services and purposes provided for under this section.  
35 Notwithstanding section 8.33, moneys received in accordance

1 with this subsection that remain unencumbered or unobligated at  
2 the close of the fiscal year shall not revert to any fund but  
3 shall remain available for the purposes designated until the  
4 close of the succeeding fiscal year.

5 9. Of the funds appropriated in this section, at least  
6 \$3,696,285 shall be used for protective child care assistance.

7 10. a. Of the funds appropriated in this section, up to  
8 \$2,062,488 is allocated for the payment of the expenses of  
9 court-ordered services provided to juveniles who are under the  
10 supervision of juvenile court services, which expenses are a  
11 charge upon the state pursuant to section 232.141, subsection  
12 4. Of the amount allocated in this lettered paragraph, up to  
13 \$1,556,287 shall be made available to provide school-based  
14 supervision of children adjudicated under chapter 232, of which  
15 not more than \$15,000 may be used for the purpose of training.  
16 A portion of the cost of each school-based liaison officer  
17 shall be paid by the school district or other funding source as  
18 approved by the chief juvenile court officer.

19 b. Of the funds appropriated in this section, up to \$748,985  
20 is allocated for the payment of the expenses of court-ordered  
21 services provided to children who are under the supervision  
22 of the department, which expenses are a charge upon the state  
23 pursuant to section 232.141, subsection 4.

24 c. Notwithstanding section 232.141 or any other provision  
25 of law to the contrary, the amounts allocated in this  
26 subsection shall be distributed to the judicial districts  
27 as determined by the state court administrator and to the  
28 department's service areas as determined by the administrator  
29 of the department's division of child and family services.  
30 The state court administrator and the division administrator  
31 shall make the determination of the distribution amounts on or  
32 before June 15, 2011. However, if this subsection is enacted  
33 on or after June 15, 2011, the determination shall be made not  
34 later than 10 calendar days after the effective date of this  
35 subsection.

1 d. Notwithstanding chapter 232 or any other provision of  
2 law to the contrary, a district or juvenile court shall not  
3 order any service which is a charge upon the state pursuant  
4 to section 232.141 if there are insufficient court-ordered  
5 services funds available in the district court or departmental  
6 service area distribution amounts to pay for the service. The  
7 chief juvenile court officer and the departmental service area  
8 manager shall encourage use of the funds allocated in this  
9 subsection such that there are sufficient funds to pay for  
10 all court-related services during the entire year. The chief  
11 juvenile court officers and departmental service area managers  
12 shall attempt to anticipate potential surpluses and shortfalls  
13 in the distribution amounts and shall cooperatively request the  
14 state court administrator or division administrator to transfer  
15 funds between the judicial districts' or departmental service  
16 areas' distribution amounts as prudent.

17 e. Notwithstanding any provision of law to the contrary,  
18 a district or juvenile court shall not order a county to pay  
19 for any service provided to a juvenile pursuant to an order  
20 entered under chapter 232 which is a charge upon the state  
21 under section 232.141, subsection 4.

22 f. Of the funds allocated in this subsection, not more than  
23 \$83,000 may be used by the judicial branch for administration  
24 of the requirements under this subsection.

25 g. Of the funds allocated in this subsection, \$17,000  
26 shall be used by the department of human services to support  
27 the interstate commission for juveniles in accordance with  
28 the interstate compact for juveniles as provided in section  
29 232.173.

30 11. Of the funds appropriated in this section, \$5,422,602 is  
31 allocated for juvenile delinquent graduated sanctions services.  
32 Any state funds saved as a result of efforts by juvenile court  
33 services to earn federal Tit. IV-E match for juvenile court  
34 services administration may be used for the juvenile delinquent  
35 graduated sanctions services.

1 12. Of the funds appropriated in this section, \$988,285  
2 shall be transferred to the department of public health to  
3 be used for the child protection center grant program in  
4 accordance with section 135.118.

5 13. If the department receives federal approval to  
6 implement a waiver under Tit. IV-E of the federal Social  
7 Security Act to enable providers to serve children who remain  
8 in the children's families and communities, for purposes of  
9 eligibility under the medical assistance program, children who  
10 participate in the waiver shall be considered to be placed in  
11 foster care.

12 14. Of the funds appropriated in this section, \$3,069,832 is  
13 allocated for the preparation for adult living program pursuant  
14 to section 234.46.

15 15. Of the funds appropriated in this section, \$520,150  
16 shall be used for juvenile drug courts. The amount allocated  
17 in this subsection shall be distributed as follows:

18 To the judicial branch for salaries to assist with the  
19 operation of juvenile drug court programs operated in the  
20 following jurisdictions:

- 21 a. Marshall county:
- 22 ..... \$ 62,708
- 23 b. Woodbury county:
- 24 ..... \$ 125,682
- 25 c. Polk county:
- 26 ..... \$ 195,892
- 27 d. The third judicial district:
- 28 ..... \$ 67,934
- 29 e. The eighth judicial district:
- 30 ..... \$ 67,934

31 16. Of the funds appropriated in this section, \$227,337  
32 shall be used for the public purpose of providing a grant to  
33 a nonprofit human services organization providing services to  
34 individuals and families in multiple locations in southwest  
35 Iowa and Nebraska for support of a project providing immediate,

1 sensitive support and forensic interviews, medical exams, needs  
2 assessments, and referrals for victims of child abuse and their  
3 nonoffending family members.

4 17. Of the funds appropriated in this section, \$125,590  
5 is allocated for the elevate approach of providing a support  
6 network to children placed in foster care.

7 18. Of the funds appropriated in this section, \$202,000 is  
8 allocated for use pursuant to section 235A.1 for continuation  
9 of the initiative to address child sexual abuse implemented  
10 pursuant to 2007 Iowa Acts, chapter 218, section 18, subsection  
11 21.

12 19. Of the funds appropriated in this section, \$630,240 is  
13 allocated for the community partnership for child protection  
14 sites.

15 20. Of the funds appropriated in this section, \$371,250  
16 is allocated for the department's minority youth and family  
17 projects under the redesign of the child welfare system.

18 21. Of the funds appropriated in this section, \$1,200,495  
19 is allocated for funding of the state match for the federal  
20 substance abuse and mental health services administration  
21 (SAMHSA) system of care grant.

22 22. Of the funds appropriated in this section, at least  
23 \$147,158 shall be used for the child welfare training academy.

24 23. Of the funds appropriated in this section, \$25,000  
25 shall be used for the public purpose of providing a grant to  
26 a child welfare services provider headquartered in a county  
27 with a population between 205,000 and 215,000 in the latest  
28 certified federal census that provides multiple services  
29 including but not limited to a psychiatric medical institution  
30 for children, shelter, residential treatment, after school  
31 programs, school-based programming, and an Asperger's syndrome  
32 program, to be used for support services for children with  
33 autism spectrum disorder and their families.

34 24. Of the funds appropriated in this section, \$250,804  
35 shall be used for the public purpose of continuing the central

1 Iowa system of care program grant through June 30, 2012.

2 25. Of the funds appropriated in this section, \$160,000  
3 shall be used for the public purpose of providing a system of  
4 care grant to be implemented in Mason City and Cedar Rapids by  
5 a nonprofit agency which has been in existence more than 37  
6 years and is headquartered in a county with a population of  
7 more than 200,000 but less than 300,000, according to the 2010  
8 census issued by the United States bureau of the census, and is  
9 providing child welfare treatment and prevention services in at  
10 least 19 locations throughout the state of Iowa.

11 Sec. 232. ADOPTION SUBSIDY.

12 1. There is appropriated from the general fund of the  
13 state to the department of human services for the fiscal year  
14 beginning July 1, 2011, and ending June 30, 2012, the following  
15 amount, or so much thereof as is necessary, to be used for the  
16 purpose designated:

17 For adoption subsidy payments and services:  
18 ..... \$ 34,897,591

19 2. The department may transfer funds appropriated in  
20 this section to the appropriation made in this division of  
21 this Act for general administration for costs paid from the  
22 appropriation relating to adoption subsidy.

23 3. Federal funds received by the state during the  
24 fiscal year beginning July 1, 2011, as the result of the  
25 expenditure of state funds during a previous state fiscal  
26 year for a service or activity funded under this section are  
27 appropriated to the department to be used as additional funding  
28 for the services and activities funded under this section.  
29 Notwithstanding section 8.33, moneys received in accordance  
30 with this subsection that remain unencumbered or unobligated  
31 at the close of the fiscal year shall not revert to any fund  
32 but shall remain available for expenditure for the purposes  
33 designated until the close of the succeeding fiscal year.

34 Sec. 233. JUVENILE DETENTION HOME FUND.

35 1. Moneys deposited in the juvenile detention home fund

1 created in section 232.142 during the fiscal year beginning  
2 July 1, 2011, and ending June 30, 2012, are appropriated to  
3 the department of human services for the fiscal year beginning  
4 July 1, 2011, and ending June 30, 2012, for distribution of an  
5 amount equal to a percentage of the costs of the establishment,  
6 improvement, operation, and maintenance of county or  
7 multicounty juvenile detention homes in the fiscal year  
8 beginning July 1, 2010. Moneys appropriated for distribution  
9 in accordance with this section shall be allocated among  
10 eligible detention homes, prorated on the basis of an eligible  
11 detention home's proportion of the costs of all eligible  
12 detention homes in the fiscal year beginning July 1, 2010.  
13 The percentage figure shall be determined by the department  
14 based on the amount available for distribution for the fund.  
15 Notwithstanding section 232.142, subsection 3, the financial  
16 aid payable by the state under that provision for the fiscal  
17 year beginning July 1, 2011, shall be limited to the amount  
18 appropriated for the purposes of this section.

19 2. Representatives of chief juvenile court officers,  
20 the department of human rights, and the department of human  
21 services shall work with juvenile detention centers and other  
22 stakeholders to review the current methodology for distribution  
23 of moneys from the juvenile detention home fund, consider  
24 alternative distribution methodologies, and report findings  
25 and recommendations to the persons designated by this division  
26 of this Act for the submission of reports by December 15,  
27 2011. It is the intent of the general assembly to shift  
28 responsibility for administering the fund from the department  
29 of human services to the division of criminal and juvenile  
30 justice planning of the department of human rights, effective  
31 with the fiscal year beginning July 1, 2012.

32 Sec. 234. FAMILY SUPPORT SUBSIDY PROGRAM.

33 1. There is appropriated from the general fund of the  
34 state to the department of human services for the fiscal year  
35 beginning July 1, 2011, and ending June 30, 2012, the following

1 amount, or so much thereof as is necessary, to be used for the  
2 purpose designated:

3 For the family support subsidy program subject to the  
4 enrollment restrictions in section 225C.37, subsection 3:  
5 ..... \$ 1,167,998

6 2. The department shall use at least \$385,500 of the moneys  
7 appropriated in this section for the family support center  
8 component of the comprehensive family support program under  
9 section 225C.47. Not more than \$25,000 of the amount allocated  
10 in this subsection shall be used for administrative costs.

11 3. If at any time during the fiscal year, the amount of  
12 funding available for the family support subsidy program  
13 is reduced from the amount initially used to establish the  
14 figure for the number of family members for whom a subsidy  
15 is to be provided at any one time during the fiscal year,  
16 notwithstanding section 225C.38, subsection 2, the department  
17 shall revise the figure as necessary to conform to the amount  
18 of funding available.

19 Sec. 235. CONNER DECREE. There is appropriated from the  
20 general fund of the state to the department of human services  
21 for the fiscal year beginning July 1, 2011, and ending June 30,  
22 2012, the following amount, or so much thereof as is necessary,  
23 to be used for the purpose designated:

24 For building community capacity through the coordination  
25 and provision of training opportunities in accordance with the  
26 consent decree of Conner v. Branstad, No. 4-86-CV-30871(S.D.  
27 Iowa, July 14, 1994):  
28 ..... \$ 33,622

29 Sec. 236. MENTAL HEALTH INSTITUTES.

30 There is appropriated from the general fund of the state to  
31 the department of human services for the fiscal year beginning  
32 July 1, 2011, and ending June 30, 2012, the following amounts,  
33 or so much thereof as is necessary, to be used for the purposes  
34 designated:

35 1. For the state mental health institute at Cherokee for



1 salaries, support, maintenance, and miscellaneous purposes, and  
 2 for not more than the following full-time equivalent positions:  
 3 ..... \$ 5,877,308  
 4 ..... FTEs 168.50

5 2. For the state mental health institute at Clarinda for  
 6 salaries, support, maintenance, and miscellaneous purposes, and  
 7 for not more than the following full-time equivalent positions:  
 8 ..... \$ 6,411,734  
 9 ..... FTEs 86.10

10 3. For the state mental health institute at Independence for  
 11 salaries, support, maintenance, and miscellaneous purposes, and  
 12 for not more than the following full-time equivalent positions:  
 13 ..... \$ 10,275,685  
 14 ..... FTEs 233.00

15 4. For the state mental health institute at Mount Pleasant  
 16 for salaries, support, maintenance, and miscellaneous purposes,  
 17 and for not more than the following full-time equivalent  
 18 positions:  
 19 ..... \$ 944,323  
 20 ..... FTEs 91.72

21 Sec. 237. STATE RESOURCE CENTERS.

22 1. There is appropriated from the general fund of the  
 23 state to the department of human services for the fiscal year  
 24 beginning July 1, 2011, and ending June 30, 2012, the following  
 25 amounts, or so much thereof as is necessary, to be used for the  
 26 purposes designated:

27 a. For the state resource center at Glenwood for salaries,  
 28 support, maintenance, and miscellaneous purposes:  
 29 ..... \$ 18,607,801

30 b. For the state resource center at Woodward for salaries,  
 31 support, maintenance, and miscellaneous purposes:  
 32 ..... \$ 12,885,658

33 2. The department may continue to bill for state resource  
 34 center services utilizing a scope of services approach used for  
 35 private providers of ICFMR services, in a manner which does not

1 shift costs between the medical assistance program, counties,  
2 or other sources of funding for the state resource centers.

3 3. The state resource centers may expand the time-limited  
4 assessment and respite services during the fiscal year.

5 4. If the department's administration and the department  
6 of management concur with a finding by a state resource  
7 center's superintendent that projected revenues can reasonably  
8 be expected to pay the salary and support costs for a new  
9 employee position, or that such costs for adding a particular  
10 number of new positions for the fiscal year would be less  
11 than the overtime costs if new positions would not be added,  
12 the superintendent may add the new position or positions. If  
13 the vacant positions available to a resource center do not  
14 include the position classification desired to be filled, the  
15 state resource center's superintendent may reclassify any  
16 vacant position as necessary to fill the desired position. The  
17 superintendents of the state resource centers may, by mutual  
18 agreement, pool vacant positions and position classifications  
19 during the course of the fiscal year in order to assist one  
20 another in filling necessary positions.

21 5. If existing capacity limitations are reached in  
22 operating units, a waiting list is in effect for a service or  
23 a special need for which a payment source or other funding  
24 is available for the service or to address the special need,  
25 and facilities for the service or to address the special need  
26 can be provided within the available payment source or other  
27 funding, the superintendent of a state resource center may  
28 authorize opening not more than two units or other facilities  
29 and begin implementing the service or addressing the special  
30 need during fiscal year 2011-2012.

31 Sec. 238. MI/MR/DD STATE CASES.

32 1. There is appropriated from the general fund of the  
33 state to the department of human services for the fiscal year  
34 beginning July 1, 2011, and ending June 30, 2012, the following  
35 amount, or so much thereof as is necessary, to be used for the

1 purpose designated:

2 For distribution to counties for state case services  
3 for persons with mental illness, mental retardation, and  
4 developmental disabilities in accordance with section 331.440:  
5 ..... \$ 12,169,482

6 2. For the fiscal year beginning July 1, 2011, and ending  
7 June 30, 2012, \$200,000 is allocated for state case services  
8 from the amounts appropriated from the fund created in section  
9 8.41 to the department of human services from the funds  
10 received from the federal government under 42 U.S.C. ch. 6A,  
11 subch. XVII, relating to the community mental health center  
12 block grant, for the federal fiscal years beginning October  
13 1, 2009, and ending September 30, 2010, beginning October 1,  
14 2010, and ending September 30, 2011, and beginning October 1,  
15 2011, and ending September 30, 2012. The allocation made in  
16 this subsection shall be made prior to any other distribution  
17 allocation of the appropriated federal funds.

18 3. Notwithstanding section 8.33, moneys appropriated in  
19 this section that remain unencumbered or unobligated at the  
20 close of the fiscal year shall not revert but shall remain  
21 available for expenditure for the purposes designated until the  
22 close of the succeeding fiscal year.

23 Sec. 239. MENTAL HEALTH AND DEVELOPMENTAL DISABILITIES  
24 — COMMUNITY SERVICES FUND. There is appropriated from  
25 the general fund of the state to the mental health and  
26 developmental disabilities community services fund created in  
27 section 225C.7 for the fiscal year beginning July 1, 2011, and  
28 ending June 30, 2012, the following amount, or so much thereof  
29 as is necessary, to be used for the purpose designated:

30 For mental health and developmental disabilities community  
31 services in accordance with this division of this Act:  
32 ..... \$ 14,211,100

33 1. Of the funds appropriated in this section, \$14,187,556  
34 shall be allocated to counties for funding of community-based  
35 mental health and developmental disabilities services. The

1 moneys shall be allocated to a county as follows:

2 a. Fifty percent based upon the county's proportion of the  
3 state's population of persons with an annual income which is  
4 equal to or less than the poverty guideline established by the  
5 federal office of management and budget.

6 b. Fifty percent based upon the county's proportion of the  
7 state's general population.

8 2. a. A county shall utilize the funding the county  
9 receives pursuant to subsection 1 for services provided to  
10 persons with a disability, as defined in section 225C.2.  
11 However, no more than 50 percent of the funding shall be used  
12 for services provided to any one of the service populations.

13 b. A county shall use at least 50 percent of the funding the  
14 county receives under subsection 1 for contemporary services  
15 provided to persons with a disability, as described in rules  
16 adopted by the department.

17 3. Of the funds appropriated in this section, \$23,544  
18 shall be used to support the Iowa compass program providing  
19 computerized information and referral services for Iowans with  
20 disabilities and their families.

21 4. a. Funding appropriated for purposes of the federal  
22 social services block grant is allocated for distribution  
23 to counties for local purchase of services for persons with  
24 mental illness or mental retardation or other developmental  
25 disability.

26 b. The funds allocated in this subsection shall be expended  
27 by counties in accordance with the county's county management  
28 plan approved by the board of supervisors. A county without  
29 an approved county management plan shall not receive allocated  
30 funds until the county's management plan is approved.

31 c. The funds provided by this subsection shall be allocated  
32 to each county as follows:

33 (1) Fifty percent based upon the county's proportion of the  
34 state's population of persons with an annual income which is  
35 equal to or less than the poverty guideline established by the

1 federal office of management and budget.

2 (2) Fifty percent based upon the amount provided to the  
3 county for local purchase of services in the preceding fiscal  
4 year.

5 5. A county is eligible for funds under this section if the  
6 county qualifies for a state payment as described in section  
7 331.439.

8 6. The latest certified census issued by the United States  
9 bureau of the census shall be applied for the population  
10 factors utilized in this section.

11 Sec. 240. SEXUALLY VIOLENT PREDATORS.

12 1. There is appropriated from the general fund of the  
13 state to the department of human services for the fiscal year  
14 beginning July 1, 2011, and ending June 30, 2012, the following  
15 amount, or so much thereof as is necessary, to be used for the  
16 purpose designated:

17	For costs associated with the commitment and treatment of	
18	sexually violent predators in the unit located at the state	
19	mental health institute at Cherokee, including costs of legal	
20	services and other associated costs, including salaries,	
21	support, maintenance, and miscellaneous purposes, and for not	
22	more than the following full-time equivalent positions:	
23	.....	\$ 7,550,727
24	.....	FTEs 89.50

25 2. Unless specifically prohibited by law, if the amount  
26 charged provides for recoupment of at least the entire amount  
27 of direct and indirect costs, the department of human services  
28 may contract with other states to provide care and treatment  
29 of persons placed by the other states at the unit for sexually  
30 violent predators at Cherokee. The moneys received under  
31 such a contract shall be considered to be repayment receipts  
32 and used for the purposes of the appropriation made in this  
33 section.

34 Sec. 241. FIELD OPERATIONS. There is appropriated from the  
35 general fund of the state to the department of human services

1 for the fiscal year beginning July 1, 2011, and ending June 30,  
2 2012, the following amount, or so much thereof as is necessary,  
3 to be used for the purposes designated:

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

7 ..... \$ 55,339,921  
8 ..... FTEs 1,781.00

9 Priority in filling full-time equivalent positions shall be  
10 given to those positions related to child protection services  
11 and eligibility determination for low-income families.

12 Sec. 242. GENERAL ADMINISTRATION. There is appropriated  
13 from the general fund of the state to the department of human  
14 services for the fiscal year beginning July 1, 2011, and ending  
15 June 30, 2012, the following amount, or so much thereof as is  
16 necessary, to be used for the purpose designated:

17 For general administration, including salaries, support,  
18 maintenance, and miscellaneous purposes, and for not more than  
19 the following full-time equivalent positions:

20 ..... \$ 15,146,745  
21 ..... FTEs 290.00

22 1. Of the funds appropriated in this section, \$38,543  
23 allocated for the prevention of disabilities policy council  
24 established in section 225B.3.

25 2. The department shall report at least monthly to the  
26 legislative services agency concerning the department's  
27 operational and program expenditures.

28 3. Of the funds appropriated in this section, \$132,300 shall  
29 be used to contract with a statewide association representing  
30 community providers of mental health, mental retardation and  
31 brain injury services programs to provide technical assistance,  
32 support, and consultation to providers of habilitation  
33 services and home and community-based waiver services for  
34 adults with disabilities under the medical assistance program.  
35 Notwithstanding section 8.47 or any other provision of law to

1 the contrary, the department may utilize a sole source approach  
2 to contract with the association.

3 4. Of the funds appropriated in this section, \$176,400  
4 shall be used to contract with an appropriate entity to  
5 expand the provision of nationally accredited and recognized  
6 internet-based training to include mental health and disability  
7 services providers. Notwithstanding section 8.47 or any other  
8 provision of law to the contrary, the department may utilize a  
9 sole site source approach to enter into such contract.

10 5. Of the funds appropriated in this section, \$500,000  
11 shall be used for implementation of child protection system  
12 improvements addressed in 2011 Iowa Acts, House File 562, as  
13 enacted.

14 Sec. 243. VOLUNTEERS. There is appropriated from the  
15 general fund of the state to the department of human services  
16 for the fiscal year beginning July 1, 2011, and ending June 30,  
17 2012, the following amount, or so much thereof as is necessary,  
18 to be used for the purpose designated:

19 For development and coordination of volunteer services:  
20 ..... \$ 84,660

21 Sec. 244. MEDICAL ASSISTANCE, STATE SUPPLEMENTARY  
22 ASSISTANCE, AND SOCIAL SERVICE PROVIDERS REIMBURSED UNDER THE  
23 DEPARTMENT OF HUMAN SERVICES.

24 1. a. (1) For the fiscal year beginning July 1, 2011,  
25 the total state funding amount for the nursing facility budget  
26 shall not exceed \$225,502,551.

27 (2) For the fiscal year beginning July 1, 2011, the  
28 department shall rebase case-mix nursing facility rates  
29 effective July 1, 2011. However, total nursing facility budget  
30 expenditures, including both case-mix and noncase-mix shall  
31 not exceed the amount specified in subparagraph (1). When  
32 calculating case-mix per diem cost and the patient-day-weighted  
33 medians used in rate-setting for nursing facilities effective  
34 July 1, 2011, the inflation factor applied from the midpoint  
35 of the cost report period to the first day of the state fiscal

1 year rate period shall be adjusted to maintain state funding  
2 within the amount specified in subparagraph (1).

3 (3) The department, in cooperation with nursing facility  
4 representatives, shall review projections for state funding  
5 expenditures for reimbursement of nursing facilities on a  
6 quarterly basis and the department shall determine if an  
7 adjustment to the medical assistance reimbursement rate is  
8 necessary in order to provide reimbursement within the state  
9 funding amount for the fiscal year. Notwithstanding 2001  
10 Iowa Acts, chapter 192, section 4, subsection 2, paragraph  
11 "c", and subsection 3, paragraph "a", subparagraph (2),  
12 if the state funding expenditures for the nursing facility  
13 budget for the fiscal year is projected to exceed the amount  
14 specified in subparagraph (1), the department shall adjust  
15 the reimbursement for nursing facilities reimbursed under the  
16 case-mix reimbursement system to maintain expenditures of the  
17 nursing facility budget within the specified amount for the  
18 fiscal year.

19 (4) For the fiscal year beginning July 1, 2011, special  
20 population nursing facilities shall be reimbursed in accordance  
21 with the methodology in effect on June 30, 2011.

22 b. For the fiscal year beginning July 1, 2011, the  
23 department shall reimburse pharmacy dispensing fees using a  
24 single rate of \$4.34 per prescription or the pharmacy's usual  
25 and customary fee, whichever is lower. However, the department  
26 shall adjust the dispensing fee specified in this paragraph  
27 to distribute an additional \$3,000,000 in reimbursements for  
28 pharmacy dispensing fees under this paragraph for the fiscal  
29 year.

30 c. (1) For the fiscal year beginning July 1, 2011,  
31 reimbursement rates for outpatient hospital services shall be  
32 rebased effective January 1, 2012.

33 (2) For the fiscal year beginning July 1, 2011,  
34 reimbursement rates for inpatient hospital services shall be  
35 rebased effective October 1, 2011.



1 (3) The total amount of increased funding available for  
2 reimbursement attributable to rebasing under this paragraph  
3 for the fiscal year beginning July 1, 2011, shall not exceed  
4 \$4,500,000.

5 (4) For the fiscal year beginning July 1, 2011, the graduate  
6 medical education and disproportionate share hospital fund  
7 shall remain at the amount in effect on June 30, 2011, except  
8 that the portion of the fund attributable to graduate medical  
9 education shall be reduced in an amount that reflects the  
10 elimination of graduate medical education payments made to  
11 out-of-state hospitals.

12 (5) In order to ensure the efficient use of limited  
13 state funds in procuring health care services for low-income  
14 Iowans, funds appropriated in this division of this Act for  
15 hospital services shall not be used for activities which  
16 would be excluded from a determination of reasonable costs  
17 under the federal Medicare program pursuant to 42 U.S.C.  
18 § 1395X(v)(1)(N).

19 d. For the fiscal year beginning July 1, 2011, reimbursement  
20 rates for rural health clinics, hospices, and acute mental  
21 hospitals shall be increased in accordance with increases under  
22 the federal Medicare program or as supported by their Medicare  
23 audited costs.

24 e. For the fiscal year beginning July 1, 2011, independent  
25 laboratories and rehabilitation agencies shall be reimbursed  
26 using the same methodology in effect on June 30, 2011.

27 f. For the fiscal year beginning July 1, 2011, reimbursement  
28 rates for home health agencies shall remain at the rates in  
29 effect on June 30, 2011, not to exceed a home health agency's  
30 actual allowable cost.

31 g. For the fiscal year beginning July 1, 2011, federally  
32 qualified health centers shall receive cost-based reimbursement  
33 for 100 percent of the reasonable costs for the provision of  
34 services to recipients of medical assistance.

35 h. For the fiscal year beginning July 1, 2011, the

1 reimbursement rates for dental services shall remain at the  
2 rates in effect on June 30, 2011.

3 i. (1) For the fiscal year beginning July 1, 2011,  
4 state-owned psychiatric medical institutions for children shall  
5 receive cost-based reimbursement for 100 percent of the actual  
6 and allowable costs for the provision of services to recipients  
7 of medical assistance.

8 (2) (a) For the nonstate-owned psychiatric medical  
9 institutions for children, reimbursement rates shall remain at  
10 the rates in effect on June 30, 2011. However, the department  
11 shall adjust the reimbursement rates in effect on June 30,  
12 2011, to distribute an additional \$350,000 in reimbursements  
13 for nonstate-owned psychiatric medical institutions for  
14 children under this subparagraph (2) for the fiscal year.

15 (b) The department, in consultation with representatives  
16 of the nonstate-owned psychiatric medical institutions for  
17 children, shall develop a reimbursement methodology to include  
18 all ancillary medical services costs and any other changes  
19 required for federal compliance, to be implemented on July 1,  
20 2012. To the extent possible, the reimbursement methodology  
21 shall be developed in a manner so as to be budget neutral to the  
22 institutions and cost effective for the state.

23 j. For the fiscal year beginning July 1, 2011, unless  
24 otherwise specified in the health and human services divisions  
25 of this Act, all noninstitutional medical assistance provider  
26 reimbursement rates shall remain at the rates in effect on June  
27 30, 2011, except for area education agencies, local education  
28 agencies, infant and toddler services providers, and those  
29 providers whose rates are required to be determined pursuant  
30 to section 249A.20.

31 k. Notwithstanding any provision to the contrary, for the  
32 fiscal year beginning July 1, 2011, the reimbursement rate for  
33 anesthesiologists shall remain at the rate in effect on June  
34 30, 2011.

35 l. Notwithstanding section 249A.20, for the fiscal year

1 beginning July 1, 2011, the average reimbursement rate for  
2 health care providers eligible for use of the federal Medicare  
3 resource-based relative value scale reimbursement methodology  
4 under that section shall remain at the rate in effect on June  
5 30, 2011; however, this rate shall not exceed the maximum level  
6 authorized by the federal government.

7 m. For the fiscal year beginning July 1, 2011, the  
8 reimbursement rate for residential care facilities shall not  
9 be less than the minimum payment level as established by the  
10 federal government to meet the federally mandated maintenance  
11 of effort requirement. The flat reimbursement rate for  
12 facilities electing not to file annual cost reports shall not  
13 be less than the minimum payment level as established by the  
14 federal government to meet the federally mandated maintenance  
15 of effort requirement.

16 n. For the fiscal year beginning July 1, 2011, inpatient  
17 mental health services provided at hospitals shall be rebased  
18 effective October 1, 2011, subject to Medicaid program upper  
19 payment limit rules; community mental health centers and  
20 providers of mental health services to county residents  
21 pursuant to a waiver approved under section 225C.7, subsection  
22 3, shall be reimbursed at 100 percent of the reasonable  
23 costs for the provision of services to recipients of medical  
24 assistance; and psychiatrists shall be reimbursed at the  
25 medical assistance program fee for service rate.

26 o. For the fiscal year beginning July 1, 2011, the  
27 reimbursement rate for consumer-directed attendant care shall  
28 remain at the rates in effect on June 30, 2011.

29 p. For the fiscal year beginning July 1, 2011, the  
30 reimbursement rate for providers of family planning services  
31 that are eligible to receive a 90 percent federal match shall  
32 remain at the rates in effect on June 30, 2011.

33 q. For the fiscal year beginning July 1, 2011, the  
34 department shall adjust the rates in effect on June 30,  
35 2011, for providers of home and community-based services

1 waiver services to distribute an additional \$1,500,000 in  
2 reimbursements to such providers for the fiscal year.

3 2. For the fiscal year beginning July 1, 2011, the  
4 reimbursement rate for providers reimbursed under the  
5 in-home-related care program shall not be less than the minimum  
6 payment level as established by the federal government to meet  
7 the federally mandated maintenance of effort requirement.

8 3. Unless otherwise directed in this section, when the  
9 department's reimbursement methodology for any provider  
10 reimbursed in accordance with this section includes an  
11 inflation factor, this factor shall not exceed the amount  
12 by which the consumer price index for all urban consumers  
13 increased during the calendar year ending December 31, 2002.

14 4. For the fiscal year beginning July 1, 2011,  
15 notwithstanding section 234.38, the foster family basic daily  
16 maintenance rate and the maximum adoption subsidy rate for  
17 children ages 0 through 5 years shall be \$15.74, the rate for  
18 children ages 6 through 11 years shall be \$16.37, the rate for  
19 children ages 12 through 15 years shall be \$17.92, and the  
20 rate for children and young adults ages 16 and older shall be  
21 \$18.16. The maximum supervised apartment living foster care  
22 reimbursement rate shall be \$25.00 per day. For youth ages  
23 18 to 21 who have exited foster care, the maximum preparation  
24 for adult living program maintenance rate shall be \$574.00 per  
25 month. The maximum payment for adoption subsidy nonrecurring  
26 expenses shall be limited to \$500 and the disallowance of  
27 additional amounts for court costs and other related legal  
28 expenses implemented pursuant to 2010 Iowa Acts, chapter 1031,  
29 section 408 shall be continued.

30 5. For the fiscal year beginning July 1, 2011, the maximum  
31 reimbursement rates under the supervised apartment living  
32 program and for social services providers under contract  
33 shall remain at the rates in effect on June 30, 2011, or the  
34 provider's actual and allowable cost plus inflation for each  
35 service, whichever is less. However, if a new service or

1 service provider is added after June 30, 2011, the initial  
2 reimbursement rate for the service or provider shall be  
3 based upon actual and allowable costs. Providers may also  
4 be eligible for an additional amount as specified under the  
5 department's request for proposal, bid number ACFS-11-115.

6 6. For the fiscal year beginning July 1, 2011, the  
7 reimbursement rates for family-centered service providers,  
8 family foster care service providers, group foster care service  
9 providers, and the resource family recruitment and retention  
10 contractor shall remain at the rates in effect on June 30,  
11 2011.

12 7. The group foster care reimbursement rates paid for  
13 placement of children out of state shall be calculated  
14 according to the same rate-setting principles as those used for  
15 in-state providers, unless the director of human services or  
16 the director's designee determines that appropriate care cannot  
17 be provided within the state. The payment of the daily rate  
18 shall be based on the number of days in the calendar month in  
19 which service is provided.

20 8. a. For the fiscal year beginning July 1, 2011, the  
21 reimbursement rate paid for shelter care and the child welfare  
22 emergency services implemented to provide or prevent the need  
23 for shelter care shall be established in a contract based on  
24 the requirements of the department's request for proposal, bid  
25 number ACFS-11-114.

26 b. For the fiscal year beginning July 1, 2011, the combined  
27 service and maintenance components of the reimbursement rate  
28 paid for shelter care services shall be based on the financial  
29 and statistical report submitted to the department. The  
30 maximum reimbursement rate shall be \$92.36 per day. The  
31 department shall reimburse a shelter care provider at the  
32 provider's actual and allowable unit cost, plus inflation, not  
33 to exceed the maximum reimbursement rate.

34 c. Notwithstanding section 232.141, subsection 8, for the  
35 fiscal year beginning July 1, 2011, the amount of the statewide

1 average of the actual and allowable rates for reimbursement of  
2 juvenile shelter care homes that is utilized for the limitation  
3 on recovery of unpaid costs shall remain at the amount in  
4 effect for this purpose in the fiscal year beginning July 1,  
5 2010.

6 9. For the fiscal year beginning July 1, 2011, the  
7 department shall calculate reimbursement rates for intermediate  
8 care facilities for persons with mental retardation at the  
9 80th percentile. Beginning July 1, 2011, the rate calculation  
10 methodology shall utilize the consumer price index inflation  
11 factor applicable to the fiscal year beginning July 1, 2011.

12 10. For the fiscal year beginning July 1, 2011, for child  
13 care providers reimbursed under the state child care assistance  
14 program, the department shall set provider reimbursement  
15 rates based on the rate reimbursement survey completed in  
16 December 2004. Effective July 1, 2011, the child care provider  
17 reimbursement rates shall remain at the rates in effect on June  
18 30, 2011. The department shall set rates in a manner so as  
19 to provide incentives for a nonregistered provider to become  
20 registered by applying the increase only to registered and  
21 licensed providers.

22 11. The department may adopt emergency rules to implement  
23 this section.

24 Sec. 245. EMERGENCY RULES.

25 1. If specifically authorized by a provision of this  
26 division of this Act, the department of human services or  
27 the mental health, and disability services commission may  
28 adopt administrative rules under section 17A.4, subsection  
29 3, and section 17A.5, subsection 2, paragraph "b", to  
30 implement the provisions and the rules shall become effective  
31 immediately upon filing or on a later effective date specified  
32 in the rules, unless the effective date is delayed by the  
33 administrative rules review committee. Any rules adopted in  
34 accordance with this section shall not take effect before  
35 the rules are reviewed by the administrative rules review

1 committee. The delay authority provided to the administrative  
2 rules review committee under section 17A.4, subsection 7, and  
3 section 17A.8, subsection 9, shall be applicable to a delay  
4 imposed under this section, notwithstanding a provision in  
5 those sections making them inapplicable to section 17A.5,  
6 subsection 2, paragraph "b". Any rules adopted in accordance  
7 with the provisions of this section shall also be published as  
8 notice of intended action as provided in section 17A.4.

9 2. If during the fiscal year beginning July 1, 2011, the  
10 department of human services is adopting rules in accordance  
11 with this section or as otherwise directed or authorized by  
12 state law, and the rules will result in an expenditure increase  
13 beyond the amount anticipated in the budget process or if the  
14 expenditure was not addressed in the budget process for the  
15 fiscal year, the department shall notify the persons designated  
16 by this division of this Act for submission of reports,  
17 the chairpersons and ranking members of the committees on  
18 appropriations, and the department of management concerning the  
19 rules and the expenditure increase. The notification shall be  
20 provided at least 30 calendar days prior to the date notice of  
21 the rules is submitted to the administrative rules coordinator  
22 and the administrative code editor.

23 Sec. 246. CIVIL MONETARY PENALTIES — DIRECT CARE WORKER  
24 INITIATIVES PROPOSAL. The department of human services shall  
25 develop a proposal, in collaboration with the department of  
26 public health, requesting federal approval for the use of  
27 a portion of the funds received by the department of human  
28 services as civil monetary penalties from nursing facilities  
29 to support direct care worker initiatives that enhance the  
30 quality of care in nursing facilities. The proposal shall  
31 request use of the funds for direct care worker initiatives  
32 based on recommendations of the direct care worker task force  
33 established pursuant to 2005 Iowa Acts, chapter 88, as included  
34 in the report submitted to the governor and the general  
35 assembly in December 2006. Upon completion of the proposal,

1 the department of human services shall submit the proposal to  
2 the centers for Medicare and Medicaid services of the United  
3 States department of health and human services for approval.  
4 The department of human services shall notify the persons  
5 designated in this division of this Act for submission of  
6 reports upon receipt of approval of the proposal.

7     Sec. 247. FEDERAL GRANTS REPORTING. During the fiscal year  
8 beginning July 1, 2011, the departments and agencies receiving  
9 an appropriation in the health and human services divisions of  
10 this Act from the general fund of the state shall report to the  
11 persons designated by this division of this Act for submission  
12 of reports and the department of management within 60 calendar  
13 days of applying for or renewing a federal grant with a value  
14 over \$1,000. The report shall list the federal funding source  
15 and address the potential need for the commitment of state  
16 funding in order to match or continue the funding provided by  
17 the federal grant in the present or the future.

18     Sec. 248. REPORTS. Any reports or information required to  
19 be compiled and submitted under the health and human services  
20 divisions of this Act shall be submitted to the chairpersons  
21 and ranking members of the joint appropriations subcommittee on  
22 health and human services, the legislative services agency, and  
23 the legislative caucus staffs on or before the dates specified  
24 for submission of the reports or information.

25     Sec. 249. EFFECTIVE DATE. The following provision of this  
26 division of this Act, being deemed of immediate importance,  
27 take effect upon enactment:

28     The provision under the appropriation for child and family  
29 services, relating to requirements of section 232.143 for  
30 representatives of the department of human services and  
31 juvenile court services to establish a plan for continuing  
32 group foster care expenditures for fiscal year 2011-2012.

33                                   DIVISION XXVI

34                                   HEALTH AND HUMAN SERVICES

35                                   PHARMACEUTICAL SETTLEMENT ACCOUNT,



1 IOWACARE ACCOUNT, NONPARTICIPATING PROVIDER REIMBURSEMENT FUND,  
2 HEALTH CARE  
3 TRANSFORMATION ACCOUNT, MEDICAID FRAUD ACCOUNT,  
4 QUALITY ASSURANCE TRUST FUND,  
5 AND HOSPITAL HEALTH CARE ACCESS TRUST FUND

6 Sec. 250. PHARMACEUTICAL SETTLEMENT ACCOUNT. There is  
7 appropriated from the pharmaceutical settlement account created  
8 in section 249A.33 to the department of human services for the  
9 fiscal year beginning July 1, 2011, and ending June 30, 2012,  
10 the following amount, or so much thereof as is necessary, to be  
11 used for the purpose designated:

12 Notwithstanding any provision of law to the contrary, to  
13 supplement the appropriations made in the department of human  
14 services division of this Act for medical contracts under the  
15 medical assistance program for the same fiscal year:

16 ..... \$ 5,433,613

17 Sec. 251. APPROPRIATIONS FROM IOWACARE ACCOUNT.

18 1. There is appropriated from the IowaCare account  
19 created in section 249J.24 to the state board of regents for  
20 distribution to the university of Iowa hospitals and clinics  
21 for the fiscal year beginning July 1, 2011, and ending June 30,  
22 2012, the following amount, or so much thereof as is necessary,  
23 to be used for the purposes designated:

24 For salaries, support, maintenance, equipment, and  
25 miscellaneous purposes, for the provision of medical and  
26 surgical treatment of indigent patients, for provision of  
27 services to members of the expansion population pursuant to  
28 chapter 249J, and for medical education:

29 ..... \$ 27,284,584

30 a. Funds appropriated in this subsection shall not be used  
31 to perform abortions except medically necessary abortions,  
32 and shall not be used to operate the early termination of  
33 pregnancy clinic except for the performance of medically  
34 necessary abortions. For the purpose of this subsection,  
35 medically necessary abortions are those performed under any of

1 the following conditions:

2 (1) The attending physician certifies that continuing the  
3 pregnancy would endanger the life of the pregnant woman.

4 (2) Any spontaneous abortion, commonly known as a  
5 miscarriage, if not all of the products of conception are  
6 expelled.

7 b. Notwithstanding any provision of law to the contrary,  
8 the amount appropriated in this subsection shall be distributed  
9 based on claims submitted, adjudicated, and paid by the Iowa  
10 Medicaid enterprise.

11 c. The university of Iowa hospitals and clinics shall  
12 certify public expenditures in an amount equal to provide  
13 the nonfederal share on total expenditures not to exceed  
14 \$20,000,000.

15 2. There is appropriated from the IowaCare account  
16 created in section 249J.24 to the state board of regents for  
17 distribution to the university of Iowa hospitals and clinics  
18 for the fiscal year beginning July 1, 2011, and ending June 30,  
19 2012, the following amount, or so much thereof as is necessary,  
20 to be used for the purposes designated:

21 For salaries, support, maintenance, equipment, and  
22 miscellaneous purposes, for the provision of medical and  
23 surgical treatment of indigent patients, for provision of  
24 services to members of the expansion population pursuant to  
25 chapter 249J, and for medical education:  
26 ..... \$ 44,226,279

27 Notwithstanding any provision of law to the contrary, the  
28 amount appropriated in this subsection shall be distributed  
29 based on claims submitted, adjudicated, and paid by the Iowa  
30 Medicaid enterprise.

31 3. There is appropriated from the IowaCare account  
32 created in section 249J.24, to the state board of regents for  
33 distribution to university of Iowa physicians for the fiscal  
34 year beginning July 1, 2011, and ending June 30, 2012, the  
35 following amount, or so much thereof as is necessary to be used

1 for the purposes designated:

2 For salaries, support, maintenance, equipment, and  
3 miscellaneous purposes for the provision of medical and  
4 surgical treatment of indigent patients, for provision of  
5 services to members of the expansion population pursuant to  
6 chapter 249J, and for medical education:

7 ..... \$ 16,277,753

8 Notwithstanding any provision of law to the contrary, the  
9 amount appropriated in this subsection shall be distributed  
10 based on claims submitted, adjudicated, and paid by the Iowa  
11 Medicaid enterprise. Once the entire amount appropriated in  
12 this subsection has been distributed, claims shall continue to  
13 be submitted and adjudicated by the Iowa Medicaid enterprise;  
14 however, no payment shall be made based upon such claims.

15 4. There is appropriated from the IowaCare account created  
16 in section 249J.24 to the department of human services for the  
17 fiscal year beginning July 1, 2011, and ending June 30, 2012,  
18 the following amount, or so much thereof as is necessary, to be  
19 used for the purposes designated:

20 For distribution to a publicly owned acute care teaching  
21 hospital located in a county with a population over 350,000 for  
22 the provision of medical and surgical treatment of indigent  
23 patients, for provision of services to members of the expansion  
24 population pursuant to chapter 249J, and for medical education:  
25 ..... \$ 65,000,000

26 a. Notwithstanding any provision of law to the contrary,  
27 the amount appropriated in this subsection shall be distributed  
28 based on claims submitted, adjudicated, and paid by the Iowa  
29 Medicaid enterprise plus a monthly disproportionate share  
30 hospital payment. Any amount appropriated in this subsection  
31 in excess of \$60,000,000 shall be distributed only if the sum  
32 of the expansion population claims adjudicated and paid by the  
33 Iowa Medicaid enterprise plus the estimated disproportionate  
34 share hospital payments exceeds \$60,000,000. The amount paid  
35 in excess of \$60,000,000 shall not adjust the original monthly

1 payment amount but shall be distributed monthly based on actual  
2 claims adjudicated and paid by the Iowa Medicaid enterprise  
3 plus the estimated disproportionate share hospital amount. Any  
4 amount appropriated in this subsection in excess of \$60,000,000  
5 shall be allocated only if federal funds are available to match  
6 the amount allocated. Pursuant to paragraph "b", of the amount  
7 appropriated in this subsection, not more than \$4,000,000 shall  
8 be distributed for prescription drugs and podiatry services.

9 b. Notwithstanding any provision of law to the contrary, the  
10 hospital identified in this subsection, shall be reimbursed for  
11 outpatient prescription drugs and podiatry services provided to  
12 members of the expansion population pursuant to all applicable  
13 medical assistance program rules, in an amount not to exceed  
14 \$4,000,000.

15 c. Notwithstanding the total amount of proceeds distributed  
16 pursuant to section 249J.24, subsection 4, paragraph "a",  
17 unnumbered paragraph 1, for the fiscal year beginning July  
18 1, 2011, and ending June 30, 2012, the county treasurer of a  
19 county with a population of over 350,000 in which a publicly  
20 owned acute care teaching hospital is located shall distribute  
21 the proceeds collected pursuant to section 347.7 in a total  
22 amount of \$38,000,000, which would otherwise be distributed to  
23 the county hospital, to the treasurer of state for deposit in  
24 the IowaCare account.

25 d. (1) Notwithstanding the amount collected and  
26 distributed for deposit in the IowaCare account pursuant to  
27 section 249J.24, subsection 6, paragraph "a", subparagraph  
28 (1), the first \$19,000,000 in proceeds collected pursuant to  
29 section 347.7 between July 1, 2011, and December 31, 2011,  
30 shall be distributed to the treasurer of state for deposit in  
31 the IowaCare account and collections during this time period  
32 in excess of \$19,000,000 shall be distributed to the acute  
33 care teaching hospital identified in this subsection. Of the  
34 collections in excess of the \$19,000,000 received by the acute  
35 care teaching hospital under this subparagraph (1), \$2,000,000

1 shall be distributed by the acute care teaching hospital to the  
2 treasurer of state for deposit in the IowaCare account in the  
3 month of January 2012, following the July 1 through December  
4 31, 2011, period.

5 (2) Notwithstanding the amount collected and distributed  
6 for deposit in the IowaCare account pursuant to section  
7 249J.24, subsection 6, paragraph "a", subparagraph (2),  
8 the first \$19,000,000 in collections pursuant to section  
9 347.7 between January 1, 2012, and June 30, 2012, shall be  
10 distributed to the treasurer of state for deposit in the  
11 IowaCare account and collections during this time period in  
12 excess of \$19,000,000 shall be distributed to the acute care  
13 teaching hospital identified in this subsection. Of the  
14 collections in excess of the \$19,000,000 received by the acute  
15 care teaching hospital under this subparagraph (2), \$2,000,000  
16 shall be distributed by the acute care teaching hospital to the  
17 treasurer of state for deposit in the IowaCare account in the  
18 month of July 2012, following the January 1 through June 30,  
19 2012, period.

20 5. There is appropriated from the IowaCare account created  
21 in section 249J.24 to the department of human services for the  
22 fiscal year beginning July 1, 2011, and ending June 30, 2012,  
23 the following amount, or so much thereof as is necessary to be  
24 used for the purpose designated:

25 For payment to the regional provider network specified  
26 by the department pursuant to section 249J.7 for provision  
27 of covered services to members of the expansion population  
28 pursuant to chapter 249J:

29 ..... \$ 3,472,176

30 Notwithstanding any provision of law to the contrary, the  
31 amount appropriated in this subsection shall be distributed  
32 based on claims submitted, adjudicated, and paid by the Iowa  
33 Medicaid enterprise. Once the entire amount appropriated in  
34 this subsection has been distributed, claims shall continue to  
35 be submitted and adjudicated by the Iowa Medicaid enterprise;

1 however, no payment shall be made based upon such claims.

2 6. There is appropriated from the IowaCare account created  
3 in section 249J.24 to the department of human services for the  
4 fiscal year beginning July 1, 2011, and ending June 30, 2012,  
5 the following amount, or so much thereof as is necessary to be  
6 used for the purposes designated:

7 For a care coordination pool to pay the expansion population  
8 providers consisting of the university of Iowa hospitals and  
9 clinics, the publicly owned acute care teaching hospital as  
10 specified in section 249J.7, and current medical assistance  
11 program providers that are not expansion population network  
12 providers pursuant to section 249J.7, for services covered by  
13 the full benefit medical assistance program but not under the  
14 IowaCare program pursuant to section 249J.6, that are provided  
15 to expansion population members:

16 ..... \$ 1,500,000

17 a. Notwithstanding sections 249J.6 and 249J.7, the amount  
18 appropriated in this subsection is intended to provide  
19 payment for medically necessary services provided to expansion  
20 population members for continuation of care provided by the  
21 university of Iowa hospitals and clinics or the publicly owned  
22 acute care teaching hospital as specified in section 249J.7.  
23 Payment may only be made for services that are not otherwise  
24 covered under section 249J.6, and which are follow-up services  
25 to covered services provided by the hospitals specified in this  
26 paragraph "a".

27 b. The funds appropriated in this subsection are intended  
28 to provide limited payment for continuity of care services for  
29 an expansion population member, and are intended to cover the  
30 costs of services to expansion population members, regardless  
31 of the member's county of residence or medical home assignment,  
32 if the care is related to specialty or hospital services  
33 provided by the hospitals specified in paragraph "a".

34 c. The funds appropriated in this subsection are  
35 not intended to provide for expanded coverage under the

1 IowaCare program, and shall not be used to cover emergency  
2 transportation services.

3 d. The department shall adopt administrative rules pursuant  
4 to chapter 17A to establish a prior authorization process and  
5 to identify covered services for reimbursement under this  
6 subsection.

7 7. There is appropriated from the IowaCare account created  
8 in section 249J.24 to the department of human services for the  
9 fiscal year beginning July 1, 2011, and ending June 30, 2012,  
10 the following amount or so much thereof as is necessary to be  
11 used for the purposes designated:

12 For a laboratory test and radiology pool for services  
13 authorized by a federally qualified health center designated  
14 by the department as part of the IowaCare regional provider  
15 network that does not have the capability to provide these  
16 services on site:

17 ..... \$ 500,000

18 Notwithstanding sections 249J.6 and 249J.7, the amount  
19 appropriated in this subsection is intended to provide  
20 reimbursement for services provided to expansion population  
21 members that have previously been paid for through expenditure  
22 by designated regional provider network providers of their  
23 own funds, not to expand coverage under the IowaCare program  
24 or to expand the expansion population provider network. The  
25 department shall designate the laboratory and radiology  
26 provider associated with each designated regional provider  
27 network provider that may receive reimbursement. The  
28 department shall adopt administrative rules pursuant to chapter  
29 17A to establish a prior authorization process and to identify  
30 covered services for reimbursement under this subsection.  
31 All other medical assistance program payment policies and  
32 rules for laboratory and radiology services shall apply to  
33 services provided under this subsection. If the entire amount  
34 appropriated under this subsection is expended, laboratory  
35 tests and radiology services ordered by a designated regional





1 a dental home for children in accordance with section 249J.14:  
2 ..... \$ 1,000,000  
3 6. For continuation of the establishment of the tuition  
4 assistance for individuals serving individuals with  
5 disabilities pilot program, as enacted in 2008 Iowa Acts,  
6 chapter 1187, section 130:  
7 ..... \$ 50,000  
8 7. For medical contracts:  
9 ..... \$ 2,000,000  
10 8. For payment to the publicly owned acute care teaching  
11 hospital located in a county with a population of over 350,000  
12 that is a participating provider pursuant to chapter 249J:  
13 ..... \$ 290,000  
14 Disbursements under this subsection shall be made monthly.  
15 The hospital shall submit a report following the close of the  
16 fiscal year regarding use of the funds appropriated in this  
17 subsection to the persons specified in this Act to receive  
18 reports.  
19 9. For transfer to the department of public health to be  
20 used for the costs of medical home system advisory council  
21 established pursuant to section 135.159, including for the  
22 incorporation of the work and duties of the prevention and  
23 chronic care management advisory council pursuant to section  
24 135.161, as amended by the FY 2011-2012 health and human  
25 services divisions of this Act:  
26 ..... \$ 233,357  
27 10. For implementation of a uniform cost report:  
28 ..... \$ 100,000  
29 The uniform cost report shall be used in the development  
30 of specified Medicaid reimbursement rates over a multiyear  
31 timeframe. The department of human services, in collaboration  
32 with affected providers, shall finalize a uniform cost  
33 report that includes provider type-specific cost schedules by  
34 December 15, 2011. The uniform cost report shall be applied  
35 to providers of home and community-based services waiver

1 services, habilitation services, case management services and  
2 community mental health centers, residential care facilities,  
3 psychiatric medical institutions for children, and intermediate  
4 care facilities for the mentally retarded in the development of  
5 Medicaid reimbursement rates. The department shall collaborate  
6 with affected Medicaid providers to test the effectiveness of  
7 the uniform cost report and determine the fiscal impact of  
8 implementing the uniform cost report during the fiscal year  
9 beginning July 1, 2012. A report of the findings and fiscal  
10 impact shall be submitted to the governor and the general  
11 assembly by December 31, 2013. The rates paid in the fiscal  
12 year beginning July 1, 2014, shall be established using uniform  
13 cost reports submitted in the fiscal year beginning July 1,  
14 2012. Implementation of the uniform cost report shall be  
15 limited to the extent of the funding available.

16 11. For implementation of an electronic medical records  
17 system:

18 ..... \$ 100,000

19 a. The implementation of an electronic medical records  
20 system shall include system purchase or development for home  
21 and community-based services providers and mental health  
22 services providers that comply with the requirements of federal  
23 and state laws and regulation by the fiscal year beginning July  
24 1, 2013.

25 b. The department shall analyze the costs and benefits of  
26 providing an electronic medical records and billing system for  
27 home and community-based services providers and mental health  
28 services providers that comply with the requirements of federal  
29 and state laws and regulation. The analysis shall include a  
30 review of all of the following: including the capability for  
31 an electronic medical records and billing system within the  
32 procurement for the Medicaid management information system,  
33 developing the system, and utilizing capacity within the  
34 health information network established by the department of  
35 public health. If the analysis demonstrates that a program

1 may be implemented in a cost-effective manner and within  
2 available funds, the department may take steps to implement  
3 such a system. The department shall report the results of  
4 the analysis, activities, and recommendations to the persons  
5 designated in the department of human services division of this  
6 Act for submission of reports by December 15, 2011.

7 c. Notwithstanding section 8.33, funds allocated in this  
8 subsection that remain unencumbered or unobligated at the close  
9 of the fiscal year shall not revert but shall remain available  
10 in succeeding fiscal years to be used for the purposes  
11 designated.

12 Notwithstanding section 8.39, subsection 1, without the  
13 prior written consent and approval of the governor and the  
14 director of the department of management, the director of human  
15 services may transfer funds among the appropriations made in  
16 this section as necessary to carry out the purposes of the  
17 account for health care transformation. The department shall  
18 report any transfers made pursuant to this section to the  
19 legislative services agency.

20 Sec. 254. MEDICAID FRAUD ACCOUNT — DEPARTMENT OF  
21 INSPECTIONS AND APPEALS. There is appropriated from the  
22 Medicaid fraud account created in section 249A.7 to the  
23 department of inspections and appeals for the fiscal year  
24 beginning July 1, 2011, and ending June 30, 2012, the following  
25 amount, or so much thereof as is necessary, to be used for the  
26 purposes designated:

27 For the inspection and certification of assisted living  
28 programs and adult day care services, including program  
29 administration and costs associated with implementation:  
30 ..... \$ 1,339,527

31 Sec. 255. MEDICAID FRAUD ACCOUNT — DEPARTMENT OF HUMAN  
32 SERVICES. There is appropriated from the Medicaid fraud  
33 account created in section 249A.7 to the department of human  
34 services for the fiscal year beginning July 1, 2011, and ending  
35 June 30, 2012, the following amount, or so much thereof as is

1 necessary, to be used for the purposes designated:

2 To supplement the appropriation made in the department  
3 of human services division of this Act from the general fund  
4 of the state to the department of human services for medical  
5 assistance for the same fiscal year:

6 ..... \$ 2,000,000

7 Sec. 256. QUALITY ASSURANCE TRUST FUND — DEPARTMENT OF  
8 HUMAN SERVICES. Notwithstanding any provision to the contrary  
9 and subject to the availability of funds, there is appropriated  
10 from the quality assurance trust fund created in section  
11 249L.4 to the department of human services for the fiscal year  
12 beginning July 1, 2011, and ending June 30, 2012, the following  
13 amounts, or so much thereof as is necessary for the purposes  
14 designated:

15 To supplement the appropriation made in the department  
16 of human services division of this Act from the general fund  
17 of the state to the department of human services for medical  
18 assistance for the same fiscal year:

19 ..... \$ 29,000,000

20 Sec. 257. HOSPITAL HEALTH CARE ACCESS TRUST FUND —  
21 DEPARTMENT OF HUMAN SERVICES. Notwithstanding any provision to  
22 the contrary and subject to the availability of funds, there is  
23 appropriated from the hospital health care access trust fund  
24 created in section 249M.4 to the department of human services  
25 for the fiscal year beginning July 1, 2011, and ending June  
26 30, 2012, the following amounts, or so much thereof as is  
27 necessary, for the purposes designated:

28 1. To supplement the appropriation made in the department  
29 of human services division of this Act from the general fund  
30 of the state to the department of human services for medical  
31 assistance for the same fiscal year:

32 ..... \$ 39,223,800

33 2. For deposit in the nonparticipating provider  
34 reimbursement fund created in section 249J.24A to be used for  
35 the purposes of the fund:

1 ..... \$ 776,200

2 Sec. 258. MEDICAL ASSISTANCE PROGRAM — NONREVERSION  
3 FOR FY 2011-2012. Notwithstanding section 8.33, if moneys  
4 appropriated for purposes of the medical assistance program for  
5 the fiscal year beginning July 1, 2011, and ending June 30,  
6 2012, in the health and human services divisions of this Act  
7 from the general fund of the state, the Medicaid fraud account,  
8 the quality assurance trust fund, and the hospital health  
9 care access trust fund, are in excess of actual expenditures  
10 for the medical assistance program and remain unencumbered or  
11 unobligated at the close of the fiscal year, the excess moneys  
12 shall not revert but shall remain available for expenditure for  
13 the purposes of the medical assistance program until the close  
14 of the succeeding fiscal year.

15 DIVISION XXVII

16 HEALTH AND HUMAN SERVICES

17 MH/MR/DD SERVICES ALLOWED GROWTH FUNDING FOR FISCAL YEAR  
18 2011-2012

19 Sec. 259. MENTAL HEALTH, MENTAL RETARDATION, AND  
20 DEVELOPMENTAL DISABILITIES SERVICES PROPERTY TAX  
21 RELIEF. Notwithstanding the standing appropriation in section  
22 426B.1, subsection 2, for the fiscal year beginning July 1,  
23 2011, and ending June 30, 2012, the amount appropriated from  
24 the general fund of the state pursuant to that provision shall  
25 not exceed the following amount:

26 ..... \$ 81,199,911

27 Sec. 260. SENATE FILE 209 APPROPRIATION — FY 2010-2011.

28 1. Of the amount credited to the property tax relief fund  
29 from the appropriation made pursuant to 2011 Iowa Acts, Senate  
30 File 209, section 21, subsection 1, there is appropriated to  
31 the department of human services for the fiscal year beginning  
32 July 1, 2010, and ending June 30, 2011, the following amount,  
33 or so much thereof as is necessary, to be used for the purpose  
34 designated:

35 For distribution in accordance with this section:

1 ..... \$ 10,000,000

2 2. a. For the purposes of this subsection, unless the  
3 context otherwise requires:

4 (1) "County management plan" means the county management  
5 plan for the county's mental health, mental retardation, and  
6 developmental disabilities services system in accordance with  
7 section 331.439.

8 (2) "Risk pool board" means the risk pool board created in  
9 section 426B.5.

10 (3) "Services fund" means the county mental health, mental  
11 retardation, and developmental disabilities services fund  
12 created in section 331.424A.

13 b. The appropriation made in this section shall be  
14 distributed to counties with persons on a waiting list as of  
15 April 21, 2011, for adult mental health, mental retardation,  
16 and developmental disabilities services in accordance with the  
17 county management plan in effect as of January 1, 2011. All of  
18 the following provisions shall apply to such distribution:

19 (1) A county's application for the funding distribution  
20 must be received by the department on or before July 15, 2011,  
21 or within 10 calendar days of the enactment date of this  
22 section, whichever is later.

23 (2) The county's application shall provide all of the  
24 following information:

25 (a) A declaration that the county cannot provide services  
26 in accordance with the county's management plan and remain in  
27 compliance with the 99 percent budgeting requirement in section  
28 331.439, subsection 5, resulting in the creation of a waiting  
29 list.

30 (b) An accounting of the individuals to be removed from the  
31 county's waiting list as a result of the funding applied for  
32 under this subsection, along with the following information in  
33 a format specified by the department:

34 (i) Each individual's unique client identifier established  
35 pursuant to section 225C.6A, subsection 3.

1 (ii) The date the individual was originally placed on the  
2 county waiting list.

3 (iii) The services needed by the individual.

4 (iv) The projected cost for the fiscal year for each service  
5 needed for that individual.

6 (v) The total cost for all of the services for each  
7 individual for the fiscal year.

8 (3) The application shall be accompanied by a signed  
9 statement by the county's board of supervisors certifying  
10 that the individuals for whom funding is provided under this  
11 subsection will not subsequently be placed by the county on a  
12 waiting list for services through June 30, 2012.

13 (4) The risk pool board may accept or reject an application  
14 for assistance in whole or in part and may prorate distribution  
15 of funding as necessary to conform to the amount available for  
16 distribution. The decision of the risk pool board is final.  
17 The risk pool board shall issue a funding decision within 15  
18 working days of the final receipt date for applications.

19 (5) The funding under this subsection shall be distributed  
20 within 15 working days of the date the risk pool board's  
21 funding decision is issued.

22 c. If there is a balance remaining following the  
23 distribution of funding under paragraph "b", the balance shall  
24 be distributed in a second distribution process for individuals  
25 placed on a waiting list after April 21, 2011, in accordance  
26 with the county management plan provisions for the services in  
27 effect as of January 1, 2011. In addition, notwithstanding  
28 2010 Iowa Acts, chapter 1192, section 48, subsection 4,  
29 paragraph "c", any funding rebated by counties pursuant to that  
30 provision and any moneys otherwise available in the risk pool  
31 in the property tax relief fund for the fiscal year beginning  
32 July 1, 2011, pursuant to section 426B.5, subsection 2, shall  
33 also be included in the second distribution process. The  
34 distribution process under this lettered paragraph shall be  
35 in lieu of any risk pool distribution for the fiscal year

1 beginning July 1, 2011, under section 426B.5. All provisions  
2 applicable under paragraph "b" shall apply except that a  
3 county's application for the second funding distribution  
4 process must be received by the department on or before  
5 December 1, 2011.

6 d. If moneys from a distribution made under this subsection  
7 are not expended by a county by November 1, 2012, for services  
8 provided prior to July 1, 2012, the county shall reimburse the  
9 unexpended moneys to the department by November 30, 2012, and  
10 the moneys reimbursed shall be credited to the risk pool in the  
11 property tax relief fund.

12 e. The risk pool board shall submit a report to the governor  
13 and general assembly on or before December 31, 2012, regarding  
14 the expenditure of funds distributed under this subsection.

15 Sec. 261. SENATE FILE 209 APPROPRIATION — FY 2011-2012. In  
16 addition to the appropriations made in this division of this  
17 Act for distribution to counties of the county mental health,  
18 mental retardation, and developmental disabilities allowed  
19 growth factor adjustment for FY 2011-2012, and for county  
20 waiting lists beginning with the fiscal year beginning July 1,  
21 2010, of the amount credited to the property tax relief fund  
22 from the appropriation made pursuant to 2011 Iowa Acts, Senate  
23 File 209, section 21, subsection 1, there is appropriated to  
24 the department of human services for the fiscal year beginning  
25 July 1, 2011, and ending June 30, 2012, the following amounts,  
26 or so much thereof as is necessary, to be used for the purposes  
27 designated:

28 To be credited to the appropriation made in the department  
29 of human services division of this Act from the general fund  
30 of the state to the department of human services for the  
31 medical assistance program for the fiscal year beginning July  
32 1, 2011, and used to reduce home and community-based services  
33 waiver waiting lists for children's mental health, intellectual  
34 disabilities, and brain injury:

35 ..... \$ 5,000,000



1     Sec. 262. 2010 Iowa Acts, chapter 1193, section 1, is  
2 amended to read as follows:

3     SECTION 1. ADULT MH/MR/DD SERVICES ALLOWED GROWTH FUNDING  
4 — FY 2011-2012.

5     1. Notwithstanding section 331.439, subsection 3, the  
6 allowed growth factor adjustment for county mental health,  
7 mental retardation, and developmental disabilities service  
8 expenditures for the fiscal year beginning July 1, 2011, shall  
9 be established by statute which shall be enacted within thirty  
10 calendar days of the convening of the Eighty-fourth General  
11 Assembly, 2011 Session, on January 10, 2011. The governor  
12 shall submit to the general assembly a recommendation for such  
13 allowed growth factor adjustment and the amounts of related  
14 appropriations to the general assembly on or before January 11,  
15 2011.

16     2. The appropriation and allocations made in this section  
17 fulfill the requirements of the governor and general assembly  
18 under subsection 1.

19     3. a. There is appropriated from the general fund of the  
20 state to the department of human services for the fiscal year  
21 beginning July 1, 2011, and ending June 30, 2012, the following  
22 amount, or so much thereof as is necessary, to be used for the  
23 purpose designated:

24     For distribution to counties of the county mental health,  
25 mental retardation, and developmental disabilities allowed  
26 growth factor adjustment for fiscal year 2011-2012 as provided  
27 in this section in lieu of the allowed growth factor provisions  
28 of section 331.438, subsection 2, and section 331.439,  
29 subsection 3, and chapter 426B:

30     ..... \$ 68,697,893

31     b. Of the amount credited to the property tax relief fund  
32 from the appropriation made pursuant to 2011 Iowa Acts, Senate  
33 File 209, section 21, subsection 1, there is appropriated to  
34 the department of human services for the fiscal year beginning  
35 July 1, 2011, and ending June 30, 2012, the following amount,

1 or so much thereof as is necessary, to be used for the purpose  
2 designated:

3 For distribution to counties as described in paragraph "a":  
4 ..... \$ 5,000,000

5 Sec. 263. 2010 Iowa Acts, chapter 1193, section 1, as  
6 amended by this division of this Act, is amended by adding the  
7 following new subsections:

8 NEW SUBSECTION. 4. Of the amounts appropriated in this  
9 section, \$12,000,000 shall be distributed as provided in this  
10 subsection.

11 a. To be eligible to receive a distribution under this  
12 subsection, a county must meet the following requirements:

13 (1) The county is levying for the maximum amount allowed  
14 for the county's mental health, mental retardation, and  
15 developmental disabilities services fund under section 331.424A  
16 for taxes due and payable in the fiscal year beginning July 1,  
17 2011, or the county is levying for at least 90 percent of the  
18 maximum amount allowed for the county's services fund and that  
19 levy rate is more than \$2 per \$1,000 of the assessed value of  
20 all taxable property in the county.

21 (2) In the fiscal year beginning July 1, 2009, the  
22 county's mental health, mental retardation, and developmental  
23 disabilities services fund ending balance under generally  
24 accepted accounting principles was equal to or less than 15  
25 percent of the county's actual gross expenditures for that  
26 fiscal year.

27 b. The amount of a county's distribution from the allocation  
28 made in this subsection shall be determined based upon the  
29 county's proportion of the general population of the counties  
30 eligible to receive a distribution under this subsection. The  
31 latest certified federal census issued by the United States  
32 bureau of the census shall be applied in determining population  
33 for the purposes of this paragraph.

34 c. The distributions made pursuant to this subsection  
35 are subject to the distribution provisions and withholding

1 requirements established in this section for the county mental  
2 health, mental retardation, and developmental disabilities  
3 allowed growth factor adjustment for the fiscal year beginning  
4 July 1, 2011.

5 NEW SUBSECTION. 5. The following amount of the funding  
6 appropriated in this section for distribution to counties is  
7 the allowed growth factor adjustment for fiscal year 2011-2012,  
8 and shall be credited to the allowed growth funding pool  
9 created in the property tax relief fund and for distribution in  
10 accordance with section 426B.5, subsection 1:

11 ..... \$ 61,697,893

12 NEW SUBSECTION. 6. The following formula amounts shall be  
13 utilized only to calculate preliminary distribution amounts for  
14 the allowed growth factor adjustment for fiscal year 2011-2012  
15 under this section by applying the indicated formula provisions  
16 to the formula amounts and producing a preliminary distribution  
17 total for each county:

18 a. For calculation of a distribution amount for eligible  
19 counties from the allowed growth funding pool created in the  
20 property tax relief fund in accordance with the requirements in  
21 section 426B.5, subsection 1:

22 ..... \$ 74,773,346

23 b. For calculation of a distribution amount for counties  
24 from the mental health and developmental disabilities (MH/DD)  
25 community services fund in accordance with the formula provided  
26 in the appropriation made for the MH/DD community services fund  
27 for the fiscal year beginning July 1, 2011:

28 ..... \$ 14,187,556

29 NEW SUBSECTION. 7. a. After applying the applicable  
30 statutory distribution formulas to the amounts indicated in  
31 subsection 6 for purposes of producing preliminary distribution  
32 totals, the department of human services shall apply a  
33 withholding factor to adjust an eligible individual county's  
34 preliminary distribution total. In order to be eligible for  
35 a distribution under this section, a county must be levying

1 90 percent or more of the maximum amount allowed for the  
2 county's mental health, mental retardation, and developmental  
3 disabilities services fund under section 331.424A for taxes due  
4 and payable in the fiscal year for which the distribution is  
5 payable.

6 b. An ending balance percentage for each county shall  
7 be determined by expressing the county's ending balance on a  
8 modified accrual basis under generally accepted accounting  
9 principles for the fiscal year beginning July 1, 2009, in the  
10 county's mental health, mental retardation, and developmental  
11 disabilities services fund created under section 331.424A, as a  
12 percentage of the county's gross expenditures from that fund  
13 for that fiscal year. If a county borrowed moneys for purposes  
14 of providing services from the county's services fund on or  
15 before July 1, 2009, and the county's services fund ending  
16 balance for that fiscal year includes the loan proceeds or an  
17 amount designated in the county budget to service the loan for  
18 the borrowed moneys, those amounts shall not be considered  
19 to be part of the county's ending balance for purposes of  
20 calculating an ending balance percentage under this subsection.

21 c. For purposes of calculating withholding factors and  
22 for ending balance amounts used for other purposes under law,  
23 the county ending balances shall be adjusted, using forms  
24 developed for this purpose by the county finance committee,  
25 to disregard the temporary funding increase provided to the  
26 counties for the fiscal year through the federal American  
27 Recovery and Reinvestment Act of 2009, Pub. L. No. 111-5. In  
28 addition, a county may adjust the ending balance amount by  
29 rebating to the department all or a portion of the allowed  
30 growth and MH/DD services fund moneys the county received for  
31 the fiscal year beginning July 1, 2010, in accordance with  
32 2009 Iowa Acts, chapter 179, section 1, as amended by 2009  
33 Iowa Acts, chapter 1192, sections 47 and 48, or from any other  
34 services fund moneys available to the county. The rebate must  
35 be remitted to the department on or before June 1, 2011, in

1 order to be counted. However, if this division of this Act is  
2 enacted after June 1, 2011, the rebate must be remitted not  
3 later than 10 calendar days after the date of the governor's  
4 approval of this Act. The amount rebated by a county shall be  
5 subtracted dollar-for-dollar from the county's ending balance  
6 amount for the fiscal year beginning July 1, 2009, for purposes  
7 of calculating the withholding factor and for other ending  
8 balance purposes for the fiscal year beginning July 1, 2011.

9 The rebates received by the department shall be credited to the  
10 property tax relief fund and distributed as additional funding  
11 for the fiscal year beginning July 1, 2011, in accordance with  
12 the formula provisions in this section.

13 d. The withholding factor for a county shall be the  
14 following applicable percent:

15 (1) For an ending balance percentage of less than 5  
16 percent, a withholding factor of 0 percent. In addition,  
17 a county that is subject to this lettered paragraph shall  
18 receive an inflation adjustment equal to 3 percent of the gross  
19 expenditures reported for the county's services fund for the  
20 fiscal year.

21 (2) For an ending balance percentage of 5 percent or more  
22 but less than 10 percent, a withholding factor of 0 percent.  
23 In addition, a county that is subject to this lettered  
24 paragraph shall receive an inflation adjustment equal to 2  
25 percent of the gross expenditures reported for the county's  
26 services fund for the fiscal year.

27 (3) For an ending balance percentage of 10 percent or more  
28 but less than 25 percent, a withholding factor of 25 percent.  
29 However, for counties with an ending balance percentage of 10  
30 percent or more but less than 15 percent, the amount withheld  
31 shall be limited to the amount by which the county's ending  
32 balance was in excess of the ending balance percentage of 10  
33 percent.

34 (4) For an ending balance percentage of 25 percent or more,  
35 a withholding percentage of 100 percent.

1     NEW SUBSECTION. 8. The total withholding amounts applied  
2 pursuant to subsection 7 shall be equal to a withholding target  
3 amount of \$13,075,453. If the department of human services  
4 determines that the amount appropriated is insufficient or  
5 the amount to be withheld in accordance with subsection 7 is  
6 not equal to the target withholding amount, the department  
7 shall adjust the withholding factors listed in subsection 7 as  
8 necessary to achieve the target withholding amount. However,  
9 in making such adjustments to the withholding factors, the  
10 department shall strive to minimize changes to the withholding  
11 factors for those ending balance percentage ranges that are  
12 lower than others and shall only adjust the zero withholding  
13 factor or the inflation adjustment percentages specified in  
14 subsection 7, paragraph "d", when the amount appropriated is  
15 insufficient.

16     Sec. 264. 2010 Iowa Acts, chapter 1193, section 99, is  
17 amended to read as follows:

18     SEC. 99. MH/MR/DD SERVICES FUND TRANSFER. Notwithstanding  
19 section 331.424A, subsection 5, and section 331.432, subsection  
20 3, for the fiscal year beginning July 1, 2010, and ending June  
21 30, 2011, a county may transfer moneys from other funds of the  
22 county to the county's mental health, mental retardation, and  
23 developmental disabilities services fund created in section  
24 331.424A. A county transferring moneys from other funds of the  
25 county to the county's services fund pursuant to this section  
26 shall submit a report detailing the transfers made and funds  
27 affected. The county shall submit the report along with the  
28 county expenditure and information report submitted by December  
29 1, ~~2010~~ 2011, in accordance with section 331.439.

30     Sec. 265. EFFECTIVE UPON ENACTMENT AND RETROACTIVE  
31 APPLICABILITY. The section of this division of this Act  
32 amending 2010 Iowa Acts, chapter 1193, section 99, being deemed  
33 of immediate importance, takes effect upon enactment and is  
34 retroactively applicable to December 1, 2010.

35     Sec. 266. EFFECTIVE UPON ENACTMENT AND RETROACTIVE

1 APPLICABILITY. The section of this division of this Act  
2 making an appropriation for the fiscal year beginning July  
3 1, 2010, of moneys credited to the property tax relief fund  
4 pursuant to 2011 Iowa Acts, Senate File 209, being deemed of  
5 immediate importance, takes effect upon enactment and applies  
6 retroactively to April 21, 2011.

7 DIVISION XXVIII

8 HEALTH AND HUMAN SERVICES

9 PRIOR APPROPRIATIONS AND RELATED CHANGES

10 VIETNAM CONFLICT VETERANS BONUS

11 Sec. 267. Section 35A.8A, subsection 2, paragraph d, Code  
12 2011, is amended to read as follows:

13 *d.* The person files an application for compensation under  
14 this section, in a manner determined by the department of  
15 veterans affairs, by ~~July 1, 2010~~ May 1, 2011.

16 COMMUNITY HOUSING REVOLVING LOAN PROGRAM

17 Sec. 268. NEW SECTION. 16.185 **Community housing for persons**  
18 **with disabilities revolving loan program fund.**

19 1. A community housing for persons with disabilities loan  
20 program fund is created within the authority to further the  
21 availability of affordable housing for Medicaid waiver-eligible  
22 individuals with behaviors that provide significant barriers to  
23 accessing traditional rental opportunities. The moneys in the  
24 fund are annually appropriated to the authority to be used for  
25 the development and operation of a revolving loan program to  
26 provide financing to construct affordable permanent supportive  
27 housing, including through new construction, acquisition and  
28 rehabilitation of existing housing, or conversion or adaptive  
29 reuse.

30 2. Moneys transferred by the authority for deposit in the  
31 community housing for persons with disabilities revolving loan  
32 program fund, moneys appropriated to the community housing  
33 for persons with disabilities revolving loan program, and any  
34 other moneys available to and obtained or accepted by the  
35 authority for placement in the fund shall be credited to the

1 fund. Additionally, payment of interest, recaptures of awards,  
2 and other repayments to the community housing for persons with  
3 disabilities revolving loan program fund shall be credited  
4 to the fund. Notwithstanding section 12C.7, subsection 2,  
5 interest or earnings on moneys in the community housing for  
6 persons with disabilities revolving loan program fund shall be  
7 credited to the fund. Notwithstanding section 8.33, moneys  
8 credited to the fund that remain unencumbered or unobligated  
9 at the close of the fiscal year shall not revert to any other  
10 fund.

11 3. The authority shall annually allocate moneys available  
12 in the community housing for persons with disabilities  
13 revolving loan program fund for the development of permanent  
14 supportive housing for Medicaid waiver-eligible individuals.  
15 The authority shall develop a joint application process for the  
16 allocation of United States housing and urban development HOME  
17 investment partnerships program funding and the funds available  
18 under this section. Moneys allocated to such projects may be  
19 in the form of loans, forgivable loans, or a combination of  
20 loans and forgivable loans.

21 4. a. A project shall demonstrate written approval of the  
22 project by the department of human services to the authority  
23 prior to application for funding under this section.

24 b. In order to be approved by the department of human  
25 services for application for funding under this section, a  
26 project shall include all of the following components:

27 (1) Provision of services to any of the following Medicaid  
28 waiver-eligible individuals:

29 (a) Individuals who are currently underserved in community  
30 placements, including individuals who are physically aggressive  
31 or have behaviors that are difficult to manage.

32 (b) Individuals who are currently residing in out-of-state  
33 facilities.

34 (c) Individuals who are currently receiving care in a  
35 licensed health care facility.



1 (2) A plan to provide each individual with crisis  
2 stabilization services to ensure that the individual's  
3 behavioral issues are appropriately addressed by the provider.

4 (3) Policies and procedures that prohibit discharge of the  
5 individual from the waiver services provided by the project  
6 provider unless an alternative placement that is acceptable to  
7 the client or client's guardian is identified.

8 c. Housing provided through a project under this section is  
9 exempt from the requirements of chapter 1350.

10 5. The authority, in collaboration with the department of  
11 human services, shall adopt rules pursuant to chapter 17A to  
12 administer this section.

13 VIETNAM CONFLICT VETERANS

14 BONUS FUND

15 Sec. 269. 2008 Iowa Acts, chapter 1187, section 68, as  
16 amended by 2009 Iowa Acts, chapter 182, section 82, and 2010  
17 Iowa Acts, chapter 1192, section 55, is amended to read as  
18 follows:

19 Notwithstanding section 8.33, moneys appropriated in this  
20 section that remain unencumbered or unobligated at the close of  
21 the fiscal year shall not revert but shall remain available for  
22 expenditure for the purposes designated until the ~~close of the~~  
23 ~~fiscal year beginning July 1, 2010~~ repeal of section 35A.8A.  
24 Upon such repeal, the remaining moneys shall be transferred to  
25 the veterans trust fund and, notwithstanding section 35A.13,  
26 subsection 3, shall only be expended in accordance with an  
27 appropriation for purposes of a bonus enacted for veterans of  
28 the conflicts in Panama, Grenada, Lebanon, or the Persian Gulf.

29 INJURED VETERANS GRANT PROGRAM

30 Sec. 270. 2008 Iowa Acts, chapter 1187, section 69,  
31 unnumbered paragraph 1, as amended by 2009 Iowa Acts, chapter  
32 182, section 83, and 2010 Iowa Acts, chapter 1192, section 56,  
33 is amended to read as follows:

34 Notwithstanding section 8.33, moneys appropriated in this  
35 subsection that remain unencumbered or unobligated at the close

1 of the fiscal year shall not revert but shall remain available  
2 for expenditure for the purposes designated until the close of  
3 the fiscal year beginning July 1, ~~2010~~ 2011.

4 BEHAVIORAL HEALTH SERVICES

5 ACCOUNT — MEDICAL ASSISTANCE

6 Sec. 271. 2009 Iowa Acts, chapter 182, section 9, subsection  
7 16, paragraph b, as amended by 2010 Iowa Acts, chapter 1192,  
8 section 63, is amended to read as follows:

9 b. The department shall continue to maintain a separate  
10 account within the medical assistance budget for the deposit  
11 of all funds remitted pursuant to a contract with a third  
12 party to administer behavioral health services under the  
13 medical assistance program established pursuant to 2008 Iowa  
14 Acts, chapter 1187, section 9, subsection 20. Notwithstanding  
15 section 8.33, other than funds remaining from the appropriation  
16 allocations made for implementation of the emergency mental  
17 health crisis services and system, for implementation of the  
18 mental health services system for children and youth, and  
19 for training of child welfare services providers in 2008  
20 Iowa Acts, chapter 1187, section 9, subsection 20, paragraph  
21 "c", subparagraphs (1), (2), and (6), as authorized in 2009  
22 Iowa Acts, chapter 182, section 72, shall not revert but  
23 shall remain available in succeeding fiscal years to be used  
24 for the purposes designated until expended and any other  
25 funds remaining in the account that remain unencumbered or  
26 unobligated at the end of the fiscal year shall not revert  
27 but shall remain available in succeeding fiscal years  
28 and are appropriated to the department to be used for the  
29 medical assistance program to be used for purposes of crisis  
30 stabilization and other mental and behavioral health service  
31 improvements.

32 CHILD WELFARE DECATEGORIZATION

33 FY 2009-2010 NONREVERSION

34 Sec. 272. 2009 Iowa Acts, chapter 182, section 14,  
35 subsection 5, is amended by adding the following new unnumbered

1 paragraph:

2 NEW UNNUMBERED PARAGRAPH. Notwithstanding section  
3 232.188, subsection 5, moneys from the allocations made  
4 in this subsection or made from any other source for the  
5 decategorization of child welfare and juvenile justice funding  
6 initiative under section 232.188 for the fiscal year beginning  
7 July 1, 2009, that are designated as carryover funding that  
8 remain unencumbered or unobligated at the close of the fiscal  
9 year beginning July 1, 2010, shall not revert but shall  
10 be transferred to the community housing for persons with  
11 disabilities revolving loan program fund created in section  
12 16.185, as enacted by this division of this Act.

13 AMERICAN RECOVERY AND REINVESTMENT ACT OF 2009 — ALLOCATION  
14 FOR INFANT AND TODDLER CARE QUALITY

15 Sec. 273. 2009 Iowa Acts, chapter 183, section 62,  
16 subsection 3, is amended to read as follows:

17 3. For the purposes of this subsection, "federal poverty  
18 level" means the poverty level defined by the most recently  
19 revised poverty income guidelines published by the United  
20 States department of health and human services. The program  
21 shall provide financial assistance to families with infants  
22 and toddlers less than thirty-six months of age ~~two~~ that have  
23 a family income of more than 145 percent but not more than 185  
24 percent of the federal poverty level. However, the department  
25 may adjust the qualifying criteria or the financial assistance  
26 purpose provisions specified in this subsection or make other  
27 changes as necessary for implementation to conform with federal  
28 requirements for the funding. Outcome reporting and other  
29 grant requirements shall be developed by the department in  
30 cooperation with the Iowa empowerment board.

31 Sec. 274. 2009 Iowa Acts, chapter 183, section 62,  
32 subsection 4, is amended to read as follows:

33 4. The financial assistance shall be for any of the  
34 following purposes:

35 a. For making temporary payments to qualifying families

1 whose members are recently unemployed and seeking work to use  
2 in meeting immediate family needs.

3     b. For providing sliding scale subsidies for qualifying  
4 families for child care provided to the families' infants  
5 and toddlers by providers who are accredited by the national  
6 association for the education of young children or the national  
7 association for family child care, or who have a rating at  
8 level 3 2 or higher under the child care quality rating system  
9 implemented pursuant to section 237A.30.

10     c. For expanding training and other support for infant care  
11 providers in the community and this state.

12     d. For ensuring child care environments are healthy and  
13 safe.

14     e. For promoting positive relationships between parents  
15 and providers in their mutual efforts to care for very young  
16 children.

17     f. For ensuring that parents have the information and  
18 resources needed to choose quality child care.

19             IOWA DEPARTMENT ON AGING CASE MANAGEMENT REVIEW

20     Sec. 275. 2010 Iowa Acts, chapter 1192, section 1,  
21 subsection 2, is amended to read as follows:

22     2. ~~a.~~ Of the funds appropriated in this section, \$1,246,514  
23 shall be transferred to the department of human services in  
24 equal amounts on a quarterly basis for reimbursement of case  
25 management services provided under the medical assistance  
26 elderly waiver. The department of human services shall adopt  
27 rules for case management services provided under the medical  
28 assistance elderly waiver in consultation with the department  
29 on aging.

30     ~~b. The department of human services shall review~~  
31 ~~projections for state funding expenditures for reimbursement~~  
32 ~~of case management services under the medical assistance~~  
33 ~~elderly waiver on a quarterly basis and shall determine if an~~  
34 ~~adjustment to the medical assistance reimbursement rates are~~  
35 ~~necessary to provide reimbursement within the state funding~~

~~1 amounts budgeted under the appropriations made for the fiscal  
2 year for the medical assistance program. Any temporary  
3 enhanced federal financial participation that may become  
4 available for the medical assistance program during the fiscal  
5 year shall not be used in projecting the medical assistance  
6 elderly waiver case management budget. The department of human  
7 services shall revise such reimbursement rates as necessary to  
8 maintain expenditures for medical assistance elderly waiver  
9 case management services within the state funding amounts  
10 budgeted under the appropriations made for the fiscal year for  
11 the medical assistance program.~~

12 IOWA VETERANS HOME

13 Sec. 276. 2010 Iowa Acts, chapter 1192, section 3,  
14 subsection 2, is amended by adding the following new paragraph:  
15 NEW PARAGRAPH. d. The funds appropriated in this subsection  
16 to the Iowa veterans home that remain available for expenditure  
17 for the succeeding fiscal year pursuant to section 35D.18,  
18 subsection 5, shall be distributed to be used in the succeeding  
19 fiscal year in accordance with this lettered paragraph. The  
20 first \$500,000 shall remain available to be used for the  
21 purposes of the Iowa veterans home. On or before October 15,  
22 2011, the department of management shall transfer the remaining  
23 balance to the appropriation to the department of human  
24 services for medical assistance.

25 MEDICAL ASSISTANCE PROGRAM

26 Sec. 277. 2010 Iowa Acts, chapter 1192, section 11, is  
27 amended by adding the following new subsection:

28 NEW SUBSECTION. 25. The department may increase the amounts  
29 allocated for salaries, support, maintenance, and miscellaneous  
30 purposes associated with the medical assistance program as  
31 necessary to implement cost containment efforts in order to  
32 accomplish medical assistance program savings. These amounts  
33 may be transferred to the appropriation made in this division  
34 of this Act for the health insurance premium payment program.

35 STATE SUPPLEMENTARY ASSISTANCE PROGRAM

1     Sec. 278. 2010 Iowa Acts, chapter 1192, section 14, is  
2 amended by adding the following new subsection:

3     NEW SUBSECTION. 4. Notwithstanding section 8.33, moneys  
4 appropriated in this section that remain unencumbered or  
5 unobligated at the close of the fiscal year shall remain  
6 available for expenditure for the purposes designated until the  
7 close of the succeeding fiscal year.

8                                   ADOPTION SUBSIDY TRANSFER

9     Sec. 279. 2010 Iowa Acts, chapter 1192, section 20, is  
10 amended by adding the following new subsection:

11     NEW SUBSECTION. 4. Of the funds appropriated in this  
12 section, \$60,000 shall be transferred to the appropriation  
13 made in this division of this Act for the state mental health  
14 institute at Cherokee to be used for children's beds at the  
15 institute.

16                                   IOWA DEPARTMENT ON AGING CASE MANAGEMENT REVIEW

17     Sec. 280. 2010 Iowa Acts, chapter 1192, section 37,  
18 subsection 1, is amended to read as follows:

19     1. ~~a.~~ Of the funds appropriated in this section, \$1,010,000  
20 shall be transferred to the department of human services in  
21 equal amounts on a quarterly basis for reimbursement of case  
22 management services provided under the medical assistance  
23 elderly waiver.

24     ~~b. The department of human services shall review~~  
25 ~~projections for state funding expenditures for reimbursement~~  
26 ~~of case management services under the medical assistance~~  
27 ~~elderly waiver on a quarterly basis and shall determine if an~~  
28 ~~adjustment to the medical assistance reimbursement rates are~~  
29 ~~necessary to provide reimbursement within the state funding~~  
30 ~~amounts budgeted under the appropriations made for the fiscal~~  
31 ~~year for the medical assistance program. Any temporary~~  
32 ~~enhanced federal financial participation that may become~~  
33 ~~available for the medical assistance program during the fiscal~~  
34 ~~year shall not be used in projecting the medical assistance~~  
35 ~~elderly waiver case management budget. The department of human~~

1 ~~services shall revise such reimbursement rates as necessary to~~  
2 ~~maintain expenditures for medical assistance elderly waiver~~  
3 ~~case management services within the state funding amounts~~  
4 ~~budgeted under the appropriations made for the fiscal year for~~  
5 ~~the medical assistance program.~~

6 QUALITY ASSURANCE TRUST FUND — DEPARTMENT OF HUMAN SERVICES

7 Sec. 281. 2010 Iowa Acts, chapter 1192, section 44, is  
8 amended to read as follows:

9 SEC. 44. QUALITY ASSURANCE TRUST FUND — DEPARTMENT OF HUMAN  
10 SERVICES. Notwithstanding any provision to the contrary and  
11 subject to the availability of funds, there is appropriated  
12 from the quality assurance trust fund created in section  
13 249L.4 to the department of human services for the fiscal year  
14 beginning July 1, 2010, and ending June 30, 2011, the following  
15 amounts, or so much thereof as is necessary for the purposes  
16 designated:

17 To supplement the appropriation made in this Act from the  
18 general fund of the state to the department of human services  
19 for medical assistance:

20 ..... \$ 13,900,000  
21 33,708,458

22 1. Of the funds appropriated in this section, \$7,500,000  
23 shall be used for nursing facility reimbursement under the  
24 medical assistance program in accordance with the nursing  
25 facility reimbursement provisions of division IV of this  
26 Act, to continue application of the administrative rules  
27 changes relating to nursing facility reimbursement and payment  
28 procedures made pursuant to 2010 Iowa Acts, Senate File 2366,  
29 if enacted, for the fiscal year beginning July 1, 2010, and  
30 ending June 30, 2011, and to restore the 5 percent reduction  
31 made in nursing facility reimbursement in accordance with  
32 executive order number 19 issued October 8, 2009.

33 2. The costs associated with the implementation of this  
34 section shall be funded exclusively through moneys appropriated  
35 from the quality assurance trust fund, and shall result in

1 budget neutrality to the general fund of the state for the  
2 fiscal year beginning July 1, 2010, and ending June 30, 2011.

3 INJURED VETERANS TRUST FUND

4 Sec. 282. INJURED VETERANS TRUST FUND. There is  
5 appropriated from the general fund of the state to the  
6 department of veterans affairs for the fiscal year beginning  
7 July 1, 2010, and ending June 30, 2011, the following amount,  
8 or so much thereof as is necessary, to be used for the purposes  
9 designated:

10 To be credited to the injured veterans trust fund created  
11 pursuant to section 35A.14 to be used for the injured veterans  
12 grant program:

13 ..... \$ 1,000,000

14 The department shall review the rules and statutory  
15 provisions pertaining to the injured veterans grant program and  
16 propose amendments to improve the program. Notwithstanding  
17 section 8.33, moneys appropriated in this section that remain  
18 unencumbered or unobligated at the close of the fiscal year  
19 shall not revert but shall remain available for expenditure for  
20 the purposes designated until expended.

21 MERCHANT MARINE BONUS FUND TRANSFER

22 Sec. 283. DEPARTMENT OF CULTURAL AFFAIRS — MERCHANT MARINE  
23 BONUS FUND.

24 1. The appropriation made from the merchant marine bonus  
25 fund to the department of cultural affairs for the fiscal year  
26 beginning July 1, 2010, and ending June 30, 2011, in 2010 Iowa  
27 Acts, chapter 1193, section 82, shall be transferred on the  
28 effective date of this section to the department of veterans  
29 affairs to be used for departmental costs.

30 2. Moneys transferred pursuant to this section that remain  
31 unencumbered or unobligated at the close of the fiscal year  
32 shall be credited to the veterans trust fund created in section  
33 35A.13.

34 STATE INSTITUTION — APPROPRIATION TRANSFERS

35 Sec. 284. DEPARTMENT OF HUMAN SERVICES. There is



1 transferred between the following designated appropriations  
2 made to the department of human services for the fiscal year  
3 beginning July 1, 2010, and ending June 30, 2011, not more than  
4 the following amounts:

5 1. From the appropriation made for purposes of the state  
6 resource center at Glenwood in 2010 Iowa Acts, chapter 1192,  
7 section 25, subsection 1, paragraph "a", to the appropriation  
8 made for purposes of the Iowa juvenile home at Toledo in 2010  
9 Iowa Acts, chapter 1192, section 17, subsection 1:

10 ..... \$ 400,000

11 2. From the appropriation made for purposes of the state  
12 resource center at Woodward in 2010 Iowa Acts, chapter 1192,  
13 section 25, subsection 1, paragraph "b", to the appropriation  
14 made for purposes of the state mental health institute at  
15 Independence in 2010 Iowa Acts, chapter 1192, section 24,  
16 subsection 1, paragraph "c":

17 ..... \$ 400,000

18 Sec. 285. FAMILY PLANNING WAIVER AND MAINTENANCE OF  
19 EFFORT. Notwithstanding 2010 Iowa Acts, chapter 1192, section  
20 11, subsection 24, the department of human services shall  
21 not amend the medical assistance waiver for the Iowa family  
22 planning network in accordance with that provision, but shall  
23 instead continue the Iowa family planning waiver in effect  
24 prior to June 30, 2011, and shall only amend the waiver to  
25 increase the income eligibility percentage above the percentage  
26 provided in the waiver in effect if necessary and only by the  
27 minimum percentage required to comply with maintenance of  
28 effort requirements.

29 Sec. 286. DECATEGORYIZATION PROJECT FUNDING. For the  
30 period beginning June 1, 2010, and ending June 30, 2012, a  
31 child welfare and juvenile justice funding decategorization  
32 initiative project that is incorporated and owns real property  
33 may utilize project funding to purchase liability insurance.

34 Sec. 287. ACCOUNTABLE CARE ORGANIZATION — PILOT.

35 1. a. If an entity applies for certification from the

1 secretary of the United States department of health and  
2 human services prior to January 1, 2012, and is subsequently  
3 certified to administer an accountable care organization  
4 pilot project, pursuant to the federal Patient Protection and  
5 Accountability Act, Pub. L. No. 111-148, the department of  
6 human services shall work with the entity to provide access to  
7 the complete deidentified claims data of the medical assistance  
8 recipients receiving health care services through the pilot  
9 project for the purposes of identifying areas of utilization,  
10 need, and potential cost savings to the medical assistance  
11 program subject to all applicable state and federal laws and  
12 regulations. The department may also employ new payment  
13 models, information technology, and data analytics provisions  
14 necessary to the administration of the pilot project.

15 b. The department of human services shall work with an  
16 entity to administer an accountable care organization pilot  
17 project, only if the centers for Medicare and Medicaid services  
18 of the United States department of health and human services  
19 approves participation of the medical assistance program in  
20 the pilot project and the entity meets all of the following  
21 requirements:

22 (1) At a minimum, includes the participation of a  
23 prospective payment system hospital, ten primary care  
24 physicians, a home health care practice, a palliative care  
25 services, a hospice service, and a community mental health  
26 center, all of which agree to be paid under a partial or global  
27 payment for identified services.

28 (2) Requires all participating providers to utilize  
29 electronic health records.

30 (3) Includes delivery of mental health services to  
31 recipients of medical assistance through collaboration with  
32 the regional community mental health center, a federally  
33 qualified health center, and at least one nursing facility as  
34 consistent with any other law enacted by the Eighty-fourth  
35 general assembly, 2011 session, that redesigns the mental

1 health delivery system in the state.

2 c. The entity certified to implement the pilot project shall  
3 report to the joint appropriations subcommittee for health and  
4 human services during the 2012 legislative session detailing  
5 the progress and expected outcomes of the pilot project.

6 Sec. 288. EMERGENCY RULES. For purposes of the initial  
7 rules to implement the provisions of section 16.185, as enacted  
8 by this division of this Act, the Iowa finance authority may  
9 adopt administrative rules under section 17A.4, subsection  
10 3, and section 17A.5, subsection 2, paragraph "b", to  
11 implement the provisions and the rules shall become effective  
12 immediately upon filing or on a later effective date specified  
13 in the rules, unless the effective date is delayed by the  
14 administrative rules review committee. Any rules adopted in  
15 accordance with this section shall not take effect before  
16 the rules are reviewed by the administrative rules review  
17 committee. The delay authority provided to the administrative  
18 rules review committee under section 17A.4, subsection 7, and  
19 section 17A.8, subsection 9, shall be applicable to a delay  
20 imposed under this section, notwithstanding a provision in  
21 those sections making them inapplicable to section 17A.5,  
22 subsection 2, paragraph "b". Any rules adopted in accordance  
23 with the provisions of this section shall also be published as  
24 a notice of intended action as provided in section 17A.4.

25 Sec. 289. EFFECTIVE UPON ENACTMENT AND RETROACTIVE  
26 APPLICABILITY. Except as otherwise provided by this division  
27 of this Act, this division of this Act, being deemed of  
28 immediate importance, takes effect upon enactment and  
29 if approved by the governor after July 1, 2011, applies  
30 retroactively to June 30, 2011.

31 Sec. 290. RETROACTIVE APPLICABILITY. The section of this  
32 division of this Act addressing child welfare and juvenile  
33 justice funding decategorization initiative project funding for  
34 the period beginning June 1, 2010, and ending June 30, 2012,  
35 applies retroactively to June 1, 2010.



1 medical home ~~and the initiative.~~

2 Sec. 295. Section 136.3, subsection 14, Code 2011, is  
3 amended to read as follows:

4 14. Perform those duties authorized pursuant to sections  
5 ~~135.156, and 135.159, and 135.161,~~ and other provisions of law.

6 Sec. 296. REPEAL. Section 135.161, Code 2011, is repealed.

7 Sec. 297. EFFECTIVE DATE. This division of this Act takes  
8 effect December 31, 2011.

9

DIVISION XXX

10

HEALTH AND HUMAN SERVICES

11

MISCELLANEOUS

12

Sec. 298. Section 29C.20B, Code 2011, is amended to read as  
13 follows:

14

**29C.20B Disaster case management.**

15

1. ~~The rebuild Iowa office~~ homeland security and emergency  
16 management division shall work with the department of  
17 human services and nonprofit, voluntary, and faith-based  
18 organizations active in disaster recovery and response  
19 in coordination with ~~the homeland security and emergency~~  
20 ~~management division~~ the department of human services to  
21 establish a statewide system of disaster case management  
22 to be activated following the governor's proclamation of a  
23 disaster emergency or the declaration of a major disaster by  
24 the president of the United States for individual assistance  
25 purposes. Under the system, ~~the department of human services~~  
26 homeland security and emergency management division shall  
27 coordinate case management services locally through local  
28 committees as established in each local emergency management  
29 commission's emergency plan. ~~Beginning July 1, 2011, the~~  
30 ~~department of human services shall assume the duties of the~~  
31 ~~rebuild Iowa office under this subsection.~~

32

2. ~~The department of human services~~ homeland security  
33 and emergency management division, in conjunction with the  
34 ~~rebuild Iowa office, the homeland security and emergency~~  
35 ~~management division~~ department of human services, and an

1 Iowa representative to the national voluntary organizations  
2 active in disaster, shall adopt rules pursuant to chapter  
3 17A to create coordination mechanisms and standards for the  
4 establishment and implementation of a statewide system of  
5 disaster case management which shall include at least all of  
6 the following:

- 7 a. Disaster case management standards.
- 8 b. Disaster case management policies.
- 9 c. Reporting requirements.
- 10 d. Eligibility criteria.
- 11 e. Coordination mechanisms necessary to carry out the  
12 services provided.
- 13 f. Develop formal working relationships with agencies and  
14 create interagency agreements for those considered to provide  
15 disaster case management services.
- 16 g. Coordination of all available services for individuals  
17 from multiple agencies.

18 Sec. 299. Section 135.106, Code 2011, is amended by adding  
19 the following new subsection:

20 NEW SUBSECTION. 4. It is the intent of the general  
21 assembly that priority for home visitation funding be given to  
22 approaches using evidence-based or promising models for home  
23 visitation.

24 Sec. 300. Section 147.136, Code 2011, is amended to read as  
25 follows:

26 **147.136 Scope of recovery.**

27 1. In Except as otherwise provided in subsection 2, in an  
28 action for damages for personal injury against a physician and  
29 surgeon, osteopathic physician and surgeon, dentist, podiatric  
30 physician, optometrist, pharmacist, chiropractor, or nurse  
31 licensed to practice that profession in this state, or against  
32 a hospital licensed for operation in this state, based on the  
33 alleged negligence of the practitioner in the practice of the  
34 profession or occupation, or upon the alleged negligence of  
35 the hospital in patient care, in which liability is admitted

1 or established, the damages awarded shall not include actual  
2 economic losses incurred or to be incurred in the future by the  
3 claimant by reason of the personal injury, including but not  
4 limited to, the cost of reasonable and necessary medical care,  
5 rehabilitation services, and custodial care, and the loss of  
6 services and loss of earned income, to the extent that those  
7 losses are replaced or are indemnified by insurance, or by  
8 governmental, employment, or service benefit programs or from  
9 any other source ~~except the assets of the claimant or of the~~  
10 ~~members of the claimant's immediate family.~~

11 2. This section shall not bar recovery of economic losses  
12 replaced or indemnified by any of the following:

13 a. Benefits received under the medical assistance program  
14 under chapter 249A.

15 b. The assets of the claimant or of the members of the  
16 claimant's immediate family.

17 Sec. 301. NEW SECTION. 155A.43 Pharmaceutical collection  
18 and disposal program — annual allocation.

19 Of the fees collected pursuant to sections 124.301 and  
20 147.80 and chapter 155A by the board of pharmacy, and retained  
21 by the board pursuant to section 147.82, not more than one  
22 hundred twenty-five thousand dollars, may be allocated annually  
23 by the board for administering the pharmaceutical collection  
24 and disposal program originally established pursuant to 2009  
25 Iowa Acts, chapter 175, section 9. The program shall provide  
26 for the management and disposal of unused, excess, and expired  
27 pharmaceuticals. The board of pharmacy may cooperate with the  
28 Iowa pharmacy association and may consult with the department  
29 and sanitary landfill operators in administering the program.

30 Sec. 302. Section 225B.8, Code 2011, is amended to read as  
31 follows:

32 **225B.8 Repeal.**

33 This chapter is repealed July 1, ~~2011~~ 2012.

34 Sec. 303. Section 232.188, subsection 5, paragraph b,  
35 unnumbered paragraph 1, Code 2011, is amended to read as

1 follows:

2 Notwithstanding section 8.33, moneys designated for a  
3 project's decategorization services funding pool that remain  
4 unencumbered or unobligated at the close of the fiscal year  
5 shall not revert but shall remain available for expenditure as  
6 directed by the project's governance board for child welfare  
7 and juvenile justice systems enhancements and other purposes of  
8 the project ~~until the close of the succeeding fiscal year and~~  
9 for the next two succeeding fiscal years. Such moneys shall be  
10 known as "*carryover funding*". Moneys may be made available to a  
11 funding pool from one or more of the following sources:

12 Sec. 304. Section 249A.4B, subsection 2, paragraph a,  
13 subparagraph (18), Code 2011, is amended to read as follows:

14 (18) The ~~Iowa/Nebraska~~ Iowa primary care association.

15 Sec. 305. REPEAL. Section 135.27A, Code 2011, is repealed  
16 December 31, 2011.

17 DIVISION XXXI

18 HEALTH AND HUMAN SERVICES

19 MEDICAID PRESCRIPTION DRUGS

20 Sec. 306. Section 249A.20A, subsection 4, Code 2011, is  
21 amended to read as follows:

22 4. With the exception of drugs prescribed for the treatment  
23 of human immunodeficiency virus or acquired immune deficiency  
24 syndrome, transplantation, or cancer and drugs prescribed  
25 for mental illness with the exception of drugs and drug  
26 compounds that do not have a significant variation in a  
27 therapeutic profile or side effect profile within a therapeutic  
28 class, prescribing and dispensing of prescription drugs not  
29 included on the preferred drug list shall be subject to prior  
30 authorization.

31 Sec. 307. 2010 Iowa Acts, chapter 1031, section 348, is  
32 amended to read as follows:

33 SEC. 348. MEDICAID NONPREFERRED DRUG LIST PRESCRIBING.

34 ~~±~~ The department shall adopt rules pursuant to chapter 17A  
35 to restrict physicians and other prescribers to prescribing



1 not more than a 72-hour or three-day supply of a prescription  
2 drug not included on the medical assistance preferred drug list  
3 while seeking approval to continue prescribing the medication.

4 ~~2. Notwithstanding subsection 1, the department shall~~  
5 ~~adopt rules pursuant to chapter 17A to restrict a physician or~~  
6 ~~other prescriber prescribing a chemically unique mental health~~  
7 ~~prescription drug to prescribing not more than a seven-day~~  
8 ~~supply of the prescription drug while requesting approval to~~  
9 ~~continue to prescribe the medication. The rules shall provide~~  
10 ~~that if an approval or disapproval is not received by the~~  
11 ~~physician or other prescriber within 48 hours of the request,~~  
12 ~~the request is deemed approved.~~

13 Sec. 308. REPEAL. 2010 Iowa Acts, chapter 1031, section  
14 349, is repealed.

15 Sec. 309. RESCINDING AND ADOPTION OF RULES. The department  
16 of human services shall rescind the rules adopted pursuant  
17 to 2010 Iowa Acts, chapter 1031, section 347, chapter 1031,  
18 section 348, subsection 2, and chapter 1031, section 349,  
19 and shall instead adopt emergency rules under section 17A.4,  
20 subsection 3, and section 17A.5, subsection 2, paragraph "b",  
21 to implement section 249A.20A, as amended in this division of  
22 this Act, and the rules shall be effective immediately upon  
23 filing and retroactively applicable to January 1, 2011, unless  
24 a later date is specified in the rules. Any rules adopted  
25 in accordance with this section shall also be published as a  
26 notice of intended action as provided in section 17A.4.

27 Sec. 310. EFFECTIVE UPON ENACTMENT AND RETROACTIVE  
28 APPLICABILITY. This division of this Act, being deemed of  
29 immediate importance, takes effect upon enactment and applies  
30 retroactively to January 1, 2011.

31 DIVISION XXXII

32 HEALTH AND HUMAN SERVICES

33 IOWA FALSE CLAIMS ACT

34 Sec. 311. Section 685.1, subsection 11, Code 2011, is  
35 amended to read as follows:

1 11. "*Original source*" means an individual who ~~has direct and~~  
2 ~~independent~~ prior to a public disclosure under section 685.3,  
3 subsection 5, paragraph "c", has voluntarily disclosed to the  
4 state the information on which the allegations or transactions  
5 in a claim are based; or who has knowledge of the information  
6 ~~on which the allegations are based~~ that is independent of  
7 and materially adds to the publicly disclosed allegations or  
8 transactions, and has voluntarily provided the information to  
9 the state before filing an action under ~~section 685.3 which is~~  
10 ~~based on the information~~ this chapter.

11 Sec. 312. Section 685.1, Code 2011, is amended by adding the  
12 following new subsection:

13 NEW SUBSECTION. 15. "*State*" means the state of Iowa.

14 Sec. 313. Section 685.2, subsection 1, unnumbered paragraph  
15 1, Code 2011, is amended to read as follows:

16 A person who commits any of the following acts is jointly  
17 and severally liable to the state for a civil penalty of not  
18 less than ~~five thousand dollars~~ and not more than ~~ten thousand~~  
19 ~~dollars~~ the civil penalty allowed under the federal False  
20 Claims Act, as codified in 31 U.S.C. § 3729 et seq., as may be  
21 adjusted in accordance with the inflation adjustment procedures  
22 prescribed in the federal Civil Penalties Inflation Adjustment  
23 Act of 1990, Pub. L. No. 101-410, for each false or fraudulent  
24 claim, plus three times the amount of damages which the state  
25 sustains ~~because of the act of that person:~~

26 Sec. 314. Section 685.3, subsection 5, paragraph c, Code  
27 2011, is amended by striking the paragraph and inserting in  
28 lieu thereof the following:

29 c. A court shall dismiss an action or claim under this  
30 section, unless opposed by the state, if substantially the  
31 same allegations or transactions as alleged in the action or  
32 claim were publicly disclosed in a state criminal, civil, or  
33 administrative hearing in which the state or an agent of the  
34 state is a party; in a state legislative, state auditor, or  
35 other state report, hearing, audit, or investigation; or by

1 the news media, unless the action is brought by the attorney  
2 general or the qui tam plaintiff is an original source of the  
3 information.

4 Sec. 315. Section 685.3, subsection 6, Code 2011, is amended  
5 to read as follows:

6 6. a. Any employee, contractor, or agent ~~who~~ shall be  
7 entitled to all relief necessary to make that employee,  
8 contractor, or agent whole, if that employee, contractor, or  
9 agent is discharged, demoted, suspended, threatened, harassed,  
10 or in any other manner discriminated against in the terms and  
11 conditions of employment because of lawful acts performed  
12 done by the employee, contractor, or agent on behalf of  
13 ~~the employee, contractor, or agent~~ or associated others in  
14 furtherance of an action under this section or other efforts  
15 to stop a violation one or more violations of this chapter,  
16 ~~shall be entitled to all relief necessary to make the employee,~~  
17 ~~contractor, or agent whole. Such relief~~

18 b. Relief under paragraph "a" shall include reinstatement  
19 with the same seniority status such that employee, contractor,  
20 or agent would have had but for the discrimination, two  
21 times the amount of back pay, interest on the back pay, and  
22 compensation for any special damages sustained as a result of  
23 the discrimination, including litigation costs and reasonable  
24 attorney fees. ~~An employee, contractor, or agent may bring an~~  
25 action under this subsection may be brought in the appropriate  
26 district court of the state for the relief provided in this  
27 subsection.

28 c. A civil action under this subsection shall not be brought  
29 more than three years after the date when the retaliation  
30 occurred.

31 DIVISION XXXIII  
32 HEALTH AND HUMAN SERVICES  
33 VOLUNTEER HEALTH CARE PROVIDER PROGRAM

34 Sec. 316. Section 135.24, subsection 2, Code 2011, is  
35 amended by adding the following new paragraph:

1 NEW PARAGRAPH. e. Procedures for a hospital to register  
2 and act as a sponsor entity for the program. A hospital acting  
3 as a sponsor entity under this paragraph shall enter into an  
4 agreement with the program to allow an individual health care  
5 provider who registers and complies with the requirements  
6 of this section to deliver free health care services to  
7 uninsured and underinsured individuals at the sponsor entity  
8 location. The sponsor entity shall not bill, charge, or  
9 receive compensation and shall not be considered a state agency  
10 under chapter 669 when acting as a sponsor entity under this  
11 paragraph.

12 Sec. 317. Section 135.24, subsection 3, paragraph b, Code  
13 2011, is amended to read as follows:

14 b. Provided medical, dental, chiropractic, pharmaceutical,  
15 nursing, optometric, psychological, social work, behavioral  
16 science, podiatric, physical therapy, occupational therapy,  
17 respiratory therapy, or emergency medical care services through  
18 a hospital, clinic, free clinic, field dental clinic, specialty  
19 health care provider office, or other health care facility,  
20 health care referral program, or charitable organization listed  
21 as eligible and participating by the department pursuant to  
22 subsection 1 or through a hospital that has entered into a  
23 sponsor entity agreement as described in subsection 2.

24 DIVISION XXXIV

25 HEALTH AND HUMAN SERVICES

26 DEPARTMENT ON AGING — FY 2012-2013

27 Sec. 318. DEPARTMENT ON AGING. There is appropriated from  
28 the general fund of the state to the department on aging for  
29 the fiscal year beginning July 1, 2012, and ending June 30,  
30 2013, the following amount, or so much thereof as is necessary,  
31 to be used for the purposes designated:

32 For aging programs for the department on aging and area  
33 agencies on aging to provide citizens of Iowa who are 60 years  
34 of age and older with case management for frail elders, Iowa's  
35 aging and disabilities resource center, and other services

1 which may include but are not limited to adult day services,  
2 respite care, chore services, information and assistance,  
3 and material aid, for information and options counseling for  
4 persons with disabilities who are 18 years of age or older,  
5 and for salaries, support, administration, maintenance, and  
6 miscellaneous purposes, and for not more than the following  
7 full-time equivalent positions:

8 .....	\$	8,757,190
9 .....	FTEs	35.00

10 1. Funds appropriated in this section may be used to  
11 supplement federal funds under federal regulations. To  
12 receive funds appropriated in this section, a local area  
13 agency on aging shall match the funds with moneys from other  
14 sources according to rules adopted by the department. Funds  
15 appropriated in this section may be used for elderly services  
16 not specifically enumerated in this section only if approved  
17 by an area agency on aging for provision of the service within  
18 the area.

19 2. The amount appropriated in this section includes  
20 additional funding of \$382,500 for delivery of long-term care  
21 services to older individuals with low or moderate incomes.

22 3. Of the funds appropriated in this section, \$152,954 shall  
23 be transferred to the department of economic development for  
24 the Iowa commission on volunteer services to be used for the  
25 retired and senior volunteer program.

26 4. a. The department on aging shall establish and enforce  
27 procedures relating to expenditure of state and federal funds  
28 by area agencies on aging that require compliance with both  
29 state and federal laws, rules, and regulations, including but  
30 not limited to all of the following:

31 (1) Requiring that expenditures are incurred only for goods  
32 or services received or performed prior to the end of the  
33 fiscal period designated for use of the funds.

34 (2) Prohibiting prepayment for goods or services not  
35 received or performed prior to the end of the fiscal period

1 designated for use of the funds.

2 (3) Prohibiting the prepayment for goods or services  
3 not defined specifically by good or service, time period, or  
4 recipient.

5 (4) Prohibiting the establishment of accounts from which  
6 future goods or services which are not defined specifically by  
7 good or service, time period, or recipient, may be purchased.

8 b. The procedures shall provide that if any funds are  
9 expended in a manner that is not in compliance with the  
10 procedures and applicable federal and state laws, rules, and  
11 regulations, and are subsequently subject to repayment, the  
12 area agency on aging expending such funds in contravention of  
13 such procedures, laws, rules and regulations, not the state,  
14 shall be liable for such repayment.

15 DIVISION XXXV

16 HEALTH AND HUMAN SERVICES

17 DEPARTMENT OF PUBLIC HEALTH — FY 2012-2013

18 Sec. 319. DEPARTMENT OF PUBLIC HEALTH. There is  
19 appropriated from the general fund of the state to the  
20 department of public health for the fiscal year beginning July  
21 1, 2012, and ending June 30, 2013, the following amounts, or  
22 so much thereof as is necessary, to be used for the purposes  
23 designated:

24 1. ADDICTIVE DISORDERS

25 For reducing the prevalence of use of tobacco, alcohol, and  
26 other drugs, and treating individuals affected by addictive  
27 behaviors, including gambling, and for not more than the  
28 following full-time equivalent positions:

29 .....	\$ 17,597,712
30 .....	FTEs 13.00

31 a. (1) Of the funds appropriated in this subsection,  
32 \$385,756 shall be transferred to the alcoholic beverages  
33 division of the department of commerce for enforcement of  
34 tobacco laws, regulations, and ordinances in accordance with  
35 2011 Iowa Acts, House File 467, as enacted.

1 (2) Implementation of the tobacco use prevention and  
2 control initiative for the fiscal year beginning July 1, 2011,  
3 including efforts at the state and local levels, as provided  
4 in chapter 142A, shall be limited to the extent of the funding  
5 available.

6 b. Of the funds appropriated in this subsection 1,  
7 \$17,211,956 shall be used for problem gambling and substance  
8 abuse prevention, treatment, and recovery services, including a  
9 24-hour helpline, public information resources, professional  
10 training, and program evaluation.

11 (1) Of the funds allocated in this paragraph "b",  
12 \$14,562,632 shall be used for substance abuse prevention and  
13 treatment.

14 (a) Of the funds allocated in this subparagraph (1),  
15 \$764,405 shall be used for the public purpose of a grant  
16 program to provide substance abuse prevention programming for  
17 children.

18 (i) Of the funds allocated in this subparagraph division  
19 (a), \$363,408 shall be used for grant funding for organizations  
20 that provide programming for children by utilizing mentors.  
21 Programs approved for such grants shall be certified or will  
22 be certified within six months of receiving the grant award  
23 by the Iowa commission on volunteer services as utilizing the  
24 standards for effective practice for mentoring programs.

25 (ii) Of the funds allocated in this subparagraph division  
26 (a), \$362,813 shall be used for grant funding for organizations  
27 that provide programming that includes youth development and  
28 leadership. The programs shall also be recognized as being  
29 programs that are scientifically based with evidence of their  
30 effectiveness in reducing substance abuse in children.

31 (iii) The department of public health shall utilize a  
32 request for proposals process to implement the grant program.

33 (iv) All grant recipients shall participate in a program  
34 evaluation as a requirement for receiving grant funds.

35 (v) Of the funds allocated in this subparagraph division

1 (a), up to \$38,184 may be used to administer substance abuse  
2 prevention grants and for program evaluations.

3 (b) Of the funds allocated in this subparagraph (1),  
4 \$232,103 shall be used for culturally competent substance abuse  
5 treatment pilot projects.

6 (i) The department shall utilize the amount allocated  
7 in this subparagraph division (b) for at least three pilot  
8 projects to provide culturally competent substance abuse  
9 treatment in various areas of the state. Each pilot project  
10 shall target a particular ethnic minority population. The  
11 populations targeted shall include but are not limited to  
12 African American, Asian, and Latino.

13 (ii) The pilot project requirements shall provide for  
14 documentation or other means to ensure access to the cultural  
15 competence approach used by a pilot project so that such  
16 approach can be replicated and improved upon in successor  
17 programs.

18 (2) Of the funds allocated in this paragraph "b", up  
19 to \$2,649,324 may be used for problem gambling prevention,  
20 treatment, and recovery services.

21 (a) Of the funds allocated in this subparagraph (2),  
22 \$2,192,150 shall be used for problem gambling prevention and  
23 treatment.

24 (b) Of the funds allocated in this subparagraph (2), up to  
25 \$372,174 may be used for a 24-hour helpline, public information  
26 resources, professional training, and program evaluation.

27 (c) Of the funds allocated in this subparagraph (2), up  
28 to \$85,000 may be used for the licensing of problem gambling  
29 treatment programs.

30 (3) It is the intent of the general assembly that from the  
31 moneys allocated in this paragraph "b", persons with a dual  
32 diagnosis of substance abuse and gambling addictions shall be  
33 given priority in treatment services.

34 c. Notwithstanding any provision of law to the contrary,  
35 to standardize the availability, delivery, cost of delivery,



1 and accountability of problem gambling and substance abuse  
2 treatment services statewide, the department shall continue  
3 implementation of a process to create a system for delivery  
4 of treatment services in accordance with the requirements  
5 specified in 2008 Iowa Acts, chapter 1187, section 3,  
6 subsection 4. To ensure the system provides a continuum of  
7 treatment services that best meets the needs of Iowans, the  
8 problem gambling and substance abuse treatment services in any  
9 area may be provided either by a single agency or by separate  
10 agencies submitting a joint proposal.

11 (1) The system for delivery of substance abuse and  
12 problem gambling treatment shall include problem gambling  
13 prevention by July 1, 2012. The department shall submit a  
14 proposed legislative bill in accordance with section 2.16, for  
15 consideration during the 2012 legislative session, addressing  
16 any statutory revisions necessary for full implementation of  
17 the system.

18 (2) The system for delivery of substance abuse and problem  
19 gambling treatment shall include substance abuse prevention by  
20 July 1, 2014.

21 (3) Of the funds allocated in paragraph "b", the department  
22 may use up to \$85,000 for administrative costs to continue  
23 developing and implementing the process in accordance with this  
24 paragraph "c".

25 d. The requirement of section 123.53, subsection 5, is met  
26 by the appropriations and allocations made in the health and  
27 human services divisions of this Act for purposes of substance  
28 abuse treatment and addictive disorders for the fiscal year  
29 beginning July 1, 2012.

30 e. The department of public health shall work with all other  
31 departments that fund substance abuse prevention and treatment  
32 services and all such departments shall, to the extent  
33 necessary, collectively meet the state maintenance of effort  
34 requirements for expenditures for substance abuse services  
35 as required under the federal substance abuse prevention and

1 treatment block grant.

2 f. The department shall amend or otherwise revise  
3 departmental policies and contract provisions in order to  
4 eliminate free t-shirt distribution, banner production, and  
5 other unnecessary promotional expenditures.

6 2. HEALTHY CHILDREN AND FAMILIES

7 For promoting the optimum health status for children,  
8 adolescents from birth through 21 years of age, and families,  
9 and for not more than the following full-time equivalent  
10 positions:

11 .....	\$	2,205,130
12 .....	FTEs	10.00

13 a. Of the funds appropriated in this subsection, not more  
14 than \$628,420 shall be used for the healthy opportunities to  
15 experience success (HOPES)-healthy families Iowa (HFI) program  
16 established pursuant to section 135.106. The funding shall  
17 be distributed to renew the grants that were provided to the  
18 grantees that operated the program during the fiscal year  
19 ending June 30, 2012.

20 b. Of the funds appropriated in this subsection, \$280,402  
21 shall be used to continue to address the healthy mental  
22 development of children from birth through five years of age  
23 through local evidence-based strategies that engage both the  
24 public and private sectors in promoting healthy development,  
25 prevention, and treatment for children.

26 c. Of the funds appropriated in this subsection, \$26,857  
27 shall be distributed to a statewide dental carrier to provide  
28 funds to continue the donated dental services program patterned  
29 after the projects developed by the lifeline network to provide  
30 dental services to indigent elderly and disabled individuals.

31 d. Of the funds appropriated in this subsection, \$95,775  
32 shall be used for childhood obesity prevention.

33 e. Of the funds appropriated in this subsection, \$139,196  
34 shall be used to provide audiological services and hearing  
35 aids for children. The department may enter into a contract

1 to administer this paragraph.

2 3. CHRONIC CONDITIONS

3 For serving individuals identified as having chronic  
4 conditions or special health care needs, and for not more than  
5 the following full-time equivalent positions:

6 .....	\$	2,922,802
7 .....	FTEs	4.00

8 a. Of the funds appropriated in this subsection, \$136,495  
9 shall be used for grants to individual patients who have  
10 phenylketonuria (PKU) to assist with the costs of necessary  
11 special foods.

12 b. Of the funds appropriated in this subsection, \$411,060  
13 is allocated for continuation of the contracts for resource  
14 facilitator services in accordance with section 135.22B,  
15 subsection 9, and for brain injury training services and  
16 recruiting of service providers to increase the capacity within  
17 this state to address the needs of individuals with brain  
18 injuries and such individuals' families.

19 c. Of the funds appropriated in this subsection, \$398,543  
20 shall be used as additional funding to leverage federal funding  
21 through the federal Ryan White Care Act, Tit. II, AIDS drug  
22 assistance program supplemental drug treatment grants.

23 d. Of the funds appropriated in this subsection, \$26,566  
24 shall be used for the public purpose of providing a grant to an  
25 existing national-affiliated organization to provide education,  
26 client-centered programs, and client and family support for  
27 people living with epilepsy and their families.

28 e. Of the funds appropriated in this subsection, \$670,057  
29 shall be used for child health specialty clinics.

30 f. Of the funds appropriated in this subsection, \$604,394  
31 shall be used for the comprehensive cancer control program to  
32 reduce the burden of cancer in Iowa through prevention, early  
33 detection, effective treatment, and ensuring quality of life.  
34 Of the funds allocated in this lettered paragraph, \$309,389  
35 shall be used to support a melanoma research symposium, a

1 melanoma biorepository and registry, basic and translational  
2 melanoma research, and clinical trials.

3 g. Of the funds appropriated in this subsection, \$107,483  
4 shall be used for cervical and colon cancer screening.

5 h. Of the funds appropriated in this subsection, \$358,515  
6 shall be used for the center for congenital and inherited  
7 disorders.

8 i. Of the funds appropriated in this subsection, \$110,446  
9 shall be used for the prescription drug donation repository  
10 program created in chapter 135M.

11 4. COMMUNITY CAPACITY

12 For strengthening the health care delivery system at the  
13 local level, and for not more than the following full-time  
14 equivalent positions:

15 .....	\$	3,751,954
16 .....	FTEs	14.00

17 a. Of the funds appropriated in this subsection, \$85,000  
18 is allocated for a child vision screening program implemented  
19 through the university of Iowa hospitals and clinics in  
20 collaboration with early childhood Iowa areas.

21 b. Of the funds appropriated in this subsection, \$94,612 is  
22 allocated for continuation of an initiative implemented at the  
23 university of Iowa and \$85,419 is allocated for continuation of  
24 an initiative at the state mental health institute at Cherokee  
25 to expand and improve the workforce engaged in mental health  
26 treatment and services. The initiatives shall receive input  
27 from the university of Iowa, the department of human services,  
28 the department of public health, and the mental health, mental  
29 retardation, developmental disabilities, and brain injury  
30 commission to address the focus of the initiatives.

31 c. Of the funds appropriated in this subsection, \$995,767  
32 shall be used for essential public health services that promote  
33 healthy aging throughout the lifespan, contracted through a  
34 formula for local boards of health, to enhance health promotion  
35 and disease prevention services.

1 d. Of the funds appropriated in this section, \$103,544 shall  
2 be deposited in the governmental public health system fund  
3 created in section 135A.8 to be used for the purposes of the  
4 fund.

5 e. Of the funds appropriated in this subsection, \$90,337  
6 shall be used for the mental health professional shortage area  
7 program implemented pursuant to section 135.80.

8 f. Of the funds appropriated in this subsection,  
9 \$32,524 shall be used for a grant to a statewide association  
10 of psychologists that is affiliated with the American  
11 psychological association to be used for continuation of a  
12 program to rotate intern psychologists in placements in urban  
13 and rural mental health professional shortage areas, as defined  
14 in section 135.80.

15 g. Of the funds appropriated in this subsection, the  
16 following amounts shall be allocated to the Iowa collaborative  
17 safety net provider network established pursuant to section  
18 135.153 to be used for the purposes designated. The following  
19 amounts allocated under this lettered paragraph shall be  
20 distributed to the specified provider and shall not be reduced  
21 for administrative or other costs prior to distribution:

22 (1) For distribution to the Iowa primary care association  
23 for statewide coordination of the Iowa collaborative safety net  
24 provider network:

25 ..... \$ 99,107

26 (2) For distribution to the local boards of health that  
27 provide direct services for pilot programs in three counties to  
28 assist patients in determining an appropriate medical home:

29 ..... \$ 58,082

30 (3) For distribution to maternal and child health centers  
31 for pilot programs in three counties to assist patients in  
32 determining an appropriate medical home:

33 ..... \$ 58,082

34 (4) For distribution to free clinics for necessary  
35 infrastructure, statewide coordination, provider recruitment,

1 service delivery, and provision of assistance to patients in  
2 determining an appropriate medical home:  
3 ..... \$ 96,691

4 (5) For distribution to rural health clinics for necessary  
5 infrastructure, statewide coordination, provider recruitment,  
6 service delivery, and provision of assistance to patients in  
7 determining an appropriate medical home:  
8 ..... \$ 86,074

9 (6) For continuation of the safety net provider patient  
10 access to specialty health care initiative as described in 2007  
11 Iowa Acts, chapter 218, section 109:  
12 ..... \$ 202,657

13 (7) For continuation of the pharmaceutical infrastructure  
14 for safety net providers as described in 2007 Iowa Acts,  
15 chapter 218, section 108:  
16 ..... \$ 210,452

17 The Iowa collaborative safety net provider network may  
18 continue to distribute funds allocated pursuant to this  
19 lettered paragraph through existing contracts or renewal of  
20 existing contracts.

21 h. Of the funds appropriated in this subsection,  
22 \$85,000 shall be used for continued implementation of  
23 the recommendations of the direct care worker task force  
24 established pursuant to 2005 Iowa Acts, chapter 88, based upon  
25 the report submitted to the governor and the general assembly  
26 in December 2006. The department may use a portion of the  
27 funds allocated in this lettered paragraph for an additional  
28 position to assist in the continued implementation.

29 i. Of the funds appropriated in this subsection, \$127,500  
30 shall be used for allocation through a request for proposals  
31 process to an independent statewide direct care worker  
32 association for education, outreach, and mentoring intended to  
33 enhance the recruitment and retention of direct care workers  
34 in health care and long-term care settings. Funding allocated  
35 under this paragraph shall not be used by the recipient

1 association for lobbying activities as described in section  
2 689B.36.

3 j. The department may utilize one of the full-time  
4 equivalent positions authorized in this subsection for  
5 administration of the activities related to the Iowa  
6 collaborative safety net provider network.

7 k. Of the funds appropriated in this subsection, the  
8 department may use up to \$51,000 for up to one full-time  
9 equivalent position to administer the volunteer health care  
10 provider program pursuant to section 135.24.

11 l. Of the funds appropriated in this subsection, \$42,500  
12 shall be used for a matching dental education loan repayment  
13 program to be allocated to a dental nonprofit health service  
14 corporation to develop the criteria and implement the loan  
15 repayment program.

16 m. Of the funds appropriated in this subsection,  
17 \$309,389 shall be used as state matching funds for the health  
18 information network as established by the department of public  
19 health.

20 5. HEALTHY AGING

21 To provide public health services that reduce risks and  
22 invest in promoting and protecting good health over the  
23 course of a lifetime with a priority given to older Iowans and  
24 vulnerable populations:

25 ..... \$ 6,202,571

26 a. Of the funds appropriated in this subsection, \$1,707,809  
27 shall be used for local public health nursing services.

28 b. Of the funds appropriated in this subsection, \$4,494,762  
29 shall be used for home care aide services.

30 6. ENVIRONMENTAL HAZARDS

31 For reducing the public's exposure to hazards in the  
32 environment, primarily chemical hazards, and for not more than  
33 the following full-time equivalent positions:

34 ..... \$ 691,710

35 ..... FTEs 4.00

1 Of the funds appropriated in this subsection, \$462,720 shall  
2 be used for childhood lead poisoning provisions.

3 7. INFECTIOUS DISEASES

4 For reducing the incidence and prevalence of communicable  
5 diseases, and for not more than the following full-time  
6 equivalent positions:

7 ..... \$ 1,143,970  
8 ..... FTEs 4.00

9 8. PUBLIC PROTECTION

10 For protecting the health and safety of the public through  
11 establishing standards and enforcing regulations, and for not  
12 more than the following full-time equivalent positions:

13 ..... \$ 2,359,797  
14 ..... FTEs 125.00

15 a. Of the funds appropriated in this subsection, not more  
16 than \$400,936 shall be credited to the emergency medical  
17 services fund created in section 135.25. Moneys in the  
18 emergency medical services fund are appropriated to the  
19 department to be used for the purposes of the fund.

20 b. Of the funds appropriated in this subsection, \$179,026  
21 shall be used for sexual violence prevention programming  
22 through a statewide organization representing programs serving  
23 victims of sexual violence through the department's sexual  
24 violence prevention program. The amount allocated in this  
25 lettered paragraph shall not be used to supplant funding  
26 administered for other sexual violence prevention or victims  
27 assistance programs.

28 c. Of the funds appropriated in this subsection, not more  
29 than \$371,095 shall be used for the state poison control  
30 center.

31 9. RESOURCE MANAGEMENT

32 For establishing and sustaining the overall ability of the  
33 department to deliver services to the public, and for not more  
34 than the following full-time equivalent positions:

35 ..... \$ 696,621



1 ..... FTEs 7.00

2 The university of Iowa hospitals and clinics under the  
3 control of the state board of regents shall not receive  
4 indirect costs from the funds appropriated in this section.  
5 The university of Iowa hospitals and clinics billings to the  
6 department shall be on at least a quarterly basis.

7 DIVISION XXXVI

8 HEALTH AND HUMAN SERVICES

9 DEPARTMENT OF VETERANS AFFAIRS — FY 2012-2013

10 Sec. 320. DEPARTMENT OF VETERANS AFFAIRS. There is  
11 appropriated from the general fund of the state to the  
12 department of veterans affairs for the fiscal year beginning  
13 July 1, 2012, and ending June 30, 2013, the following amounts,  
14 or so much thereof as is necessary, to be used for the purposes  
15 designated:

16 1. DEPARTMENT OF VETERANS AFFAIRS ADMINISTRATION

17 For salaries, support, maintenance, and miscellaneous  
18 purposes, including the war orphans educational assistance fund  
19 created in section 35.8, and for not more than the following  
20 full-time equivalent positions:

21 ..... \$ 849,007  
22 ..... FTEs 16.34

23 2. IOWA VETERANS HOME

24 For salaries, support, maintenance, and miscellaneous  
25 purposes:

26 ..... \$ 7,609,328

27 a. The Iowa veterans home billings involving the department  
28 of human services shall be submitted to the department on at  
29 least a monthly basis.

30 b. If there is a change in the employer of employees  
31 providing services at the Iowa veterans home under a collective  
32 bargaining agreement, such employees and the agreement shall  
33 be continued by the successor employer as though there had not  
34 been a change in employer.

35 c. Within available resources and in conformance with

1 associated state and federal program eligibility requirements,  
2 the Iowa veterans home may implement measures to provide  
3 financial assistance to or on behalf of veterans or their  
4 spouses participating in the community reentry program.

5 3. STATE EDUCATIONAL ASSISTANCE — CHILDREN OF DECEASED  
6 VETERANS

7 For provision of educational assistance pursuant to section  
8 35.9:

9 ..... \$ 10,554

10 Sec. 321. LIMITATION OF COUNTY COMMISSION OF VETERANS  
11 AFFAIRS FUND STANDING APPROPRIATIONS. Notwithstanding the  
12 standing appropriation in the following designated section for  
13 the fiscal year beginning July 1, 2012, and ending June 30,  
14 2013, the amounts appropriated from the general fund of the  
15 state pursuant to that section for the following designated  
16 purposes shall not exceed the following amount:

17 For the county commissions of veterans affairs fund under  
18 section 35A.16:

19 ..... \$ 841,500

20 DIVISION XXXVII

21 HEALTH AND HUMAN SERVICES

22 DEPARTMENT OF HUMAN SERVICES — FY 2012-2013

23 Sec. 322. TEMPORARY ASSISTANCE FOR NEEDY FAMILIES BLOCK  
24 GRANT. There is appropriated from the fund created in section  
25 8.41 to the department of human services for the fiscal year  
26 beginning July 1, 2012, and ending June 30, 2013, from moneys  
27 received under the federal temporary assistance for needy  
28 families (TANF) block grant pursuant to the federal Personal  
29 Responsibility and Work Opportunity Reconciliation Act of 1996,  
30 Pub. L. No. 104-193, and successor legislation, and from moneys  
31 received under the emergency contingency fund for temporary  
32 assistance for needy families state program established  
33 pursuant to the federal American Recovery and Reinvestment Act  
34 of 2009, Pub. L. No. 111-5 § 2101, and successor legislation,  
35 the following amounts, or so much thereof as is necessary, to

1 be used for the purposes designated:

2 1. To be credited to the family investment program account  
3 and used for assistance under the family investment program  
4 under chapter 239B:

5 ..... \$ 18,275,627

6 2. To be credited to the family investment program account  
7 and used for the job opportunities and basic skills (JOBS)  
8 program and implementing family investment agreements in  
9 accordance with chapter 239B:

10 ..... \$ 10,549,799

11 3. To be used for the family development and  
12 self-sufficiency grant program in accordance with section  
13 216A.107:

14 ..... \$ 2,464,133

15 Notwithstanding section 8.33, moneys appropriated in this  
16 subsection that remain unencumbered or unobligated at the close  
17 of the fiscal year shall not revert but shall remain available  
18 for expenditure for the purposes designated until the close of  
19 the succeeding fiscal year. However, unless such moneys are  
20 encumbered or obligated on or before September 30, 2013, the  
21 moneys shall revert.

22 4. For field operations:

23 ..... \$ 26,601,797

24 5. For general administration:

25 ..... \$ 3,182,400

26 6. For state child care assistance:

27 ..... \$ 13,925,284

28 The funds appropriated in this subsection shall be  
29 transferred to the child care and development block grant  
30 appropriation made by the Eighty-fourth General Assembly, 2012  
31 Session, for the federal fiscal year beginning October 1,  
32 2012, and ending September 30, 2013. Of this amount, \$170,000  
33 shall be used for provision of educational opportunities to  
34 registered child care home providers in order to improve  
35 services and programs offered by this category of providers

1 and to increase the number of providers. The department may  
2 contract with institutions of higher education or child care  
3 resource and referral centers to provide the educational  
4 opportunities. Allowable administrative costs under the  
5 contracts shall not exceed 5 percent. The application for a  
6 grant shall not exceed two pages in length.

7 7. For mental health and developmental disabilities  
8 community services:

9 ..... \$ 4,159,944

10 8. For child and family services:

11 ..... \$ 27,271,766

12 9. For child abuse prevention grants:

13 ..... \$ 106,250

14 10. For pregnancy prevention grants on the condition that  
15 family planning services are funded:

16 ..... \$ 1,640,557

17 Pregnancy prevention grants shall be awarded to pregnancy  
18 prevention programs that are based on existing models that  
19 have demonstrated positive outcomes. Grants shall comply with  
20 the requirements provided in 1997 Iowa Acts, chapter 208,  
21 section 14, subsections 1 and 2, including the requirement that  
22 grant programs must emphasize sexual abstinence. Priority in  
23 the awarding of grants shall be given to programs that serve  
24 areas of the state which demonstrate the highest percentage of  
25 unplanned pregnancies of females of childbearing age within the  
26 geographic area to be served by the grant.

27 11. For technology needs and other resources necessary  
28 to meet federal welfare reform reporting, tracking, and case  
29 management requirements:

30 ..... \$ 881,608

31 12. To be credited to the state child care assistance  
32 appropriation made in this section to be used for funding of  
33 community-based early childhood programs targeted to children  
34 from birth through five years of age developed by early  
35 childhood Iowa areas as provided in section 256I.11:

1 ..... \$ 5,397,500

2 The department shall transfer TANF block grant funding  
3 appropriated and allocated in this subsection to the child care  
4 and development block grant appropriation in accordance with  
5 federal law as necessary to comply with the provisions of this  
6 subsection.

7 13. a. Notwithstanding any provision to the contrary,  
8 including but not limited to requirements in section 8.41 or  
9 provisions in 2011 or 2012 Iowa Acts regarding the receipt  
10 and appropriation of federal block grants, federal funds  
11 from the emergency contingency fund for temporary assistance  
12 for needy families state program established pursuant to the  
13 federal American Recovery and Reinvestment Act of 2009, Pub.  
14 L. No. 111-5 § 2101, received by the state during the fiscal  
15 year beginning July 1, 2011, and ending June 30, 2012, not  
16 otherwise appropriated in this section and remaining available  
17 as of July 1, 2012, and received by the state during the fiscal  
18 year beginning July 1, 2012, and ending June 30, 2013, are  
19 appropriated to the extent as may be necessary to be used in  
20 the following priority order: the family investment program  
21 for the fiscal year and for state child care assistance program  
22 payments for individuals enrolled in the family investment  
23 program who are employed. The federal funds appropriated in  
24 this paragraph "a" shall be expended only after all other  
25 funds appropriated in subsection 1 for the assistance under  
26 the family investment program under chapter 239B have been  
27 expended.

28 b. The department shall, on a quarterly basis, advise the  
29 legislative services agency and department of management of  
30 the amount of funds appropriated in this subsection that was  
31 expended in the prior quarter.

32 14. Of the amounts appropriated in this section,  
33 \$11,017,707 for the fiscal year beginning July 1, 2012, shall  
34 be transferred to the appropriation of the federal social  
35 services block grant made for that fiscal year.

1 15. For continuation of the program allowing the department  
2 to maintain categorical eligibility for the food assistance  
3 program as required under the section of this division of this  
4 Act relating to the family investment account:

5 ..... \$ 124,161

6 16. The department may transfer funds allocated in this  
7 section to the appropriations made in this division of this Act  
8 for general administration and field operations for resources  
9 necessary to implement and operate the services referred to in  
10 this section and those funded in the appropriation made in this  
11 division of this Act for the family investment program from the  
12 general fund of the state.

13 Sec. 323. FAMILY INVESTMENT PROGRAM ACCOUNT.

14 1. Moneys credited to the family investment program (FIP)  
15 account for the fiscal year beginning July 1, 2012, and  
16 ending June 30, 2013, shall be used to provide assistance in  
17 accordance with chapter 239B.

18 2. The department may use a portion of the moneys credited  
19 to the FIP account under this section as necessary for  
20 salaries, support, maintenance, and miscellaneous purposes.

21 3. The department may transfer funds allocated in this  
22 section to the appropriations in this division of this Act  
23 for general administration and field operations for resources  
24 necessary to implement and operate the services referred to in  
25 this section and those funded in the appropriation made in this  
26 division of this Act for the family investment program from the  
27 general fund of the state.

28 4. Moneys appropriated in this division of this Act and  
29 credited to the FIP account for the fiscal year beginning July  
30 1, 2012, and ending June 30, 2013, are allocated as follows:

31 a. To be retained by the department of human services to  
32 be used for coordinating with the department of human rights  
33 to more effectively serve participants in the FIP program and  
34 other shared clients and to meet federal reporting requirements  
35 under the federal temporary assistance for needy families block

1 grant:

2 ..... \$ 17,000

3 b. To the department of human rights for staffing,  
4 administration, and implementation of the family development  
5 and self-sufficiency grant program in accordance with section  
6 216A.107:

7 ..... \$ 4,541,409

8 (1) Of the funds allocated for the family development and  
9 self-sufficiency grant program in this lettered paragraph,  
10 not more than 5 percent of the funds shall be used for the  
11 administration of the grant program.

12 (2) The department of human rights may continue to implement  
13 the family development and self-sufficiency grant program  
14 statewide during fiscal year 2012-2013.

15 c. For the diversion subaccount of the FIP account:

16 ..... \$ 1,443,640

17 A portion of the moneys allocated for the subaccount may  
18 be used for field operations salaries, data management system  
19 development, and implementation costs and support deemed  
20 necessary by the director of human services in order to  
21 administer the FIP diversion program.

22 d. For the food stamp employment and training program:

23 ..... \$ 56,600

24 (1) The department shall amend the food stamp employment and  
25 training state plan in order to maximize to the fullest extent  
26 permitted by federal law the use of the 50-50 match provisions  
27 for the claiming of allowable federal matching funds from the  
28 United States department of agriculture pursuant to the federal  
29 food stamp employment and training program for providing  
30 education, employment, and training services for eligible food  
31 assistance program participants, including but not limited to  
32 related dependent care and transportation expenses.

33 (2) The department shall continue the categorical federal  
34 food assistance program eligibility at 160 percent of the  
35 federal poverty level and continue to eliminate the asset test

1 from eligibility requirements, consistent with federal food  
2 assistance program requirements. The department shall include  
3 as many food assistance households as is allowed by federal  
4 law. The eligibility provisions shall conform to all federal  
5 requirements including requirements addressing individuals who  
6 are incarcerated or otherwise ineligible.

7 e. For the JOBS program:

8 ..... \$ 17,200,519

9 5. Of the child support collections assigned under FIP,  
10 an amount equal to the federal share of support collections  
11 shall be credited to the child support recovery appropriation  
12 made in this division of this Act. Of the remainder of the  
13 assigned child support collections received by the child  
14 support recovery unit, a portion shall be credited to the FIP  
15 account, a portion may be used to increase recoveries, and a  
16 portion may be used to sustain cash flow in the child support  
17 payments account. If as a consequence of the appropriations  
18 and allocations made in this section the resulting amounts  
19 are insufficient to sustain cash assistance payments and meet  
20 federal maintenance of effort requirements, the department  
21 shall seek supplemental funding. If child support collections  
22 assigned under FIP are greater than estimated or are otherwise  
23 determined not to be required for maintenance of effort, the  
24 state share of either amount may be transferred to or retained  
25 in the child support payment account.

26 6. The department may adopt emergency rules for the family  
27 investment, JOBS, food stamp, and medical assistance programs  
28 if necessary to comply with federal requirements.

29 Sec. 324. FAMILY INVESTMENT PROGRAM GENERAL FUND. There  
30 is appropriated from the general fund of the state to the  
31 department of human services for the fiscal year beginning July  
32 1, 2012, and ending June 30, 2013, the following amount, or  
33 so much thereof as is necessary, to be used for the purpose  
34 designated:

35 To be credited to the family investment program (FIP)



1 account and used for family investment program assistance under  
2 chapter 239B:

3 ..... \$ 42,645,373

4 1. Of the funds appropriated in this section, \$6,650,720 is  
5 allocated for the JOBS program.

6 2. Of the funds appropriated in this section, \$2,094,276 is  
7 allocated for the family development and self-sufficiency grant  
8 program.

9 3. Notwithstanding section 8.39, for the fiscal year  
10 beginning July 1, 2012, if necessary to meet federal  
11 maintenance of effort requirements or to transfer federal  
12 temporary assistance for needy families block grant funding  
13 to be used for purposes of the federal social services block  
14 grant or to meet cash flow needs resulting from delays in  
15 receiving federal funding or to implement, in accordance with  
16 this division of this Act, activities currently funded with  
17 juvenile court services, county, or community moneys and state  
18 moneys used in combination with such moneys, the department  
19 of human services may transfer funds within or between any  
20 of the appropriations made in this division of this Act and  
21 appropriations in law for the federal social services block  
22 grant to the department for the following purposes, provided  
23 that the combined amount of state and federal temporary  
24 assistance for needy families block grant funding for each  
25 appropriation remains the same before and after the transfer:

- 26 a. For the family investment program.
- 27 b. For child care assistance.
- 28 c. For child and family services.
- 29 d. For field operations.
- 30 e. For general administration.
- 31 f. MH/MR/DD/BI community services (local purchase).

32 This subsection shall not be construed to prohibit the use  
33 of existing state transfer authority for other purposes. The  
34 department shall report any transfers made pursuant to this  
35 subsection to the legislative services agency.

1 4. Of the funds appropriated in this section, \$166,326 shall  
2 be used for continuation of a grant to an Iowa-based nonprofit  
3 organization with a history of providing tax preparation  
4 assistance to low-income Iowans in order to expand the usage of  
5 the earned income tax credit. The purpose of the grant is to  
6 supply this assistance to underserved areas of the state.

7 Sec. 325. CHILD SUPPORT RECOVERY. There is appropriated  
8 from the general fund of the state to the department of human  
9 services for the fiscal year beginning July 1, 2012, and ending  
10 June 30, 2013, the following amount, or so much thereof as is  
11 necessary, to be used for the purposes designated:

12 For child support recovery, including salaries, support,  
13 maintenance, and miscellaneous purposes, and for not more than  
14 the following full-time equivalent positions:

15 ..... \$ 11,087,783  
16 ..... FTEs 475.00

17 1. The department shall expend up to \$20,680, including  
18 federal financial participation, for the fiscal year beginning  
19 July 1, 2012, for a child support public awareness campaign.  
20 The department and the office of the attorney general shall  
21 cooperate in continuation of the campaign. The public  
22 awareness campaign shall emphasize, through a variety of  
23 media activities, the importance of maximum involvement of  
24 both parents in the lives of their children as well as the  
25 importance of payment of child support obligations.

26 2. Federal access and visitation grant moneys shall be  
27 issued directly to private not-for-profit agencies that provide  
28 services designed to increase compliance with the child access  
29 provisions of court orders, including but not limited to  
30 neutral visitation sites and mediation services.

31 3. The appropriation made to the department for child  
32 support recovery may be used throughout the fiscal year in the  
33 manner necessary for purposes of cash flow management, and for  
34 cash flow management purposes the department may temporarily  
35 draw more than the amount appropriated, provided the amount

1 appropriated is not exceeded at the close of the fiscal year.

2 4. With the exception of the funding amount specified, the  
3 requirements established under 2001 Iowa Acts, chapter 191,  
4 section 3, subsection 5, paragraph "c", subparagraph (3), shall  
5 be applicable to parental obligation pilot projects for the  
6 fiscal year beginning July 1, 2012, and ending June 30, 2013.  
7 Notwithstanding 441 IAC 100.8, providing for termination of  
8 rules relating to the pilot projects, the rules shall remain  
9 in effect until June 30, 2013.

10 Sec. 326. HEALTH CARE TRUST FUND — MEDICAL ASSISTANCE. Any  
11 funds remaining in the health care trust fund created in  
12 section 453A.35A for the fiscal year beginning July 1, 2012,  
13 and ending June 30, 2013, are appropriated to the department  
14 of human services to supplement the medical assistance  
15 program appropriations made in the health and human services  
16 divisions of this Act, for medical assistance reimbursement and  
17 associated costs, including program administration and costs  
18 associated with implementation.

19 Sec. 327. MEDICAL ASSISTANCE. There is appropriated from  
20 the general fund of the state to the department of human  
21 services for the fiscal year beginning July 1, 2012, and ending  
22 June 30, 2013, the following amount, or so much thereof as is  
23 necessary, to be used for the purpose designated:

24 For medical assistance reimbursement and associated costs  
25 as specifically provided in the reimbursement methodologies  
26 in effect on June 30, 2012, except as otherwise expressly  
27 authorized by law, including reimbursement for abortion  
28 services which shall be available under the medical assistance  
29 program only for those abortions which are medically necessary:  
30 ..... \$907,162,189

31 1. Medically necessary abortions are those performed under  
32 any of the following conditions:

- 33 a. The attending physician certifies that continuing the  
34 pregnancy would endanger the life of the pregnant woman.
- 35 b. Any spontaneous abortion, commonly known as a

1 miscarriage, if not all of the products of conception are  
2 expelled.

3 2. The department shall utilize not more than \$60,000 of  
4 the funds appropriated in this section to continue the AIDS/HIV  
5 health insurance premium payment program as established in 1992  
6 Iowa Acts, Second Extraordinary Session, chapter 1001, section  
7 409, subsection 6. Of the funds allocated in this subsection,  
8 not more than \$5,000 may be expended for administrative  
9 purposes.

10 3. Of the funds appropriated in the department of public  
11 health division of this Act to the department of public health  
12 for addictive disorders for FY 2012-2013, \$950,000 for the  
13 fiscal year beginning July 1, 2012, shall be transferred to  
14 the department of human services for an integrated substance  
15 abuse managed care system. The department shall not assume  
16 management of the substance abuse system in place of the  
17 managed care contractor unless such a change in approach is  
18 specifically authorized in law. The departments of human  
19 services and public health shall work together to maintain  
20 the level of mental health and substance abuse services  
21 provided by the managed care contractor through the Iowa plan  
22 for behavioral health. Each department shall take the steps  
23 necessary to continue the federal waivers as necessary to  
24 maintain the level of services.

25 4. a. The department shall aggressively pursue options for  
26 providing medical assistance or other assistance to individuals  
27 with special needs who become ineligible to continue receiving  
28 services under the early and periodic screening, diagnostic,  
29 and treatment program under the medical assistance program  
30 due to becoming 21 years of age who have been approved for  
31 additional assistance through the department's exception to  
32 policy provisions, but who have health care needs in excess  
33 of the funding available through the exception to policy  
34 provisions.

35 b. Of the funds appropriated in this section, \$100,000

1 shall be used for participation in one or more pilot projects  
2 operated by a private provider to allow the individual or  
3 individuals to receive service in the community in accordance  
4 with principles established in *Olmstead v. L.C.*, 527 U.S. 581  
5 (1999), for the purpose of providing medical assistance or  
6 other assistance to individuals with special needs who become  
7 ineligible to continue receiving services under the early and  
8 periodic screening, diagnosis, and treatment program under  
9 the medical assistance program due to becoming 21 years of  
10 age who have been approved for additional assistance through  
11 the department's exception to policy provisions, but who have  
12 health care needs in excess of the funding available through  
13 the exception to the policy provisions.

14 5. Of the funds appropriated in this section, up to  
15 \$3,050,082 may be transferred to the field operations or  
16 general administration appropriations in this division of this  
17 Act for operational costs associated with Part D of the federal  
18 Medicare Prescription Drug Improvement and Modernization Act  
19 of 2003, Pub. L. No. 108-173.

20 6. Of the funds appropriated in this section, up to \$442,100  
21 may be transferred to the appropriation in this division  
22 of this Act for medical contracts to be used for clinical  
23 assessment services and prior authorization of services.

24 7. A portion of the funds appropriated in this section  
25 may be transferred to the appropriations in this division of  
26 this Act for general administration, medical contracts, the  
27 children's health insurance program, or field operations to be  
28 used for the state match cost to comply with the payment error  
29 rate measurement (PERM) program for both the medical assistance  
30 and children's health insurance programs as developed by the  
31 centers for Medicare and Medicaid services of the United States  
32 department of health and human services to comply with the  
33 federal Improper Payments Information Act of 2002, Pub. L. No.  
34 107-300.

35 8. It is the intent of the general assembly that the

1 department continue to implement the recommendations of  
2 the assuring better child health and development initiative  
3 II (ABCDII) clinical panel to the Iowa early and periodic  
4 screening, diagnostic, and treatment services healthy mental  
5 development collaborative board regarding changes to billing  
6 procedures, codes, and eligible service providers.

7 9. Of the funds appropriated in this section, a sufficient  
8 amount is allocated to supplement the incomes of residents of  
9 nursing facilities, intermediate care facilities for persons  
10 with mental illness, and intermediate care facilities for  
11 persons with mental retardation, with incomes of less than \$50  
12 in the amount necessary for the residents to receive a personal  
13 needs allowance of \$50 per month pursuant to section 249A.30A.

14 10. Of the funds appropriated in this section, the following  
15 amounts shall be transferred to the appropriations made in this  
16 division of this Act for the state mental health institutes:

- 17 a. Cherokee mental health institute ..... \$ 9,098,425
- 18 b. Clarinda mental health institute ..... \$ 1,977,305
- 19 c. Independence mental health institute ..... \$ 9,045,894
- 20 d. Mount Pleasant mental health institute .... \$ 5,752,587

21 11. a. Of the funds appropriated in this section,  
22 \$7,425,684 is allocated for the state match for a  
23 disproportionate share hospital payment of \$19,133,430 to  
24 hospitals that meet both of the conditions specified in  
25 subparagraphs (1) and (2). In addition, the hospitals that  
26 meet the conditions specified shall either certify public  
27 expenditures or transfer to the medical assistance program  
28 an amount equal to provide the nonfederal share for a  
29 disproportionate share hospital payment of \$7,500,000. The  
30 hospitals that meet the conditions specified shall receive and  
31 retain 100 percent of the total disproportionate share hospital  
32 payment of \$26,633,430.

33 (1) The hospital qualifies for disproportionate share and  
34 graduate medical education payments.

35 (2) The hospital is an Iowa state-owned hospital with more

1 than 500 beds and eight or more distinct residency specialty  
2 or subspecialty programs recognized by the American college of  
3 graduate medical education.

4 b. Distribution of the disproportionate share payments  
5 shall be made on a monthly basis. The total amount of  
6 disproportionate share payments including graduate medical  
7 education, enhanced disproportionate share, and Iowa  
8 state-owned teaching hospital payments shall not exceed the  
9 amount of the state's allotment under Pub. L. No. 102-234.

10 In addition, the total amount of all disproportionate  
11 share payments shall not exceed the hospital-specific  
12 disproportionate share limits under Pub. L. No. 103-66.

13 12. The university of Iowa hospitals and clinics shall  
14 either certify public expenditures or transfer to the medical  
15 assistance appropriation an amount equal to provide the  
16 nonfederal share for increased medical assistance payments for  
17 inpatient and outpatient hospital services of \$9,900,000. The  
18 university of Iowa hospitals and clinics shall receive and  
19 retain 100 percent of the total increase in medical assistance  
20 payments.

21 13. Of the funds appropriated in this section, up to  
22 \$4,480,304 may be transferred to the IowaCare account created  
23 in section 249J.24.

24 14. Of the funds appropriated in this section, \$200,000  
25 shall be used for the Iowa chronic care consortium pursuant to  
26 2003 Iowa Acts, chapter 112, section 12, as amended by 2003  
27 Iowa Acts, chapter 179, sections 166 and 167.

28 15. One hundred percent of the nonfederal share of payments  
29 to area education agencies that are medical assistance  
30 providers for medical assistance-covered services provided to  
31 medical assistance-covered children, shall be made from the  
32 appropriation made in this section.

33 16. Any new or renewed contract entered into by the  
34 department with a third party to administer behavioral health  
35 services under the medical assistance program shall provide

1 that any interest earned on payments from the state during  
2 the state fiscal year shall be remitted to the department  
3 and treated as recoveries to offset the costs of the medical  
4 assistance program.

5 17. The department shall continue to implement the  
6 provisions in 2007 Iowa Acts, chapter 218, section 124 and  
7 section 126, as amended by 2008 Iowa Acts, chapter 1188,  
8 section 55, relating to eligibility for certain persons with  
9 disabilities under the medical assistance program in accordance  
10 with the federal family opportunity Act.

11 18. A portion of the funds appropriated in this section  
12 may be transferred to the appropriation in this division of  
13 this Act for medical contracts to be used for administrative  
14 activities associated with the money follows the person  
15 demonstration project.

16 19. Of the funds appropriated in this section, \$349,011  
17 shall be used for the administration of the health insurance  
18 premium payment program, including salaries, support,  
19 maintenance, and miscellaneous purposes for the fiscal year  
20 beginning July 1, 2012.

21 20. Notwithstanding any provision of law to the contrary,  
22 the department of human services shall continue implementation  
23 of the amended section 1915(b) waiver and Iowa plan contract  
24 for inclusion of remedial services under the Iowa plan contract  
25 for the fiscal year beginning July 1, 2012.

26 Sec. 328. MEDICAL CONTRACTS. There is appropriated from the  
27 general fund of the state to the department of human services  
28 for the fiscal year beginning July 1, 2012, and ending June 30,  
29 2013, the following amount, or so much thereof as is necessary,  
30 to be used for the purpose designated:

31 For medical contracts:

32 ..... \$ 4,950,267

33 The department of inspections and appeals shall provide all  
34 state matching funds for survey and certification activities  
35 performed by the department of inspections and appeals.



1 The department of human services is solely responsible for  
2 distributing the federal matching funds for such activities.

3 Sec. 329. STATE SUPPLEMENTARY ASSISTANCE.

4 1. There is appropriated from the general fund of the  
5 state to the department of human services for the fiscal year  
6 beginning July 1, 2012, and ending June 30, 2013, the following  
7 amount, or so much thereof as is necessary, to be used for the  
8 purpose designated:

9 For the state supplementary assistance program:

10 ..... \$ 14,323,135

11 2. The department shall increase the personal needs  
12 allowance for residents of residential care facilities by the  
13 same percentage and at the same time as federal supplemental  
14 security income and federal social security benefits are  
15 increased due to a recognized increase in the cost of living.  
16 The department may adopt emergency rules to implement this  
17 subsection.

18 3. If during the fiscal year beginning July 1, 2012,  
19 the department projects that state supplementary assistance  
20 expenditures for a calendar year will not meet the federal  
21 pass-through requirement specified in Tit. XVI of the federal  
22 Social Security Act, section 1618, as codified in 42 U.S.C.  
23 § 1382g, the department may take actions including but not  
24 limited to increasing the personal needs allowance for  
25 residential care facility residents and making programmatic  
26 adjustments or upward adjustments of the residential care  
27 facility or in-home health-related care reimbursement rates  
28 prescribed in this division of this Act to ensure that federal  
29 requirements are met. In addition, the department may make  
30 other programmatic and rate adjustments necessary to remain  
31 within the amount appropriated in this section while ensuring  
32 compliance with federal requirements. The department may adopt  
33 emergency rules to implement the provisions of this subsection.

34 Sec. 330. CHILDREN'S HEALTH INSURANCE PROGRAM. There  
35 is appropriated from the general fund of the state to the

1 department of human services for the fiscal year beginning July  
2 1, 2012, and ending June 30, 2013, the following amount, or  
3 so much thereof as is necessary, to be used for the purpose  
4 designated:

5 For maintenance of the healthy and well kids in Iowa (hawk-i)  
6 program pursuant to chapter 514I, including supplemental dental  
7 services, for receipt of federal financial participation under  
8 Tit. XXI of the federal Social Security Act, which creates the  
9 children's health insurance program:

10 ..... \$ 27,775,579

11 Sec. 331. CHILD CARE ASSISTANCE. There is appropriated  
12 from the general fund of the state to the department of human  
13 services for the fiscal year beginning July 1, 2012, and ending  
14 June 30, 2013, the following amount, or so much thereof as is  
15 necessary, to be used for the purpose designated:

16 For child care programs:

17 ..... \$ 46,952,013

18 1. Of the funds appropriated in this section, \$44,088,000  
19 shall be used for state child care assistance in accordance  
20 with section 237A.13.

21 2. Nothing in this section shall be construed or is  
22 intended as or shall imply a grant of entitlement for services  
23 to persons who are eligible for assistance due to an income  
24 level consistent with the waiting list requirements of section  
25 237A.13. Any state obligation to provide services pursuant to  
26 this section is limited to the extent of the funds appropriated  
27 in this section.

28 3. Of the funds appropriated in this section, \$367,585 is  
29 allocated for the statewide program for child care resource  
30 and referral services under section 237A.26. A list of the  
31 registered and licensed child care facilities operating in the  
32 area served by a child care resource and referral service shall  
33 be made available to the families receiving state child care  
34 assistance in that area.

35 4. Of the funds appropriated in this section, \$796,428

1 is allocated for child care quality improvement initiatives  
2 including but not limited to the voluntary quality rating  
3 system in accordance with section 237A.30.

4 5. The department may use any of the funds appropriated  
5 in this section as a match to obtain federal funds for use in  
6 expanding child care assistance and related programs. For  
7 the purpose of expenditures of state and federal child care  
8 funding, funds shall be considered obligated at the time  
9 expenditures are projected or are allocated to the department's  
10 service areas. Projections shall be based on current and  
11 projected caseload growth, current and projected provider  
12 rates, staffing requirements for eligibility determination  
13 and management of program requirements including data systems  
14 management, staffing requirements for administration of the  
15 program, contractual and grant obligations and any transfers  
16 to other state agencies, and obligations for decategorization  
17 or innovation projects.

18 6. A portion of the state match for the federal child care  
19 and development block grant shall be provided as necessary to  
20 meet federal matching funds requirements through the state  
21 general fund appropriation made for child development grants  
22 and other programs for at-risk children in section 279.51.

23 7. If a uniform reduction ordered by the governor under  
24 section 8.31 or other operation of law, transfer, or federal  
25 funding reduction reduces the appropriation made in this  
26 section for the fiscal year, the percentage reduction in the  
27 amount paid out to or on behalf of the families participating  
28 in the state child care assistance program shall be equal to or  
29 less than the percentage reduction made for any other purpose  
30 payable from the appropriation made in this section and the  
31 federal funding relating to it. The percentage reduction to  
32 the other allocations made in this section shall be the same as  
33 the uniform reduction ordered by the governor or the percentage  
34 change of the federal funding reduction, as applicable.  
35 If there is an unanticipated increase in federal funding

1 provided for state child care assistance, the entire amount  
2 of the increase shall be used for state child care assistance  
3 payments. If the appropriations made for purposes of the  
4 state child care assistance program for the fiscal year are  
5 determined to be insufficient, it is the intent of the general  
6 assembly to appropriate sufficient funding for the fiscal year  
7 in order to avoid establishment of waiting list requirements.

8 8. Notwithstanding section 8.33, moneys appropriated in  
9 this section or received from the federal appropriations made  
10 for the purposes of this section that remain unencumbered or  
11 unobligated at the close of the fiscal year shall not revert  
12 to any fund but shall remain available for expenditure for the  
13 purposes designated until the close of the succeeding fiscal  
14 year.

15 Sec. 332. JUVENILE INSTITUTIONS. There is appropriated  
16 from the general fund of the state to the department of human  
17 services for the fiscal year beginning July 1, 2012, and ending  
18 June 30, 2013, the following amounts, or so much thereof as is  
19 necessary, to be used for the purposes designated:

20 1. For operation of the Iowa juvenile home at Toledo and for  
21 salaries, support, maintenance, and miscellaneous purposes, and  
22 for not more than the following full-time equivalent positions:  
23 ..... \$ 7,019,513  
24 ..... FTEs 114.00

25 2. For operation of the state training school at Eldora and  
26 for salaries, support, maintenance, and miscellaneous purposes,  
27 and for not more than the following full-time equivalent  
28 positions:  
29 ..... \$ 9,042,875  
30 ..... FTEs 164.30

31 Of the funds appropriated in this subsection, \$77,478 shall  
32 be used for distribution to licensed classroom teachers at this  
33 and other institutions under the control of the department of  
34 human services based upon the average student yearly enrollment  
35 at each institution as determined by the department.

1 3. A portion of the moneys appropriated in this section  
2 shall be used by the state training school and by the Iowa  
3 juvenile home for grants for adolescent pregnancy prevention  
4 activities at the institutions in the fiscal year beginning  
5 July 1, 2012.

6 Sec. 333. CHILD AND FAMILY SERVICES.

7 1. There is appropriated from the general fund of the  
8 state to the department of human services for the fiscal year  
9 beginning July 1, 2012, and ending June 30, 2013, the following  
10 amount, or so much thereof as is necessary, to be used for the  
11 purpose designated:

12 For child and family services:

13 ..... \$ 69,981,332

14 2. In order to address a reduction of \$5,200,000 from the  
15 amount allocated under the appropriation made for the purposes  
16 of this section in prior years for purposes of juvenile  
17 delinquent graduated sanction services, up to \$4,420,000 of the  
18 amount of federal temporary assistance for needy families block  
19 grant funding appropriated in this division of this Act for  
20 child and family services shall be made available for purposes  
21 of juvenile delinquent graduated sanction services.

22 3. The department may transfer funds appropriated in this  
23 section as necessary to pay the nonfederal costs of services  
24 reimbursed under the medical assistance program, state child  
25 care assistance program, or the family investment program which  
26 are provided to children who would otherwise receive services  
27 paid under the appropriation in this section. The department  
28 may transfer funds appropriated in this section to the  
29 appropriations made in this division of this Act for general  
30 administration and for field operations for resources necessary  
31 to implement and operate the services funded in this section.

32 4. a. Of the funds appropriated in this section, up to  
33 \$25,643,760 is allocated as the statewide expenditure target  
34 under section 232.143 for group foster care maintenance and  
35 services. If the department projects that such expenditures

1 for the fiscal year will be less than the target amount  
2 allocated in this lettered paragraph, the department may  
3 reallocate the excess to provide additional funding for shelter  
4 care or the child welfare emergency services addressed with the  
5 allocation for shelter care.

6 b. If at any time after September 30, 2012, annualization  
7 of a service area's current expenditures indicates a service  
8 area is at risk of exceeding its group foster care expenditure  
9 target under section 232.143 by more than 5 percent, the  
10 department and juvenile court services shall examine all  
11 group foster care placements in that service area in order to  
12 identify those which might be appropriate for termination.  
13 In addition, any aftercare services believed to be needed  
14 for the children whose placements may be terminated shall be  
15 identified. The department and juvenile court services shall  
16 initiate action to set dispositional review hearings for the  
17 placements identified. In such a dispositional review hearing,  
18 the juvenile court shall determine whether needed aftercare  
19 services are available and whether termination of the placement  
20 is in the best interest of the child and the community.

21 5. In accordance with the provisions of section 232.188,  
22 the department shall continue the child welfare and juvenile  
23 justice funding initiative during fiscal year 2012-2013. Of  
24 the funds appropriated in this section, \$1,460,090 is allocated  
25 specifically for expenditure for fiscal year 2012-2013 through  
26 the decategorization service funding pools and governance  
27 boards established pursuant to section 232.188.

28 6. A portion of the funds appropriated in this section  
29 may be used for emergency family assistance to provide other  
30 resources required for a family participating in a family  
31 preservation or reunification project or successor project to  
32 stay together or to be reunified.

33 7. Notwithstanding section 234.35 or any other provision  
34 of law to the contrary, state funding for shelter care and  
35 the child welfare emergency services contracting implemented

1 to provide for or prevent the need for shelter care shall be  
2 limited to \$6,094,599. The department may execute contracts  
3 that result from the department's request for proposal, bid  
4 number ACFS-11-114, to provide the range of child welfare  
5 emergency services described in the request for proposals, and  
6 any subsequent amendments to the request for proposals.

7 8. Federal funds received by the state during the fiscal  
8 year beginning July 1, 2012, as the result of the expenditure  
9 of state funds appropriated during a previous state fiscal  
10 year for a service or activity funded under this section are  
11 appropriated to the department to be used as additional funding  
12 for services and purposes provided for under this section.  
13 Notwithstanding section 8.33, moneys received in accordance  
14 with this subsection that remain unencumbered or unobligated at  
15 the close of the fiscal year shall not revert to any fund but  
16 shall remain available for the purposes designated until the  
17 close of the succeeding fiscal year.

18 9. Of the funds appropriated in this section, at least  
19 \$3,141,842 shall be used for protective child care assistance.

20 10. a. Of the funds appropriated in this section, up to  
21 \$1,753,115 is allocated for the payment of the expenses of  
22 court-ordered services provided to juveniles who are under the  
23 supervision of juvenile court services, which expenses are a  
24 charge upon the state pursuant to section 232.141, subsection  
25 4. Of the amount allocated in this lettered paragraph, up to  
26 \$1,322,844 shall be made available to provide school-based  
27 supervision of children adjudicated under chapter 232, of which  
28 not more than \$12,750 may be used for the purpose of training.  
29 A portion of the cost of each school-based liaison officer  
30 shall be paid by the school district or other funding source as  
31 approved by the chief juvenile court officer.

32 b. Of the funds appropriated in this section, up to \$636,637  
33 is allocated for the payment of the expenses of court-ordered  
34 services provided to children who are under the supervision  
35 of the department, which expenses are a charge upon the state

1 pursuant to section 232.141, subsection 4.

2 c. Notwithstanding section 232.141 or any other provision  
3 of law to the contrary, the amounts allocated in this  
4 subsection shall be distributed to the judicial districts  
5 as determined by the state court administrator and to the  
6 department's service areas as determined by the administrator  
7 of the department's division of child and family services. The  
8 state court administrator and the division administrator shall  
9 make the determination of the distribution amounts on or before  
10 June 15, 2012.

11 d. Notwithstanding chapter 232 or any other provision of  
12 law to the contrary, a district or juvenile court shall not  
13 order any service which is a charge upon the state pursuant  
14 to section 232.141 if there are insufficient court-ordered  
15 services funds available in the district court or departmental  
16 service area distribution amounts to pay for the service. The  
17 chief juvenile court officer and the departmental service area  
18 manager shall encourage use of the funds allocated in this  
19 subsection such that there are sufficient funds to pay for  
20 all court-related services during the entire year. The chief  
21 juvenile court officers and departmental service area managers  
22 shall attempt to anticipate potential surpluses and shortfalls  
23 in the distribution amounts and shall cooperatively request the  
24 state court administrator or division administrator to transfer  
25 funds between the judicial districts' or departmental service  
26 areas' distribution amounts as prudent.

27 e. Notwithstanding any provision of law to the contrary,  
28 a district or juvenile court shall not order a county to pay  
29 for any service provided to a juvenile pursuant to an order  
30 entered under chapter 232 which is a charge upon the state  
31 under section 232.141, subsection 4.

32 f. Of the funds allocated in this subsection, not more than  
33 \$70,550 may be used by the judicial branch for administration  
34 of the requirements under this subsection.

35 g. Of the funds allocated in this subsection, \$14,450



1 shall be used by the department of human services to support  
2 the interstate commission for juveniles in accordance with  
3 the interstate compact for juveniles as provided in section  
4 232.173.

5 11. Of the funds appropriated in this section, \$4,609,212 is  
6 allocated for juvenile delinquent graduated sanctions services.  
7 Any state funds saved as a result of efforts by juvenile court  
8 services to earn federal Tit. IV-E match for juvenile court  
9 services administration may be used for the juvenile delinquent  
10 graduated sanctions services.

11 12. Of the funds appropriated in this section, \$840,042  
12 shall be transferred to the department of public health to  
13 be used for the child protection center grant program in  
14 accordance with section 135.118.

15 13. If the department receives federal approval to  
16 implement a waiver under Tit. IV-E of the federal Social  
17 Security Act to enable providers to serve children who remain  
18 in the children's families and communities, for purposes of  
19 eligibility under the medical assistance program, children who  
20 participate in the waiver shall be considered to be placed in  
21 foster care.

22 14. Of the funds appropriated in this section, \$2,609,357 is  
23 allocated for the preparation for adult living program pursuant  
24 to section 234.46.

25 15. Of the funds appropriated in this section, \$442,128  
26 shall be used for juvenile drug courts. The amount allocated  
27 in this subsection shall be distributed as follows:

28 To the judicial branch for salaries to assist with the  
29 operation of juvenile drug court programs operated in the  
30 following jurisdictions:

- 31 a. Marshall county:
- 32 ..... \$ 53,302
- 33 b. Woodbury county:
- 34 ..... \$ 106,830
- 35 c. Polk county:

1 ..... \$ 166,508  
2 d. The third judicial district:  
3 ..... \$ 57,744  
4 e. The eighth judicial district:  
5 ..... \$ 57,744  
6 16. Of the funds appropriated in this section, \$193,236  
7 shall be used for the public purpose of providing a grant to  
8 a nonprofit human services organization providing services to  
9 individuals and families in multiple locations in southwest  
10 Iowa and Nebraska for support of a project providing immediate,  
11 sensitive support and forensic interviews, medical exams, needs  
12 assessments, and referrals for victims of child abuse and their  
13 nonoffending family members.  
14 17. Of the funds appropriated in this section, \$106,752  
15 is allocated for the elevate approach of providing a support  
16 network to children placed in foster care.  
17 18. Of the funds appropriated in this section, \$171,700 is  
18 allocated for use pursuant to section 235A.1 for continuation  
19 of the initiative to address child sexual abuse implemented  
20 pursuant to 2007 Iowa Acts, chapter 218, section 18, subsection  
21 21.  
22 19. Of the funds appropriated in this section, \$535,704 is  
23 allocated for the community partnership for child protection  
24 sites.  
25 20. Of the funds appropriated in this section, \$315,563  
26 is allocated for the department's minority youth and family  
27 projects under the redesign of the child welfare system.  
28 21. Of the funds appropriated in this section, \$1,020,421  
29 is allocated for funding of the state match for the federal  
30 substance abuse and mental health services administration  
31 (SAMHSA) system of care grant.  
32 22. Of the funds appropriated in this section, at least  
33 \$125,084 shall be used for the child welfare training academy.  
34 23. Of the funds appropriated in this section, \$21,250  
35 shall be used for the public purpose of providing a grant to

1 a child welfare services provider headquartered in a county  
2 with a population between 205,000 and 215,000 in the latest  
3 certified federal census that provides multiple services  
4 including but not limited to a psychiatric medical institution  
5 for children, shelter, residential treatment, after school  
6 programs, school-based programming, and an Asperger's syndrome  
7 program, to be used for support services for children with  
8 autism spectrum disorder and their families.

9 24. Of the funds appropriated in this section, \$213,183  
10 shall be used for the public purpose of continuing the central  
11 Iowa system of care program grant through June 30, 2013.

12 25. Of the funds appropriated in this section, \$136,000  
13 shall be used for the public purpose of continuing the system  
14 of care grant in Mason City and Cedar Rapids through June 30,  
15 2013.

16 Sec. 334. ADOPTION SUBSIDY.

17 1. There is appropriated from the general fund of the  
18 state to the department of human services for the fiscal year  
19 beginning July 1, 2012, and ending June 30, 2013, the following  
20 amount, or so much thereof as is necessary, to be used for the  
21 purpose designated:

22 For adoption subsidy payments and services:  
23 ..... \$ 29,662,952

24 2. The department may transfer funds appropriated in  
25 this section to the appropriation made in this division of  
26 this Act for general administration for costs paid from the  
27 appropriation relating to adoption subsidy.

28 3. Federal funds received by the state during the  
29 fiscal year beginning July 1, 2012, as the result of the  
30 expenditure of state funds during a previous state fiscal  
31 year for a service or activity funded under this section are  
32 appropriated to the department to be used as additional funding  
33 for the services and activities funded under this section.  
34 Notwithstanding section 8.33, moneys received in accordance  
35 with this subsection that remain unencumbered or unobligated

1 at the close of the fiscal year shall not revert to any fund  
2 but shall remain available for expenditure for the purposes  
3 designated until the close of the succeeding fiscal year.

4 Sec. 335. JUVENILE DETENTION HOME FUND. Moneys deposited  
5 in the juvenile detention home fund created in section 232.142  
6 during the fiscal year beginning July 1, 2012, and ending June  
7 30, 2013, are appropriated to the department of human services  
8 for the fiscal year beginning July 1, 2012, and ending June 30,  
9 2013, for distribution of an amount equal to a percentage of  
10 the costs of the establishment, improvement, operation, and  
11 maintenance of county or multicounty juvenile detention homes  
12 in the fiscal year beginning July 1, 2011. Moneys appropriated  
13 for distribution in accordance with this section shall be  
14 allocated among eligible detention homes, prorated on the basis  
15 of an eligible detention home's proportion of the costs of all  
16 eligible detention homes in the fiscal year beginning July  
17 1, 2011. The percentage figure shall be determined by the  
18 department based on the amount available for distribution for  
19 the fund. Notwithstanding section 232.142, subsection 3, the  
20 financial aid payable by the state under that provision for the  
21 fiscal year beginning July 1, 2012, shall be limited to the  
22 amount appropriated for the purposes of this section.

23 Sec. 336. FAMILY SUPPORT SUBSIDY PROGRAM.

24 1. There is appropriated from the general fund of the  
25 state to the department of human services for the fiscal year  
26 beginning July 1, 2012, and ending June 30, 2013, the following  
27 amount, or so much thereof as is necessary, to be used for the  
28 purpose designated:

29 For the family support subsidy program subject to the  
30 enrollment restrictions in section 225C.37, subsection 3:  
31 ..... \$ 992,798

32 2. The department shall use at least \$327,675 of the moneys  
33 appropriated in this section for the family support center  
34 component of the comprehensive family support program under  
35 section 225C.47. Not more than \$21,250 of the amount allocated

1 in this subsection shall be used for administrative costs.

2 3. If at any time during the fiscal year, the amount of  
3 funding available for the family support subsidy program  
4 is reduced from the amount initially used to establish the  
5 figure for the number of family members for whom a subsidy  
6 is to be provided at any one time during the fiscal year,  
7 notwithstanding section 225C.38, subsection 2, the department  
8 shall revise the figure as necessary to conform to the amount  
9 of funding available.

10 Sec. 337. CONNER DECREE. There is appropriated from the  
11 general fund of the state to the department of human services  
12 for the fiscal year beginning July 1, 2012, and ending June 30,  
13 2013, the following amount, or so much thereof as is necessary,  
14 to be used for the purpose designated:

15 For building community capacity through the coordination  
16 and provision of training opportunities in accordance with the  
17 consent decree of Conner v. Branstad, No. 4-86-CV-30871(S.D.  
18 Iowa, July 14, 1994):

19 ..... \$ 28,579

20 Sec. 338. MENTAL HEALTH INSTITUTES. There is appropriated  
21 from the general fund of the state to the department of human  
22 services for the fiscal year beginning July 1, 2012, and ending  
23 June 30, 2013, the following amounts, or so much thereof as is  
24 necessary, to be used for the purposes designated:

25 1. For the state mental health institute at Cherokee for  
26 salaries, support, maintenance, and miscellaneous purposes, and  
27 for not more than the following full-time equivalent positions:  
28 ..... \$ 4,995,712  
29 ..... FTEs 168.50

30 2. For the state mental health institute at Clarinda for  
31 salaries, support, maintenance, and miscellaneous purposes, and  
32 for not more than the following full-time equivalent positions:  
33 ..... \$ 5,449,974  
34 ..... FTEs 86.10

35 3. For the state mental health institute at Independence for

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

3 ..... \$ 8,734,332  
4 ..... FTEs 233.00

5 4. For the state mental health institute at Mount Pleasant  
6 for salaries, support, maintenance, and miscellaneous purposes,  
7 and for not more than the following full-time equivalent  
8 positions:

9 ..... \$ 802,675  
10 ..... FTEs 91.72

11 Sec. 339. STATE RESOURCE CENTERS.

12 1. There is appropriated from the general fund of the  
13 state to the department of human services for the fiscal year  
14 beginning July 1, 2012, and ending June 30, 2013, the following  
15 amounts, or so much thereof as is necessary, to be used for the  
16 purposes designated:

17 a. For the state resource center at Glenwood for salaries,  
18 support, maintenance, and miscellaneous purposes:  
19 ..... \$ 15,816,631

20 b. For the state resource center at Woodward for salaries,  
21 support, maintenance, and miscellaneous purposes:  
22 ..... \$ 10,952,809

23 2. The department may continue to bill for state resource  
24 center services utilizing a scope of services approach used for  
25 private providers of ICFMR services, in a manner which does not  
26 shift costs between the medical assistance program, counties,  
27 or other sources of funding for the state resource centers.

28 3. The state resource centers may expand the time-limited  
29 assessment and respite services during the fiscal year.

30 4. If the department's administration and the department  
31 of management concur with a finding by a state resource  
32 center's superintendent that projected revenues can reasonably  
33 be expected to pay the salary and support costs for a new  
34 employee position, or that such costs for adding a particular  
35 number of new positions for the fiscal year would be less

1 than the overtime costs if new positions would not be added,  
2 the superintendent may add the new position or positions. If  
3 the vacant positions available to a resource center do not  
4 include the position classification desired to be filled, the  
5 state resource center's superintendent may reclassify any  
6 vacant position as necessary to fill the desired position. The  
7 superintendents of the state resource centers may, by mutual  
8 agreement, pool vacant positions and position classifications  
9 during the course of the fiscal year in order to assist one  
10 another in filling necessary positions.

11 5. If existing capacity limitations are reached in  
12 operating units, a waiting list is in effect for a service or  
13 a special need for which a payment source or other funding  
14 is available for the service or to address the special need,  
15 and facilities for the service or to address the special need  
16 can be provided within the available payment source or other  
17 funding, the superintendent of a state resource center may  
18 authorize opening not more than two units or other facilities  
19 and begin implementing the service or addressing the special  
20 need during fiscal year 2012-2013.

21 Sec. 340. MI/MR/DD STATE CASES.

22 1. There is appropriated from the general fund of the  
23 state to the department of human services for the fiscal year  
24 beginning July 1, 2012, and ending June 30, 2013, the following  
25 amount, or so much thereof as is necessary, to be used for the  
26 purpose designated:

27 For distribution to counties for state case services  
28 for persons with mental illness, mental retardation, and  
29 developmental disabilities in accordance with section 331.440:  
30 ..... \$ 10,344,060

31 2. For the fiscal year beginning July 1, 2012, and ending  
32 June 30, 2013, \$170,000 is allocated for state case services  
33 from the amounts appropriated from the fund created in section  
34 8.41 to the department of human services from the funds  
35 received from the federal government under 42 U.S.C. ch. 6A,

1 subch. XVII, relating to the community mental health center  
2 block grant, for the federal fiscal years beginning October  
3 1, 2010, and ending September 30, 2011, beginning October 1,  
4 2011, and ending September 30, 2012, and beginning October 1,  
5 2012, and ending September 30, 2013. The allocation made in  
6 this subsection shall be made prior to any other distribution  
7 allocation of the appropriated federal funds.

8 3. Notwithstanding section 8.33, moneys appropriated in  
9 this section that remain unencumbered or unobligated at the  
10 close of the fiscal year shall not revert but shall remain  
11 available for expenditure for the purposes designated until the  
12 close of the succeeding fiscal year.

13 Sec. 341. MENTAL HEALTH AND DEVELOPMENTAL DISABILITIES  
14 — COMMUNITY SERVICES FUND. There is appropriated from  
15 the general fund of the state to the mental health and  
16 developmental disabilities community services fund created in  
17 section 225C.7 for the fiscal year beginning July 1, 2012, and  
18 ending June 30, 2013, the following amount, or so much thereof  
19 as is necessary, to be used for the purpose designated:

20 For mental health and developmental disabilities community  
21 services in accordance with this division of this Act:  
22 ..... \$ 14,211,100

23 1. Of the funds appropriated in this section, \$14,187,556  
24 shall be allocated to counties for funding of community-based  
25 mental health and developmental disabilities services. The  
26 moneys shall be allocated to a county as follows:

27 a. Fifty percent based upon the county's proportion of the  
28 state's population of persons with an annual income which is  
29 equal to or less than the poverty guideline established by the  
30 federal office of management and budget.

31 b. Fifty percent based upon the county's proportion of the  
32 state's general population.

33 2. a. A county shall utilize the funding the county  
34 receives pursuant to subsection 1 for services provided to  
35 persons with a disability, as defined in section 225C.2.



1 However, no more than 50 percent of the funding shall be used  
2 for services provided to any one of the service populations.

3 b. A county shall use at least 50 percent of the funding the  
4 county receives under subsection 1 for contemporary services  
5 provided to persons with a disability, as described in rules  
6 adopted by the department.

7 3. Of the funds appropriated in this section, \$20,012  
8 shall be used to support the Iowa compass program providing  
9 computerized information and referral services for Iowans with  
10 disabilities and their families.

11 4. a. Funding appropriated for purposes of the federal  
12 social services block grant is allocated for distribution  
13 to counties for local purchase of services for persons with  
14 mental illness or mental retardation or other developmental  
15 disability.

16 b. The funds allocated in this subsection shall be expended  
17 by counties in accordance with the county's county management  
18 plan approved by the board of supervisors. A county without  
19 an approved county management plan shall not receive allocated  
20 funds until the county's management plan is approved.

21 c. The funds provided by this subsection shall be allocated  
22 to each county as follows:

23 (1) Fifty percent based upon the county's proportion of the  
24 state's population of persons with an annual income which is  
25 equal to or less than the poverty guideline established by the  
26 federal office of management and budget.

27 (2) Fifty percent based upon the amount provided to the  
28 county for local purchase of services in the preceding fiscal  
29 year.

30 5. A county is eligible for funds under this section if the  
31 county qualifies for a state payment as described in section  
32 331.439.

33 6. The most recent population estimates issued by the United  
34 States bureau of the census shall be applied for the population  
35 factors utilized in this section.



1 and eligibility determination for low-income families.

2 Sec. 344. GENERAL ADMINISTRATION. There is appropriated  
3 from the general fund of the state to the department of human  
4 services for the fiscal year beginning July 1, 2012, and ending  
5 June 30, 2013, the following amount, or so much thereof as is  
6 necessary, to be used for the purpose designated:

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

10 .....	\$ 12,874,733
11 .....	FTEs 290.00

12 1. Of the funds appropriated in this section, \$32,762  
13 allocated for the prevention of disabilities policy council  
14 established in section 225B.3.

15 2. The department shall report at least monthly to the  
16 legislative services agency concerning the department's  
17 operational and program expenditures.

18 3. Of the funds appropriated in this section, \$112,455 shall  
19 be used to continue to contract with a statewide association  
20 representing community providers of mental health, mental  
21 retardation and brain injury services programs to provide  
22 technical assistance, support, and consultation to providers  
23 of habilitation services and home and community-based waiver  
24 services for adults with disabilities under the medical  
25 assistance program. Notwithstanding section 8.47 or any other  
26 provision of law to the contrary, the department may utilize a  
27 sole source approach to contract with the association.

28 4. Of the funds appropriated in this section, \$149,940 shall  
29 be used to continue to contract with an appropriate entity to  
30 expand the provision of nationally accredited and recognized  
31 internet-based training to include mental health and disability  
32 services providers. Notwithstanding section 8.47 or any other  
33 provision of law to the contrary, the department may utilize a  
34 sole site source approach to enter into such contract.

35 5. Of the funds appropriated in this section, \$425,000 shall

1 be used for continued implementation of child protection system  
2 improvements addressed in 2011 Iowa Acts, House File 562, as  
3 enacted.

4 Sec. 345. VOLUNTEERS. There is appropriated from the  
5 general fund of the state to the department of human services  
6 for the fiscal year beginning July 1, 2012, and ending June 30,  
7 2013, the following amount, or so much thereof as is necessary,  
8 to be used for the purpose designated:

9 For development and coordination of volunteer services:  
10 ..... \$ 71,961

11 Sec. 346. MEDICAL ASSISTANCE, STATE SUPPLEMENTARY  
12 ASSISTANCE, AND SOCIAL SERVICE PROVIDERS REIMBURSED UNDER THE  
13 DEPARTMENT OF HUMAN SERVICES.

14 1. a. (1) For the fiscal year beginning July 1, 2012,  
15 the total state funding amount for the nursing facility budget  
16 shall not exceed \$225,502,551.

17 (2) The department, in cooperation with nursing facility  
18 representatives, shall review projections for state funding  
19 expenditures for reimbursement of nursing facilities on a  
20 quarterly basis and the department shall determine if an  
21 adjustment to the medical assistance reimbursement rate is  
22 necessary in order to provide reimbursement within the state  
23 funding amount for the fiscal year. Notwithstanding 2001  
24 Iowa Acts, chapter 192, section 4, subsection 2, paragraph  
25 "c", and subsection 3, paragraph "a", subparagraph (2),  
26 if the state funding expenditures for the nursing facility  
27 budget for the fiscal year is projected to exceed the amount  
28 specified in subparagraph (1), the department shall adjust  
29 the reimbursement for nursing facilities reimbursed under the  
30 case-mix reimbursement system to maintain expenditures of the  
31 nursing facility budget within the specified amount for the  
32 fiscal year.

33 (3) For the fiscal year beginning July 1, 2012, special  
34 population nursing facilities shall be reimbursed in accordance  
35 with the methodology in effect on June 30, 2012.

1     b. For the fiscal year beginning July 1, 2012, the  
2 department shall reimburse pharmacy dispensing fees using a  
3 single rate of \$4.34 per prescription or the pharmacy's usual  
4 and customary fee, whichever is lower. However, the department  
5 shall adjust the dispensing fee specified in this paragraph  
6 to distribute an additional \$3,000,000 in reimbursements for  
7 pharmacy dispensing fees under this paragraph for the fiscal  
8 year.

9     c. (1) For the fiscal year beginning July 1, 2012,  
10 reimbursement rates for outpatient hospital services shall  
11 remain at the rates in effect on June 30, 2012.

12     (2) For the fiscal year beginning July 1, 2012,  
13 reimbursement rates for inpatient hospital services shall  
14 remain at the rates in effect on June 30, 2012.

15     (3) For the fiscal year beginning July 1, 2012, the graduate  
16 medical education and disproportionate share hospital fund  
17 shall remain at the amount in effect on June 30, 2012, except  
18 that the portion of the fund attributable to graduate medical  
19 education shall be reduced in an amount that reflects the  
20 elimination of graduate medical education payments made to  
21 out-of-state hospitals.

22     (4) In order to ensure the efficient use of limited  
23 state funds in procuring health care services for low-income  
24 Iowans, funds appropriated in this division of this Act for  
25 hospital services shall not be used for activities which  
26 would be excluded from a determination of reasonable costs  
27 under the federal Medicare program pursuant to 42 U.S.C.  
28 § 1395X(v)(1)(N).

29     d. For the fiscal year beginning July 1, 2012, reimbursement  
30 rates for rural health clinics, hospices, and acute mental  
31 hospitals shall be increased in accordance with increases under  
32 the federal Medicare program or as supported by their Medicare  
33 audited costs.

34     e. For the fiscal year beginning July 1, 2012, independent  
35 laboratories and rehabilitation agencies shall be reimbursed

1 using the same methodology in effect on June 30, 2012.

2 f. For the fiscal year beginning July 1, 2012, reimbursement  
3 rates for home health agencies shall remain at the rates in  
4 effect on June 30, 2012, not to exceed a home health agency's  
5 actual allowable cost.

6 g. For the fiscal year beginning July 1, 2012, federally  
7 qualified health centers shall receive cost-based reimbursement  
8 for 100 percent of the reasonable costs for the provision of  
9 services to recipients of medical assistance.

10 h. For the fiscal year beginning July 1, 2012, the  
11 reimbursement rates for dental services shall remain at the  
12 rates in effect on June 30, 2012.

13 i. (1) For the fiscal year beginning July 1, 2012,  
14 state-owned psychiatric medical institutions for children shall  
15 receive cost-based reimbursement for 100 percent of the actual  
16 and allowable costs for the provision of services to recipients  
17 of medical assistance.

18 (2) For the nonstate-owned psychiatric medical institutions  
19 for children, reimbursement rates shall be based on the  
20 reimbursement methodology developed by the department in  
21 consultation with representatives of the nonstate-owned  
22 psychiatric medical institutions for children to include all  
23 ancillary medical services costs and any other changes required  
24 for federal compliance.

25 j. For the fiscal year beginning July 1, 2012, unless  
26 otherwise specified in the health and human services divisions  
27 of this Act, all noninstitutional medical assistance provider  
28 reimbursement rates shall remain at the rates in effect on June  
29 30, 2012, except for area education agencies, local education  
30 agencies, infant and toddler services providers, and those  
31 providers whose rates are required to be determined pursuant  
32 to section 249A.20.

33 k. Notwithstanding any provision to the contrary, for the  
34 fiscal year beginning July 1, 2012, the reimbursement rate for  
35 anesthesiologists shall remain at the rate in effect on June

1 30, 2012.

2 1. Notwithstanding section 249A.20, for the fiscal year  
3 beginning July 1, 2012, the average reimbursement rate for  
4 health care providers eligible for use of the federal Medicare  
5 resource-based relative value scale reimbursement methodology  
6 under that section shall remain at the rate in effect on June  
7 30, 2012; however, this rate shall not exceed the maximum level  
8 authorized by the federal government.

9 m. For the fiscal year beginning July 1, 2012, the  
10 reimbursement rate for residential care facilities shall not  
11 be less than the minimum payment level as established by the  
12 federal government to meet the federally mandated maintenance  
13 of effort requirement. The flat reimbursement rate for  
14 facilities electing not to file annual cost reports shall not  
15 be less than the minimum payment level as established by the  
16 federal government to meet the federally mandated maintenance  
17 of effort requirement.

18 n. For the fiscal year beginning July 1, 2012, inpatient  
19 mental health services provided at hospitals shall remain at  
20 the rates in effect on June 30, 2012, subject to Medicaid  
21 program upper payment limit rules; community mental health  
22 centers and providers of mental health services to county  
23 residents pursuant to a waiver approved under section 225C.7,  
24 subsection 3, shall be reimbursed at 100 percent of the  
25 reasonable costs for the provision of services to recipients of  
26 medical assistance; and psychiatrists shall be reimbursed at  
27 the medical assistance program fee for service rate.

28 o. For the fiscal year beginning July 1, 2012, the  
29 reimbursement rate for consumer-directed attendant care shall  
30 remain at the rates in effect on June 30, 2012.

31 p. For the fiscal year beginning July 1, 2012, the  
32 reimbursement rate for providers of family planning services  
33 that are eligible to receive a 90 percent federal match shall  
34 remain at the rates in effect on June 30, 2012.

35 q. For the fiscal year beginning July 1, 2012, the

1 department shall adjust the rates in effect on June 30,  
2 2012, for providers of home and community-based services  
3 waiver services to distribute an additional \$1,500,000 in  
4 reimbursements to such providers for the fiscal year.

5 2. For the fiscal year beginning July 1, 2012, the  
6 reimbursement rate for providers reimbursed under the  
7 in-home-related care program shall not be less than the minimum  
8 payment level as established by the federal government to meet  
9 the federally mandated maintenance of effort requirement.

10 3. Unless otherwise directed in this section, when the  
11 department's reimbursement methodology for any provider  
12 reimbursed in accordance with this section includes an  
13 inflation factor, this factor shall not exceed the amount  
14 by which the consumer price index for all urban consumers  
15 increased during the calendar year ending December 31, 2002.

16 4. For the fiscal year beginning July 1, 2012,  
17 notwithstanding section 234.38, the foster family basic daily  
18 maintenance rate and the maximum adoption subsidy rate for  
19 children ages 0 through 5 years shall be \$15.74, the rate for  
20 children ages 6 through 11 years shall be \$16.37, the rate for  
21 children ages 12 through 15 years shall be \$17.92, and the  
22 rate for children and young adults ages 16 and older shall be  
23 \$18.16. The maximum supervised apartment living foster care  
24 reimbursement rate shall be \$25.00 per day. For youth ages  
25 18 to 21 who have exited foster care, the maximum preparation  
26 for adult living program maintenance rate shall be \$574.00 per  
27 month. The maximum payment for adoption subsidy nonrecurring  
28 expenses shall be limited to \$500 and the disallowance of  
29 additional amounts for court costs and other related legal  
30 expenses implemented pursuant to 2010 Iowa Acts, chapter 1031,  
31 section 408 shall be continued.

32 5. For the fiscal year beginning July 1, 2012, the maximum  
33 reimbursement rates under the supervised apartment living  
34 program and for social services providers under contract  
35 shall remain at the rates in effect on June 30, 2012, or the



1 provider's actual and allowable cost plus inflation for each  
2 service, whichever is less. However, if a new service or  
3 service provider is added after June 30, 2012, the initial  
4 reimbursement rate for the service or provider shall be  
5 based upon actual and allowable costs. Providers may also  
6 be eligible for an additional amount as specified under the  
7 department's request for proposal, bid number ACFS-11-115.

8 6. For the fiscal year beginning July 1, 2012, the  
9 reimbursement rates for family-centered service providers,  
10 family foster care service providers, group foster care service  
11 providers, and the resource family recruitment and retention  
12 contractor shall remain at the rates in effect on June 30,  
13 2012.

14 7. The group foster care reimbursement rates paid for  
15 placement of children out of state shall be calculated  
16 according to the same rate-setting principles as those used for  
17 in-state providers, unless the director of human services or  
18 the director's designee determines that appropriate care cannot  
19 be provided within the state. The payment of the daily rate  
20 shall be based on the number of days in the calendar month in  
21 which service is provided.

22 8. a. For the fiscal year beginning July 1, 2012, the  
23 reimbursement rate paid for shelter care and the child welfare  
24 emergency services implemented to provide or prevent the need  
25 for shelter care shall be established in a contract based on  
26 the requirements of the department's request for proposal, bid  
27 number ACFS-11-114.

28 b. For the fiscal year beginning July 1, 2012, the combined  
29 service and maintenance components of the reimbursement rate  
30 paid for shelter care services shall be based on the financial  
31 and statistical report submitted to the department. The  
32 maximum reimbursement rate shall be \$92.36 per day. The  
33 department shall reimburse a shelter care provider at the  
34 provider's actual and allowable unit cost, plus inflation, not  
35 to exceed the maximum reimbursement rate.

1 c. Notwithstanding section 232.141, subsection 8, for the  
2 fiscal year beginning July 1, 2012, the amount of the statewide  
3 average of the actual and allowable rates for reimbursement of  
4 juvenile shelter care homes that is utilized for the limitation  
5 on recovery of unpaid costs shall remain at the amount in  
6 effect for this purpose in the fiscal year beginning July 1,  
7 2011.

8 9. For the fiscal year beginning July 1, 2012, the  
9 department shall calculate reimbursement rates for intermediate  
10 care facilities for persons with mental retardation at the  
11 80th percentile. Beginning July 1, 2012, the rate calculation  
12 methodology shall utilize the consumer price index inflation  
13 factor applicable to the fiscal year beginning July 1, 2012.

14 10. For the fiscal year beginning July 1, 2012, for child  
15 care providers reimbursed under the state child care assistance  
16 program, the department shall set provider reimbursement  
17 rates based on the rate reimbursement survey completed in  
18 December 2004. Effective July 1, 2012, the child care provider  
19 reimbursement rates shall remain at the rates in effect on June  
20 30, 2012. The department shall set rates in a manner so as  
21 to provide incentives for a nonregistered provider to become  
22 registered by applying the increase only to registered and  
23 licensed providers.

24 11. The department may adopt emergency rules to implement  
25 this section.

26 Sec. 347. EMERGENCY RULES.

27 1. If specifically authorized by a provision of this  
28 division of this Act, the department of human services or  
29 the mental health, and disability services commission may  
30 adopt administrative rules under section 17A.4, subsection  
31 3, and section 17A.5, subsection 2, paragraph "b", to  
32 implement the provisions and the rules shall become effective  
33 immediately upon filing or on a later effective date specified  
34 in the rules, unless the effective date is delayed by the  
35 administrative rules review committee. Any rules adopted in

1 accordance with this section shall not take effect before  
2 the rules are reviewed by the administrative rules review  
3 committee. The delay authority provided to the administrative  
4 rules review committee under section 17A.4, subsection 7, and  
5 section 17A.8, subsection 9, shall be applicable to a delay  
6 imposed under this section, notwithstanding a provision in  
7 those sections making them inapplicable to section 17A.5,  
8 subsection 2, paragraph "b". Any rules adopted in accordance  
9 with the provisions of this section shall also be published as  
10 notice of intended action as provided in section 17A.4.

11 2. If during the fiscal year beginning July 1, 2012, the  
12 department of human services is adopting rules in accordance  
13 with this section or as otherwise directed or authorized by  
14 state law, and the rules will result in an expenditure increase  
15 beyond the amount anticipated in the budget process or if the  
16 expenditure was not addressed in the budget process for the  
17 fiscal year, the department shall notify the persons designated  
18 by this division of this Act for submission of reports,  
19 the chairpersons and ranking members of the committees on  
20 appropriations, and the department of management concerning the  
21 rules and the expenditure increase. The notification shall be  
22 provided at least 30 calendar days prior to the date notice of  
23 the rules is submitted to the administrative rules coordinator  
24 and the administrative code editor.

25 Sec. 348. FEDERAL GRANTS REPORTING. During the fiscal year  
26 beginning July 1, 2012, the departments and agencies receiving  
27 an appropriation in the health and human services divisions of  
28 this Act from the general fund of the state shall report to the  
29 persons designated by this division of this Act for submission  
30 of reports and the department of management within 60 calendar  
31 days of applying for or renewing a federal grant with a value  
32 over \$1,000. The report shall list the federal funding source  
33 and address the potential need for the commitment of state  
34 funding in order to match or continue the funding provided by  
35 the federal grant in the present or the future.

1 Sec. 349. REPORTS. Any reports or information required to  
2 be compiled and submitted under the health and human services  
3 divisions of this Act shall be submitted to the chairpersons  
4 and ranking members of the joint appropriations subcommittee on  
5 health and human services, the legislative services agency, and  
6 the legislative caucus staffs on or before the dates specified  
7 for submission of the reports or information.

8 Sec. 350. EFFECTIVE DATE. The following provision of this  
9 division of this Act, being deemed of immediate importance,  
10 take effect upon enactment:

11 The provision under the appropriation for child and family  
12 services, relating to requirements of section 232.143 for  
13 representatives of the department of human services and  
14 juvenile court services to establish a plan for continuing  
15 group foster care expenditures for fiscal year 2012-2013.

16 DIVISION XXXVIII

17 HEALTH AND HUMAN SERVICES

18 PHARMACEUTICAL SETTLEMENT ACCOUNT,

19 IOWACARE ACCOUNT, NONPARTICIPATING PROVIDER

20 REIMBURSEMENT FUND, HEALTH CARE

21 TRANSFORMATION ACCOUNT, MEDICAID FRAUD ACCOUNT,

22 QUALITY ASSURANCE TRUST FUND,

23 AND HOSPITAL HEALTH CARE ACCESS TRUST FUND — FY 2012-2013

24 Sec. 351. PHARMACEUTICAL SETTLEMENT ACCOUNT. There is  
25 appropriated from the pharmaceutical settlement account created  
26 in section 249A.33 to the department of human services for the  
27 fiscal year beginning July 1, 2012, and ending June 30, 2013,  
28 the following amount, or so much thereof as is necessary, to be  
29 used for the purpose designated:

30 Notwithstanding any provision of law to the contrary, to  
31 supplement the appropriations made in the department of human  
32 services division in this Act for medical contracts under the  
33 medical assistance program for the same fiscal year:

34 ..... \$ 4,618,571

35 Sec. 352. APPROPRIATIONS FROM IOWACARE ACCOUNT.

1 1. There is appropriated from the IowaCare account  
2 created in section 249J.24 to the state board of regents for  
3 distribution to the university of Iowa hospitals and clinics  
4 for the fiscal year beginning July 1, 2012, and ending June 30,  
5 2013, the following amount, or so much thereof as is necessary,  
6 to be used for the purposes designated:

7 For salaries, support, maintenance, equipment, and  
8 miscellaneous purposes, for the provision of medical and  
9 surgical treatment of indigent patients, for provision of  
10 services to members of the expansion population pursuant to  
11 chapter 249J, and for medical education:

12 ..... \$ 27,284,584

13 a. Funds appropriated in this subsection shall not be used  
14 to perform abortions except medically necessary abortions,  
15 and shall not be used to operate the early termination of  
16 pregnancy clinic except for the performance of medically  
17 necessary abortions. For the purpose of this subsection,  
18 medically necessary abortions are those performed under any of  
19 the following conditions:

20 (1) The attending physician certifies that continuing the  
21 pregnancy would endanger the life of the pregnant woman.

22 (2) Any spontaneous abortion, commonly known as a  
23 miscarriage, if not all of the products of conception are  
24 expelled.

25 b. Notwithstanding any provision of law to the contrary,  
26 the amount appropriated in this subsection shall be distributed  
27 based on claims submitted, adjudicated, and paid by the Iowa  
28 Medicaid enterprise.

29 c. The university of Iowa hospitals and clinics shall  
30 certify public expenditures in an amount equal to provide  
31 the nonfederal share on total expenditures not to exceed  
32 \$20,000,000.

33 2. There is appropriated from the IowaCare account  
34 created in section 249J.24 to the state board of regents for  
35 distribution to the university of Iowa hospitals and clinics

1 for the fiscal year beginning July 1, 2012, and ending June 30,  
2 2013, the following amount, or so much thereof as is necessary,  
3 to be used for the purposes designated:

4 For salaries, support, maintenance, equipment, and  
5 miscellaneous purposes, for the provision of medical and  
6 surgical treatment of indigent patients, for provision of  
7 services to members of the expansion population pursuant to  
8 chapter 249J, and for medical education:  
9 ..... \$ 44,226,279

10 Notwithstanding any provision of law to the contrary, the  
11 amount appropriated in this subsection shall be distributed  
12 based on claims submitted, adjudicated, and paid by the Iowa  
13 Medicaid enterprise.

14 3. There is appropriated from the IowaCare account  
15 created in section 249J.24, to the state board of regents for  
16 distribution to university of Iowa physicians for the fiscal  
17 year beginning July 1, 2012, and ending June 30, 2013, the  
18 following amount, or so much thereof as is necessary to be used  
19 for the purposes designated:

20 For salaries, support, maintenance, equipment, and  
21 miscellaneous purposes for the provision of medical and  
22 surgical treatment of indigent patients, for provision of  
23 services to members of the expansion population pursuant to  
24 chapter 249J, and for medical education:  
25 ..... \$ 16,277,753

26 Notwithstanding any provision of law to the contrary, the  
27 amount appropriated in this subsection shall be distributed  
28 based on claims submitted, adjudicated, and paid by the Iowa  
29 Medicaid enterprise. Once the entire amount appropriated in  
30 this subsection has been distributed, claims shall continue to  
31 be submitted and adjudicated by the Iowa Medicaid enterprise;  
32 however, no payment shall be made based upon such claims.

33 4. There is appropriated from the IowaCare account created  
34 in section 249J.24 to the department of human services for the  
35 fiscal year beginning July 1, 2012, and ending June 30, 2013,

1 the following amount, or so much thereof as is necessary, to be  
2 used for the purposes designated:

3 For distribution to a publicly owned acute care teaching  
4 hospital located in a county with a population over 350,000 for  
5 the provision of medical and surgical treatment of indigent  
6 patients, for provision of services to members of the expansion  
7 population pursuant to chapter 249J, and for medical education:  
8 ..... \$ 65,000,000

9 a. Notwithstanding any provision of law to the contrary,  
10 the amount appropriated in this subsection shall be distributed  
11 based on claims submitted, adjudicated, and paid by the Iowa  
12 Medicaid enterprise plus a monthly disproportionate share  
13 hospital payment. Any amount appropriated in this subsection  
14 in excess of \$60,000,000 shall be distributed only if the sum  
15 of the expansion population claims adjudicated and paid by the  
16 Iowa Medicaid enterprise plus the estimated disproportionate  
17 share hospital payments exceeds \$60,000,000. The amount paid  
18 in excess of \$60,000,000 shall not adjust the original monthly  
19 payment amount but shall be distributed monthly based on actual  
20 claims adjudicated and paid by the Iowa Medicaid enterprise  
21 plus the estimated disproportionate share hospital amount. Any  
22 amount appropriated in this subsection in excess of \$60,000,000  
23 shall be allocated only if federal funds are available to match  
24 the amount allocated. Pursuant to paragraph "b", of the amount  
25 appropriated in this subsection, not more than \$4,000,000 shall  
26 be distributed for prescription drugs and podiatry services.

27 b. Notwithstanding any provision of law to the contrary, the  
28 hospital identified in this subsection, shall be reimbursed for  
29 outpatient prescription drugs and podiatry services provided to  
30 members of the expansion population pursuant to all applicable  
31 medical assistance program rules, in an amount not to exceed  
32 \$4,000,000.

33 c. Notwithstanding the total amount of proceeds distributed  
34 pursuant to section 249J.24, subsection 6, paragraph "a",  
35 unnumbered paragraph 1, for the fiscal year beginning July

1 1, 2012, and ending June 30, 2013, the county treasurer of a  
2 county with a population of over 350,000 in which a publicly  
3 owned acute care teaching hospital is located shall distribute  
4 the proceeds collected pursuant to section 347.7 in a total  
5 amount of \$38,000,000, which would otherwise be distributed to  
6 the county hospital, to the treasurer of state for deposit in  
7 the IowaCare account.

8 d. (1) Notwithstanding the amount collected and  
9 distributed for deposit in the IowaCare account pursuant to  
10 section 249J.24, subsection 6, paragraph "a", subparagraph  
11 (1), the first \$19,000,000 in proceeds collected pursuant to  
12 section 347.7 between July 1, 2012, and December 31, 2012,  
13 shall be distributed to the treasurer of state for deposit in  
14 the IowaCare account and collections during this time period  
15 in excess of \$19,000,000 shall be distributed to the acute  
16 care teaching hospital identified in this subsection. Of the  
17 collections in excess of the \$19,000,000 received by the acute  
18 care teaching hospital under this subparagraph (1), \$2,000,000  
19 shall be distributed by the acute care teaching hospital to the  
20 treasurer of state for deposit in the IowaCare account in the  
21 month of January 2013, following the July 1 through December  
22 31, 2012, period.

23 (2) Notwithstanding the amount collected and distributed  
24 for deposit in the IowaCare account pursuant to section  
25 249J.24, subsection 6, paragraph "a", subparagraph (2),  
26 the first \$19,000,000 in collections pursuant to section  
27 347.7 between January 1, 2013, and June 30, 2013, shall be  
28 distributed to the treasurer of state for deposit in the  
29 IowaCare account and collections during this time period in  
30 excess of \$19,000,000 shall be distributed to the acute care  
31 teaching hospital identified in this subsection. Of the  
32 collections in excess of the \$19,000,000 received by the acute  
33 care teaching hospital under this subparagraph (2), \$2,000,000  
34 shall be distributed by the acute care teaching hospital to the  
35 treasurer of state for deposit in the IowaCare account in the



1 month of July 2013, following the January 1 through June 30,  
2 2013, period.

3 5. There is appropriated from the IowaCare account created  
4 in section 249J.24 to the department of human services for the  
5 fiscal year beginning July 1, 2012, and ending June 30, 2013,  
6 the following amount, or so much thereof as is necessary to be  
7 used for the purpose designated:

8 For payment to the regional provider network specified  
9 by the department pursuant to section 249J.7 for provision  
10 of covered services to members of the expansion population  
11 pursuant to chapter 249J:

12 ..... \$ 3,472,176

13 Notwithstanding any provision of law to the contrary, the  
14 amount appropriated in this subsection shall be distributed  
15 based on claims submitted, adjudicated, and paid by the Iowa  
16 Medicaid enterprise. Once the entire amount appropriated in  
17 this subsection has been distributed, claims shall continue to  
18 be submitted and adjudicated by the Iowa Medicaid enterprise;  
19 however, no payment shall be made based upon such claims.

20 6. There is appropriated from the IowaCare account created  
21 in section 249J.24 to the department of human services for the  
22 fiscal year beginning July 1, 2012, and ending June 30, 2013,  
23 the following amount, or so much thereof as is necessary to be  
24 used for the purposes designated:

25 For a care coordination pool to pay the expansion population  
26 providers consisting of the university of Iowa hospitals and  
27 clinics, the publicly owned acute care teaching hospital as  
28 specified in section 249J.7, and current medical assistance  
29 program providers that are not expansion population network  
30 providers pursuant to section 249J.7, for services covered by  
31 the full benefit medical assistance program but not under the  
32 IowaCare program pursuant to section 249J.6, that are provided  
33 to expansion population members:

34 ..... \$ 1,500,000

35 a. Notwithstanding sections 249J.6 and 249J.7, the amount

1 appropriated in this subsection is intended to provide  
2 payment for medically necessary services provided to expansion  
3 population members for continuation of care provided by the  
4 university of Iowa hospitals and clinics or the publicly owned  
5 acute care teaching hospital as specified in section 249J.7.  
6 Payment may only be made for services that are not otherwise  
7 covered under section 249J.6, and which are follow-up services  
8 to covered services provided by the hospitals specified in this  
9 paragraph "a".

10 b. The funds appropriated in this subsection are intended  
11 to provide limited payment for continuity of care services for  
12 an expansion population member, and are intended to cover the  
13 costs of services to expansion population members, regardless  
14 of the member's county of residence or medical home assignment,  
15 if the care is related to specialty or hospital services  
16 provided by the hospitals specified in paragraph "a".

17 c. The funds appropriated in this subsection are  
18 not intended to provide for expanded coverage under the  
19 IowaCare program, and shall not be used to cover emergency  
20 transportation services.

21 d. The department shall adopt administrative rules pursuant  
22 to chapter 17A to establish a prior authorization process and  
23 to identify covered services for reimbursement under this  
24 subsection.

25 7. There is appropriated from the IowaCare account created  
26 in section 249J.24 to the department of human services for the  
27 fiscal year beginning July 1, 2012, and ending June 30, 2013,  
28 the following amount or so much thereof as is necessary to be  
29 used for the purposes designated:

30 For a laboratory test and radiology pool for services  
31 authorized by a federally qualified health center designated  
32 by the department as part of the IowaCare regional provider  
33 network that does not have the capability to provide these  
34 services on site:

35 ..... \$ 500,000

1 Notwithstanding sections 249J.6 and 249J.7, the amount  
 2 appropriated in this subsection is intended to provide  
 3 reimbursement for services provided to expansion population  
 4 members that have previously been paid for through expenditure  
 5 by designated regional provider network providers of their  
 6 own funds, not to expand coverage under the IowaCare program  
 7 or to expand the expansion population provider network. The  
 8 department shall designate the laboratory and radiology  
 9 provider associated with each designated regional provider  
 10 network provider that may receive reimbursement. The  
 11 department shall adopt administrative rules pursuant to chapter  
 12 17A to establish a prior authorization process and to identify  
 13 covered services for reimbursement under this subsection.  
 14 All other medical assistance program payment policies and  
 15 rules for laboratory and radiology services shall apply to  
 16 services provided under this subsection. If the entire amount  
 17 appropriated under this subsection is expended, laboratory  
 18 tests and radiology services ordered by a designated regional  
 19 provider network provider shall be the financial responsibility  
 20 of the regional provider network provider.

21 Sec. 353. APPROPRIATIONS FROM NONPARTICIPATING  
 22 PROVIDER REIMBURSEMENT FUND — DEPARTMENT OF HUMAN  
 23 SERVICES. Notwithstanding any provision to the contrary, and  
 24 subject to the availability of funds, there is appropriated  
 25 from the nonparticipating provider reimbursement fund created  
 26 in section 249J.24A to the department of human services for the  
 27 fiscal year beginning July 1, 2012, and ending June 30, 2013,  
 28 the following amount or so much thereof as is necessary for the  
 29 purposes designated:

30 To reimburse nonparticipating providers in accordance with  
 31 section 249J.24A:  
 32 ..... \$ 2,000,000

33 Sec. 354. APPROPRIATIONS FROM ACCOUNT FOR HEALTH CARE  
 34 TRANSFORMATION — DEPARTMENT OF HUMAN SERVICES.

35 Notwithstanding any provision to the contrary, there is

1 appropriated from the account for health care transformation  
2 created in section 249J.23 to the department of human services  
3 for the fiscal year beginning July 1, 2012, and ending June  
4 30, 2013, the following amounts, or so much thereof as is  
5 necessary, to be used for the purposes designated:

6 1. For the provision of an IowaCare nurse helpline for the  
7 expansion population as provided in section 249J.6:  
8 ..... \$ 85,000

9 2. For other health promotion partnership activities  
10 pursuant to section 249J.14:  
11 ..... \$ 510,000

12 3. For the costs related to audits, performance  
13 evaluations, and studies required pursuant to chapter 249J:  
14 ..... \$ 106,250

15 4. For administrative costs associated with chapter 249J:  
16 ..... \$ 962,550

17 5. For planning and development, in cooperation with the  
18 department of public health, of a phased-in program to provide  
19 a dental home for children in accordance with section 249J.14:  
20 ..... \$ 850,000

21 6. For continuation of the establishment of the tuition  
22 assistance for individuals serving individuals with  
23 disabilities pilot program, as enacted in 2008 Iowa Acts,  
24 chapter 1187, section 130:  
25 ..... \$ 42,500

26 7. For medical contracts:  
27 ..... \$ 1,700,000

28 8. For payment to the publicly owned acute care teaching  
29 hospital located in a county with a population of over 350,000  
30 that is a participating provider pursuant to chapter 249J:  
31 ..... \$ 246,500

32 Disbursements under this subsection shall be made monthly.  
33 The hospital shall submit a report following the close of the  
34 fiscal year regarding use of the funds appropriated in this  
35 subsection to the persons specified in this Act to receive

1 reports.

2 9. For transfer to the department of public health to be  
3 used for the costs of medical home system advisory council  
4 established pursuant to section 135.159:

5 ..... \$ 198,353

6 10. For continued implementation of a uniform cost report:

7 ..... \$ 85,000

8 11. For continued implementation of an electronic medical  
9 records system:

10 ..... \$ 85,000

11 Notwithstanding section 8.39, subsection 1, without the  
12 prior written consent and approval of the governor and the  
13 director of the department of management, the director of human  
14 services may transfer funds among the appropriations made in  
15 this section as necessary to carry out the purposes of the  
16 account for health care transformation. The department shall  
17 report any transfers made pursuant to this section to the  
18 legislative services agency.

19 Sec. 355. MEDICAID FRAUD ACCOUNT — DEPARTMENT OF  
20 INSPECTIONS AND APPEALS. There is appropriated from the  
21 Medicaid fraud account created in section 249A.7 to the  
22 department of inspections and appeals for the fiscal year  
23 beginning July 1, 2012, and ending June 30, 2013, the following  
24 amount, or so much thereof as is necessary, to be used for the  
25 purposes designated:

26 For the inspection and certification of assisted living  
27 programs and adult day care services, including program  
28 administration and costs associated with implementation:

29 ..... \$ 1,138,598

30 Sec. 356. MEDICAID FRAUD ACCOUNT — DEPARTMENT OF HUMAN  
31 SERVICES. There is appropriated from the Medicaid fraud  
32 account created in section 249A.7 to the department of human  
33 services for the fiscal year beginning July 1, 2012, and ending  
34 June 30, 2013, the following amount, or so much thereof as is  
35 necessary, to be used for the purposes designated:

1 To supplement the appropriation made in the department  
2 of human services division of this Act from the general fund  
3 of the state to the department of human services for medical  
4 assistance for the same fiscal year:

5 ..... \$ 2,000,000

6 Sec. 357. QUALITY ASSURANCE TRUST FUND — DEPARTMENT OF  
7 HUMAN SERVICES. Notwithstanding any provision to the contrary  
8 and subject to the availability of funds, there is appropriated  
9 from the quality assurance trust fund created in section  
10 249L.4 to the department of human services for the fiscal year  
11 beginning July 1, 2012, and ending June 30, 2013, the following  
12 amounts, or so much thereof as is necessary for the purposes  
13 designated:

14 To supplement the appropriation made in the department  
15 of human services division of this Act from the general fund  
16 of the state to the department of human services for medical  
17 assistance for the same fiscal year:

18 ..... \$ 29,000,000

19 Sec. 358. HOSPITAL HEALTH CARE ACCESS TRUST FUND —  
20 DEPARTMENT OF HUMAN SERVICES. Notwithstanding any provision to  
21 the contrary and subject to the availability of funds, there is  
22 appropriated from the hospital health care access trust fund  
23 created in section 249M.4 to the department of human services  
24 for the fiscal year beginning July 1, 2012, and ending June  
25 30, 2013, the following amounts, or so much thereof as is  
26 necessary, for the purposes designated:

27 1. To supplement the appropriation made in the health and  
28 human services division of this Act from the general fund of  
29 the state to the department of human services for medical  
30 assistance:

31 ..... \$ 39,223,800

32 2. For deposit in the nonparticipating provider  
33 reimbursement fund created in section 249J.24A to be used for  
34 the purposes of the fund:

35 ..... \$ 776,200

1 Sec. 359. MEDICAL ASSISTANCE PROGRAM — NONREVERSION  
2 FOR FY 2012-2013. Notwithstanding section 8.33, if moneys  
3 appropriated for purposes of the medical assistance program for  
4 the fiscal year beginning July 1, 2012, and ending June 30,  
5 2013, in the health and human services divisions of this Act  
6 from the general fund of the state, the Medicaid fraud account,  
7 the quality assurance trust fund, and the hospital health  
8 care access trust fund, are in excess of actual expenditures  
9 for the medical assistance program and remain unencumbered or  
10 unobligated at the close of the fiscal year, the excess moneys  
11 shall not revert but shall remain available for expenditure for  
12 the purposes of the medical assistance program until the close  
13 of the succeeding fiscal year.

14 DIVISION XXXIX

15 HEALTH AND HUMAN SERVICES

16 MH/MR/DD SERVICES ALLOWED GROWTH FUNDING FOR FISCAL YEAR  
17 2012-2013

18 Sec. 360. MENTAL HEALTH, MENTAL RETARDATION, AND  
19 DEVELOPMENTAL DISABILITIES SERVICES PROPERTY TAX  
20 RELIEF. Notwithstanding the standing appropriation in section  
21 426B.1, subsection 2, for the fiscal year beginning July 1,  
22 2012, and ending June 30, 2013, the amount appropriated from  
23 the general fund of the state pursuant to that provision shall  
24 not exceed the following amount:

25 ..... \$ 81,199,911

26 Sec. 361. ADULT MH/MR/DD SERVICES ALLOWED GROWTH FUNDING —  
27 FY 2012-2013.

28 1. There is appropriated from the general fund of the  
29 state to the department of human services for the fiscal year  
30 beginning July 1, 2012, and ending June 30, 2013, the following  
31 amount, or so much thereof as is necessary, to be used for the  
32 purpose designated:

33 For distribution to counties of the county mental health,  
34 mental retardation, and developmental disabilities allowed  
35 growth factor adjustment for fiscal year 2012-2013 as provided

1 in this section in lieu of the allowed growth factor provisions  
2 of section 331.438, subsection 2, and section 331.439,  
3 subsection 3, and chapter 426B and for transfer for the medical  
4 assistance program:

5 ..... \$ 88,697,893

6 Of the amount appropriated in this subsection, \$5,000,000  
7 shall be transferred to the appropriation made in the  
8 department of human services division of this Act from  
9 the general fund of the state to the department of human  
10 services for the medical assistance program for the fiscal  
11 year beginning July 1, 2012, and shall be used to continue  
12 the funding designated in the previous fiscal year to reduce  
13 home and community-based services waiver waiting lists for  
14 children's mental health, intellectual disabilities, and brain  
15 injury.

16 2. Of the amount appropriated in this section, \$12,000,000  
17 shall be distributed as provided in this subsection.

18 a. To be eligible to receive a distribution under this  
19 subsection, a county must meet the following requirements:

20 (1) The county is levying for the maximum amount allowed  
21 for the county's mental health, mental retardation, and  
22 developmental disabilities services fund under section 331.424A  
23 for taxes due and payable in the fiscal year beginning July 1,  
24 2012, or the county is levying for at least 90 percent of the  
25 maximum amount allowed for the county's services fund and that  
26 levy rate is more than \$2 per \$1,000 of the assessed value of  
27 all taxable property in the county.

28 (2) In the fiscal year beginning July 1, 2010, the  
29 county's mental health, mental retardation, and developmental  
30 disabilities services fund ending balance under generally  
31 accepted accounting principles was equal to or less than 15  
32 percent of the county's actual gross expenditures for that  
33 fiscal year.

34 b. The amount of a county's distribution from the allocation  
35 made in this subsection shall be determined based upon the



1 county's proportion of the general population of the counties  
2 eligible to receive a distribution under this subsection. The  
3 most recent population estimates issued by the United States  
4 bureau of the census shall be applied in determining population  
5 for the purposes of this paragraph.

6 c. The distributions made pursuant to this subsection  
7 are subject to the distribution provisions and withholding  
8 requirements established in this section for the county mental  
9 health, mental retardation, and developmental disabilities  
10 allowed growth factor adjustment for the fiscal year beginning  
11 July 1, 2012.

12 3. The following amount of the funding appropriated in this  
13 section is the allowed growth factor adjustment for fiscal  
14 year 2012-2013, and shall be credited to the allowed growth  
15 funding pool created in the property tax relief fund and for  
16 distribution in accordance with section 426B.5, subsection 1:  
17 ..... \$ 71,697,893

18 4. The following formula amounts shall be utilized only  
19 to calculate preliminary distribution amounts for the allowed  
20 growth factor adjustment for fiscal year 2012-2013 under this  
21 section by applying the indicated formula provisions to the  
22 formula amounts and producing a preliminary distribution total  
23 for each county:

24 a. For calculation of a distribution amount for eligible  
25 counties from the allowed growth funding pool created in the  
26 property tax relief fund in accordance with the requirements in  
27 section 426B.5, subsection 1:  
28 ..... \$ 84,773,346

29 b. For calculation of a distribution amount for counties  
30 from the mental health and developmental disabilities (MH/DD)  
31 community services fund in accordance with the formula provided  
32 in the appropriation made for the MH/DD community services fund  
33 for the fiscal year beginning July 1, 2012:  
34 ..... \$ 14,187,556

35 5. a. After applying the applicable statutory distribution

1 formulas to the amounts indicated in subsection 4 for purposes  
2 of producing preliminary distribution totals, the department  
3 of human services shall apply a withholding factor to adjust  
4 an eligible individual county's preliminary distribution  
5 total. In order to be eligible for a distribution under this  
6 section, a county must be levying 90 percent or more of the  
7 maximum amount allowed for the county's mental health, mental  
8 retardation, and developmental disabilities services fund under  
9 section 331.424A for taxes due and payable in the fiscal year  
10 for which the distribution is payable.

11 b. An ending balance percentage for each county shall  
12 be determined by expressing the county's ending balance on a  
13 modified accrual basis under generally accepted accounting  
14 principles for the fiscal year beginning July 1, 2010, in the  
15 county's mental health, mental retardation, and developmental  
16 disabilities services fund created under section 331.424A, as a  
17 percentage of the county's gross expenditures from that fund  
18 for that fiscal year. If a county borrowed moneys for purposes  
19 of providing services from the county's services fund on or  
20 before July 1, 2010, and the county's services fund ending  
21 balance for that fiscal year includes the loan proceeds or an  
22 amount designated in the county budget to service the loan for  
23 the borrowed moneys, those amounts shall not be considered  
24 to be part of the county's ending balance for purposes of  
25 calculating an ending balance percentage under this subsection.

26 c. For purposes of calculating withholding factors and for  
27 ending balance amounts used for other purposes under law, the  
28 county ending balances shall be adjusted, using forms developed  
29 for this purpose by the county finance committee, to disregard  
30 the temporary funding increase provided to the counties for  
31 the fiscal year through the federal American Recovery and  
32 Reinvestment Act of 2009, Pub. L. No. 111-5. In addition, a  
33 county may adjust the ending balance amount by rebating to the  
34 department all or a portion of the allowed growth and MH/DD  
35 services fund moneys the county received for the fiscal year

1 beginning July 1, 2011, in accordance with this Act, or from  
2 any other services fund moneys available to the county. The  
3 rebate must be remitted to the department on or before June  
4 1, 2012, in order to be counted. However, if this division  
5 of this Act is enacted after July 1, 2012, the rebate must be  
6 remitted not later than 10 calendar days after the date of  
7 the governor's approval of this Act. The amount rebated by a  
8 county shall be subtracted dollar-for-dollar from the county's  
9 ending balance amount for the fiscal year beginning July 1,  
10 2010, for purposes of calculating the withholding factor and  
11 for other ending balance purposes for the fiscal year beginning  
12 July 1, 2012. The rebates received by the department shall be  
13 credited to the property tax relief fund and distributed as  
14 additional funding for the fiscal year beginning July 1, 2012,  
15 in accordance with the formula provisions in this section.

16 d. The withholding factor for a county shall be the  
17 following applicable percent:

18 (1) For an ending balance percentage of less than 5  
19 percent, a withholding factor of 0 percent. In addition,  
20 a county that is subject to this lettered paragraph shall  
21 receive an inflation adjustment equal to 3 percent of the gross  
22 expenditures reported for the county's services fund for the  
23 fiscal year.

24 (2) For an ending balance percentage of 5 percent or more  
25 but less than 10 percent, a withholding factor of 0 percent.  
26 In addition, a county that is subject to this lettered  
27 paragraph shall receive an inflation adjustment equal to 2  
28 percent of the gross expenditures reported for the county's  
29 services fund for the fiscal year.

30 (3) For an ending balance percentage of 10 percent or more  
31 but less than 25 percent, a withholding factor of 25 percent.  
32 However, for counties with an ending balance of 10 percent or  
33 more but less than 15 percent, the amount withheld shall be  
34 limited to the amount by which the county's ending balance was  
35 in excess of the ending balance percentage of 10 percent.

1 (4) For an ending balance percentage of 25 percent or more,  
2 a withholding percentage of 100 percent.

3 6. The total withholding amounts applied pursuant to  
4 subsection 5 shall be equal to a withholding target amount of  
5 \$13,075,453. If the department of human services determines  
6 that the amount appropriated is insufficient or the amount to  
7 be withheld in accordance with subsection 5 is not equal to  
8 the target withholding amount, the department shall adjust the  
9 withholding factors listed in subsection 5 as necessary to  
10 achieve the target withholding amount. However, in making such  
11 adjustments to the withholding factors, the department shall  
12 strive to minimize changes to the withholding factors for those  
13 ending balance percentage ranges that are lower than others and  
14 shall only adjust the zero withholding factor or the inflation  
15 adjustment percentages specified in subsection 5, paragraph  
16 "d", when the amount appropriated is insufficient.

17 DIVISION XL  
18 JUSTICE SYSTEM  
19 FY 2011-2012

20 Sec. 362. DEPARTMENT OF JUSTICE.

21 1. There is appropriated from the general fund of the state  
22 to the department of justice for the fiscal year beginning July  
23 1, 2011, and ending June 30, 2012, the following amounts, or  
24 so much thereof as is necessary, to be used for the purposes  
25 designated:

26 a. For the general office of attorney general for salaries,  
27 support, maintenance, and miscellaneous purposes, including  
28 the prosecuting attorneys training program, matching funds  
29 for federal violence against women grant programs, victim  
30 assistance grants, office of drug control policy prosecuting  
31 attorney program, and odometer fraud enforcement, and for not  
32 more than the following full-time equivalent positions:

33 .....	\$	7,692,930
34 .....	FTEs	212.00

35 It is the intent of the general assembly that as a condition

1 of receiving the appropriation provided in this lettered  
2 paragraph, the department of justice shall maintain a record  
3 of the estimated time incurred representing each agency or  
4 department.

5 b. For victim assistance grants:

6 ..... \$ 2,876,400

7 The funds appropriated in this lettered paragraph shall be  
8 used to provide grants to care providers providing services to  
9 crime victims of domestic abuse or to crime victims of rape and  
10 sexual assault.

11 The balance of the victim compensation fund established in  
12 section 915.94 may be used to provide salary and support of not  
13 more than 24 FTEs and to provide maintenance for the victim  
14 compensation functions of the department of justice.

15 The department of justice may transfer moneys from the  
16 victim compensation fund established in section 915.94 to the  
17 victim assistance grant program.

18 c. For legal services for persons in poverty grants as  
19 provided in section 13.34:

20 ..... \$ 1,800,000

21 2. a. The department of justice, in submitting budget  
22 estimates for the fiscal year commencing July 1, 2012, pursuant  
23 to section 8.23, shall include a report of funding from sources  
24 other than amounts appropriated directly from the general fund  
25 of the state to the department of justice or to the office of  
26 consumer advocate. These funding sources shall include but  
27 are not limited to reimbursements from other state agencies,  
28 commissions, boards, or similar entities, and reimbursements  
29 from special funds or internal accounts within the department  
30 of justice. The department of justice shall also report actual  
31 reimbursements for the fiscal year commencing July 1, 2010,  
32 and actual and expected reimbursements for the fiscal year  
33 commencing July 1, 2011.

34 b. The department of justice shall include the report  
35 required under paragraph "a", as well as information regarding

1 any revisions occurring as a result of reimbursements actually  
2 received or expected at a later date, in a report to the  
3 co-chairpersons and ranking members of the joint appropriations  
4 subcommittee on the justice system and the legislative services  
5 agency. The department of justice shall submit the report on  
6 or before January 15, 2012.

7 Sec. 363. OFFICE OF CONSUMER ADVOCATE. There is  
8 appropriated from the department of commerce revolving fund  
9 created in section 546.12 to the office of consumer advocate of  
10 the department of justice for the fiscal year beginning July  
11 1, 2011, and ending June 30, 2012, the following amount, or  
12 so much thereof as is necessary, to be used for the purposes  
13 designated:

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

17 .....	\$	3,136,163
18 .....	FTEs	22.00

19 Sec. 364. DEPARTMENT OF CORRECTIONS — FACILITIES.

20 1. There is appropriated from the general fund of the  
21 state to the department of corrections for the fiscal year  
22 beginning July 1, 2011, and ending June 30, 2012, the following  
23 amounts, or so much thereof as is necessary, to be used for the  
24 operation of adult correctional institutions, reimbursement  
25 of counties for certain confinement costs, and federal prison  
26 reimbursement, to be allocated as follows:

27 a. For the operation of the Fort Madison correctional  
28 facility, including salaries, support, maintenance, and  
29 miscellaneous purposes:

30 ..... \$ 41,031,283

31 b. For the operation of the Anamosa correctional facility,  
32 including salaries, support, maintenance, and miscellaneous  
33 purposes:

34 ..... \$ 31,985,974

35 c. For the operation of the Oakdale correctional facility,

1 including salaries, support, maintenance, and miscellaneous  
2 purposes:  
3 ..... \$ 55,594,426  
4 d. For the operation of the Newton correctional facility,  
5 including salaries, support, maintenance, and miscellaneous  
6 purposes:  
7 ..... \$ 25,958,757  
8 e. For the operation of the Mt. Pleasant correctional  
9 facility, including salaries, support, maintenance, and  
10 miscellaneous purposes:  
11 ..... \$ 25,917,815  
12 f. For the operation of the Rockwell City correctional  
13 facility, including salaries, support, maintenance, and  
14 miscellaneous purposes:  
15 ..... \$ 9,316,466  
16 g. For the operation of the Clarinda correctional facility,  
17 including salaries, support, maintenance, and miscellaneous  
18 purposes:  
19 ..... \$ 24,639,518  
20 Moneys received by the department of corrections as  
21 reimbursement for services provided to the Clarinda youth  
22 corporation are appropriated to the department and shall be  
23 used for the purpose of operating the Clarinda correctional  
24 facility.  
25 h. For the operation of the Mitchellville correctional  
26 facility, including salaries, support, maintenance, and  
27 miscellaneous purposes:  
28 ..... \$ 15,615,374  
29 i. For the operation of the Fort Dodge correctional  
30 facility, including salaries, support, maintenance, and  
31 miscellaneous purposes:  
32 ..... \$ 29,062,235  
33 j. For reimbursement of counties for temporary confinement  
34 of work release and parole violators, as provided in sections  
35 901.7, 904.908, and 906.17, and for offenders confined pursuant

1 to section 904.513:

2 ..... \$ 775,092

3 k. For federal prison reimbursement, reimbursements for  
4 out-of-state placements, and miscellaneous contracts:

5 ..... \$ 239,411

6 2. The department of corrections shall use moneys  
7 appropriated in subsection 1 to continue to contract for the  
8 services of a Muslim imam and a Native American spiritual  
9 leader.

10 Sec. 365. DEPARTMENT OF CORRECTIONS —

11 ADMINISTRATION. There is appropriated from the general fund of  
12 the state to the department of corrections for the fiscal year  
13 beginning July 1, 2011, and ending June 30, 2012, the following  
14 amounts, or so much thereof as is necessary, to be used for the  
15 purposes designated:

16 1. For general administration, including salaries, support,  
17 maintenance, employment of an education director to administer  
18 a centralized education program for the correctional system,  
19 and miscellaneous purposes:

20 ..... \$ 4,835,542

21 a. It is the intent of the general assembly that as a  
22 condition of receiving the appropriation provided in this  
23 subsection the department of corrections shall not, except as  
24 otherwise provided in paragraph "c", enter into a new contract,  
25 unless the contract is a renewal of an existing contract, for  
26 the expenditure of moneys in excess of \$100,000 during the  
27 fiscal year beginning July 1, 2011, for the privatization of  
28 services performed by the department using state employees as  
29 of July 1, 2011, or for the privatization of new services by  
30 the department without prior consultation with any applicable  
31 state employee organization affected by the proposed new  
32 contract and prior notification of the co-chairpersons and  
33 ranking members of the joint appropriations subcommittee on the  
34 justice system.

35 b. It is the intent of the general assembly that each



1 lease negotiated by the department of corrections with a  
2 private corporation for the purpose of providing private  
3 industry employment of inmates in a correctional institution  
4 shall prohibit the private corporation from utilizing inmate  
5 labor for partisan political purposes for any person seeking  
6 election to public office in this state and that a violation  
7 of this requirement shall result in a termination of the lease  
8 agreement.

9 c. It is the intent of the general assembly that as a  
10 condition of receiving the appropriation provided in this  
11 subsection the department of corrections shall not enter into  
12 a lease or contractual agreement pursuant to section 904.809  
13 with a private corporation for the use of building space for  
14 the purpose of providing inmate employment without providing  
15 that the terms of the lease or contract establish safeguards to  
16 restrict, to the greatest extent feasible, access by inmates  
17 working for the private corporation to personal identifying  
18 information of citizens.

19 2. For educational programs for inmates at state penal  
20 institutions:

21 ..... \$ 2,308,109

22 a. As a condition of receiving the appropriation in this  
23 subsection, the department of corrections shall transfer at  
24 least \$300,000 from the canteen operating funds established  
25 pursuant to section 904.310 to be used for correctional  
26 educational programs funded in this subsection.

27 b. It is the intent of the general assembly that moneys  
28 appropriated in this subsection shall be used solely for the  
29 purpose indicated and that the moneys shall not be transferred  
30 for any other purpose. In addition, it is the intent of the  
31 general assembly that the department shall consult with the  
32 community colleges in the areas in which the institutions are  
33 located to utilize moneys appropriated in this subsection  
34 to fund the high school completion, high school equivalency  
35 diploma, adult literacy, and adult basic education programs in

1 a manner so as to maintain these programs at the institutions.

2 c. To maximize the funding for educational programs,  
3 the department shall establish guidelines and procedures to  
4 prioritize the availability of educational and vocational  
5 training for inmates based upon the goal of facilitating an  
6 inmate's successful release from the correctional institution.

7 d. The director of the department of corrections may  
8 transfer moneys from Iowa prison industries for use in  
9 educational programs for inmates.

10 e. Notwithstanding section 8.33, moneys appropriated in  
11 this subsection that remain unobligated or unexpended at the  
12 close of the fiscal year shall not revert but shall remain  
13 available to be used only for the purposes designated in this  
14 subsection until the close of the succeeding fiscal year.

15 3. For the development of the Iowa corrections offender  
16 network (ICON) data system:

17 ..... \$ 424,364

18 4. For offender mental health and substance abuse  
19 treatment:

20 ..... \$ 22,319

21 5. For viral hepatitis prevention and treatment:

22 ..... \$ 167,881

23 Sec. 366. JUDICIAL DISTRICT DEPARTMENTS OF CORRECTIONAL  
24 SERVICES.

25 1. There is appropriated from the general fund of the state  
26 to the department of corrections for the fiscal year beginning  
27 July 1, 2011, and ending June 30, 2012, for salaries, support,  
28 maintenance, and miscellaneous purposes, the following amounts,  
29 or so much thereof as is necessary, to be allocated as follows:

30 a. For the first judicial district department of  
31 correctional services:

32 ..... \$ 12,020,098

33 b. For the second judicial district department of  
34 correctional services:

35 ..... \$ 10,336,948

1 c. For the third judicial district department of  
2 correctional services:  
3 ..... \$ 5,599,765  
4 d. For the fourth judicial district department of  
5 correctional services:  
6 ..... \$ 5,391,355  
7 e. For the fifth judicial district department of  
8 correctional services, including funding for electronic  
9 monitoring devices for use on a statewide basis:  
10 ..... \$ 18,742,129  
11 f. For the sixth judicial district department of  
12 correctional services:  
13 ..... \$ 13,112,563  
14 g. For the seventh judicial district department of  
15 correctional services:  
16 ..... \$ 6,492,814  
17 h. For the eighth judicial district department of  
18 correctional services:  
19 ..... \$ 6,731,055  
20 2. Each judicial district department of correctional  
21 services, within the funding available, shall continue programs  
22 and plans established within that district to provide for  
23 intensive supervision, sex offender treatment, diversion of  
24 low-risk offenders to the least restrictive sanction available,  
25 job development, and expanded use of intermediate criminal  
26 sanctions.  
27 3. Each judicial district department of correctional  
28 services shall provide alternatives to prison consistent with  
29 chapter 901B. The alternatives to prison shall ensure public  
30 safety while providing maximum rehabilitation to the offender.  
31 A judicial district department of correctional services may  
32 also establish a day program.  
33 4. The governor's office of drug control policy shall  
34 consider federal grants made to the department of corrections  
35 for the benefit of each of the eight judicial district

1 departments of correctional services as local government  
2 grants, as defined pursuant to federal regulations.

3 5. The department of corrections shall continue to contract  
4 with a judicial district department of correctional services to  
5 provide for the rental of electronic monitoring equipment which  
6 shall be available statewide.

7 6. A judicial district department of correctional services  
8 shall accept into the facilities of the district department,  
9 offenders assigned from other judicial district departments of  
10 correctional services.

11 Sec. 367. DEPARTMENT OF CORRECTIONS — REALLOCATION OF  
12 APPROPRIATIONS. Notwithstanding section 8.39, within the  
13 moneys appropriated in this division of this Act to the  
14 department of corrections, the department may reallocate the  
15 moneys appropriated and allocated as necessary to best fulfill  
16 the needs of the correctional institutions, administration  
17 of the department, and the judicial district departments of  
18 correctional services. However, in addition to complying with  
19 the requirements of sections 904.116 and 905.8 and providing  
20 notice to the legislative services agency, the department  
21 of corrections shall also provide notice to the department  
22 of management, prior to the effective date of the revision  
23 or reallocation of an appropriation made pursuant to this  
24 section. The department of corrections shall not reallocate an  
25 appropriation or allocation for the purpose of eliminating any  
26 program.

27 Sec. 368. INTENT — REPORTS.

28 1. The department of corrections in cooperation with  
29 townships, the Iowa cemetery associations, and other nonprofit  
30 or governmental entities may use inmate labor during the  
31 fiscal year beginning July 1, 2011, to restore or preserve  
32 rural cemeteries and historical landmarks. The department in  
33 cooperation with the counties may also use inmate labor to  
34 clean up roads, major water sources, and other water sources  
35 around the state.

1     2. On a quarterly basis the department shall provide a  
2 status report regarding private-sector employment to the  
3 legislative services agency beginning on July 1, 2011. The  
4 report shall include the number of offenders employed in the  
5 private sector, the combined number of hours worked by the  
6 offenders, the total amount of allowances, and the distribution  
7 of allowances pursuant to section 904.702, including any moneys  
8 deposited in the general fund of the state.

9     Sec. 369. ELECTRONIC MONITORING REPORT. The department of  
10 corrections shall submit a report on electronic monitoring to  
11 the general assembly, to the co-chairpersons and the ranking  
12 members of the joint appropriations subcommittee on the justice  
13 system, and to the legislative services agency by January  
14 15, 2012. The report shall specifically address the number  
15 of persons being electronically monitored and break down the  
16 number of persons being electronically monitored by offense  
17 committed. The report shall also include a comparison of any  
18 data from the prior fiscal year with the current year.

19     Sec. 370. STATE AGENCY PURCHASES FROM PRISON INDUSTRIES.

20     1. As used in this section, unless the context otherwise  
21 requires, "state agency" means the government of the state  
22 of Iowa, including but not limited to all executive branch  
23 departments, agencies, boards, bureaus, and commissions, the  
24 judicial branch, the general assembly and all legislative  
25 agencies, institutions within the purview of the state board of  
26 regents, and any corporation whose primary function is to act  
27 as an instrumentality of the state.

28     2. State agencies are hereby encouraged to purchase  
29 products from Iowa state industries, as defined in section  
30 904.802, when purchases are required and the products are  
31 available from Iowa state industries. State agencies shall  
32 obtain bids from Iowa state industries for purchases of  
33 office furniture during the fiscal year beginning July 1,  
34 2011, exceeding \$5,000 or in accordance with applicable  
35 administrative rules related to purchases for the agency.

1     Sec. 371.   IOWA LAW ENFORCEMENT ACADEMY.

2     1.   There is appropriated from the general fund of the  
3 state to the Iowa law enforcement academy for the fiscal year  
4 beginning July 1, 2011, and ending June 30, 2012, the following  
5 amount, or so much thereof as is necessary, to be used for the  
6 purposes designated:

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

10	.....	\$	868,698
11	.....	FTEs	24.55

12     It is the intent of the general assembly that the Iowa law  
13 enforcement academy may provide training of state and local  
14 law enforcement personnel concerning the recognition of and  
15 response to persons with Alzheimer's disease.

16     The Iowa law enforcement academy may temporarily exceed and  
17 draw more than the amount appropriated in this subsection and  
18 incur a negative cash balance as long as there are receivables  
19 equal to or greater than the negative balance and the amount  
20 appropriated in this subsection is not exceeded at the close  
21 of the fiscal year.

22     2.   The Iowa law enforcement academy may select at least  
23 five automobiles of the department of public safety, division  
24 of state patrol, prior to turning over the automobiles to  
25 the department of administrative services to be disposed  
26 of by public auction, and the Iowa law enforcement academy  
27 may exchange any automobile owned by the academy for each  
28 automobile selected if the selected automobile is used in  
29 training law enforcement officers at the academy. However, any  
30 automobile exchanged by the academy shall be substituted for  
31 the selected vehicle of the department of public safety and  
32 sold by public auction with the receipts being deposited in the  
33 depreciation fund to the credit of the department of public  
34 safety, division of state patrol.

35     Sec. 372.   STATE PUBLIC DEFENDER.   There is appropriated from

1 the general fund of the state to the office of the state public  
2 defender of the department of inspections and appeals for the  
3 fiscal year beginning July 1, 2011, and ending June 30, 2012,  
4 the following amounts, or so much thereof as is necessary, to  
5 be allocated as follows for the purposes designated:

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

9 ..... \$ 25,083,182  
10 ..... FTEs 219.00

11 2. For the fees of court-appointed attorneys for indigent  
12 adults and juveniles, in accordance with section 232.141 and  
13 chapter 815:

14 ..... \$ 30,680,929

15 Sec. 373. BOARD OF PAROLE. There is appropriated from  
16 the general fund of the state to the board of parole for the  
17 fiscal year beginning July 1, 2011, and ending June 30, 2012,  
18 the following amount, or so much thereof as is necessary, to be  
19 used for the purposes designated:

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

23 ..... \$ 1,053,835  
24 ..... FTEs 12.50

25 Sec. 374. DEPARTMENT OF PUBLIC DEFENSE. There is  
26 appropriated from the general fund of the state to the  
27 department of public defense for the fiscal year beginning July  
28 1, 2011, and ending June 30, 2012, the following amounts, or  
29 so much thereof as is necessary, to be used for the purposes  
30 designated:

31 1. MILITARY DIVISION

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

35 ..... \$ 5,527,042

1 ..... FTEs 313.00

2 The military division may temporarily exceed and draw more  
3 than the amount appropriated in this subsection and incur a  
4 negative cash balance as long as there are receivables of  
5 federal funds equal to or greater than the negative balance and  
6 the amount appropriated in this subsection is not exceeded at  
7 the close of the fiscal year.

8 2. HOMELAND SECURITY AND EMERGENCY MANAGEMENT DIVISION

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

12 ..... \$ 1,836,877  
13 ..... FTEs 40.00

14 a. The homeland security and emergency management  
15 division may temporarily exceed and draw more than the amount  
16 appropriated in this subsection and incur a negative cash  
17 balance as long as there are receivables of federal funds  
18 equal to or greater than the negative balance and the amount  
19 appropriated in this subsection is not exceeded at the close  
20 of the fiscal year.

21 b. It is the intent of the general assembly that the  
22 homeland security and emergency management division work in  
23 conjunction with the department of public safety, to the extent  
24 possible, when gathering and analyzing information related  
25 to potential domestic or foreign security threats, and when  
26 monitoring such threats.

27 Sec. 375. DEPARTMENT OF PUBLIC SAFETY. There is  
28 appropriated from the general fund of the state to the  
29 department of public safety for the fiscal year beginning July  
30 1, 2011, and ending June 30, 2012, the following amounts, or  
31 so much thereof as is necessary, to be used for the purposes  
32 designated:

33 1. For the department's administrative functions, including  
34 the criminal justice information system, and for not more than  
35 the following full-time equivalent positions:



1	.....	\$	4,007,075
2	.....	FTEs	36.00

3     2. For the division of criminal investigation, including  
4 the state's contribution to the peace officers' retirement,  
5 accident, and disability system provided in chapter 97A in the  
6 amount of the state's normal contribution rate, as defined in  
7 section 97A.8, multiplied by the salaries for which the funds  
8 are appropriated, to meet federal fund matching requirements,  
9 and for not more than the following full-time equivalent  
10 positions:

11	.....	\$	12,533,931
12	.....	FTEs	159.10

13     The department shall employ one additional special agent and  
14 one additional criminalist for the purpose of investigating  
15 cold cases. Prior to employing the additional special agent  
16 and criminalist authorized in this paragraph, the department  
17 shall provide a written statement to prospective employees that  
18 states to the effect that the positions are being funded by a  
19 temporary federal grant and there are no assurances that funds  
20 from other sources will be available after the federal funding  
21 expires. If the federal funding for the additional positions  
22 expires during the fiscal year, the number of full-time  
23 equivalent positions authorized in this subsection is reduced  
24 by 2.00 FTEs.

25     3. For the criminalistics laboratory fund created in  
26 section 691.9:

27	.....	\$	302,345
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28     4. a. For the division of narcotics enforcement, including  
29 the state's contribution to the peace officers' retirement,  
30 accident, and disability system provided in chapter 97A in the  
31 amount of the state's normal contribution rate, as defined in  
32 section 97A.8, multiplied by the salaries for which the funds  
33 are appropriated, to meet federal fund matching requirements,  
34 and for not more than the following full-time equivalent  
35 positions:

H.F. 697

1 ..... \$ 6,429,884  
2 ..... FTEs 74.00  
3 b. For the division of narcotics enforcement for undercover  
4 purchases:  
5 ..... \$ 109,042  
6 5. For the division of state fire marshal, for fire  
7 protection services as provided through the state fire service  
8 and emergency response council as created in the department,  
9 and for the state's contribution to the peace officers'  
10 retirement, accident, and disability system provided in chapter  
11 97A in the amount of the state's normal contribution rate, as  
12 defined in section 97A.8, multiplied by the salaries for which  
13 the funds are appropriated, and for not more than the following  
14 full-time equivalent positions:  
15 ..... \$ 4,298,707  
16 ..... FTEs 55.00  
17 6. For the division of state patrol, for salaries, support,  
18 maintenance, workers' compensation costs, and miscellaneous  
19 purposes, including the state's contribution to the peace  
20 officers' retirement, accident, and disability system provided  
21 in chapter 97A in the amount of the state's normal contribution  
22 rate, as defined in section 97A.8, multiplied by the salaries  
23 for which the funds are appropriated, and for not more than the  
24 following full-time equivalent positions:  
25 ..... \$ 51,903,233  
26 ..... FTEs 513.00  
27 It is the intent of the general assembly that members of the  
28 state patrol be assigned to patrol the highways and roads in  
29 lieu of assignments for inspecting school buses for the school  
30 districts.  
31 7. For deposit in the sick leave benefits fund established  
32 under section 80.42 for all departmental employees eligible to  
33 receive benefits for accrued sick leave under the collective  
34 bargaining agreement:  
35 ..... \$ 279,517

1 8. For costs associated with the training and equipment  
2 needs of volunteer fire fighters:

3 ..... \$ 725,520

4 a. Notwithstanding section 8.33, moneys appropriated in  
5 this subsection that remain unencumbered or unobligated at the  
6 close of the fiscal year shall not revert but shall remain  
7 available for expenditure only for the purpose designated in  
8 this subsection until the close of the succeeding fiscal year.

9 b. Notwithstanding section 8.39, within the moneys  
10 appropriated in this section, the department of public safety  
11 may reallocate moneys as necessary to best fulfill the needs  
12 provided for in the appropriation. However, the department  
13 shall not reallocate an appropriation made to the department  
14 in this section unless notice of the reallocation is given  
15 to the legislative services agency and the department of  
16 management prior to the effective date of the reallocation.  
17 The notice shall include information regarding the rationale  
18 for reallocating the appropriation. The department shall  
19 not reallocate an appropriation made in this section for the  
20 purpose of eliminating any program.

21 Sec. 376. GAMING ENFORCEMENT.

22 1. There is appropriated from the gaming enforcement  
23 revolving fund created in section 80.43 to the department of  
24 public safety for the fiscal year beginning July 1, 2011, and  
25 ending June 30, 2012, the following amount, or so much thereof  
26 as is necessary, to be used for the purposes designated:

27 For any direct and indirect support costs for agents  
28 and officers of the division of criminal investigation's  
29 excursion gambling boat, gambling structure, and racetrack  
30 enclosure enforcement activities, including salaries, support,  
31 maintenance, miscellaneous purposes, and for not more than the  
32 following full-time equivalent positions:

33 ..... \$ 9,836,306

34 ..... FTEs 120.00

35 2. For each additional license to conduct gambling games on

1 an excursion gambling boat, gambling structure, or racetrack  
2 enclosure issued during the fiscal year beginning July 1, 2011,  
3 there is appropriated from the gaming enforcement fund to the  
4 department of public safety for the fiscal year beginning July  
5 1, 2011, and ending June 30, 2012, an additional amount of not  
6 more than \$521,000 to be used for not more than 6.00 additional  
7 full-time equivalent positions.

8 3. The department of public safety, with the approval  
9 of the department of management, may employ no more than two  
10 special agents and four gaming enforcement officers for each  
11 additional riverboat or gambling structure regulated after July  
12 1, 2011, and one special agent for each racing facility which  
13 becomes operational during the fiscal year which begins July 1,  
14 2011. One additional gaming enforcement officer, up to a total  
15 of four per riverboat or gambling structure, may be employed  
16 for each riverboat or gambling structure that has extended  
17 operations to 24 hours and has not previously operated with a  
18 24-hour schedule. Positions authorized in this subsection are  
19 in addition to the full-time equivalent positions otherwise  
20 authorized in this section.

21 Sec. 377. CIVIL RIGHTS COMMISSION. There is appropriated  
22 from the general fund of the state to the Iowa state civil  
23 rights commission for the fiscal year beginning July 1,  
24 2011, and ending June 30, 2012, the following amount, or so  
25 much thereof as is necessary, to be used for the purposes  
26 designated:

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

30 .....	\$	1,297,069
31 .....	FTEs	28.00

32 The Iowa state civil rights commission may enter into  
33 a contract with a nonprofit organization to provide legal  
34 assistance to resolve civil rights complaints.

35 Sec. 378. IOWA COMMUNICATIONS NETWORK. It is the

1 intent of the general assembly that the executive branch  
2 agencies receiving an appropriation in this Act utilize  
3 the Iowa communications network or secure other electronic  
4 communications in lieu of traveling for the fiscal year  
5 addressed by the appropriations.

6     Sec. 379. HOMELAND SECURITY AND EMERGENCY MANAGEMENT  
7 DIVISION. There is appropriated from the wireless E911  
8 emergency communications fund created in section 34A.7A to the  
9 administrator of the homeland security and emergency management  
10 division of the department of public defense for the fiscal  
11 year beginning July 1, 2011, and ending June 30, 2012, an  
12 amount not exceeding \$200,000 to be used for implementation,  
13 support, and maintenance of the functions of the administrator  
14 and program manager under chapter 34A and to employ the auditor  
15 of the state to perform an annual audit of the wireless E911  
16 emergency communications fund.

17     Sec. 380. SUPERVISORY EMPLOYEES TO OTHER EMPLOYEES —  
18 RATIO. Notwithstanding section 8A.402, subsection 2, paragraph  
19 "g", for the fiscal year beginning July 1, 2011, the department  
20 of corrections, department of public safety, and the judicial  
21 district departments of correctional services shall be exempt  
22 from the target ratio of supervisory employees to other  
23 employees otherwise applicable for that fiscal year under  
24 section 8A.402, subsection 2, paragraph "g".

25     Sec. 381. GERIATRIC AND PSYCHIATRIC TREATMENT REPORT. The  
26 departments of corrections, human services, inspections and  
27 appeals, and public health, and the board of parole, shall  
28 jointly study the development and establishment of treatment  
29 options for geriatric and psychiatric patients currently under  
30 the care, custody, and control of the state to provide maximum  
31 treatment opportunities for such persons while achieving fiscal  
32 efficiencies. The department of corrections in consultation  
33 with the other departments and the board of parole, shall  
34 provide a report detailing the results of the study to  
35 the co-chairpersons and the ranking members of the joint

1 appropriations subcommittee on health and human services, the  
2 co-chairpersons and ranking members of the joint appropriations  
3 subcommittee on justice system, and the legislative services  
4 agency by November 15, 2011.

5 Sec. 382. Section 80.43, Code 2011, is amended to read as  
6 follows:

7 **80.43 Gaming enforcement — revolving fund.**

8 1. A gaming enforcement revolving fund is created in the  
9 state treasury under the control of the department. The fund  
10 shall consist of fees collected and deposited into the fund  
11 paid by licensees pursuant to section 99D.14, subsection 2,  
12 paragraph "b", and fees paid by licensees pursuant to section  
13 99F.10, subsection 4, paragraph "b". All costs for agents and  
14 officers plus any direct and indirect support costs for such  
15 agents and officers of the division of criminal investigation's  
16 racetrack, excursion boat, or gambling structure enforcement  
17 activities shall be paid from the fund as provided in  
18 appropriations made for this purpose by the general assembly.  
19 The department shall submit quarterly reports to the department  
20 of management and the legislative services agency relating to  
21 revenues billed and collected and expenditures from the fund  
22 in a format determined by the department of management after  
23 consultation with the legislative services agency.

24 2. To meet the department's cash flow needs, the department  
25 may temporarily use funds from the general fund of the state  
26 to pay expenses in excess of moneys available in the revolving  
27 fund if those additional expenditures are fully reimbursable  
28 and the department reimburses the general fund of the state  
29 and ensures all moneys are repaid in full by the close of the  
30 fiscal year. Notwithstanding any provision of the law to the  
31 contrary, in order to minimize the use of moneys from the  
32 general fund of the state, the department shall estimate the  
33 temporary use of funds from the general fund of the state for  
34 the cash flow needs of the revolving fund as early as possible  
35 in each fiscal year. Because any general fund moneys used

1 shall be fully reimbursed, such temporary use of funds from the  
2 general fund of the state shall not constitute an appropriation  
3 for purposes of calculating the state general fund expenditure  
4 limitation pursuant to section 8.54.

5 3. Section 8.33 does not apply to any moneys credited or  
6 appropriated to the revolving fund from any other fund and,  
7 ~~notwithstanding section 12C.7, subsection 2, earnings or~~  
8 ~~interest on moneys deposited in the revolving fund shall be~~  
9 ~~credited to the revolving fund.~~

10 4. The establishment of the revolving fund pursuant to this  
11 section shall not be interpreted in any manner to compromise or  
12 impact the accountability of, and the limitation of authority  
13 with respect to, an agency or entity under state law. Any  
14 provision applicable to, or responsibility of, a division or  
15 office collecting moneys for deposit into the fund created in  
16 this section shall not be altered or impacted by the existence  
17 of the fund and shall remain applicable to the same extent  
18 as if the division or office were receiving moneys pursuant  
19 to an appropriation from the general fund of the state. The  
20 department shall comply with directions issued by the governor  
21 to executive branch departments regarding restrictions on  
22 out-of-state travel, hiring justifications, association  
23 memberships, equipment purchases, consulting contracts, and any  
24 other expenditure efficiencies the governor deems appropriate.

25 Sec. 383. 2009 Iowa Acts, chapter 178, section 20, is  
26 amended to read as follows:

27 SEC. 20. CONSUMER EDUCATION AND LITIGATION  
28 FUND. Notwithstanding section 714.16C, for each fiscal  
29 year of the period beginning July 1, 2008, and ending June  
30 30, ~~2011~~ 2013, the annual appropriations in section 714.16C,  
31 are increased from \$1,125,000 to \$1,875,000, and \$75,000 to  
32 \$125,000 respectively. Moneys appropriated from the consumer  
33 education and litigation fund may be allocated for cash flow  
34 purposes to the victim compensation fund established in section  
35 915.94 during each of the fiscal years enumerated, provided

1 that any moneys so allocated are returned to the consumer  
2 education and litigation fund by the end of each fiscal year an  
3 allocation occurs.

4 DIVISION XLI  
5 JUSTICE SYSTEM  
6 FY 2012-2013

7 Sec. 384. DEPARTMENT OF JUSTICE.

8 1. There is appropriated from the general fund of the state  
9 to the department of justice for the fiscal year beginning July  
10 1, 2012, and ending June 30, 2013, the following amounts, or  
11 so much thereof as is necessary, to be used for the purposes  
12 designated:

13 a. For the general office of attorney general for salaries,  
14 support, maintenance, and miscellaneous purposes, including  
15 the prosecuting attorneys training program, matching funds  
16 for federal violence against women grant programs, victim  
17 assistance grants, office of drug control policy prosecuting  
18 attorney program, and odometer fraud enforcement, and for not  
19 more than the following full-time equivalent positions:

20 .....	\$ 6,538,991
21 .....	FTEs 212.00

22 It is the intent of the general assembly that as a condition  
23 of receiving the appropriation provided in this lettered  
24 paragraph, the department of justice shall maintain a record  
25 of the estimated time incurred representing each agency or  
26 department.

27 b. For victim assistance grants:  
28 .....

	\$ 2,444,940
--	--------------

29 The funds appropriated in this lettered paragraph shall be  
30 used to provide grants to care providers providing services to  
31 crime victims of domestic abuse or to crime victims of rape and  
32 sexual assault.

33 The balance of the victim compensation fund established in  
34 section 915.94 may be used to provide salary and support of not  
35 more than 24 FTEs and to provide maintenance for the victim



1 compensation functions of the department of justice.

2 The department of justice may transfer moneys from the  
3 victim compensation fund established in section 915.94 to the  
4 victim assistance grant program.

5 c. For legal services for persons in poverty grants as  
6 provided in section 13.34:

7 ..... \$ 1,530,000

8 2. a. The department of justice, in submitting budget  
9 estimates for the fiscal year commencing July 1, 2013, pursuant  
10 to section 8.23, shall include a report of funding from sources  
11 other than amounts appropriated directly from the general fund  
12 of the state to the department of justice or to the office of  
13 consumer advocate. These funding sources shall include but  
14 are not limited to reimbursements from other state agencies,  
15 commissions, boards, or similar entities, and reimbursements  
16 from special funds or internal accounts within the department  
17 of justice. The department of justice shall also report actual  
18 reimbursements for the fiscal year commencing July 1, 2011,  
19 and actual and expected reimbursements for the fiscal year  
20 commencing July 1, 2012.

21 b. The department of justice shall include the report  
22 required under paragraph "a", as well as information regarding  
23 any revisions occurring as a result of reimbursements actually  
24 received or expected at a later date, in a report to the  
25 co-chairpersons and ranking members of the joint appropriations  
26 subcommittee on the justice system and the legislative services  
27 agency. The department of justice shall submit the report on  
28 or before January 15, 2013.

29 Sec. 385. OFFICE OF CONSUMER ADVOCATE. There is  
30 appropriated from the department of commerce revolving fund  
31 created in section 546.12 to the office of consumer advocate of  
32 the department of justice for the fiscal year beginning July  
33 1, 2012, and ending June 30, 2013, the following amount, or  
34 so much thereof as is necessary, to be used for the purposes  
35 designated:

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

4 ..... \$ 2,665,739  
5 ..... FTEs 22.00

6 Sec. 386. DEPARTMENT OF CORRECTIONS — FACILITIES.

7 1. There is appropriated from the general fund of the  
8 state to the department of corrections for the fiscal year  
9 beginning July 1, 2012, and ending June 30, 2013, the following  
10 amounts, or so much thereof as is necessary, to be used for the  
11 operation of adult correctional institutions, reimbursement  
12 of counties for certain confinement costs, and federal prison  
13 reimbursement, to be allocated as follows:

14 a. For the operation of the Fort Madison correctional  
15 facility, including salaries, support, maintenance, and  
16 miscellaneous purposes:

17 ..... \$ 34,876,591

18 b. For the operation of the Anamosa correctional facility,  
19 including salaries, support, maintenance, and miscellaneous  
20 purposes:

21 ..... \$ 27,188,078

22 c. For the operation of the Oakdale correctional facility,  
23 including salaries, support, maintenance, and miscellaneous  
24 purposes:

25 ..... \$ 47,255,262

26 d. For the operation of the Newton correctional facility,  
27 including salaries, support, maintenance, and miscellaneous  
28 purposes:

29 ..... \$ 22,064,943

30 e. For the operation of the Mt. Pleasant correctional  
31 facility, including salaries, support, maintenance, and  
32 miscellaneous purposes:

33 ..... \$ 22,030,143

34 f. For the operation of the Rockwell City correctional  
35 facility, including salaries, support, maintenance, and

1 miscellaneous purposes:

2 ..... \$ 7,918,996

3 g. For the operation of the Clarinda correctional facility,  
4 including salaries, support, maintenance, and miscellaneous  
5 purposes:

6 ..... \$ 20,943,590

7 Moneys received by the department of corrections as  
8 reimbursement for services provided to the Clarinda youth  
9 corporation are appropriated to the department and shall be  
10 used for the purpose of operating the Clarinda correctional  
11 facility.

12 h. For the operation of the Mitchellville correctional  
13 facility, including salaries, support, maintenance, and  
14 miscellaneous purposes:

15 ..... \$ 13,273,068

16 i. For the operation of the Fort Dodge correctional  
17 facility, including salaries, support, maintenance, and  
18 miscellaneous purposes:

19 ..... \$ 24,702,900

20 j. For reimbursement of counties for temporary confinement  
21 of work release and parole violators, as provided in sections  
22 901.7, 904.908, and 906.17, and for offenders confined pursuant  
23 to section 904.513:

24 ..... \$ 658,828

25 k. For federal prison reimbursement, reimbursements for  
26 out-of-state placements, and miscellaneous contracts:

27 ..... \$ 203,499

28 2. The department of corrections shall use moneys  
29 appropriated in subsection 1 to continue to contract for the  
30 services of a Muslim imam and a Native American spiritual  
31 leader.

32 Sec. 387. DEPARTMENT OF CORRECTIONS — ADMINISTRATION.

33 There is appropriated from the general fund of the state to  
34 the department of corrections for the fiscal year beginning  
35 July 1, 2012, and ending June 30, 2013, the following amounts,

1 or so much thereof as is necessary, to be used for the purposes  
2 designated:

3 1. For general administration, including salaries, support,  
4 maintenance, employment of an education director to administer  
5 a centralized education program for the correctional system,  
6 and miscellaneous purposes:

7 ..... \$ 4,110,211

8 a. It is the intent of the general assembly that as a  
9 condition of receiving the appropriation provided in this  
10 subsection the department of corrections shall not, except as  
11 otherwise provided in paragraph "c", enter into a new contract,  
12 unless the contract is a renewal of an existing contract, for  
13 the expenditure of moneys in excess of \$100,000 during the  
14 fiscal year beginning July 1, 2012, for the privatization of  
15 services performed by the department using state employees as  
16 of July 1, 2012, or for the privatization of new services by  
17 the department without prior consultation with any applicable  
18 state employee organization affected by the proposed new  
19 contract and prior notification of the co-chairpersons and  
20 ranking members of the joint appropriations subcommittee on the  
21 justice system.

22 b. It is the intent of the general assembly that each  
23 lease negotiated by the department of corrections with a  
24 private corporation for the purpose of providing private  
25 industry employment of inmates in a correctional institution  
26 shall prohibit the private corporation from utilizing inmate  
27 labor for partisan political purposes for any person seeking  
28 election to public office in this state and that a violation  
29 of this requirement shall result in a termination of the lease  
30 agreement.

31 c. It is the intent of the general assembly that as a  
32 condition of receiving the appropriation provided in this  
33 subsection the department of corrections shall not enter into  
34 a lease or contractual agreement pursuant to section 904.809  
35 with a private corporation for the use of building space for

1 the purpose of providing inmate employment without providing  
2 that the terms of the lease or contract establish safeguards to  
3 restrict, to the greatest extent feasible, access by inmates  
4 working for the private corporation to personal identifying  
5 information of citizens.

6 2. For educational programs for inmates at state penal  
7 institutions:

8 ..... \$ 1,961,893

9 a. As a condition of receiving the appropriation in this  
10 subsection, the department of corrections shall transfer at  
11 least \$300,000 from the canteen operating funds established  
12 pursuant to section 904.310 to be used for correctional  
13 educational programs funded in this subsection.

14 b. It is the intent of the general assembly that moneys  
15 appropriated in this subsection shall be used solely for the  
16 purpose indicated and that the moneys shall not be transferred  
17 for any other purpose. In addition, it is the intent of the  
18 general assembly that the department shall consult with the  
19 community colleges in the areas in which the institutions are  
20 located to utilize moneys appropriated in this subsection  
21 to fund the high school completion, high school equivalency  
22 diploma, adult literacy, and adult basic education programs in  
23 a manner so as to maintain these programs at the institutions.

24 c. To maximize the funding for educational programs,  
25 the department shall establish guidelines and procedures to  
26 prioritize the availability of educational and vocational  
27 training for inmates based upon the goal of facilitating an  
28 inmate's successful release from the correctional institution.

29 d. The director of the department of corrections may  
30 transfer moneys from Iowa prison industries for use in  
31 educational programs for inmates.

32 e. Notwithstanding section 8.33, moneys appropriated in  
33 this subsection that remain unobligated or unexpended at the  
34 close of the fiscal year shall not revert but shall remain  
35 available to be used only for the purposes designated in this

1 subsection until the close of the succeeding fiscal year.

2 3. For the development of the Iowa corrections offender  
3 network (ICON) data system:

4 ..... \$ 360,709

5 4. For offender mental health and substance abuse  
6 treatment:

7 ..... \$ 18,971

8 5. For viral hepatitis prevention and treatment:

9 ..... \$ 142,699

10 Sec. 388. JUDICIAL DISTRICT DEPARTMENTS OF CORRECTIONAL  
11 SERVICES.

12 1. There is appropriated from the general fund of the state  
13 to the department of corrections for the fiscal year beginning  
14 July 1, 2012, and ending June 30, 2013, for salaries, support,  
15 maintenance, and miscellaneous purposes, the following amounts,  
16 or so much thereof as is necessary, to be allocated as follows:

17 a. For the first judicial district department of  
18 correctional services:

19 ..... \$ 10,217,083

20 b. For the second judicial district department of  
21 correctional services:

22 ..... \$ 8,786,406

23 c. For the third judicial district department of  
24 correctional services:

25 ..... \$ 4,759,800

26 d. For the fourth judicial district department of  
27 correctional services:

28 ..... \$ 4,582,652

29 e. For the fifth judicial district department of  
30 correctional services, including funding for electronic  
31 monitoring devices for use on a statewide basis:

32 ..... \$ 15,930,810

33 f. For the sixth judicial district department of  
34 correctional services:

35 ..... \$ 11,145,679

1 g. For the seventh judicial district department of  
2 correctional services:  
3 ..... \$ 5,518,892

4 h. For the eighth judicial district department of  
5 correctional services:  
6 ..... \$ 5,721,397

7 2. Each judicial district department of correctional  
8 services, within the funding available, shall continue programs  
9 and plans established within that district to provide for  
10 intensive supervision, sex offender treatment, diversion of  
11 low-risk offenders to the least restrictive sanction available,  
12 job development, and expanded use of intermediate criminal  
13 sanctions.

14 3. Each judicial district department of correctional  
15 services shall provide alternatives to prison consistent with  
16 chapter 901B. The alternatives to prison shall ensure public  
17 safety while providing maximum rehabilitation to the offender.  
18 A judicial district department of correctional services may  
19 also establish a day program.

20 4. The governor's office of drug control policy shall  
21 consider federal grants made to the department of corrections  
22 for the benefit of each of the eight judicial district  
23 departments of correctional services as local government  
24 grants, as defined pursuant to federal regulations.

25 5. The department of corrections shall continue to contract  
26 with a judicial district department of correctional services to  
27 provide for the rental of electronic monitoring equipment which  
28 shall be available statewide.

29 6. A judicial district department of correctional services  
30 shall accept into the facilities of the district department,  
31 offenders assigned from other judicial district departments of  
32 correctional services.

33 Sec. 389. DEPARTMENT OF CORRECTIONS — REALLOCATION OF  
34 APPROPRIATIONS. Notwithstanding section 8.39, within the  
35 moneys appropriated in this division of this Act to the

1 department of corrections, the department may reallocate the  
2 moneys appropriated and allocated as necessary to best fulfill  
3 the needs of the correctional institutions, administration  
4 of the department, and the judicial district departments of  
5 correctional services. However, in addition to complying with  
6 the requirements of sections 904.116 and 905.8 and providing  
7 notice to the legislative services agency, the department  
8 of corrections shall also provide notice to the department  
9 of management, prior to the effective date of the revision  
10 or reallocation of an appropriation made pursuant to this  
11 section. The department of corrections shall not reallocate an  
12 appropriation or allocation for the purpose of eliminating any  
13 program.

14 Sec. 390. INTENT — REPORTS.

15 1. The department of corrections in cooperation with  
16 townships, the Iowa cemetery associations, and other nonprofit  
17 or governmental entities may use inmate labor during the  
18 fiscal year beginning July 1, 2012, to restore or preserve  
19 rural cemeteries and historical landmarks. The department in  
20 cooperation with the counties may also use inmate labor to  
21 clean up roads, major water sources, and other water sources  
22 around the state.

23 2. On a quarterly basis the department shall provide a  
24 status report regarding private-sector employment to the  
25 legislative services agency beginning on July 1, 2012. The  
26 report shall include the number of offenders employed in the  
27 private sector, the combined number of hours worked by the  
28 offenders, the total amount of allowances, and the distribution  
29 of allowances pursuant to section 904.702, including any moneys  
30 deposited in the general fund of the state.

31 Sec. 391. ELECTRONIC MONITORING REPORT. The department of  
32 corrections shall submit a report on electronic monitoring to  
33 the general assembly, to the co-chairpersons and the ranking  
34 members of the joint appropriations subcommittee on the justice  
35 system, and to the legislative services agency by January



1 15, 2013. The report shall specifically address the number  
2 of persons being electronically monitored and break down the  
3 number of persons being electronically monitored by offense  
4 committed. The report shall also include a comparison of any  
5 data from the prior fiscal year with the current year.

6 Sec. 392. STATE AGENCY PURCHASES FROM PRISON INDUSTRIES.

7 1. As used in this section, unless the context otherwise  
8 requires, "state agency" means the government of the state  
9 of Iowa, including but not limited to all executive branch  
10 departments, agencies, boards, bureaus, and commissions, the  
11 judicial branch, the general assembly and all legislative  
12 agencies, institutions within the purview of the state board of  
13 regents, and any corporation whose primary function is to act  
14 as an instrumentality of the state.

15 2. State agencies are hereby encouraged to purchase  
16 products from Iowa state industries, as defined in section  
17 904.802, when purchases are required and the products are  
18 available from Iowa state industries. State agencies shall  
19 obtain bids from Iowa state industries for purchases of  
20 office furniture during the fiscal year beginning July 1,  
21 2012, exceeding \$5,000 or in accordance with applicable  
22 administrative rules related to purchases for the agency.

23 Sec. 393. IOWA LAW ENFORCEMENT ACADEMY.

24 1. There is appropriated from the general fund of the  
25 state to the Iowa law enforcement academy for the fiscal year  
26 beginning July 1, 2012, and ending June 30, 2013, the following  
27 amount, or so much thereof as is necessary, to be used for the  
28 purposes designated:

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

32 .....	\$	738,393
33 .....	FTEs	24.55

34 It is the intent of the general assembly that the Iowa law  
35 enforcement academy may provide training of state and local

1 law enforcement personnel concerning the recognition of and  
2 response to persons with Alzheimer's disease.

3 The Iowa law enforcement academy may temporarily exceed and  
4 draw more than the amount appropriated in this subsection and  
5 incur a negative cash balance as long as there are receivables  
6 equal to or greater than the negative balance and the amount  
7 appropriated in this subsection is not exceeded at the close  
8 of the fiscal year.

9 2. The Iowa law enforcement academy may select at least  
10 five automobiles of the department of public safety, division  
11 of state patrol, prior to turning over the automobiles to  
12 the department of administrative services to be disposed  
13 of by public auction, and the Iowa law enforcement academy  
14 may exchange any automobile owned by the academy for each  
15 automobile selected if the selected automobile is used in  
16 training law enforcement officers at the academy. However, any  
17 automobile exchanged by the academy shall be substituted for  
18 the selected vehicle of the department of public safety and  
19 sold by public auction with the receipts being deposited in the  
20 depreciation fund to the credit of the department of public  
21 safety, division of state patrol.

22 Sec. 394. STATE PUBLIC DEFENDER. There is appropriated from  
23 the general fund of the state to the office of the state public  
24 defender of the department of inspections and appeals for the  
25 fiscal year beginning July 1, 2012, and ending June 30, 2013,  
26 the following amounts, or so much thereof as is necessary, to  
27 be allocated as follows for the purposes designated:

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

31 .....	\$ 25,083,182
32 .....	FTEs 219.00

33 2. For the fees of court-appointed attorneys for indigent  
34 adults and juveniles, in accordance with section 232.141 and  
35 chapter 815:

1 ..... \$ 30,680,929

2 Sec. 395. BOARD OF PAROLE. There is appropriated from  
3 the general fund of the state to the board of parole for the  
4 fiscal year beginning July 1, 2012, and ending June 30, 2013,  
5 the following amount, or so much thereof as is necessary, to be  
6 used for the purposes designated:

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

10 ..... \$ 895,760  
11 ..... FTEs 12.50

12 Sec. 396. DEPARTMENT OF PUBLIC DEFENSE. There is  
13 appropriated from the general fund of the state to the  
14 department of public defense for the fiscal year beginning July  
15 1, 2012, and ending June 30, 2013, the following amounts, or  
16 so much thereof as is necessary, to be used for the purposes  
17 designated:

18 1. MILITARY DIVISION

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

22 ..... \$ 4,697,986  
23 ..... FTEs 313.00

24 The military division may temporarily exceed and draw more  
25 than the amount appropriated in this subsection and incur a  
26 negative cash balance as long as there are receivables of  
27 federal funds equal to or greater than the negative balance and  
28 the amount appropriated in this subsection is not exceeded at  
29 the close of the fiscal year.

30 2. HOMELAND SECURITY AND EMERGENCY MANAGEMENT DIVISION

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

34 ..... \$ 1,561,345  
35 ..... FTEs 40.00

1 a. The homeland security and emergency management  
2 division may temporarily exceed and draw more than the amount  
3 appropriated in this subsection and incur a negative cash  
4 balance as long as there are receivables of federal funds  
5 equal to or greater than the negative balance and the amount  
6 appropriated in this subsection is not exceeded at the close  
7 of the fiscal year.

8 b. It is the intent of the general assembly that the  
9 homeland security and emergency management division work in  
10 conjunction with the department of public safety, to the extent  
11 possible, when gathering and analyzing information related  
12 to potential domestic or foreign security threats, and when  
13 monitoring such threats.

14 Sec. 397. DEPARTMENT OF PUBLIC SAFETY. There is  
15 appropriated from the general fund of the state to the  
16 department of public safety for the fiscal year beginning July  
17 1, 2012, and ending June 30, 2013, the following amounts, or  
18 so much thereof as is necessary, to be used for the purposes  
19 designated:

20 1. For the department's administrative functions, including  
21 the criminal justice information system, and for not more than  
22 the following full-time equivalent positions:

23 .....	\$	3,406,014
24 .....	FTEs	36.00

25 2. For the division of criminal investigation, including  
26 the state's contribution to the peace officers' retirement,  
27 accident, and disability system provided in chapter 97A in the  
28 amount of the state's normal contribution rate, as defined in  
29 section 97A.8, multiplied by the salaries for which the funds  
30 are appropriated, to meet federal fund matching requirements,  
31 and for not more than the following full-time equivalent  
32 positions:

33 .....	\$	10,653,841
34 .....	FTEs	159.10

35 The department shall employ one additional special agent and

1 one additional criminalist for the purpose of investigating  
2 cold cases. Prior to employing the additional special agent  
3 and criminalist authorized in this paragraph, the department  
4 shall provide a written statement to prospective employees that  
5 states to the effect that the positions are being funded by a  
6 temporary federal grant and there are no assurances that funds  
7 from other sources will be available after the federal funding  
8 expires. If the federal funding for the additional positions  
9 expires during the fiscal year, the number of full-time  
10 equivalent positions authorized in this subsection is reduced  
11 by 2.00 FTEs.

12 3. For the criminalistics laboratory fund created in  
13 section 691.9:

14 ..... \$ 256,993

15 4. a. For the division of narcotics enforcement, including  
16 the state's contribution to the peace officers' retirement,  
17 accident, and disability system provided in chapter 97A in the  
18 amount of the state's normal contribution rate, as defined in  
19 section 97A.8, multiplied by the salaries for which the funds  
20 are appropriated, to meet federal fund matching requirements,  
21 and for not more than the following full-time equivalent  
22 positions:

23 ..... \$ 5,465,401

24 ..... FTEs 74.00

25 b. For the division of narcotics enforcement for undercover  
26 purchases:

27 ..... \$ 92,686

28 5. For the division of state fire marshal, for fire  
29 protection services as provided through the state fire service  
30 and emergency response council as created in the department,  
31 and for the state's contribution to the peace officers'  
32 retirement, accident, and disability system provided in chapter  
33 97A in the amount of the state's normal contribution rate, as  
34 defined in section 97A.8, multiplied by the salaries for which  
35 the funds are appropriated, and for not more than the following

1 full-time equivalent positions:

2 .....	\$	3,653,901
3 .....	FTEs	55.00

4 6. For the division of state patrol, for salaries, support,  
5 maintenance, workers' compensation costs, and miscellaneous  
6 purposes, including the state's contribution to the peace  
7 officers' retirement, accident, and disability system provided  
8 in chapter 97A in the amount of the state's normal contribution  
9 rate, as defined in section 97A.8, multiplied by the salaries  
10 for which the funds are appropriated, and for not more than the  
11 following full-time equivalent positions:

12 .....	\$	44,117,748
13 .....	FTEs	513.00

14 It is the intent of the general assembly that members of the  
15 state patrol be assigned to patrol the highways and roads in  
16 lieu of assignments for inspecting school buses for the school  
17 districts.

18 7. For deposit in the sick leave benefits fund established  
19 under section 80.42 for all departmental employees eligible to  
20 receive benefits for accrued sick leave under the collective  
21 bargaining agreement:

22 .....	\$	237,589
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23 8. For costs associated with the training and equipment  
24 needs of volunteer fire fighters:

25 .....	\$	616,692
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26 a. Notwithstanding section 8.33, moneys appropriated in  
27 this subsection that remain unencumbered or unobligated at the  
28 close of the fiscal year shall not revert but shall remain  
29 available for expenditure only for the purpose designated in  
30 this subsection until the close of the succeeding fiscal year.

31 b. Notwithstanding section 8.39, within the moneys  
32 appropriated in this section, the department of public safety  
33 may reallocate moneys as necessary to best fulfill the needs  
34 provided for in the appropriation. However, the department  
35 shall not reallocate an appropriation made to the department

1 in this section unless notice of the reallocation is given  
2 to the legislative services agency and the department of  
3 management prior to the effective date of the reallocation.  
4 The notice shall include information regarding the rationale  
5 for reallocating the appropriation. The department shall  
6 not reallocate an appropriation made in this section for the  
7 purpose of eliminating any program.

8 Sec. 398. GAMING ENFORCEMENT.

9 1. There is appropriated from the gaming enforcement  
10 revolving fund created in section 80.43 to the department of  
11 public safety for the fiscal year beginning July 1, 2012, and  
12 ending June 30, 2013, the following amount, or so much thereof  
13 as is necessary, to be used for the purposes designated:

14 For any direct and indirect support costs for agents  
15 and officers of the division of criminal investigation's  
16 excursion gambling boat, gambling structure, and racetrack  
17 enclosure enforcement activities, including salaries, support,  
18 maintenance, miscellaneous purposes, and for not more than the  
19 following full-time equivalent positions:

20 .....	\$	8,360,860
21 .....	FTEs	120.00

22 2. For each additional license to conduct gambling games on  
23 an excursion gambling boat, gambling structure, or racetrack  
24 enclosure issued during the fiscal year beginning July 1, 2012,  
25 there is appropriated from the gaming enforcement fund to the  
26 department of public safety for the fiscal year beginning July  
27 1, 2012, and ending June 30, 2013, an additional amount of not  
28 more than \$521,000 to be used for not more than 6.00 additional  
29 full-time equivalent positions.

30 3. The department of public safety, with the approval  
31 of the department of management, may employ no more than two  
32 special agents and four gaming enforcement officers for each  
33 additional riverboat or gambling structure regulated after July  
34 1, 2012, and one special agent for each racing facility which  
35 becomes operational during the fiscal year which begins July 1,

1 2012. One additional gaming enforcement officer, up to a total  
2 of four per riverboat or gambling structure, may be employed  
3 for each riverboat or gambling structure that has extended  
4 operations to 24 hours and has not previously operated with a  
5 24-hour schedule. Positions authorized in this subsection are  
6 in addition to the full-time equivalent positions otherwise  
7 authorized in this section.

8 Sec. 399. CIVIL RIGHTS COMMISSION. There is appropriated  
9 from the general fund of the state to the Iowa state civil  
10 rights commission for the fiscal year beginning July 1,  
11 2012, and ending June 30, 2013, the following amount, or so  
12 much thereof as is necessary, to be used for the purposes  
13 designated:

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

17 .....	\$	1,102,509
18 .....	FTEs	28.00

19 The Iowa state civil rights commission may enter into  
20 a contract with a nonprofit organization to provide legal  
21 assistance to resolve civil rights complaints.

22 Sec. 400. HOMELAND SECURITY AND EMERGENCY MANAGEMENT  
23 DIVISION. There is appropriated from the wireless E911  
24 emergency communications fund created in section 34A.7A to the  
25 administrator of the homeland security and emergency management  
26 division of the department of public defense for the fiscal  
27 year beginning July 1, 2012, and ending June 30, 2013, an  
28 amount not exceeding \$200,000 to be used for implementation,  
29 support, and maintenance of the functions of the administrator  
30 and program manager under chapter 34A and to employ the auditor  
31 of the state to perform an annual audit of the wireless E911  
32 emergency communications fund.

33 Sec. 401. SUPERVISORY EMPLOYEES TO OTHER EMPLOYEES —  
34 RATIO. Notwithstanding section 8A.402, subsection 2, paragraph  
35 "g", for the fiscal year beginning July 1, 2011, the department



1 of corrections, department of public safety, and the judicial  
2 district departments of correctional services shall be exempt  
3 from the target ratio of supervisory employees to other  
4 employees otherwise applicable for that fiscal year under  
5 section 8A.402, subsection 2, paragraph "g".

6 DIVISION XLII  
7 JUDICIAL BRANCH  
8 FY 2011-2012

9 Sec. 402. JUDICIAL BRANCH — APPROPRIATIONS.

10 1. There is appropriated from the general fund of the state  
11 to the judicial branch for the fiscal year beginning July 1,  
12 2011, and ending June 30, 2012, the following amount, or so  
13 much thereof as is necessary, to be used for the purposes  
14 designated:

15 a. For salaries of supreme court justices, appellate court  
16 judges, district court judges, district associate judges,  
17 judicial magistrates and staff, state court administrator,  
18 clerk of the supreme court, district court administrators,  
19 clerks of the district court, juvenile court officers, board of  
20 law examiners and board of examiners of shorthand reporters and  
21 judicial qualifications commission; receipt and disbursement  
22 of child support payments; reimbursement of the auditor  
23 of state for expenses incurred in completing audits of the  
24 offices of the clerks of the district court during the fiscal  
25 year beginning July 1, 2011; and maintenance, equipment, and  
26 miscellaneous purposes:

27 ..... \$154,111,822

28 b. For deposit in the revolving fund created pursuant  
29 to section 602.1302, subsection 3, for jury and witness  
30 fees, mileage, costs related to summoning jurors, fees for  
31 interpreters, and reimbursement of attorney fees paid by the  
32 state public defender:

33 ..... \$ 2,300,000

34 2. The judicial branch, except for purposes of internal  
35 processing, shall use the current state budget system, the

1 state payroll system, and the Iowa finance and accounting  
2 system in administration of programs and payments for services,  
3 and shall not duplicate the state payroll, accounting, and  
4 budgeting systems.

5 3. The judicial branch shall submit monthly financial  
6 statements to the legislative services agency and the  
7 department of management containing all appropriated accounts  
8 in the same manner as provided in the monthly financial status  
9 reports and personal services usage reports of the department  
10 of administrative services. The monthly financial statements  
11 shall include a comparison of the dollars and percentage  
12 spent of budgeted versus actual revenues and expenditures on  
13 a cumulative basis for full-time equivalent positions and  
14 dollars.

15 4. The judicial branch shall focus efforts upon the  
16 collection of delinquent fines, penalties, court costs, fees,  
17 surcharges, or similar amounts.

18 5. It is the intent of the general assembly that the offices  
19 of the clerk of the district court operate in all 99 counties  
20 and be accessible to the public as much as reasonably possible  
21 in order to address the relative needs of the citizens of each  
22 county.

23 6. In addition to the requirements for transfers under  
24 section 8.39, the judicial branch shall not change the  
25 appropriations from the amounts appropriated to the judicial  
26 branch in this division of this Act, unless notice of the  
27 revisions is given prior to their effective date to the  
28 legislative services agency. The notice shall include  
29 information on the branch's rationale for making the changes  
30 and details concerning the workload and performance measures  
31 upon which the changes are based.

32 7. The judicial branch shall submit a semiannual update  
33 to the legislative services agency specifying the amounts of  
34 fines, surcharges, and court costs collected using the Iowa  
35 court information system since the last report. The judicial

1 branch shall continue to facilitate the sharing of vital  
2 sentencing and other information with other state departments  
3 and governmental agencies involved in the criminal justice  
4 system through the Iowa court information system.

5 8. The judicial branch shall provide a report to the general  
6 assembly by January 1, 2012, concerning the amounts received  
7 and expended from the enhanced court collections fund created  
8 in section 602.1304 and the court technology and modernization  
9 fund created in section 602.8108, subsection 7, during the  
10 fiscal year beginning July 1, 2010, and ending June 30, 2011,  
11 and the plans for expenditures from each fund during the fiscal  
12 year beginning July 1, 2011, and ending June 30, 2012. A copy  
13 of the report shall be provided to the legislative services  
14 agency.

15 9. The judicial branch is encouraged to purchase products  
16 from Iowa state industries, as defined in section 904.802, when  
17 purchases are required and the products are available from Iowa  
18 state industries. The judicial branch shall obtain bids from  
19 Iowa state industries for purchases of office furniture during  
20 the fiscal year beginning July 1, 2011, exceeding \$5,000.

21 Sec. 403. CIVIL TRIALS — LOCATION. Notwithstanding any  
22 provision to the contrary, for the fiscal year beginning July  
23 1, 2011, and ending June 30, 2012, if all parties in a case  
24 agree, a civil trial including a jury trial may take place in a  
25 county contiguous to the county with proper jurisdiction, even  
26 if the contiguous county is located in an adjacent judicial  
27 district or judicial election district. If the trial is moved  
28 pursuant to this section, court personnel shall treat the case  
29 as if a change of venue occurred. However, if a trial is moved  
30 to an adjacent judicial district or judicial election district,  
31 the judicial officers serving in the judicial district or  
32 judicial election district receiving the case shall preside  
33 over the case.

34 Sec. 404. TRAVEL REIMBURSEMENT. Notwithstanding section  
35 602.1509, for the fiscal year beginning July 1, 2011, a

1 judicial officer may waive travel reimbursement for any travel  
2 outside the judicial officer's county of residence to conduct  
3 official judicial business.

4 Sec. 405. POSTING OF REPORTS IN ELECTRONIC FORMAT —  
5 LEGISLATIVE SERVICES AGENCY. All reports or copies of reports  
6 required to be provided by the judicial branch for fiscal year  
7 2011-2012 to the legislative services agency shall be provided  
8 in an electronic format. The legislative services agency shall  
9 post the reports on its internet website and shall notify by  
10 electronic means all the members of the joint appropriations  
11 subcommittee on the justice system when a report is posted.  
12 Upon request, copies of the reports may be mailed to members of  
13 the joint appropriations subcommittee on the justice system.

14 Sec. 406. JUDICIAL OFFICER — UNPAID  
15 LEAVE. Notwithstanding the annual salary rates for judicial  
16 officers established by 2008 Iowa Acts, chapter 1191, section  
17 11, for the fiscal year beginning July 1, 2011, and ending  
18 June 30, 2012, the supreme court may by order place all  
19 judicial officers on unpaid leave status on any day employees  
20 of the judicial branch are placed on temporary layoff status.  
21 The biweekly pay of the judicial officers shall be reduced  
22 accordingly for the pay period in which the unpaid leave date  
23 occurred in the same manner as for noncontract employees of the  
24 judicial branch. Through the course of the fiscal year, the  
25 judicial branch may use an amount equal to the aggregate amount  
26 of salary reductions due to the judicial officer unpaid leave  
27 days for any purpose other than for judicial salaries.

28 Sec. 407. IOWA COMMUNICATIONS NETWORK. It is the intent  
29 of the general assembly that the judicial branch utilize  
30 the Iowa communications network or other secure electronic  
31 communications in lieu of traveling for the fiscal year  
32 beginning July 1, 2011.

33 DIVISION XLIII  
34 JUDICIAL BRANCH  
35 FY 2012-2013



1 reports and personal services usage reports of the department  
2 of administrative services. The monthly financial statements  
3 shall include a comparison of the dollars and percentage  
4 spent of budgeted versus actual revenues and expenditures on  
5 a cumulative basis for full-time equivalent positions and  
6 dollars.

7 4. The judicial branch shall focus efforts upon the  
8 collection of delinquent fines, penalties, court costs, fees,  
9 surcharges, or similar amounts.

10 5. It is the intent of the general assembly that the offices  
11 of the clerk of the district court operate in all 99 counties  
12 and be accessible to the public as much as reasonably possible  
13 in order to address the relative needs of the citizens of each  
14 county.

15 6. In addition to the requirements for transfers under  
16 section 8.39, the judicial branch shall not change the  
17 appropriations from the amounts appropriated to the judicial  
18 branch in this division of this Act, unless notice of the  
19 revisions is given prior to their effective date to the  
20 legislative services agency. The notice shall include  
21 information on the branch's rationale for making the changes  
22 and details concerning the workload and performance measures  
23 upon which the changes are based.

24 7. The judicial branch shall submit a semiannual update  
25 to the legislative services agency specifying the amounts of  
26 fines, surcharges, and court costs collected using the Iowa  
27 court information system since the last report. The judicial  
28 branch shall continue to facilitate the sharing of vital  
29 sentencing and other information with other state departments  
30 and governmental agencies involved in the criminal justice  
31 system through the Iowa court information system.

32 8. The judicial branch shall provide a report to the general  
33 assembly by January 1, 2013, concerning the amounts received  
34 and expended from the enhanced court collections fund created  
35 in section 602.1304 and the court technology and modernization

1 fund created in section 602.8108, subsection 7, during the  
2 fiscal year beginning July 1, 2011, and ending June 30, 2012,  
3 and the plans for expenditures from each fund during the fiscal  
4 year beginning July 1, 2012, and ending June 30, 2013. A copy  
5 of the report shall be provided to the legislative services  
6 agency.

7 9. The judicial branch is encouraged to purchase products  
8 from Iowa state industries, as defined in section 904.802, when  
9 purchases are required and the products are available from Iowa  
10 state industries. The judicial branch shall obtain bids from  
11 Iowa state industries for purchases of office furniture during  
12 the fiscal year beginning July 1, 2012, exceeding \$5,000.

13 Sec. 409. CIVIL TRIALS — LOCATION. Notwithstanding any  
14 provision to the contrary, for the fiscal year beginning July  
15 1, 2012, and ending June 30, 2013, if all parties in a case  
16 agree, a civil trial including a jury trial may take place in a  
17 county contiguous to the county with proper jurisdiction, even  
18 if the contiguous county is located in an adjacent judicial  
19 district or judicial election district. If the trial is moved  
20 pursuant to this section, court personnel shall treat the case  
21 as if a change of venue occurred. However, if a trial is moved  
22 to an adjacent judicial district or judicial election district,  
23 the judicial officers serving in the judicial district or  
24 judicial election district receiving the case shall preside  
25 over the case.

26 Sec. 410. TRAVEL REIMBURSEMENT. Notwithstanding section  
27 602.1509, for the fiscal year beginning July 1, 2012, a  
28 judicial officer may waive travel reimbursement for any travel  
29 outside the judicial officer's county of residence to conduct  
30 official judicial business.

31 Sec. 411. POSTING OF REPORTS IN ELECTRONIC FORMAT —  
32 LEGISLATIVE SERVICES AGENCY. All reports or copies of reports  
33 required to be provided by the judicial branch for fiscal year  
34 2012-2013 to the legislative services agency shall be provided  
35 in an electronic format. The legislative services agency shall

1 post the reports on its internet website and shall notify by  
2 electronic means all the members of the joint appropriations  
3 subcommittee on the justice system when a report is posted.  
4 Upon request, copies of the reports may be mailed to members of  
5 the joint appropriations subcommittee on the justice system.

6     Sec. 412. JUDICIAL OFFICER — UNPAID  
7 LEAVE. Notwithstanding the annual salary rates for judicial  
8 officers established by 2008 Iowa Acts, chapter 1191, section  
9 11, for the fiscal year beginning July 1, 2012, and ending  
10 June 30, 2013, the supreme court may by order place all  
11 judicial officers on unpaid leave status on any day employees  
12 of the judicial branch are placed on temporary layoff status.  
13 The biweekly pay of the judicial officers shall be reduced  
14 accordingly for the pay period in which the unpaid leave date  
15 occurred in the same manner as for noncontract employees of the  
16 judicial branch. Through the course of the fiscal year, the  
17 judicial branch may use an amount equal to the aggregate amount  
18 of salary reductions due to the judicial officer unpaid leave  
19 days for any purpose other than for judicial salaries.

20     Sec. 413. IOWA COMMUNICATIONS NETWORK. It is the intent  
21 of the general assembly that the judicial branch utilize  
22 the Iowa communications network or other secure electronic  
23 communications in lieu of traveling for the fiscal year  
24 beginning July 1, 2012.

25                                   DIVISION XLIV  
26                                   TRANSPORTATION  
27                                   FY 2011-2012

28     Sec. 414. ROAD USE TAX FUND. There is appropriated from the  
29 road use tax fund created in section 312.1 to the department of  
30 transportation for the fiscal year beginning July 1, 2011, and  
31 ending June 30, 2012, the following amounts, or so much thereof  
32 as is necessary, to be used for the purposes designated:

33     1. For the payment of costs associated with the production  
34 of driver's licenses, as defined in section 321.1, subsection  
35 20A:



1 ..... \$ 3,876,000  
2 Notwithstanding section 8.33, moneys appropriated in this  
3 subsection that remain unencumbered or unobligated at the close  
4 of the fiscal year shall not revert but shall remain available  
5 for expenditure for the purposes specified in this subsection  
6 until the close of the succeeding fiscal year.  
7 2. For salaries, support, maintenance, and miscellaneous  
8 purposes:  
9 a. Operations:  
10 ..... \$ 6,570,000  
11 b. Planning:  
12 ..... \$ 458,000  
13 c. Motor vehicles:  
14 ..... \$ 33,921,000  
15 3. For payments to the department of administrative  
16 services for utility services:  
17 ..... \$ 225,000  
18 4. Unemployment compensation:  
19 ..... \$ 7,000  
20 5. For payments to the department of administrative  
21 services for paying workers' compensation claims under chapter  
22 85 on behalf of employees of the department of transportation:  
23 ..... \$ 119,000  
24 6. For payment to the general fund of the state for indirect  
25 cost recoveries:  
26 ..... \$ 78,000  
27 7. For reimbursement to the auditor of state for audit  
28 expenses as provided in section 11.5B:  
29 ..... \$ 67,319  
30 8. For automation, telecommunications, and related costs  
31 associated with the county issuance of driver's licenses and  
32 vehicle registrations and titles:  
33 ..... \$ 1,406,000  
34 9. For transfer to the department of public safety for  
35 operating a system providing toll-free telephone road and

1 weather conditions information:

2 ..... \$ 100,000

3 10. For costs associated with the participation in the  
4 Mississippi river parkway commission:

5 ..... \$ 40,000

6 11. For motor vehicle division field facility maintenance  
7 projects at various locations:

8 ..... \$ 200,000

9 12. For scale replacement projects at various locations:

10 ..... \$ 550,000

11 For purposes of section 8.33, unless specifically provided  
12 otherwise, moneys appropriated in subsections 11 and 12 that  
13 remain unencumbered or unobligated shall not revert but shall  
14 remain available for expenditure for the purposes designated  
15 until the close of the fiscal year that ends three years after  
16 the end of the fiscal year for which the appropriation was  
17 made. However, if the projects for which the appropriation  
18 was made are completed in an earlier fiscal year, unencumbered  
19 or unobligated moneys shall revert at the close of that same  
20 fiscal year.

21 Sec. 415. PRIMARY ROAD FUND. There is appropriated from the  
22 primary road fund created in section 313.3 to the department of  
23 transportation for the fiscal year beginning July 1, 2011, and  
24 ending June 30, 2012, the following amounts, or so much thereof  
25 as is necessary, to be used for the purposes designated:

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

29 a. Operations:

30 ..... \$ 40,356,529

31 ..... FTEs 296.00

32 b. Planning:

33 ..... \$ 8,697,095

34 ..... FTEs 121.00

35 c. Highways:

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1 ..... \$230,913,992  
2 ..... FTEs 2,247.00  
3 d. Motor vehicles:  
4 ..... \$ 1,413,540  
5 ..... FTEs 445.00  
6 2. For payments to the department of administrative  
7 services for utility services:  
8 ..... \$ 1,388,000  
9 3. Unemployment compensation:  
10 ..... \$ 138,000  
11 4. For payments to the department of administrative  
12 services for paying workers' compensation claims under  
13 chapter 85 on behalf of the employees of the department of  
14 transportation:  
15 ..... \$ 2,846,000  
16 5. For disposal of hazardous wastes from field locations and  
17 the central complex:  
18 ..... \$ 800,000  
19 6. For payment to the general fund of the state for indirect  
20 cost recoveries:  
21 ..... \$ 572,000  
22 7. For reimbursement to the auditor of state for audit  
23 expenses as provided in section 11.5B:  
24 ..... \$ 415,181  
25 8. For costs associated with producing transportation maps:  
26 ..... \$ 242,000  
27 9. For inventory and equipment replacement:  
28 ..... \$ 5,366,000  
29 10. For utility improvements at various locations:  
30 ..... \$ 400,000  
31 11. For roofing projects at various locations:  
32 ..... \$ 200,000  
33 12. For heating, cooling, and exhaust system improvements  
34 at various locations:  
35 ..... \$ 400,000

1 13. For deferred maintenance projects at field facilities  
2 throughout the state:  
3 ..... \$ 1,000,000

4 14. For elevator upgrades at the Ames complex:  
5 ..... \$ 100,000

6 15. For wastewater treatment improvements at various  
7 locations:  
8 ..... \$ 1,000,000

9 16. For replacement of the Swea City garage:  
10 ..... \$ 2,100,000

11 For purposes of section 8.33, unless specifically provided  
12 otherwise, moneys appropriated in subsections 10 through 16  
13 that remain unencumbered or unobligated shall not revert  
14 but shall remain available for expenditure for the purposes  
15 designated until the close of the fiscal year that ends  
16 three years after the end of the fiscal year for which the  
17 appropriation was made. However, if the project or projects  
18 for which such appropriation was made are completed in an  
19 earlier fiscal year, unencumbered or unobligated moneys shall  
20 revert at the close of that same fiscal year.

21 DIVISION XLV  
22 TRANSPORTATION  
23 FY 2012-2013

24 Sec. 416. ROAD USE TAX FUND. There is appropriated from the  
25 road use tax fund created in section 312.1 to the department of  
26 transportation for the fiscal year beginning July 1, 2012, and  
27 ending June 30, 2013, the following amounts, or so much thereof  
28 as is necessary, to be used for the purposes designated:

29 1. For the payment of costs associated with the production  
30 of driver's licenses, as defined in section 321.1, subsection  
31 20A:  
32 ..... \$ 3,876,000

33 Notwithstanding section 8.33, moneys appropriated in this  
34 subsection that remain unencumbered or unobligated at the close  
35 of the fiscal year shall not revert but shall remain available

1 for expenditure for the purposes specified in this subsection  
2 until the close of the succeeding fiscal year.  
3 2. For salaries, support, maintenance, and miscellaneous  
4 purposes:  
5 a. Operations:  
6 ..... \$ 5,584,500  
7 b. Planning:  
8 ..... \$ 389,300  
9 c. Motor vehicles:  
10 ..... \$ 28,832,850  
11 3. For payments to the department of administrative  
12 services for utility services:  
13 ..... \$ 191,250  
14 4. Unemployment compensation:  
15 ..... \$ 5,950  
16 5. For payments to the department of administrative  
17 services for paying workers' compensation claims under chapter  
18 85 on behalf of employees of the department of transportation:  
19 ..... \$ 101,150  
20 6. For payment to the general fund of the state for indirect  
21 cost recoveries:  
22 ..... \$ 66,300  
23 7. For reimbursement to the auditor of state for audit  
24 expenses as provided in section 11.5B:  
25 ..... \$ 57,221  
26 8. For automation, telecommunications, and related costs  
27 associated with the county issuance of driver's licenses and  
28 vehicle registrations and titles:  
29 ..... \$ 1,195,100  
30 9. For transfer to the department of public safety for  
31 operating a system providing toll-free telephone road and  
32 weather conditions information:  
33 ..... \$ 85,000  
34 10. For costs associated with the participation in the  
35 Mississippi river parkway commission:

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1 ..... \$ 34,000  
2 11. For motor vehicle division field facility maintenance  
3 projects at various locations:  
4 ..... \$ 200,000  
5 12. For scale replacement projects at various locations:  
6 ..... \$ 550,000  
7 For purposes of section 8.33, unless specifically provided  
8 otherwise, moneys appropriated in subsections 11 and 12 that  
9 remain unencumbered or unobligated shall not revert but shall  
10 remain available for expenditure for the purposes designated  
11 until the close of the fiscal year that ends three years after  
12 the end of the fiscal year for which the appropriation was  
13 made. However, if the projects for which the appropriation  
14 was made are completed in an earlier fiscal year, unencumbered  
15 or unobligated moneys shall revert at the close of that same  
16 fiscal year.  
17 Sec. 417. PRIMARY ROAD FUND. There is appropriated from the  
18 primary road fund created in section 313.3 to the department of  
19 transportation for the fiscal year beginning July 1, 2012, and  
20 ending June 30, 2013, the following amounts, or so much thereof  
21 as is necessary, to be used for the purposes designated:  
22 1. For salaries, support, maintenance, miscellaneous  
23 purposes, and for not more than the following full-time  
24 equivalent positions:  
25 a. Operations:  
26 ..... \$ 34,303,050  
27 ..... FTEs 296.00  
28 b. Planning:  
29 ..... \$ 7,392,531  
30 ..... FTEs 121.00  
31 c. Highways:  
32 ..... \$196,276,893  
33 ..... FTEs 2,247.00  
34 d. Motor vehicles:  
35 ..... \$ 1,201,509

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1 ..... FTEs 445.00  
2 2. For payments to the department of administrative  
3 services for utility services:  
4 ..... \$ 1,179,800  
5 3. Unemployment compensation:  
6 ..... \$ 117,300  
7 4. For payments to the department of administrative  
8 services for paying workers' compensation claims under  
9 chapter 85 on behalf of the employees of the department of  
10 transportation:  
11 ..... \$ 2,419,100  
12 5. For disposal of hazardous wastes from field locations and  
13 the central complex:  
14 ..... \$ 680,000  
15 6. For payment to the general fund of the state for indirect  
16 cost recoveries:  
17 ..... \$ 486,200  
18 7. For reimbursement to the auditor of state for audit  
19 expenses as provided in section 11.5B:  
20 ..... \$ 352,904  
21 8. For costs associated with producing transportation maps:  
22 ..... \$ 205,700  
23 9. For inventory and equipment replacement:  
24 ..... \$ 4,561,100  
25 10. For utility improvements at various locations:  
26 ..... \$ 400,000  
27 11. For roofing projects at various locations:  
28 ..... \$ 200,000  
29 12. For heating, cooling, and exhaust system improvements  
30 at various locations:  
31 ..... \$ 200,000  
32 13. For deferred maintenance projects at field facilities  
33 throughout the state:  
34 ..... \$ 1,000,000  
35 14. For wastewater treatment improvements at various

1 locations:

2 ..... \$ 1,000,000

3 15. For replacement of the New Hampton combined facility:

4 ..... \$ 5,200,000

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

15 DIVISION XLVI

16 INFRASTRUCTURE AND CAPITALS

17 REBUILD IOWA INFRASTRUCTURE FUND

18 Sec. 418. There is appropriated from the rebuild Iowa  
19 infrastructure fund to the following departments and agencies  
20 for the following fiscal years, the following amounts, or so  
21 much thereof as is necessary, to be used for the purposes  
22 designated:

23 1. DEPARTMENT OF ADMINISTRATIVE SERVICES

24 a. For projects related to major repairs and major  
25 maintenance for state buildings and facilities:

26 FY 2012-2013..... \$ 6,000,000

27 b. For exterior repairs and related improvements to the  
28 state historical building:

29 FY 2011-2012..... \$ 1,200,000

30 c. For infrastructure improvements, including fire safety  
31 and security systems, in the secretary of state offices in the  
32 Lucas state office building:

33 FY 2011-2012..... \$ 45,000

34 d. For fire protection improvements at the facilities  
35 management center and central energy plant on the capitol



1 complex:

2 FY 2012-2013..... \$ 2,000,000

3 e. For renovation, repairs, replacement, and related  
4 improvements to extend the useful life of buildings on  
5 the capitol complex and to make improvements, including  
6 improvements relating to safety and building code requirements,  
7 to the capitol complex grounds:

8 FY 2012-2013..... \$ 2,000,000

9 2. DEPARTMENT FOR THE BLIND

10 For replacement of air handlers and related improvements:

11 FY 2011-2012..... \$ 1,065,674

12 3. DEPARTMENT OF CORRECTIONS

13 a. For the construction project and one-time furniture,  
14 fixture, and equipment costs at Fort Madison:

15 FY 2011-2012..... \$ 5,155,077

16 FY 2012-2013..... \$ 18,269,124

17 FY 2013-2014..... \$ 3,000,000

18 b. For the construction project and one-time equipment  
19 costs at the Iowa correctional facility for women at  
20 Mitchellville:

21 FY 2011-2012..... \$ 3,061,556

22 FY 2012-2013..... \$ 5,391,062

23 FY 2013-2014..... \$ 26,769,040

24 4. DEPARTMENT OF CULTURAL AFFAIRS

25 For deposit into the Iowa great places program fund created  
26 in section 303.3D for Iowa great places program projects that  
27 meet the definition of the term "vertical infrastructure" in  
28 section 8.57, subsection 6, paragraph "c":

29 FY 2011-2012..... \$ 1,000,000

30 FY 2012-2013..... \$ 2,000,000

31 Of the amounts appropriated in this subsection, up to  
32 \$45,000 may be used per fiscal year for administration of the  
33 Iowa great places grant program, notwithstanding section 8.57,  
34 subsection 6, paragraph "c".

35 5. DEPARTMENT OF ECONOMIC DEVELOPMENT

1 For accelerated career education program capital projects at  
2 community colleges that are authorized under chapter 260G and  
3 that meet the definition of the term "vertical infrastructure"  
4 in section 8.57, subsection 6, paragraph "c":

5 FY 2011-2012..... \$ 5,000,000  
6 FY 2012-2013..... \$ 5,500,000

7 6. DEPARTMENT OF EDUCATION

8 a. To the public broadcasting division for the purchase of a  
9 building in the city of Johnston:

10 FY 2011-2012..... \$ 1,255,550

11 b. For major renovation and major repair needs, including  
12 health, life, and fire safety needs and for compliance with the  
13 federal Americans with Disabilities Act, for state buildings  
14 and facilities under the purview of the community colleges:

15 FY 2011-2012..... \$ 1,000,000  
16 FY 2012-2013..... \$ 1,000,000

17 7. DEPARTMENT OF HUMAN SERVICES

18 For the renovation and construction of certain nursing  
19 facilities, consistent with the provisions of chapter 249K:

20 FY 2011-2012..... \$ 285,000

21 8. DEPARTMENT OF NATURAL RESOURCES

22 a. For floodplain management and dam safety,  
23 notwithstanding section 8.57, subsection 6, paragraph "c":

24 FY 2011-2012..... \$ 2,000,000

25 Of the amounts appropriated in this lettered paragraph,  
26 up to \$400,000 is authorized for stream gages to be used  
27 for tracking and predicting flood events and for compiling  
28 necessary data relating to flood frequency analysis.

29 b. For implementation of lake projects that have  
30 established watershed improvement initiatives and community  
31 support in accordance with the department's annual lake  
32 restoration plan and report, notwithstanding section 8.57,  
33 subsection 6, paragraph "c":

34 FY 2011-2012..... \$ 8,600,000

35 Of the amount appropriated in this lettered paragraph,

1 \$350,000 shall be allocated for a lake with public access  
2 that has the support of a benefited lake district located in  
3 a county with a population between seventeen thousand seven  
4 hundred and seventeen thousand eight hundred as determined  
5 by the 2010 federal decennial census. The allocated moneys  
6 shall be used for purposes of completing a preconstruction  
7 dam restoration study that would include a geotechnical  
8 evaluation, hydrological studies, restoration alternatives, and  
9 construction specifications.

10 9. DEPARTMENT OF PUBLIC DEFENSE

11 a. For major maintenance projects at national guard  
12 armories and facilities:

13 FY 2011-2012..... \$ 2,000,000  
14 FY 2012-2013..... \$ 2,000,000

15 b. For renovation and facility improvements at the  
16 Muscatine readiness center:

17 FY 2011-2012..... \$ 100,000

18 c. For construction improvement projects at statewide  
19 readiness centers:

20 FY 2011-2012..... \$ 1,800,000  
21 FY 2012-2013..... \$ 1,800,000

22 d. For construction upgrades at Camp Dodge including  
23 sanitary system and sewer system improvements:

24 FY 2011-2012..... \$ 1,000,000  
25 FY 2012-2013..... \$ 1,000,000

26 e. For renovation, repair, and related improvements at the  
27 joint forces headquarters building:

28 FY 2011-2012..... \$ 1,000,000

29 f. For renovation and facility improvements at the Dubuque  
30 readiness center:

31 FY 2012-2013..... \$ 500,000

32 10. BOARD OF REGENTS

33 a. For allocation by the state board of regents to the  
34 state university of Iowa, Iowa state university of science  
35 and technology, and the university of northern Iowa to

1 reimburse the institutions for deficiencies in the operating  
2 funds resulting from the pledging of tuition, student fees  
3 and charges, and institutional income to finance the cost of  
4 providing academic and administrative buildings and facilities  
5 and utility services at the institutions:  
6 FY 2011-2012..... \$ 24,305,412  
7 b. For the Iowa flood center at the state university of Iowa  
8 for use by the university's college of engineering, pursuant  
9 to section 466C.1, notwithstanding section 8.57, subsection 6,  
10 paragraph "c":  
11 FY 2011-2012..... \$ 1,300,000  
12 c. For fire, safety and other major maintenance projects at  
13 the regents institutions:  
14 FY 2011-2012..... \$ 2,000,000  
15 FY 2012-2013..... \$ 4,000,000  
16 d. For construction, renovation, and related improvements  
17 for phase II of the agricultural and biosystems engineering  
18 complex, including classrooms, laboratories, and offices at  
19 Iowa state university of science and technology:  
20 FY 2011-2012..... \$ 1,000,000  
21 FY 2012-2013..... \$ 20,800,000  
22 FY 2013-2014..... \$ 20,000,000  
23 FY 2014-2015..... \$ 18,600,000  
24 e. For the renovation and related improvements to the dental  
25 science building at the state university of Iowa including but  
26 not limited to renovation of clinical spaces and development of  
27 a multidisciplinary clinical area:  
28 FY 2011-2012..... \$ 1,000,000  
29 FY 2012-2013..... \$ 12,000,000  
30 FY 2013-2014..... \$ 8,000,000  
31 FY 2014-2015..... \$ 8,000,000  
32 f. For renovation and related improvements for Bartlett  
33 hall at the university of northern Iowa including providing  
34 faculty offices, seminar rooms, and laboratories in the  
35 building and the associated demolition of Baker hall:

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1 FY 2011-2012..... \$ 1,000,000  
2 FY 2012-2013..... \$ 8,286,000  
3 FY 2013-2014..... \$ 9,767,000  
4 FY 2014-2015..... \$ 1,947,000  
5 11. DEPARTMENT OF TRANSPORTATION  
6 a. For acquiring, constructing, and improving recreational  
7 trails within the state:  
8 FY 2011-2012..... \$ 2,000,000  
9 FY 2012-2013..... \$ 2,000,000  
10 b. For deposit into the public transit infrastructure  
11 grant fund created in section 324A.6A, for projects that meet  
12 the definition of "vertical infrastructure" in section 8.57,  
13 subsection 6, paragraph "c":  
14 FY 2011-2012..... \$ 1,500,000  
15 FY 2012-2013..... \$ 1,500,000  
16 c. For infrastructure improvements at the commercial  
17 service airports within the state:  
18 FY 2011-2012..... \$ 1,500,000  
19 FY 2012-2013..... \$ 1,500,000  
20 d. For infrastructure improvements at general aviation  
21 airports within the state:  
22 FY 2011-2012..... \$ 750,000  
23 FY 2012-2013..... \$ 750,000  
24 12. TREASURER OF STATE  
25 For distribution in accordance with chapter 174 to qualified  
26 fairs which belong to the association of Iowa fairs for county  
27 fair infrastructure improvements:  
28 FY 2011-2012..... \$ 1,060,000  
29 FY 2012-2013..... \$ 1,060,000  
30 13. DEPARTMENT OF VETERANS AFFAIRS  
31 a. For transfer to the Iowa finance authority for the  
32 continuation of the home ownership assistance program for  
33 persons who are or were eligible members of the armed forces of  
34 the United States, pursuant to section 16.54, notwithstanding  
35 section 8.57, subsection 6, paragraph "c":

1 FY 2011-2012..... \$ 1,000,000

2 b. For the Iowa veterans home to upgrade generator emissions  
3 controls to meet required stack emissions for four generators  
4 and related improvements:

5 FY 2011-2012..... \$ 250,000

6 Sec. 419. REVERSION. For purposes of section 8.33, unless  
7 specifically provided otherwise, unencumbered or unobligated  
8 moneys made from an appropriation in this division of this Act  
9 shall not revert but shall remain available for expenditure for  
10 the purposes designated until the close of the fiscal year that  
11 ends three years after the end of the fiscal year for which the  
12 appropriation is made. However, if the project or projects for  
13 which such appropriation was made are completed in an earlier  
14 fiscal year, unencumbered or unobligated moneys shall revert at  
15 the close of that same fiscal year.

16 DIVISION XLVII

17 INFRASTRUCTURE AND CAPITALS

18 TECHNOLOGY REINVESTMENT FUND

19 Sec. 420. There is appropriated from the technology  
20 reinvestment fund created in section 8.57C to the following  
21 departments and agencies for the following fiscal years, the  
22 following amounts, or so much thereof as is necessary, to be  
23 used for the purposes designated:

24 1. DEPARTMENT OF ADMINISTRATIVE SERVICES

25 For technology improvement projects:

26 FY 2011-2012..... \$ 1,643,728

27 FY 2012-2013..... \$ 2,500,000

28 2. DEPARTMENT OF CORRECTIONS

29 For costs associated with the Iowa corrections offender  
30 network data system:

31 FY 2011-2012..... \$ 500,000

32 FY 2012-2013..... \$ 500,000

33 3. DEPARTMENT OF EDUCATION

34 a. For maintenance and lease costs associated with  
35 connections for part III of the Iowa communications network:

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1 FY 2011-2012..... \$ 2,727,000

2 FY 2012-2013..... \$ 2,727,000

3 b. For the implementation of an educational data warehouse  
4 that will be utilized by teachers, parents, school district  
5 administrators, area education agency staff, department of  
6 education staff, and policymakers:

7 FY 2011-2012..... \$ 600,000

8 FY 2012-2013..... \$ 600,000

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

13 4. DEPARTMENT OF HUMAN RIGHTS

14 For the cost of equipment and computer software for the  
15 implementation of Iowa's criminal justice information system:

16 FY 2011-2012..... \$ 1,689,307

17 FY 2012-2013..... \$ 1,756,747

18 5. DEPARTMENT OF HUMAN SERVICES

19 To be used for medical contracts under the medical  
20 assistance program for technology upgrades necessary to support  
21 Medicaid claims and other health operations, worldwide HIPAA  
22 claims transactions and coding requirements, and the Iowa  
23 automated benefits calculation system:

24 FY 2011-2012..... \$ 3,494,176

25 FY 2012-2013..... \$ 4,667,600

26 FY 2013-2014..... \$ 4,267,600

27 FY 2014-2015..... \$ 1,945,684

28 6. IOWA TELECOMMUNICATIONS AND TECHNOLOGY COMMISSION

29 For replacement of equipment for the Iowa communications  
30 network:

31 FY 2011-2012..... \$ 2,248,653

32 FY 2012-2013..... \$ 2,248,653

33 The commission may continue to enter into contracts pursuant  
34 to section 8D.13 for the replacement of equipment and for  
35 operation and maintenance costs of the network.

1 In addition to funds appropriated in this subsection, the  
2 commission may use a financing agreement entered into by the  
3 treasurer of state in accordance with section 12.28 for the  
4 replacement of equipment for the network. For purposes of  
5 this subsection, the treasurer of state is not subject to  
6 the maximum principal limitation contained in section 12.28,  
7 subsection 6. Repayment of any amounts financed shall be made  
8 from receipts associated with fees charged for use of the  
9 network.

10 7. DEPARTMENT OF MANAGEMENT

11 To develop a searchable database that can be placed on the  
12 internet for budget and financial information:

13 FY 2011-2012..... \$ 600,000

14 8. DEPARTMENT OF PUBLIC SAFETY

15 For the provision of radio communications equipment and  
16 related equipment upgrades to comply with federal narrowbanding  
17 transition requirements under the federal communication  
18 commission narrowbanding mandate:

19 FY 2011-2012..... \$ 2,500,000

20 FY 2012-2013..... \$ 2,500,000

21 FY 2013-2014..... \$ 2,500,000

22 The department of public safety shall work with the  
23 departments of corrections and natural resources to accomplish  
24 the radio communications upgrades to comply with the federal  
25 mandate.

26 The department of public safety may develop a public-private  
27 partnership to ensure a statewide public safety radio network  
28 that complies with the federal narrowbanding mandate and to  
29 achieve the goal of interoperability as defined in section  
30 80.28.

31 On or before January 13, 2012, the department of public  
32 safety shall provide a report to the legislative services  
33 agency and the department of management detailing the status  
34 of the funds appropriated in this subsection and the efforts  
35 made to meet the federal mandate deadline. The report shall



1 include estimated equipment needs of the departments of public  
2 safety, corrections, and natural resources to meet the federal  
3 narrowbanding mandate as well as any changes in estimated costs  
4 to meet those needs, the status of requests for proposals  
5 for bids for radio equipment, and any efforts to develop a  
6 public-private partnership.

7 Sec. 421. REVERSION. For purposes of section 8.33, unless  
8 specifically provided otherwise, unencumbered or unobligated  
9 moneys made from an appropriation in this division of this Act  
10 shall not revert but shall remain available for expenditure for  
11 the purposes designated until the close of the fiscal year that  
12 ends three years after the end of the fiscal year for which the  
13 appropriation is made. However, if the project or projects for  
14 which such appropriation was made are completed in an earlier  
15 fiscal year, unencumbered or unobligated moneys shall revert at  
16 the close of that same fiscal year.

17 DIVISION XLVIII

18 INFRASTRUCTURE AND CAPITALS

19 REVENUE BONDS CAPITALS

20 FUND — APPROPRIATIONS

21 Sec. 422. There is appropriated from the revenue bonds  
22 capitals fund created in section 12.88, to the following  
23 departments for the fiscal year beginning July 1, 2011, and  
24 ending June 30, 2012, the following amount, or so much thereof  
25 as is necessary, to be used for the purposes designated:

26 a. DEPARTMENT OF CORRECTIONS

27 For the construction project and one-time equipment costs at  
28 the Iowa correctional facility for women at Mitchellville:  
29 ..... \$ 4,430,952

30 b. DEPARTMENT OF ADMINISTRATIVE SERVICES

31 For projects related to major repairs and major maintenance  
32 for state buildings and facilities:  
33 ..... \$ 500,000

34 For purposes of section 8.33, unless specifically provided  
35 otherwise, unencumbered or unobligated moneys made from an

1 appropriation in this section shall not revert but shall remain  
2 available for expenditure for the purposes designated until the  
3 close of the fiscal year that ends three years after the end of  
4 the fiscal year for which the appropriation was made. However,  
5 if the project or projects for which such appropriation was  
6 made are completed in an earlier fiscal year, unencumbered  
7 or unobligated moneys shall revert at the close of that same  
8 fiscal year.

9

DIVISION XLIX

10

INFRASTRUCTURE AND CAPITALS

11

REVENUE BONDS CAPITALS II FUND — APPROPRIATIONS

12

Sec. 423. There is appropriated from the revenue bonds  
13 capitals II fund created in section 12.88A, to the department  
14 of administrative services for the fiscal year beginning July  
15 1, 2011, and ending June 30, 2012, the following amount, or  
16 so much thereof as is necessary, to be used for the purposes  
17 designated:

18

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

20

FY 2011-2012..... \$ 4,040,000

21

For purposes of section 8.33, unless specifically provided  
22 otherwise, unencumbered or unobligated moneys made from an  
23 appropriation in this section shall not revert but shall remain  
24 available for expenditures for the purposes designated until  
25 the close of the fiscal year that ends three years after  
26 the end of the fiscal year for which the appropriation was  
27 made. However, if the project or projects for which such  
28 appropriation was made are completed in an earlier fiscal year,  
29 unencumbered or unobligated moneys shall revert at the close of  
30 that same fiscal year.

31

DIVISION L

32

INFRASTRUCTURE AND CAPITALS

33

GENERAL FUND — APPROPRIATION

34

Sec. 424. There is appropriated from the general fund of the  
35 state to the department of transportation for the fiscal year

1 beginning July 1, 2012, and ending June 30, 2013, the following  
2 amount, or so much thereof as is necessary, to be used for the  
3 purposes designated:

4 For deposit into the railroad revolving loan and grant fund  
5 created in section 327H.20A:  
6 ..... \$ 2,000,000

7 DIVISION LI

8 PUBLIC BIDDING AND CONTRACTING

9 Sec. 425. NEW SECTION. 72.6 Public works — contractor  
10 qualifications.

11 1. *Definitions.* As used in this section, unless the context  
12 otherwise provides:

13 a. *"Public owner"* means a public body including the state  
14 or a political subdivision of the state, an officer, official,  
15 agency, authority, board, or commission of the state or of a  
16 political subdivision of the state, or an institution supported  
17 in whole or in part by public funds.

18 b. *"Public road project"* means a project under the control  
19 of a public owner for the construction, maintenance, or repair  
20 of a road or street that is funded, in whole or in part, by  
21 moneys from the road use tax fund.

22 c. *"Public works"* means a building or other construction  
23 project which is constructed under the control of a public  
24 owner and is paid for in whole or in part with funds of a public  
25 owner, including funds directed to the public owner from any  
26 federal government source, including grants. *"Public works"*  
27 does not include any work done by or on behalf of a drainage  
28 or levee district or any work financed by federal funds where  
29 federal procurement policy applicable to the use of the federal  
30 funds is inconsistent with the requirements of this section.

31 d. *"Public works project"* means the construction,  
32 maintenance, or repair of public works. *"Public works project"*  
33 does not mean a public road project.

34 2. *Prohibited criteria.* In determining which bidder is the  
35 lowest responsible bidder for purposes of awarding a contract

1 to perform a public works project or public road project, a  
2 public owner shall not do any of the following:

3     *a.* Select a bidder based in whole or in part on a  
4 consideration of whether the bidder's employees belong to or  
5 are represented by a labor union or labor organization.

6     *b.* Require that the bidder selected enter into an agreement  
7 that directly or indirectly requires the bidder to recruit,  
8 train, or hire employees from a particular source to perform  
9 work on the public works project or public road project.

10     *c.* Require the bidder or the bidder's subcontractors  
11 or their agents to enter into any agreement or arrangement  
12 relating to the public works project or public road project  
13 which imposes requirements, controls, or limitations on  
14 staffing; sources of employee referrals; assignment of work;  
15 sources of insurance and benefits including health, life, and  
16 disability insurance and retirement pensions; training; or  
17 wages. This paragraph does not apply to requirements imposed  
18 by federal law.

19     3. *Bidding documents.* Criteria described in this section  
20 that cannot be considered by a public owner in determining  
21 who is the lowest responsible bidder shall be included in any  
22 document requesting or inviting bids on public works projects  
23 or public road projects subject to this section.

24     Sec. 426. Section 73A.21, Code 2011, is amended to read as  
25 follows:

26     **73A.21 Reciprocal resident bidder and resident labor force**  
27 **preference by state, its agencies, and political subdivisions —**  
28 **penalties.**

29     1. For purposes of this section:

30     *a.* "Commissioner" means the labor commissioner appointed  
31 pursuant to section 91.2, or the labor commissioner's designee.

32     *b.* "Division" means the division of labor of the department  
33 of workforce development.

34     *c.* "Nonresident bidder" means a person or entity who does  
35 not meet the definition of a resident bidder.

1 d. "Public body" means the state and any of its political  
2 subdivisions, including a school district, public utility, or  
3 the state board of regents.

4 ~~a. e.~~ "Public improvement" means public improvements as  
5 defined in section 73A.1 a building or other construction work  
6 to be paid for in whole or in part by the use of funds of the  
7 state, its agencies, and any of its political subdivisions and  
8 includes road construction, reconstruction, and maintenance  
9 projects.

10 f. "Public utility" includes municipally owned utilities and  
11 municipally owned waterworks.

12 ~~b. g.~~ "Resident bidder" means a person or entity authorized  
13 to transact business in this state and having a place of  
14 business for transacting business within the state at which  
15 it is conducting and has conducted business for at least ~~six~~  
16 ~~months~~ three years prior to the date of the first advertisement  
17 for the public improvement and in the case of a corporation,  
18 ~~having at least fifty percent of its common stock owned by~~  
19 ~~residents of this state.~~ If another state or foreign country  
20 has a more stringent definition of a resident bidder, the more  
21 stringent definition is applicable as to bidders from that  
22 state or foreign country.

23 h. "Resident labor force preference" means a requirement in  
24 which all or a portion of a labor force working on a public  
25 improvement is a resident of a particular state or country.

26 2. Notwithstanding this chapter, chapter 73, chapter 309,  
27 chapter 310, chapter 331, or chapter 384, when a contract for a  
28 public improvement is to be awarded to the lowest responsible  
29 bidder, a resident bidder shall be allowed a preference as  
30 against a nonresident bidder from a state or foreign country  
31 ~~which~~ if that state or foreign country gives or requires a  
32 any preference to bidders from that state or foreign country,  
33 including but not limited to any preference to bidders, the  
34 imposition of any type of labor force preference, or any other  
35 form of preferential treatment to bidders or laborers from that

1 state or foreign country. The preference is allowed shall  
2 be equal to the preference given or required by the state or  
3 foreign country in which the nonresident bidder is a resident.  
4 In the instance of a resident labor force preference, a  
5 nonresident bidder shall apply the same resident labor force  
6 preference to a public improvement in this state as would be  
7 required in the construction of a public improvement by the  
8 state or foreign country in which the nonresident bidder is a  
9 resident.

10 ~~3. This section applies to the state, its agencies, and any~~  
11 ~~political subdivisions of the state.~~

12 ~~4.~~ 3. If it is determined that this may cause denial of  
13 federal funds which would otherwise be available, or would  
14 otherwise be inconsistent with requirements of any federal law  
15 or regulation, this section shall be suspended, but only to the  
16 extent necessary to prevent denial of the funds or to eliminate  
17 the inconsistency with federal requirements.

18 4. The public body involved in a public improvement shall  
19 require a nonresident bidder to specify on all project bid  
20 specifications and contract documents whether any preference  
21 as described in subsection 2 is in effect in the nonresident  
22 bidder's state or country of domicile at the time of a bid  
23 submittal.

24 5. The commissioner and the division shall administer and  
25 enforce this section, and the commissioner shall adopt rules  
26 for the administration and enforcement of this section as  
27 provided in section 91.6.

28 6. The commissioner shall have the following powers and  
29 duties for the purposes of this section:

30 a. The commissioner may hold hearings and investigate  
31 charges of violations of this section.

32 b. The commissioner may, consistent with due process of law,  
33 enter any place of employment to inspect records concerning  
34 labor force residency, to question an employer or employee, and  
35 to investigate such facts, conditions, or matters as are deemed

1 appropriate in determining whether any person has violated the  
2 provisions of this section. The commissioner shall only make  
3 such an entry in response to a written complaint.

4 c. The commissioner shall develop a written complaint form  
5 applicable to this section and make it available in division  
6 offices and on the department of workforce development's  
7 internet site.

8 d. The commissioner may sue for injunctive relief against  
9 the awarding of a contract, the undertaking of a public  
10 improvement, or the continuation of a public improvement in  
11 response to a violation of this section.

12 e. The commissioner may investigate and ascertain the  
13 residency of a worker engaged in any public improvement in this  
14 state.

15 f. The commissioner may administer oaths, take or cause to  
16 be taken deposition of witnesses, and require by subpoena the  
17 attendance and testimony of witnesses and the production of all  
18 books, registers, payrolls, and other evidence relevant to a  
19 matter under investigation or hearing.

20 g. The commissioner may employ qualified personnel as are  
21 necessary for the enforcement of this section. Such personnel  
22 shall be employed pursuant to the merit system provisions of  
23 chapter 8A, subchapter IV.

24 h. The commissioner shall require a contractor or  
25 subcontractor to file, within ten days of receipt of a request,  
26 any records enumerated in subsection 7. If the contractor or  
27 subcontractor fails to provide the requested records within ten  
28 days, the commissioner may direct, within fifteen days after  
29 the end of the ten-day period, that the fiscal or financial  
30 office charged with the custody and disbursement of funds of  
31 the public body that contracted for construction of the public  
32 improvement or undertook the public improvement, to immediately  
33 withhold from payment to the contractor or subcontractor  
34 up to twenty-five percent of the amount to be paid to the  
35 contractor or subcontractor under the terms of the contract

1 or written instrument under which the public improvement is  
2 being performed. The amount withheld shall be immediately  
3 released upon receipt by the public body of a notice from  
4 the commissioner indicating that the request for records as  
5 required by this section has been satisfied.

6 7. While participating in a public improvement, a  
7 nonresident bidder domiciled in a state or country that  
8 has established a resident labor force preference shall  
9 make and keep, for a period of not less than three years,  
10 accurate records of all workers employed by the contractor or  
11 subcontractor on the public improvement. The records shall  
12 include each worker's name, address, telephone number when  
13 available, social security number, trade classification, and  
14 the starting and ending time of employment.

15 8. Any person or entity that violates the provisions of  
16 this section is subject to a civil penalty in an amount not to  
17 exceed one thousand dollars for each violation found in a first  
18 investigation by the division, not to exceed five thousand  
19 dollars for each violation found in a second investigation  
20 by the division, and not to exceed fifteen thousand dollars  
21 for a third or subsequent violation found in any subsequent  
22 investigation by the division. Each violation of this section  
23 for each worker and for each day the violation continues  
24 constitutes a separate and distinct violation. In determining  
25 the amount of the penalty, the division shall consider the  
26 appropriateness of the penalty to the person or entity charged,  
27 upon determination of the gravity of the violations. The  
28 collection of these penalties shall be enforced in a civil  
29 action brought by the attorney general on behalf of the  
30 division.

31 9. A party seeking review of the division's determination  
32 pursuant to this section may file a written request for an  
33 informal conference. The request must be received by the  
34 division within fifteen days after the date of issuance of  
35 the division's determination. During the conference, the



1 party seeking review may present written or oral information  
2 and arguments as to why the division's determination should  
3 be amended or vacated. The division shall consider the  
4 information and arguments presented and issue a written  
5 decision advising all parties of the outcome of the conference.

6 Sec. 427. Section 331.341, subsection 2, Code 2011, is  
7 amended to read as follows:

8 2. The board shall give preference to Iowa products and  
9 ~~labor~~ in accordance with chapter 73 and shall comply with bid  
10 and contract requirements in chapter 26.

11 Sec. 428. REPEAL. Sections 73.3 and 73.4, Code 2011, are  
12 repealed.

13 Sec. 429. EFFECTIVE UPON ENACTMENT. This division of this  
14 Act, being deemed of immediate importance, takes effect upon  
15 enactment.

16 Sec. 430. APPLICABILITY. This division of this Act applies  
17 to all public improvement, public works, and public road  
18 projects, and to public improvement, public works, and public  
19 road contracts entered into on or after July 1, 2011.

20 DIVISION LII

21 BUSINESS DEVELOPMENT ASSISTANCE — APPROPRIATION

22 Sec. 431. BUSINESS DEVELOPMENT ASSISTANCE — USE OF  
23 EXISTING FUNDS.

24 1. a. There is appropriated from the rebuild Iowa  
25 infrastructure fund to the department of economic development  
26 for the fiscal year beginning July 1, 2011, and ending June 30,  
27 2012, the following amount, or so much thereof as is necessary,  
28 to be used for the purposes designated:

29 For marketing and promotional activities; for information  
30 technology development; for laborshed studies conducted for  
31 the department by the department of workforce development;  
32 for administrative purposes, including salaries, support,  
33 maintenance, and miscellaneous purposes; and for providing  
34 financial assistance to businesses expanding or locating in the  
35 state, notwithstanding section 8.57, subsection 6, paragraph

1 "c":

2 ..... \$ 15,000,000

3 b. Of the moneys appropriated pursuant to paragraph "a"  
4 for purposes of marketing and promotional activities, the  
5 department shall not use more than \$2,300,000.

6 c. Of the moneys appropriated pursuant to paragraph "a" for  
7 purposes of information technology development, the department  
8 shall not use more than \$350,000.

9 d. Of the moneys appropriated pursuant to paragraph "a" for  
10 purposes of laborshed studies conducted by the department of  
11 workforce development, the department shall not use more than  
12 \$145,000.

13 e. Of the moneys appropriated pursuant to paragraph "a" for  
14 administrative purposes, the department shall not use more than  
15 5 percent.

16 f. (1) The department may use the remainder of the moneys  
17 appropriated pursuant to paragraph "a" that are not expended  
18 for the purposes described in paragraphs "b" through "e"  
19 to provide financial assistance to businesses expanding or  
20 locating in the state.

21 (2) An award of financial assistance pursuant to this  
22 paragraph "f" shall be approved by the economic development  
23 board which shall review with due diligence the merits of each  
24 application for assistance.

25 (3) For each award of financial assistance made pursuant  
26 to this paragraph "f", the department shall enter into an  
27 agreement with the recipient of the financial assistance,  
28 and each agreement shall meet the requirements for financial  
29 assistance agreements described in section 15G.112, subsections  
30 1 through 3, Code 2011.

31 (4) In providing financial assistance pursuant to this  
32 paragraph "f", the department shall allocate the available  
33 moneys to a diverse range of projects that create or retain  
34 jobs including projects that pay better than average wages,  
35 projects that represent early-stage business development,

1 projects that build the physical infrastructure necessary for  
2 business growth and expansion, projects that enhance the growth  
3 of value-added agriculture in the state, and projects that  
4 involve recovery from significant natural disasters.

5 (5) The department shall adopt rules for the implementation  
6 of this paragraph "f". Such rules may be adopted as emergency  
7 rules under section 17A.4, subsection 3, and section 17A.5,  
8 subsection 2, paragraph "b". Such rules shall be effective  
9 immediately upon filing unless a later date is specified in the  
10 rules. Any rules adopted in accordance with this section shall  
11 also be published as a notice of intended action as provided  
12 in section 17A.4.

13 (6) For purposes of this paragraph "f", "financial  
14 assistance" means assistance provided only from the funds,  
15 rights, and assets legally available to the department pursuant  
16 to this chapter and includes but is not limited to assistance  
17 in the form of grants, loans, forgivable loans, and royalty  
18 payments.

19 2. There is appropriated to the department of economic  
20 development for the fiscal year beginning July 1, 2011, and  
21 ending June 30, 2012, the following amounts, or so much thereof  
22 as is necessary, to be used for the purposes described in  
23 subsection 1:

24 a. Payments of interest, repayments of moneys loaned, and  
25 recaptures of grants and loans made pursuant to chapter 15G,  
26 Code 2011.

27 b. All moneys accruing to the department, including  
28 payments of interest, repayments of moneys loaned, royalty  
29 payments received, and recaptures of grants, loans, or other  
30 forms of financial assistance provided to recipients, from  
31 the department's administration of the following preexisting  
32 programs:

33 (1) The community economic betterment program established  
34 pursuant to section 15.317, Code 2009.

35 (2) The entrepreneurial ventures assistance program

1 established pursuant to section 15.339, Code 2009.

2 (3) The value-added agricultural products and processes  
3 financial assistance program established pursuant to section  
4 15E.111, Code 2009.

5 (4) The physical infrastructure assistance program  
6 established pursuant to section 15E.175, Code 2009.

7 (5) The loan and credit guarantee program established  
8 pursuant to section 15E.224, Code 2009.

9 c. The moneys transferred to the grow Iowa values fund  
10 pursuant to 2009 Iowa Acts, chapter 123, section 9, subsections  
11 1 and 2.

12 3. The moneys appropriated pursuant to this section are  
13 not subject to section 8.33. Notwithstanding section 12C.7,  
14 interest or earnings on the appropriated moneys shall be  
15 credited to the department and may be used in subsequent fiscal  
16 years for the purposes described in subsection 1.

17 DIVISION LIII

18 INFRASTRUCTURE AND CAPITALS

19 MISCELLANEOUS CODE CHANGES

20 Sec. 432. Section 8.57, subsection 6, paragraph c, Code  
21 2011, is amended to read as follows:

22 c. Moneys in the fund in a fiscal year shall be used  
23 as directed by the general assembly for public vertical  
24 infrastructure projects. For the purposes of this subsection,  
25 "*vertical infrastructure*" includes only land acquisition and  
26 construction~~;~~ major renovation and major repair of buildings~~;~~  
27 all appurtenant structures~~;~~ utilities~~;~~ site development~~;~~ and  
28 recreational trails; and debt service payments on academic  
29 revenue bonds issued in accordance with chapter 262A for  
30 capital projects at board of regents institutions. "*Vertical*  
31 *infrastructure*" does not include routine, recurring maintenance  
32 or operational expenses or leasing of a building, appurtenant  
33 structure, or utility without a lease-purchase agreement.

34 Sec. 433. Section 8.57, subsection 6, paragraph f, Code  
35 2011, is amended to read as follows:

1     *f.* There is appropriated from the rebuild Iowa  
2 infrastructure fund to the secure an advanced vision for  
3 education fund created in section 423F.2, for each fiscal  
4 year of the fiscal period beginning July 1, 2008, and ending  
5 June 30, 2010, ~~and for each fiscal year of the fiscal period~~  
6 ~~beginning July 1, 2011, and ending June 30, 2014,~~ the amount of  
7 the moneys in excess of the first forty-seven million dollars  
8 credited to the rebuild Iowa infrastructure fund during the  
9 fiscal year, not to exceed ten million dollars.

10     Sec. 434. Section 8.57A, subsection 4, Code 2011, is amended  
11 to read as follows:

12     4. *a.* There is appropriated from the rebuild Iowa  
13 infrastructure fund for the fiscal ~~years~~ year beginning July ~~1,~~  
14 ~~2008, July 1, 2009, and July 1, 2011~~ 2012, and for each fiscal  
15 year thereafter, the sum of ~~forty-two~~ thirty-five million  
16 dollars to the environment first fund, notwithstanding section  
17 8.57, subsection 6, paragraph "c".

18     *b.* There is appropriated from the rebuild Iowa  
19 infrastructure fund each fiscal year for the ~~fiscal year period~~  
20 beginning July 1, 2010, and ending June 30, ~~2011~~ 2012, the sum  
21 of thirty-three million dollars to the environment first fund,  
22 notwithstanding section 8.57, subsection 6, paragraph "c".

23     Sec. 435. Section 8.57C, subsection 3, paragraphs a and c,  
24 Code 2011, are amended to read as follows:

25     *a.* There is appropriated from the general fund of the state  
26 for the fiscal ~~years~~ year beginning July ~~1, 2006, July 1,~~  
27 ~~2007,~~ July 1, ~~2011~~ 2012, and for each subsequent fiscal year  
28 thereafter, the sum of seventeen million five hundred thousand  
29 dollars to the technology reinvestment fund.

30     *c.* There is appropriated from the rebuild Iowa  
31 infrastructure fund for the fiscal year beginning July 1, 2010,  
32 and ending June 30, 2011, the sum of ten million dollars to the  
33 technology reinvestment fund, notwithstanding section 8.57,  
34 subsection 6, paragraph "c".

35     Sec. 436. Section 8.57C, subsection 3, Code 2011, is amended

1 by adding the following new paragraph:

2 NEW PARAGRAPH. *d.* There is appropriated from the rebuild  
3 Iowa infrastructure fund for the fiscal year beginning July  
4 1, 2011, and ending June 30, 2012, the sum of sixteen million  
5 dollars to the technology reinvestment fund, notwithstanding  
6 section 8.57, subsection 6, paragraph "c".

7 Sec. 437. Section 8A.321, subsection 6, Code 2011, is  
8 amended by adding the following new paragraph:

9 NEW PARAGRAPH. *d.* The department shall issue a request  
10 for proposals for leasing privately owned office space for  
11 state employees in the downtown area of the city of Des Moines  
12 prior to replacing or renovating publicly owned buildings or  
13 relocating any state agencies to any space in publicly owned  
14 buildings. The department shall locate state employees in  
15 office space in the most cost-efficient manner possible. In  
16 determining cost efficiency, the department shall consider all  
17 costs of the publicly owned space, the costs of the original  
18 acquisition of the publicly owned space, the costs of tenant  
19 improvements to the publicly owned space, and the anticipated  
20 economic and useful life of the publicly owned building space.

21 Sec. 438. Section 12.82, subsection 1, Code 2011, is amended  
22 to read as follows:

23 1. A school infrastructure fund is created and established  
24 as a separate and distinct fund in the state treasury under the  
25 control of the department of education. The Notwithstanding  
26 any other provision of this chapter, the fund shall be used for  
27 purposes of the school infrastructure program established in  
28 section 292.2.

29 Sec. 439. Section 12.82, Code 2011, is amended by adding the  
30 following new subsection:

31 NEW SUBSECTION. 3A. Any amounts remaining in the school  
32 infrastructure fund at the end of the fiscal year beginning  
33 July 1, 2010, and for each fiscal year thereafter, which are  
34 determined by the treasurer of state to be unencumbered and  
35 unobligated and otherwise unnecessary to make the payments for

1 such fiscal year, shall be transferred to the rebuild Iowa  
2 infrastructure fund.

3 Sec. 440. Section 15F.204, subsection 8, paragraph a,  
4 subparagraph (6), Code 2011, is amended to read as follows:

5 (6) For the fiscal year beginning July 1, 2011, and ending  
6 June 30, 2012, the sum of five million one hundred thousand  
7 dollars.

8 Sec. 441. Section 15F.204, subsection 8, paragraph b, Code  
9 2011, is amended by striking the paragraph.

10 Sec. 442. Section 16.181A, subsection 1, Code 2011, is  
11 amended to read as follows:

12 1. There is appropriated from the rebuild Iowa  
13 infrastructure fund to the Iowa finance authority for deposit  
14 in the housing trust fund created in section 16.181, for the  
15 fiscal year beginning July 1, 2009, and beginning July 1, ~~2011~~  
16 2012, and for each succeeding fiscal year, the sum of three  
17 million dollars.

18 Sec. 443. Section 16.181A, Code 2011, is amended by adding  
19 the following new subsection:

20 NEW SUBSECTION. 3. There is appropriated from the rebuild  
21 Iowa infrastructure fund to the Iowa finance authority for  
22 deposit in the housing trust fund created in section 16.181,  
23 for the fiscal year beginning July 1, 2011, and ending June 30,  
24 2012, the sum of two million dollars.

25 Sec. 444. Section 16.193, subsection 2, Code 2011, is  
26 amended to read as follows:

27 ~~2. During the term of the Iowa jobs program established~~  
28 ~~in section 16.194 and the Iowa jobs II program established~~  
29 ~~in section 16.194A~~ For the period beginning July 1, 2009,  
30 and ending June 30, 2011, two hundred thousand dollars of  
31 the moneys deposited in the rebuild Iowa infrastructure  
32 fund shall be allocated each fiscal year to the Iowa finance  
33 authority for purposes of administering the Iowa jobs program,  
34 notwithstanding section 8.57, subsection 6, paragraph "c".

35 Sec. 445. EFFECTIVE AND APPLICABILITY DATES. The sections

1 of this division amending section 12.82, being deemed of  
2 immediate importance, take effect upon enactment and, if  
3 approved by the governor on or after July 1, 2011, shall apply  
4 retroactively to June 30, 2011.

5 DIVISION LIV

6 INFRASTRUCTURE AND CAPITALS

7 CHANGES TO PRIOR APPROPRIATIONS

8 Sec. 446. 2006 Iowa Acts, chapter 1179, section 18, is  
9 amended by adding the following new subsection:

10 NEW SUBSECTION. 5. Except for the allocation to Des Moines  
11 area community college and notwithstanding section 8.33, moneys  
12 appropriated from the endowment for Iowa's health restricted  
13 capitals fund for the fiscal year beginning July 1, 2006, and  
14 ending June 30, 2007, in this division of this Act to the  
15 department of public safety for allocation to the division of  
16 fire protection that remain unencumbered or unobligated at the  
17 close of the fiscal year shall not revert but shall remain  
18 available for expenditure for the purposes designated until  
19 the close of the fiscal year beginning July 1, 2011, or until  
20 the project for which the appropriation was made is completed,  
21 whichever is earlier. This subsection shall apply in lieu of  
22 subsection 1 of this section.

23 Sec. 447. 2007 Iowa Acts, chapter 219, section 2, is amended  
24 to read as follows:

25 SEC. 2. REVERSION.

26 1. Notwithstanding Except as provided in subsection 2 and  
27 notwithstanding section 8.33, moneys appropriated for the  
28 fiscal year beginning July 1, 2007, in this division of this  
29 Act that remain unencumbered or unobligated at the close of  
30 the fiscal year shall not revert but shall remain available  
31 for the purposes designated until the close of the fiscal year  
32 that begins July 1, 2010, or until the project for which the  
33 appropriation was made is completed, whichever is earlier.

34 2. a. Notwithstanding section 8.33, moneys appropriated  
35 in section 1, subsection 1, paragraphs "a" and "f" of this



1 division of this Act that remain unencumbered or unobligated at  
2 the close of the fiscal year for which they were appropriated  
3 shall not revert but shall remain available for the purposes  
4 designated until the close of the fiscal year that begins July  
5 1, 2011, or until the project for which the appropriation was  
6 made is completed, whichever is earlier.

7 b. The department of administrative services is authorized  
8 to provide for the disposition and relocation of structures  
9 located at 707 east locust and 709 east locust, Des Moines,  
10 Iowa, in a manner as deemed appropriate by the department.  
11 The disposition of the structures, if possible, shall be  
12 completed in a manner that reduces or eliminates the costs  
13 of the state associated with the removal of the structures  
14 from their current locations. Any amount received from the  
15 disposition of the structures as permitted under this section  
16 shall be retained by the department to pay for improvement  
17 costs associated with the restoration of the west capitol  
18 terrace. The department, if unable to otherwise dispose of  
19 the structures, is authorized to demolish the structures using  
20 other appropriate funding available to the department.

21 Sec. 448. 2008 Iowa Acts, chapter 1179, section 1,  
22 subsection 13, paragraph c, as amended by 2009 Iowa Acts,  
23 chapter 184, section 22, is amended to read as follows:

24 c. For the construction of a depot and platform to  
25 accommodate the future Amtrak service from Dubuque to Chicago,  
26 notwithstanding section 8.57, subsection 6, paragraph "c":

27 ..... \$ 300,000  
28 ..... 60,000

29 Sec. 449. 2008 Iowa Acts, chapter 1179, section 7, as  
30 amended by 2009 Iowa Acts, chapter 173, section 21, and 2010  
31 Iowa Acts, chapter 1184, section 58, is amended to read as  
32 follows:

33 SEC. 7. DEPARTMENT OF ECONOMIC DEVELOPMENT. There is  
34 appropriated from the rebuild Iowa infrastructure fund to  
35 the department of economic development for the designated

1 fiscal years the following amounts, or so much thereof as is  
2 necessary, to be used for the purposes designated:

3 For deposit into the river enhancement community attraction  
4 and tourism fund created in 2008 Iowa Acts, Senate File 2430,  
5 if enacted:

6	FY 2009-2010.....	\$	0
7	FY 2010-2011.....	\$	0
8	FY 2011-2012.....	\$	<del>10,000,000</del>
9			<u>0</u>
10	FY 2012-2013.....	\$	<del>10,000,000</del>
11			<u>0</u>

12 ~~Notwithstanding section 8.33, moneys appropriated in this~~  
13 ~~section for the fiscal year beginning July 1, 2011, and ending~~  
14 ~~June 30, 2012, shall not revert at the close of the fiscal year~~  
15 ~~for which they are appropriated but shall remain available~~  
16 ~~for the purpose designated until the close of the fiscal year~~  
17 ~~that begins July 1, 2014, or until the project for which the~~  
18 ~~appropriation was made is completed, whichever is earlier.~~

19 ~~Notwithstanding section 8.33, moneys appropriated in this~~  
20 ~~section for the fiscal year beginning July 1, 2012, and ending~~  
21 ~~June 30, 2013, shall not revert at the close of the fiscal year~~  
22 ~~for which they are appropriated but shall remain available~~  
23 ~~for the purpose designated until the close of the fiscal year~~  
24 ~~that begins July 1, 2015, or until the project for which the~~  
25 ~~appropriation was made is completed, whichever is earlier.~~

26 Sec. 450. 2008 Iowa Acts, chapter 1179, section 18, as  
27 amended by 2009 Iowa Acts, chapter 173, section 24, subsection  
28 4, paragraph b, unnumbered paragraph 1, is amended to read as  
29 follows:

30 For deposit into the river enhancement community attraction  
31 and tourism fund created in section 15F.205:

32	.....	\$	<del>10,000,000</del>
33			<u>9,200,000</u>

34 Sec. 451. 2009 Iowa Acts, chapter 184, section 1, subsection  
35 12, paragraph a, as amended by 2010 Iowa Acts, chapter 1184,

1 section 71, is amended to read as follows:

2 a. For deposit in the passenger rail service revolving  
3 fund created in section 327J.2, notwithstanding section 8.57,  
4 subsection 6, paragraph "c":

5 ..... \$ 3,000,000  
6 500,000

7 Sec. 452. 2010 Iowa Acts, chapter 1184, section 2,  
8 subsection 3, is amended to read as follows:

9 3. DEPARTMENT OF TRANSPORTATION

10 For deposit into the passenger rail service revolving  
11 fund created in section 327J.2 for matching federal funding  
12 available through the federal Passenger Rail Investment  
13 and Improvement Act of 2008 for passenger rail service,  
14 notwithstanding section 8.57, subsection 6, paragraph "c":

15 FY 2011-2012..... \$ 6,500,000  
16 0

17 ~~It is the intent of the general assembly to fund up to~~  
18 ~~\$20 million over a four year period to fully fund the state~~  
19 ~~commitment for matching federal funding available through the~~  
20 ~~federal Passenger Rail Investment and Improvement Act of 2008.~~

21 Sec. 453. 2010 Iowa Acts, chapter 1184, section 10,  
22 subsection 2, paragraph b, is amended to read as follows:

23 b. For deposit into the river enhancement community  
24 attraction and tourism fund created in section 15F.205:

25 ..... \$ 4,000,000  
26 0

27 Sec. 454. 2010 Iowa Acts, chapter 1184, section 10,  
28 subsection 2, paragraph b, unnumbered paragraph 2, is amended  
29 to read as follows:

30 Moneys appropriated for grants awarded in paragraphs  
31 paragraph "a" and "b" shall be used to assist communities in  
32 the development and creation of multiple purpose attractions or  
33 community service facilities for public use.

34 Sec. 455. 2010 Iowa Acts, chapter 1184, section 10,  
35 subsection 8, is amended to read as follows:

1 8. TREASURER OF STATE

2 For transfer to the watershed improvement review board  
3 created in section 466A.3 for grants associated with ~~the~~  
4 ~~construction and restoration of wetland easements and flood~~  
5 ~~prevention watershed improvement~~ projects:

6 ..... \$ 2,000,000

7 Notwithstanding section 466A.5, moneys from the  
8 appropriation in this subsection shall not be used for  
9 administrative purposes.

10 Sec. 456. 2010 Iowa Acts, chapter 1184, section 14, is  
11 amended to read as follows:

12 SEC. 14. There is appropriated from the ~~FY 2009 prison~~  
13 ~~bonding fund created pursuant to section 12.79~~ rebuild Iowa  
14 infrastructure fund to the department of corrections for the  
15 fiscal year beginning July 1, 2010, and ending June 30, 2011,  
16 the following amount, or so much thereof as is necessary, to be  
17 used for the purpose designated, notwithstanding section 8.57,  
18 subsection 6, paragraph "c":

19 ~~For costs associated with the building of a new Iowa State~~  
20 ~~penitentiary at Fort Madison~~ project management costs at Fort  
21 Madison and Mitchellville prisons, associated with construction  
22 projects at the department:

23 ..... \$ 322,500

24 ~~The appropriation made in this section constitutes approval~~  
25 ~~by the general assembly for the issuance of bonds by the~~  
26 ~~treasurer of state pursuant to section 12.80.~~

27 Sec. 457. 2010 Iowa Acts, chapter 1184, section 16, is  
28 amended to read as follows:

29 SEC. 16. There is appropriated from the Iowa comprehensive  
30 petroleum underground storage tank fund to the department of  
31 transportation for the fiscal year beginning July 1, 2010, and  
32 ending June 30, 2011, the following amount, or so much thereof  
33 as is necessary, to be used for the purposes designated:

34 Notwithstanding section 455G.3, subsection 1, for deposit in  
35 the passenger rail service revolving fund created in section

1 327J.2:

2 .....	\$	2,000,000
3		<u>500,000</u>

4 ~~Such funds shall be coupled with the remaining unobligated~~  
5 ~~balance of up to one million five hundred thousand dollars from~~  
6 ~~the appropriation made in 2009 Iowa Acts, chapter 184, section~~  
7 ~~1, subsection 12, paragraph "a", for a total commitment of~~  
8 ~~three million five hundred thousand dollars for the fiscal year~~  
9 ~~beginning July 1, 2010, and ending June 30, 2011, for matching~~  
10 ~~federal funding available through the Passenger Rail Investment~~  
11 ~~and Improvement Act of 2008.~~

12 Sec. 458. 2010 Iowa Acts, chapter 1184, section 37, is  
13 amended to read as follows:

14 SEC. 37. SITE DEVELOPMENT CONSULTATIONS

15 APPROPRIATION. There is appropriated from the school  
16 infrastructure fund created in section 12.82 to the department  
17 of economic development for the fiscal year beginning July  
18 1, 2010, and ending June 30, 2011, the following amount, or  
19 so much thereof as is necessary, to be used for the purposes  
20 designated:

21 For providing site development consultations pursuant to  
22 section 15E.18, including salaries, support, maintenance,  
23 miscellaneous purposes, and for not more than the following  
24 full-time equivalent positions, notwithstanding section 12.82,  
25 subsection 1:

26 .....	\$	175,000
27 .....	FTEs	1.00

28 Of the moneys appropriated to the department pursuant to  
29 this section, the department may allocate up to \$75,000 for  
30 purposes of contracting with third parties to provide site  
31 development consultations.

32 Sec. 459. 2010 Iowa Acts, chapter 1184, section 39, is  
33 amended to read as follows:

34 SEC. 39. BUSINESS ASSISTANCE INTERNET SITE APPROPRIATION.

35 There is appropriated from the school infrastructure fund

1 created in section 12.82 to the department of economic  
2 development for the fiscal year beginning July 1, 2010, and  
3 ending June 30, 2011, the following amount, or so much thereof  
4 as is necessary, to be used for the purposes designated:

5 For purposes of creating a business assistance internet  
6 site, notwithstanding section 12.82, subsection 1:

7 ..... \$ 20,000

8 Sec. 460. 2010 Iowa Acts, chapter 1184, section 43, is  
9 amended to read as follows:

10 SEC. 43. SAVE OUR SMALL BUSINESSES FUND

11 APPROPRIATION. There is appropriated from the school  
12 infrastructure fund created in section 12.82 to the department  
13 of economic development for deposit in the save our small  
14 businesses fund for the fiscal year beginning July 1, 2010, and  
15 ending June 30, 2011, the following amount, or so much thereof  
16 as is necessary, to be used for the purposes designated,  
17 notwithstanding section 12.82, subsection 1:

18 For purposes of providing financial assistance under the  
19 save our small businesses program under section 15.301:

20 ..... \$ 5,000,000

21 Of the moneys appropriated pursuant to this section, the  
22 department may allocate an amount not to exceed two percent of  
23 the moneys appropriated for purposes of retaining the services  
24 of an organization designated pursuant to section 15.301,  
25 subsection 2, paragraph "b".

26 Sec. 461. 2010 Iowa Acts, chapter 1193, section 6, is  
27 amended to read as follows:

28 SEC. 6. INSTRUCTIONAL SUPPORT STATE AID —

29 APPROPRIATION. In lieu of the appropriation provided  
30 in section 257.20, there is appropriated from the school  
31 infrastructure fund created in section 12.82, subsection 1,  
32 to the department of education for the fiscal year beginning  
33 July 1, 2010, and ending June 30, 2011, the following amount,  
34 or so much thereof as is necessary, to be used for the purposes  
35 designated:

1 For paying instructional support state aid for fiscal year  
2 2010-2011, notwithstanding section 12.82, subsection 1:  
3 ..... \$ 7,500,000

4 Notwithstanding section 257.20, subsection 3, the  
5 appropriation made in this lettered paragraph shall be  
6 allocated in the same manner as the allocation of the  
7 appropriation was made for the same purpose in the previous  
8 fiscal year.

9 Sec. 462. 2011 Iowa Acts, House File 45, section 2,  
10 subsection 2, is amended by adding the following new paragraph:

11 NEW PARAGRAPH. c. This subsection shall not apply to any  
12 appropriations for the fiscal year beginning July 1, 2010,  
13 receiving a supplemental appropriation under 2011 Iowa Acts,  
14 Senate File 209, or any multiyear appropriation that includes  
15 the fiscal year beginning July 1, 2009, for equipment as  
16 determined by the department of management.

17 Sec. 463. EFFECTIVE AND APPLICABILITY DATES. This division  
18 of this Act, being deemed of immediate importance, takes  
19 effect upon enactment and, unless otherwise provided, if  
20 approved by the governor on or after July 1, 2011, shall apply  
21 retroactively to June 30, 2011.

22 Sec. 464. RETROACTIVE APPLICABILITY. The provision of this  
23 division of this Act amending 2011 Iowa Acts, House File 45,  
24 section 2, subsection 2, applies retroactively to March 7,  
25 2011.

26 DIVISION LV  
27 BLOCK GRANTS  
28 FY 2011-2012

29 Sec. 465. SUBSTANCE ABUSE APPROPRIATION.

30 1. There is appropriated from the fund created by section  
31 8.41 to the department of public health for the federal fiscal  
32 year beginning October 1, 2011, and ending September 30, 2012,  
33 the following amount:

34 ..... \$ 13,571,229

35 a. Funds appropriated in this subsection are the

1 anticipated funds to be received from the federal government  
2 for the designated federal fiscal year under 42 U.S.C., ch.  
3 6A, subch. XVII, part B, subpart ii, which provides for the  
4 prevention and treatment of substance abuse block grant.  
5 The department shall expend the funds appropriated in this  
6 subsection as provided in the federal law making the funds  
7 available and in conformance with chapter 17A.

8 b. Of the funds appropriated in this subsection, an amount  
9 not exceeding 5 percent shall be used by the department for  
10 administrative expenses.

11 c. The department shall expend no less than an amount equal  
12 to the amount expended for treatment services in the state  
13 fiscal year beginning July 1, 2010, for pregnant women and  
14 women with dependent children.

15 d. Of the funds appropriated in this subsection, an amount  
16 not exceeding \$24,585 shall be used for audits.

17 2. At least 20 percent of the funds remaining from the  
18 appropriation made in subsection 1 shall be allocated for  
19 prevention programs.

20 3. In implementing the federal prevention and treatment of  
21 substance abuse block grant under 42 U.S.C., ch. 6A, subch.  
22 XVII, and any other applicable provisions of the federal Public  
23 Health Service Act under 42 U.S.C., ch. 6A, the department  
24 shall apply the provisions of Pub. L. No. 106-310, § 3305,  
25 as codified in 42 U.S.C. § 300x-65, relating to services  
26 under such federal law being provided by religious and other  
27 nongovernmental organizations.

28 Sec. 466. COMMUNITY MENTAL HEALTH SERVICES APPROPRIATION.

29 1. a. There is appropriated from the fund created by  
30 section 8.41 to the department of human services for the  
31 federal fiscal year beginning October 1, 2011, and ending  
32 September 30, 2012, the following amount:

33 ..... \$ 3,370,840

34 b. Funds appropriated in this subsection are the  
35 anticipated funds to be received from the federal government



1 for the designated federal fiscal year under 42 U.S.C., ch.  
2 6A, subch. XVII, part B, subpart i, which provides for the  
3 community mental health services block grant. The department  
4 shall expend the funds appropriated in this subsection as  
5 provided in the federal law making the funds available and in  
6 conformance with chapter 17A.

7 c. The department shall allocate not less than 95 percent  
8 of the amount of the block grant to eligible community mental  
9 health services providers for carrying out the plan submitted  
10 to and approved by the federal substance abuse and mental  
11 health services administration for the fiscal year involved.

12 d. Of the amount allocated to eligible services providers  
13 under paragraph "c", 70 percent shall be distributed to  
14 the state's accredited community mental health centers  
15 established or designated by counties in accordance with law  
16 or administrative rule. If a county has not established or  
17 designated a community mental health center and has received  
18 a waiver from the mental health and disability services  
19 commission, the mental health services provider designated  
20 by that county is eligible to receive funding distributed  
21 pursuant to this paragraph in lieu of a community mental health  
22 center. The funding distributed shall be used by recipients  
23 of the funding for the purpose of developing and providing  
24 evidence-based practices and emergency services to adults with  
25 a serious mental illness and children with a serious emotional  
26 disturbance. The distribution amounts shall be announced at  
27 the beginning of the federal fiscal year and distributed on  
28 a quarterly basis according to the formulas used in previous  
29 fiscal years. Recipients shall submit quarterly reports  
30 containing data consistent with the performance measures  
31 approved by the federal substance abuse and mental health  
32 services administration.

33 2. An amount not exceeding 5 percent of the funds  
34 appropriated in subsection 1 shall be used by the department  
35 of human services for administrative expenses. From the

1 funds set aside by this subsection for administrative  
2 expenses, the department shall pay to the auditor of state  
3 an amount sufficient to pay the cost of auditing the use  
4 and administration of the state's portion of the funds  
5 appropriated in subsection 1. The auditor of state shall bill  
6 the department for the costs of the audits.

7 Sec. 467. MATERNAL AND CHILD HEALTH SERVICES  
8 APPROPRIATIONS.

9 1. There is appropriated from the fund created by section  
10 8.41 to the department of public health for the federal fiscal  
11 year beginning October 1, 2011, and ending September 30, 2012,  
12 the following amount:

13 ..... \$ 6,529,540

14 a. The funds appropriated in this subsection are the funds  
15 anticipated to be received from the federal government for  
16 the designated federal fiscal year under 42 U.S.C., ch. 7,  
17 subch. V, which provides for the maternal and child health  
18 services block grant. The department shall expend the funds  
19 appropriated in this subsection as provided in the federal law  
20 making the funds available and in conformance with chapter 17A.

21 b. Funds appropriated in this subsection shall not be used  
22 by the university of Iowa hospitals and clinics for indirect  
23 costs.

24 2. An amount not exceeding 10 percent of the funds  
25 appropriated in subsection 1 shall be used by the department of  
26 public health for administrative expenses.

27 3. The departments of public health, human services, and  
28 education and the university of Iowa's mobile and regional  
29 child health specialty clinics shall continue to pursue to the  
30 maximum extent feasible the coordination and integration of  
31 services to women and children.

32 4. a. Sixty-three percent of the remaining funds  
33 appropriated in subsection 1 shall be allocated to supplement  
34 appropriations for maternal and child health programs within  
35 the department of public health. Of these funds, \$300,291

1 shall be set aside for the statewide perinatal care program.

2 b. Thirty-seven percent of the remaining funds appropriated  
3 in subsection 1 shall be allocated to the university of Iowa  
4 hospitals and clinics under the control of the state board  
5 of regents for mobile and regional child health specialty  
6 clinics. The university of Iowa hospitals and clinics shall  
7 not receive an allocation for indirect costs from the funds for  
8 this program. Priority shall be given to establishment and  
9 maintenance of a statewide system of mobile and regional child  
10 health specialty clinics.

11 5. The department of public health shall administer the  
12 statewide maternal and child health program and the disabled  
13 children's program by conducting mobile and regional child  
14 health specialty clinics and conducting other activities to  
15 improve the health of low-income women and children and to  
16 promote the welfare of children with actual or potential  
17 handicapping conditions and chronic illnesses in accordance  
18 with the requirements of Tit. V of the federal Social Security  
19 Act.

20 Sec. 468. PREVENTIVE HEALTH AND HEALTH SERVICES  
21 APPROPRIATIONS.

22 1. There is appropriated from the fund created by section  
23 8.41 to the department of public health for the federal fiscal  
24 year beginning October 1, 2011, and ending September 30, 2012,  
25 the following amount:

26 ..... \$ 1,102,464

27 Funds appropriated in this subsection are the funds  
28 anticipated to be received from the federal government for  
29 the designated federal fiscal year under 42 U.S.C., ch. 6A,  
30 subch. XVII, part A, which provides for the preventive health  
31 and health services block grant. The department shall expend  
32 the funds appropriated in this subsection as provided in the  
33 federal law making the funds available and in conformance with  
34 chapter 17A.

35 2. Of the funds appropriated in subsection 1, an amount

1 not exceeding 10 percent shall be used by the department for  
2 administrative expenses.

3 3. Of the funds appropriated in subsection 1, the specific  
4 amount of funds stipulated by the notice of the block grant  
5 award shall be allocated for services to victims of sex  
6 offenses and for rape prevention education.

7 4. After deducting the funds allocated in subsections 2 and  
8 3, the remaining funds appropriated in subsection 1 may be used  
9 by the department for healthy people 2011/healthy Iowans 2011  
10 program objectives, preventive health advisory committee, and  
11 risk reduction services, including nutrition programs, health  
12 incentive programs, chronic disease services, emergency medical  
13 services, monitoring of the fluoridation program and start-up  
14 fluoridation grants, and acquired immune deficiency syndrome  
15 services. The moneys specified in this subsection shall not be  
16 used by the university of Iowa hospitals and clinics or by the  
17 state hygienic laboratory for the funding of indirect costs.

18 Sec. 469. STOP VIOLENCE AGAINST WOMEN GRANT PROGRAM  
19 APPROPRIATION.

20 1. There is appropriated from the fund created by section  
21 8.41 to the department of justice for the federal fiscal year  
22 beginning October 1, 2011, and ending September 30, 2012, the  
23 following amount:

24 ..... \$ 1,588,692

25 Funds appropriated in this subsection are the anticipated  
26 funds to be received from the federal government for the  
27 designated fiscal year under 42 U.S.C., ch. 46, § 3796gg-1,  
28 which provides for grants to combat violent crimes against  
29 women. The department of justice shall expend the funds  
30 appropriated in this subsection as provided in the federal law  
31 making the funds available and in conformance with chapter 17A.

32 2. An amount not exceeding 10 percent of the funds  
33 appropriated in subsection 1 shall be used by the department of  
34 justice for administrative expenses. From the funds set aside  
35 by this subsection for administrative expenses, the department

1 shall pay to the auditor of state an amount sufficient to pay  
2 the cost of auditing the use and administration of the state's  
3 portion of the funds appropriated in subsection 1.

4 Sec. 470. RESIDENTIAL SUBSTANCE ABUSE TREATMENT FOR STATE  
5 PRISONERS FORMULA GRANT PROGRAM. There is appropriated from  
6 the fund created by section 8.41 to the governor's office of  
7 drug control policy for the federal fiscal year beginning  
8 October 1, 2011, and ending September 30, 2012, the following  
9 amount:

10 ..... \$ 246,826

11 Funds appropriated in this section are the funds anticipated  
12 to be received from the federal government for the designated  
13 fiscal year under 42 U.S.C., ch. 46, subch. XII-G, which  
14 provides grants for substance abuse treatment programs in state  
15 and local correctional facilities. The drug policy coordinator  
16 shall expend the funds appropriated in this section as provided  
17 in federal law making the funds available and in conformance  
18 with chapter 17A.

19 Sec. 471. EDWARD BYRNE MEMORIAL JUSTICE ASSISTANCE GRANT  
20 PROGRAM APPROPRIATION.

21 1. There is appropriated from the fund created by section  
22 8.41 to the governor's office of drug control policy for the  
23 federal fiscal year beginning October 1, 2011, and ending  
24 September 30, 2012, the following amount:

25 ..... \$ 2,974,695

26 Funds appropriated in this subsection are the anticipated  
27 funds to be received from the federal government for the  
28 designated fiscal year under 42 U.S.C., ch. 46, subch. V, which  
29 provides for the Edward Byrne memorial justice assistance grant  
30 program. The drug policy coordinator shall expend the funds  
31 appropriated in this subsection as provided in the federal law  
32 making the funds available and in conformance with chapter 17A.

33 2. An amount not exceeding 10 percent of the funds  
34 appropriated in subsection 1 shall be used by the drug policy  
35 coordinator for administrative expenses. From the funds set

1 aside by this subsection for administrative expenses, the  
2 drug policy coordinator shall pay to the auditor of state an  
3 amount sufficient to pay the cost of auditing the use and  
4 administration of the state's portion of the funds appropriated  
5 in subsection 1.

6 Sec. 472. COMMUNITY SERVICES APPROPRIATIONS.

7 1. a. There is appropriated from the fund created by  
8 section 8.41 to the division of community action agencies of  
9 the department of human rights for the federal fiscal year  
10 beginning October 1, 2011, and ending September 30, 2012, the  
11 following amount:

12 ..... \$ 7,540,877

13 Funds appropriated in this subsection are the funds  
14 anticipated to be received from the federal government for the  
15 designated federal fiscal year under 42 U.S.C., ch. 106, which  
16 provides for the community services block grant. The division  
17 of community action agencies of the department of human rights  
18 shall expend the funds appropriated in this subsection as  
19 provided in the federal law making the funds available and in  
20 conformance with chapter 17A.

21 b. The administrator of the division of community action  
22 agencies of the department of human rights shall allocate  
23 not less than 96 percent of the amount of the block grant to  
24 eligible community action agencies for programs benefiting  
25 low-income persons. Each eligible agency shall receive a  
26 minimum allocation of not less than \$100,000. The minimum  
27 allocation shall be achieved by redistributing increased  
28 funds from agencies experiencing a greater share of available  
29 funds. The funds shall be distributed on the basis of  
30 the poverty-level population in the area represented by  
31 the community action areas compared to the size of the  
32 poverty-level population in the state.

33 2. An amount not exceeding 4 percent of the funds  
34 appropriated in subsection 1 shall be used by the division of  
35 community action agencies of the department of human rights

1 for administrative expenses. From the funds set aside by  
2 this subsection for administrative expenses, the division of  
3 community action agencies of the department of human rights  
4 shall pay to the auditor of state an amount sufficient to pay  
5 the cost of auditing the use and administration of the state's  
6 portion of the funds appropriated in subsection 1. The auditor  
7 of state shall bill the division of community action agencies  
8 for the costs of the audits.

9 Sec. 473. COMMUNITY DEVELOPMENT APPROPRIATIONS.

10 1. There is appropriated from the fund created by section  
11 8.41 to the department of economic development for the federal  
12 fiscal year beginning October 1, 2011, and ending September 30,  
13 2012, the following amount:

14 ..... \$ 28,514,788

15 Funds appropriated in this subsection are the funds  
16 anticipated to be received from the federal government for  
17 the designated federal fiscal year under 42 U.S.C., ch. 69,  
18 which provides for community development block grants. The  
19 department of economic development shall expend the funds  
20 appropriated in this subsection as provided in the federal law  
21 making the funds available and in conformance with chapter 17A.

22 2. An amount not exceeding \$1,240,000 for the federal fiscal  
23 year beginning October 1, 2011, shall be used by the department  
24 of economic development for administrative expenses for the  
25 community development block grant. The total amount used for  
26 administrative expenses includes \$670,000 for the federal  
27 fiscal year beginning October 1, 2011, of funds appropriated  
28 in subsection 1 and a matching contribution from the state  
29 equal to \$570,000 from the appropriation of state funds for the  
30 community development block grant and state appropriations for  
31 related activities of the department of economic development.  
32 From the funds set aside for administrative expenses by this  
33 subsection, the department of economic development shall pay  
34 to the auditor of state an amount sufficient to pay the cost of  
35 auditing the use and administration of the state's portion of

1 the funds appropriated in subsection 1. The auditor of state  
2 shall bill the department for the costs of the audit.

3 Sec. 474. LOW-INCOME HOME ENERGY ASSISTANCE APPROPRIATIONS.

4 1. There is appropriated from the fund created by section  
5 8.41 to the division of community action agencies of the  
6 department of human rights for the federal fiscal year  
7 beginning October 1, 2011, and ending September 30, 2012, the  
8 following amount:

9 ..... \$ 70,527,851

10 The funds appropriated in this subsection are the funds  
11 anticipated to be received from the federal government for the  
12 designated federal fiscal year under 42 U.S.C., ch. 94, subch.  
13 II, which provides for the low-income home energy assistance  
14 block grants. The division of community action agencies of the  
15 department of human rights shall expend the funds appropriated  
16 in this subsection as provided in the federal law making the  
17 funds available and in conformance with chapter 17A.

18 2. Up to 15 percent of the amount appropriated in this  
19 section that is actually received shall be used for residential  
20 weatherization or other related home repairs for low-income  
21 households. Of this allocation amount, not more than 10  
22 percent may be used for administrative expenses.

23 3. After subtracting the allocation in subsection 2,  
24 up to 10 percent of the remaining moneys are allocated  
25 for administrative expenses of the low-income home energy  
26 assistance program of which \$377,000 is allocated for  
27 administrative expenses of the division. The costs of auditing  
28 the use and administration of the portion of the appropriation  
29 in this section that is retained by the state shall be paid  
30 from the amount allocated in this subsection to the division.  
31 The auditor of state shall bill the division for the audit  
32 costs.

33 4. The remaining moneys of the appropriation in this section  
34 following the allocations made in subsections 2 and 3, shall be  
35 used to help eligible households as defined in 42 U.S.C., ch.



1 94, subch. II, to meet home energy costs.

2 5. Not more than 10 percent of the amount appropriated in  
3 this section that is actually received may be carried forward  
4 for use in the succeeding federal fiscal year.

5 6. Expenditures for assessment and resolution of energy  
6 problems shall be limited to not more than 5 percent of the  
7 amount appropriated in this section that is actually received.

8 Sec. 475. SOCIAL SERVICES APPROPRIATIONS.

9 1. There is appropriated from the fund created by section  
10 8.41 to the department of human services for the federal fiscal  
11 year beginning October 1, 2011, and ending September 30, 2012,  
12 the following amount:

13 ..... \$ 16,562,583

14 Funds appropriated in this subsection are the funds  
15 anticipated to be received from the federal government for  
16 the designated federal fiscal year under 42 U.S.C., ch.  
17 7, subch. XX, which provides for the social services block  
18 grant. The department of human services shall expend the funds  
19 appropriated in this subsection as provided in the federal law  
20 making the funds available and in conformance with chapter 17A.

21 2. Not more than \$1,065,917 of the funds appropriated in  
22 subsection 1 shall be used by the department of human services  
23 for general administration. From the funds set aside in this  
24 subsection for general administration, the department of human  
25 services shall pay to the auditor of state an amount sufficient  
26 to pay the cost of auditing the use and administration of the  
27 state's portion of the funds appropriated in subsection 1.

28 3. In addition to the allocation for general administration  
29 in subsection 2, the remaining funds appropriated in subsection  
30 1 shall be allocated in the following amounts to supplement  
31 appropriations for the federal fiscal year beginning October  
32 1, 2011, for the following programs within the department of  
33 human services:

34 a. Field operations:

35 ..... \$ 6,375,369

1	b. Child and family services:	
2	.....	\$ 824,195
3	c. Local administrative costs and other local services:	
4	.....	\$ 676,125
5	d. Volunteers:	
6	.....	\$ 74,023
7	e. MH/MR/DD/BI community services (local purchase):	
8	.....	\$ 7,546,954

9 Sec. 476. SOCIAL SERVICES BLOCK GRANT PLAN. The department  
10 of human services during each state fiscal year shall develop a  
11 plan for the use of federal social services block grant funds  
12 for the subsequent state fiscal year.

13 The proposed plan shall include all programs and services  
14 at the state level which the department proposes to fund with  
15 federal social services block grant funds, and shall identify  
16 state and other funds which the department proposes to use to  
17 fund the state programs and services.

18 The proposed plan shall also include all local programs and  
19 services which are eligible to be funded with federal social  
20 services block grant funds, the total amount of federal social  
21 services block grant funds available for the local programs and  
22 services, and the manner of distribution of the federal social  
23 services block grant funds to the counties. The proposed plan  
24 shall identify state and local funds which will be used to fund  
25 the local programs and services.

26 The proposed plan shall be submitted with the department's  
27 budget requests to the governor and the general assembly.

28 Sec. 477. PROJECTS FOR ASSISTANCE IN TRANSITION FROM  
29 HOMELESSNESS.

30 1. Upon receipt of the minimum formula grant from  
31 the federal substance abuse and mental health services  
32 administration to provide mental health services for the  
33 homeless, for the federal fiscal year beginning October 1,  
34 2011, and ending September 30, 2012, the department of human  
35 services shall assure that a project which receives funds under

1 the formula grant shall do all of the following:

2 a. Provide outreach and engagement to homeless individuals  
3 and individuals at risk of homelessness and assesses those  
4 individuals for serious mental illness.

5 b. Enroll those individuals with serious mental illness who  
6 are willing to accept services through the project.

7 c. Provide case management to homeless persons.

8 d. Provide appropriate training to persons who provide  
9 services to persons targeted by the grant.

10 e. Assure a local match share of 25 percent.

11 f. Refer homeless individuals and individuals at risk of  
12 homelessness to primary health care, job training, educational  
13 services, and relevant housing services.

14 2. A project may expend funds for community mental health  
15 services, diagnostic services, crisis intervention services,  
16 habilitation and rehabilitation services, substance abuse  
17 services, supportive and supervisory services to homeless  
18 persons living in residential settings that are not otherwise  
19 supported, and housing services including minor renovation,  
20 expansion, and repair of housing, security deposits, planning  
21 of housing, technical assistance in applying for housing,  
22 improving the coordination of housing services, the costs  
23 associated with matching eligible homeless individuals with  
24 appropriate housing, and one-time rental payments to prevent  
25 eviction.

26 Sec. 478. CHILD CARE AND DEVELOPMENT APPROPRIATION. There  
27 is appropriated from the fund created by section 8.41 to the  
28 department of human services for the federal fiscal year  
29 beginning October 1, 2011, and ending September 30, 2012, the  
30 following amount:

31 ..... \$ 43,792,517

32 Funds appropriated in this section are the funds anticipated  
33 to be received from the federal government under 42 U.S.C.,  
34 ch. 105, subch. II-B, which provides for the child care and  
35 development block grant. The department shall expend the funds

1 appropriated in this section as provided in the federal law  
2 making the funds available and in conformance with chapter 17A.  
3 Moneys appropriated in this section that remain unencumbered  
4 or unobligated at the close of the fiscal year shall revert to  
5 be available for appropriation for purposes of the child care  
6 and development block grant in the succeeding fiscal year.

7 Sec. 479. PROCEDURE FOR REDUCED FEDERAL FUNDS.

8 1. If the funds received from the federal government for the  
9 block grants specified in this Act are less than the amounts  
10 appropriated, the funds actually received shall be prorated  
11 by the governor for the various programs, other than for the  
12 services to victims of sex offenses and for rape prevention  
13 education under section 4, subsection 3, of this Act, for which  
14 each block grant is available according to the percentages that  
15 each program is to receive as specified in this Act. However,  
16 if the governor determines that the funds allocated by the  
17 percentages will not be sufficient to accomplish the purposes  
18 of a particular program, or if the appropriation is not  
19 allocated by percentage, the governor may allocate the funds in  
20 a manner which will accomplish to the greatest extent possible  
21 the purposes of the various programs for which the block grants  
22 are available.

23 2. Before the governor implements the actions provided for  
24 in subsection 1, the following procedures shall be taken:

25 a. The chairpersons and ranking members of the senate and  
26 house standing committees on appropriations, the appropriate  
27 chairpersons and ranking members of subcommittees of those  
28 committees, and the director of the legislative services agency  
29 shall be notified of the proposed action.

30 b. The notice shall include the proposed allocations,  
31 and information on the reasons why particular percentages or  
32 amounts of funds are allocated to the individual programs,  
33 the departments and programs affected, and other information  
34 deemed useful. Chairpersons and ranking members notified shall  
35 be allowed at least two weeks to review and comment on the

1 proposed action before the action is taken.

2 Sec. 480. PROCEDURE FOR INCREASED FEDERAL FUNDS.

3 1. If funds received from the federal government in the form  
4 of block grants exceed the amounts appropriated in sections 1,  
5 2, 3, 4, 7, 9, and 11 of this Act, the excess shall be prorated  
6 to the appropriate programs according to the percentages  
7 specified in those sections, except additional funds shall not  
8 be prorated for administrative expenses.

9 2. If actual funds received from the federal government  
10 from block grants exceed the amount appropriated in section 10  
11 of this Act for the low-income home energy assistance program,  
12 not more than 10 percent of the excess may be allocated to the  
13 low-income residential weatherization program and not more than  
14 15 percent of the excess may be used for administrative costs.

15 3. If funds received from the federal government from  
16 community services block grants exceed the amount appropriated  
17 in section 8 of this Act, 100 percent of the excess is  
18 allocated to the community services block grant program.

19 Sec. 481. PROCEDURE FOR EXPENDITURE OF ADDITIONAL FEDERAL  
20 FUNDS. If other federal grants, receipts, and funds and other  
21 nonstate grants, receipts, and funds become available or are  
22 awarded which are not available or awarded during the period  
23 in which the general assembly is in session, but which require  
24 expenditure by the applicable department or agency prior  
25 to March 15 of the fiscal year beginning July 1, 2011, and  
26 ending June 30, 2012, these grants, receipts, and funds are  
27 appropriated to the extent necessary, provided that the fiscal  
28 committee of the legislative council is notified within 30 days  
29 of receipt of the grants, receipts, or funds and the fiscal  
30 committee of the legislative council has an opportunity to  
31 comment on the expenditure of the grants, receipts, or funds.

32 Sec. 482. OTHER GRANTS, RECEIPTS, AND FUNDS. Federal  
33 grants, receipts, and funds and other nonstate grants,  
34 receipts, and funds, available in whole or in part of the  
35 fiscal year beginning July 1, 2011, and ending June 30, 2012,

1 are appropriated to the following departments and agencies that  
2 are designated by and for the purposes set forth in the grants,  
3 receipts, or conditions accompanying the receipt of the funds,  
4 unless otherwise provided by law:

- 5 1. Department of administrative services.
- 6 2. Department on aging.
- 7 3. Department of agriculture and land stewardship.
- 8 4. Office of auditor of state.
- 9 5. Department for the blind.
- 10 6. Iowa state civil rights commission.
- 11 7. College student aid commission.
- 12 8. Department of commerce.
- 13 9. Department of corrections.
- 14 10. Department of cultural affairs.
- 15 11. Department of economic development.
- 16 12. Department of education.
- 17 13. Office of energy independence.
- 18 14. Iowa ethics and campaign disclosure board.
- 19 15. Iowa finance authority.
- 20 16. Offices of the governor and lieutenant governor.
- 21 17. Governor's office of drug control policy.
- 22 18. Department of human rights.
- 23 19. Department of human services.
- 24 20. Department of inspections and appeals.
- 25 21. Judicial branch.
- 26 22. Department of justice.
- 27 23. Iowa law enforcement academy.
- 28 24. Department of management.
- 29 25. Department of natural resources.
- 30 26. Board of parole.
- 31 27. Department of public defense.
- 32 28. Public employment relations board.
- 33 29. Department of public health.
- 34 30. Department of public safety.
- 35 31. State board of regents.

- 1 32. Department of revenue.
- 2 33. Office of secretary of state.
- 3 34. Iowa state fair authority.
- 4 35. Office for state-federal relations.
- 5 36. Iowa telecommunications and technology commission.
- 6 37. Office of treasurer of state.
- 7 38. Department of transportation.
- 8 39. Department of veterans affairs.
- 9 40. Department of workforce development.

10 DIVISION LVI  
 11 BLOCK GRANTS  
 12 FY 2012-2013

13 Sec. 483. SUBSTANCE ABUSE APPROPRIATION.

14 1. There is appropriated from the fund created by section  
 15 8.41 to the department of public health for the federal fiscal  
 16 year beginning October 1, 2012, and ending September 30, 2013,  
 17 the following amount:

18 ..... \$ 11,535,545

19 a. Funds appropriated in this subsection are the  
 20 anticipated funds to be received from the federal government  
 21 for the designated federal fiscal year under 42 U.S.C., ch.  
 22 6A, subch. XVII, part B, subpart ii, which provides for the  
 23 prevention and treatment of substance abuse block grant.  
 24 The department shall expend the funds appropriated in this  
 25 subsection as provided in the federal law making the funds  
 26 available and in conformance with chapter 17A.

27 b. Of the funds appropriated in this subsection, an amount  
 28 not exceeding 5 percent shall be used by the department for  
 29 administrative expenses.

30 c. The department shall expend no less than an amount equal  
 31 to the amount expended for treatment services in the state  
 32 fiscal year beginning July 1, 2011, for pregnant women and  
 33 women with dependent children.

34 d. Of the funds appropriated in this subsection, an amount  
 35 not exceeding \$20,897 shall be used for audits.

1 2. At least 20 percent of the funds remaining from the  
2 appropriation made in subsection 1 shall be allocated for  
3 prevention programs.

4 3. In implementing the federal prevention and treatment of  
5 substance abuse block grant under 42 U.S.C., ch. 6A, subch.  
6 XVII, and any other applicable provisions of the federal Public  
7 Health Service Act under 42 U.S.C., ch. 6A, the department  
8 shall apply the provisions of Pub. L. No. 106-310, § 3305,  
9 as codified in 42 U.S.C. § 300x-65, relating to services  
10 under such federal law being provided by religious and other  
11 nongovernmental organizations.

12 Sec. 484. COMMUNITY MENTAL HEALTH SERVICES APPROPRIATION.

13 1. a. There is appropriated from the fund created by  
14 section 8.41 to the department of human services for the  
15 federal fiscal year beginning October 1, 2012, and ending  
16 September 30, 2013, the following amount:

17 ..... \$ 2,865,214

18 b. Funds appropriated in this subsection are the  
19 anticipated funds to be received from the federal government  
20 for the designated federal fiscal year under 42 U.S.C., ch.  
21 6A, subch. XVII, part B, subpart i, which provides for the  
22 community mental health services block grant. The department  
23 shall expend the funds appropriated in this subsection as  
24 provided in the federal law making the funds available and in  
25 conformance with chapter 17A.

26 c. The department shall allocate not less than 95 percent  
27 of the amount of the block grant to eligible community mental  
28 health services providers for carrying out the plan submitted  
29 to and approved by the federal substance abuse and mental  
30 health services administration for the fiscal year involved.

31 d. Of the amount allocated to eligible services providers  
32 under paragraph "c", 70 percent shall be distributed to  
33 the state's accredited community mental health centers  
34 established or designated by counties in accordance with law  
35 or administrative rule. If a county has not established or



1 designated a community mental health center and has received  
2 a waiver from the mental health and disability services  
3 commission, the mental health services provider designated  
4 by that county is eligible to receive funding distributed  
5 pursuant to this paragraph in lieu of a community mental health  
6 center. The funding distributed shall be used by recipients  
7 of the funding for the purpose of developing and providing  
8 evidence-based practices and emergency services to adults with  
9 a serious mental illness and children with a serious emotional  
10 disturbance. The distribution amounts shall be announced at  
11 the beginning of the federal fiscal year and distributed on  
12 a quarterly basis according to the formulas used in previous  
13 fiscal years. Recipients shall submit quarterly reports  
14 containing data consistent with the performance measures  
15 approved by the federal substance abuse and mental health  
16 services administration.

17 2. An amount not exceeding 5 percent of the funds  
18 appropriated in subsection 1 shall be used by the department  
19 of human services for administrative expenses. From the  
20 funds set aside by this subsection for administrative  
21 expenses, the department shall pay to the auditor of state  
22 an amount sufficient to pay the cost of auditing the use  
23 and administration of the state's portion of the funds  
24 appropriated in subsection 1. The auditor of state shall bill  
25 the department for the costs of the audits.

26 Sec. 485. MATERNAL AND CHILD HEALTH SERVICES  
27 APPROPRIATIONS.

28 1. There is appropriated from the fund created by section  
29 8.41 to the department of public health for the federal fiscal  
30 year beginning October 1, 2012, and ending September 30, 2013,  
31 the following amount:

32 ..... \$ 5,550,109

33 a. The funds appropriated in this subsection are the funds  
34 anticipated to be received from the federal government for  
35 the designated federal fiscal year under 42 U.S.C., ch. 7,

1 subch. V, which provides for the maternal and child health  
2 services block grant. The department shall expend the funds  
3 appropriated in this subsection as provided in the federal law  
4 making the funds available and in conformance with chapter 17A.

5 b. Funds appropriated in this subsection shall not be used  
6 by the university of Iowa hospitals and clinics for indirect  
7 costs.

8 2. An amount not exceeding 10 percent of the funds  
9 appropriated in subsection 1 shall be used by the department of  
10 public health for administrative expenses.

11 3. The departments of public health, human services, and  
12 education and the university of Iowa's mobile and regional  
13 child health specialty clinics shall continue to pursue to the  
14 maximum extent feasible the coordination and integration of  
15 services to women and children.

16 4. a. Sixty-three percent of the remaining funds  
17 appropriated in subsection 1 shall be allocated to supplement  
18 appropriations for maternal and child health programs within  
19 the department of public health. Of these funds, \$255,247  
20 shall be set aside for the statewide perinatal care program.

21 b. Thirty-seven percent of the remaining funds appropriated  
22 in subsection 1 shall be allocated to the university of Iowa  
23 hospitals and clinics under the control of the state board  
24 of regents for mobile and regional child health specialty  
25 clinics. The university of Iowa hospitals and clinics shall  
26 not receive an allocation for indirect costs from the funds for  
27 this program. Priority shall be given to establishment and  
28 maintenance of a statewide system of mobile and regional child  
29 health specialty clinics.

30 5. The department of public health shall administer the  
31 statewide maternal and child health program and the disabled  
32 children's program by conducting mobile and regional child  
33 health specialty clinics and conducting other activities to  
34 improve the health of low-income women and children and to  
35 promote the welfare of children with actual or potential

1 handicapping conditions and chronic illnesses in accordance  
2 with the requirements of Tit. V of the federal Social Security  
3 Act.

4 Sec. 486. PREVENTIVE HEALTH AND HEALTH SERVICES  
5 APPROPRIATIONS.

6 1. There is appropriated from the fund created by section  
7 8.41 to the department of public health for the federal fiscal  
8 year beginning October 1, 2012, and ending September 30, 2013,  
9 the following amount:

10 ..... \$ 937,094

11 Funds appropriated in this subsection are the funds  
12 anticipated to be received from the federal government for  
13 the designated federal fiscal year under 42 U.S.C., ch. 6A,  
14 subch. XVII, part A, which provides for the preventive health  
15 and health services block grant. The department shall expend  
16 the funds appropriated in this subsection as provided in the  
17 federal law making the funds available and in conformance with  
18 chapter 17A.

19 2. Of the funds appropriated in subsection 1, an amount  
20 not exceeding 10 percent shall be used by the department for  
21 administrative expenses.

22 3. Of the funds appropriated in subsection 1, the specific  
23 amount of funds stipulated by the notice of the block grant  
24 award shall be allocated for services to victims of sex  
25 offenses and for rape prevention education.

26 4. After deducting the funds allocated in subsections 2 and  
27 3, the remaining funds appropriated in subsection 1 may be used  
28 by the department for healthy people 2011/healthy Iowans 2011  
29 program objectives, preventive health advisory committee, and  
30 risk reduction services, including nutrition programs, health  
31 incentive programs, chronic disease services, emergency medical  
32 services, monitoring of the fluoridation program and start-up  
33 fluoridation grants, and acquired immune deficiency syndrome  
34 services. The moneys specified in this subsection shall not be  
35 used by the university of Iowa hospitals and clinics or by the

1 state hygienic laboratory for the funding of indirect costs.

2 Sec. 487. STOP VIOLENCE AGAINST WOMEN GRANT PROGRAM  
3 APPROPRIATION.

4 1. There is appropriated from the fund created by section  
5 8.41 to the department of justice for the federal fiscal year  
6 beginning October 1, 2012, and ending September 30, 2013, the  
7 following amount:

8 ..... \$ 1,350,388

9 Funds appropriated in this subsection are the anticipated  
10 funds to be received from the federal government for the  
11 designated fiscal year under 42 U.S.C., ch. 46, § 3796gg-1,  
12 which provides for grants to combat violent crimes against  
13 women. The department of justice shall expend the funds  
14 appropriated in this subsection as provided in the federal law  
15 making the funds available and in conformance with chapter 17A.

16 2. An amount not exceeding 10 percent of the funds  
17 appropriated in subsection 1 shall be used by the department of  
18 justice for administrative expenses. From the funds set aside  
19 by this subsection for administrative expenses, the department  
20 shall pay to the auditor of state an amount sufficient to pay  
21 the cost of auditing the use and administration of the state's  
22 portion of the funds appropriated in subsection 1.

23 Sec. 488. RESIDENTIAL SUBSTANCE ABUSE TREATMENT FOR STATE  
24 PRISONERS FORMULA GRANT PROGRAM. There is appropriated from  
25 the fund created by section 8.41 to the governor's office of  
26 drug control policy for the federal fiscal year beginning  
27 October 1, 2012, and ending September 30, 2013, the following  
28 amount:

29 ..... \$ 209,802

30 Funds appropriated in this section are the funds anticipated  
31 to be received from the federal government for the designated  
32 fiscal year under 42 U.S.C., ch. 46, subch. XII-G, which  
33 provides grants for substance abuse treatment programs in state  
34 and local correctional facilities. The drug policy coordinator  
35 shall expend the funds appropriated in this section as provided

1 in federal law making the funds available and in conformance  
2 with chapter 17A.

3 Sec. 489. EDWARD BYRNE MEMORIAL JUSTICE ASSISTANCE GRANT  
4 PROGRAM APPROPRIATION.

5 1. There is appropriated from the fund created by section  
6 8.41 to the governor's office of drug control policy for the  
7 federal fiscal year beginning October 1, 2012, and ending  
8 September 30, 2013, the following amount:

9 ..... \$ 2,528,491

10 Funds appropriated in this subsection are the anticipated  
11 funds to be received from the federal government for the  
12 designated fiscal year under 42 U.S.C., ch. 46, subch. V, which  
13 provides for the Edward Byrne memorial justice assistance grant  
14 program. The drug policy coordinator shall expend the funds  
15 appropriated in this subsection as provided in the federal law  
16 making the funds available and in conformance with chapter 17A.

17 2. An amount not exceeding 10 percent of the funds  
18 appropriated in subsection 1 shall be used by the drug policy  
19 coordinator for administrative expenses. From the funds set  
20 aside by this subsection for administrative expenses, the  
21 drug policy coordinator shall pay to the auditor of state an  
22 amount sufficient to pay the cost of auditing the use and  
23 administration of the state's portion of the funds appropriated  
24 in subsection 1.

25 Sec. 490. COMMUNITY SERVICES APPROPRIATIONS.

26 1. a. There is appropriated from the fund created by  
27 section 8.41 to the division of community action agencies of  
28 the department of human rights for the federal fiscal year  
29 beginning October 1, 2012, and ending September 30, 2013, the  
30 following amount:

31 ..... \$ 6,409,745

32 Funds appropriated in this subsection are the funds  
33 anticipated to be received from the federal government for the  
34 designated federal fiscal year under 42 U.S.C., ch. 106, which  
35 provides for the community services block grant. The division

1 of community action agencies of the department of human rights  
2 shall expend the funds appropriated in this subsection as  
3 provided in the federal law making the funds available and in  
4 conformance with chapter 17A.

5 b. The administrator of the division of community action  
6 agencies of the department of human rights shall allocate  
7 not less than 96 percent of the amount of the block grant to  
8 eligible community action agencies for programs benefiting  
9 low-income persons. Each eligible agency shall receive a  
10 minimum allocation of not less than \$85,000. The minimum  
11 allocation shall be achieved by redistributing increased  
12 funds from agencies experiencing a greater share of available  
13 funds. The funds shall be distributed on the basis of  
14 the poverty-level population in the area represented by  
15 the community action areas compared to the size of the  
16 poverty-level population in the state.

17 2. An amount not exceeding 4 percent of the funds  
18 appropriated in subsection 1 shall be used by the division of  
19 community action agencies of the department of human rights  
20 for administrative expenses. From the funds set aside by  
21 this subsection for administrative expenses, the division of  
22 community action agencies of the department of human rights  
23 shall pay to the auditor of state an amount sufficient to pay  
24 the cost of auditing the use and administration of the state's  
25 portion of the funds appropriated in subsection 1. The auditor  
26 of state shall bill the division of community action agencies  
27 for the costs of the audits.

28 Sec. 491. COMMUNITY DEVELOPMENT APPROPRIATIONS.

29 1. There is appropriated from the fund created by section  
30 8.41 to the department of economic development for the federal  
31 fiscal year beginning October 1, 2012, and ending September 30,  
32 2013, the following amount:

33 ..... \$ 24,237,570

34 Funds appropriated in this subsection are the funds  
35 anticipated to be received from the federal government for

1 the designated federal fiscal year under 42 U.S.C., ch. 69,  
2 which provides for community development block grants. The  
3 department of economic development shall expend the funds  
4 appropriated in this subsection as provided in the federal law  
5 making the funds available and in conformance with chapter 17A.

6 2. An amount not exceeding \$1,054,000 for the federal fiscal  
7 year beginning October 1, 2012, shall be used by the department  
8 of economic development for administrative expenses for the  
9 community development block grant. The total amount used for  
10 administrative expenses includes \$569,500 for the federal  
11 fiscal year beginning October 1, 2012, of funds appropriated  
12 in subsection 1 and a matching contribution from the state  
13 equal to \$484,500 from the appropriation of state funds for the  
14 community development block grant and state appropriations for  
15 related activities of the department of economic development.  
16 From the funds set aside for administrative expenses by this  
17 subsection, the department of economic development shall pay  
18 to the auditor of state an amount sufficient to pay the cost of  
19 auditing the use and administration of the state's portion of  
20 the funds appropriated in subsection 1. The auditor of state  
21 shall bill the department for the costs of the audit.

22 Sec. 492. LOW-INCOME HOME ENERGY ASSISTANCE APPROPRIATIONS.

23 1. There is appropriated from the fund created by section  
24 8.41 to the division of community action agencies of the  
25 department of human rights for the federal fiscal year  
26 beginning October 1, 2012, and ending September 30, 2013, the  
27 following amount:

28 ..... \$ 59,948,673

29 The funds appropriated in this subsection are the funds  
30 anticipated to be received from the federal government for the  
31 designated federal fiscal year under 42 U.S.C., ch. 94, subch.  
32 II, which provides for the low-income home energy assistance  
33 block grants. The division of community action agencies of the  
34 department of human rights shall expend the funds appropriated  
35 in this subsection as provided in the federal law making the

1 funds available and in conformance with chapter 17A.

2 2. Up to 15 percent of the amount appropriated in this  
3 section that is actually received shall be used for residential  
4 weatherization or other related home repairs for low-income  
5 households. Of this allocation amount, not more than 10  
6 percent may be used for administrative expenses.

7 3. After subtracting the allocation in subsection 2,  
8 up to 10 percent of the remaining moneys are allocated  
9 for administrative expenses of the low-income home energy  
10 assistance program of which \$320,450 is allocated for  
11 administrative expenses of the division. The costs of auditing  
12 the use and administration of the portion of the appropriation  
13 in this section that is retained by the state shall be paid  
14 from the amount allocated in this subsection to the division.  
15 The auditor of state shall bill the division for the audit  
16 costs.

17 4. The remaining moneys of the appropriation in this section  
18 following the allocations made in subsections 2 and 3, shall be  
19 used to help eligible households as defined in 42 U.S.C., ch.  
20 94, subch. II, to meet home energy costs.

21 5. Not more than 10 percent of the amount appropriated in  
22 this section that is actually received may be carried forward  
23 for use in the succeeding federal fiscal year.

24 6. Expenditures for assessment and resolution of energy  
25 problems shall be limited to not more than 5 percent of the  
26 amount appropriated in this section that is actually received.

27 Sec. 493. SOCIAL SERVICES APPROPRIATIONS.

28 1. There is appropriated from the fund created by section  
29 8.41 to the department of human services for the federal fiscal  
30 year beginning October 1, 2012, and ending September 30, 2013,  
31 the following amount:

32 ..... \$ 14,078,196

33 Funds appropriated in this subsection are the funds  
34 anticipated to be received from the federal government for  
35 the designated federal fiscal year under 42 U.S.C., ch.



1 7, subch. XX, which provides for the social services block  
2 grant. The department of human services shall expend the funds  
3 appropriated in this subsection as provided in the federal law  
4 making the funds available and in conformance with chapter 17A.

5 2. Not more than \$906,029 of the funds appropriated in  
6 subsection 1 shall be used by the department of human services  
7 for general administration. From the funds set aside in this  
8 subsection for general administration, the department of human  
9 services shall pay to the auditor of state an amount sufficient  
10 to pay the cost of auditing the use and administration of the  
11 state's portion of the funds appropriated in subsection 1.

12 3. In addition to the allocation for general administration  
13 in subsection 2, the remaining funds appropriated in subsection  
14 1 shall be allocated in the following amounts to supplement  
15 appropriations for the federal fiscal year beginning October  
16 1, 2012, for the following programs within the department of  
17 human services:

- 18 a. Field operations:  
19 ..... \$ 5,419,064
- 20 b. Child and family services:  
21 ..... \$ 700,566
- 22 c. Local administrative costs and other local services:  
23 ..... \$ 574,706
- 24 d. Volunteers:  
25 ..... \$ 62,920
- 26 e. MH/MR/DD/BI community services (local purchase):  
27 ..... \$ 6,414,911

28 Sec. 494. SOCIAL SERVICES BLOCK GRANT PLAN. The department  
29 of human services during each state fiscal year shall develop a  
30 plan for the use of federal social services block grant funds  
31 for the subsequent state fiscal year.

32 The proposed plan shall include all programs and services  
33 at the state level which the department proposes to fund with  
34 federal social services block grant funds, and shall identify  
35 state and other funds which the department proposes to use to

1 fund the state programs and services.

2 The proposed plan shall also include all local programs and  
3 services which are eligible to be funded with federal social  
4 services block grant funds, the total amount of federal social  
5 services block grant funds available for the local programs and  
6 services, and the manner of distribution of the federal social  
7 services block grant funds to the counties. The proposed plan  
8 shall identify state and local funds which will be used to fund  
9 the local programs and services.

10 The proposed plan shall be submitted with the department's  
11 budget requests to the governor and the general assembly.

12 Sec. 495. PROJECTS FOR ASSISTANCE IN TRANSITION FROM  
13 HOMELESSNESS.

14 1. Upon receipt of the minimum formula grant from  
15 the federal substance abuse and mental health services  
16 administration to provide mental health services for the  
17 homeless, for the federal fiscal year beginning October 1,  
18 2012, and ending September 30, 2013, the department of human  
19 services shall assure that a project which receives funds under  
20 the formula grant shall do all of the following:

21 a. Provide outreach and engagement to homeless individuals  
22 and individuals at risk of homelessness and assesses those  
23 individuals for serious mental illness.

24 b. Enroll those individuals with serious mental illness who  
25 are willing to accept services through the project.

26 c. Provide case management to homeless persons.

27 d. Provide appropriate training to persons who provide  
28 services to persons targeted by the grant.

29 e. Assure a local match share of 25 percent.

30 f. Refer homeless individuals and individuals at risk of  
31 homelessness to primary health care, job training, educational  
32 services, and relevant housing services.

33 2. A project may expend funds for community mental health  
34 services, diagnostic services, crisis intervention services,  
35 habilitation and rehabilitation services, substance abuse

1 services, supportive and supervisory services to homeless  
2 persons living in residential settings that are not otherwise  
3 supported, and housing services including minor renovation,  
4 expansion, and repair of housing, security deposits, planning  
5 of housing, technical assistance in applying for housing,  
6 improving the coordination of housing services, the costs  
7 associated with matching eligible homeless individuals with  
8 appropriate housing, and one-time rental payments to prevent  
9 eviction.

10 Sec. 496. CHILD CARE AND DEVELOPMENT APPROPRIATION. There  
11 is appropriated from the fund created by section 8.41 to the  
12 department of human services for the federal fiscal year  
13 beginning October 1, 2012, and ending September 30, 2013, the  
14 following amount:

15 ..... \$ 37,223,639

16 Funds appropriated in this section are the funds anticipated  
17 to be received from the federal government under 42 U.S.C.,  
18 ch. 105, subch. II-B, which provides for the child care and  
19 development block grant. The department shall expend the funds  
20 appropriated in this section as provided in the federal law  
21 making the funds available and in conformance with chapter 17A.

22 Moneys appropriated in this section that remain unencumbered  
23 or unobligated at the close of the fiscal year shall revert to  
24 be available for appropriation for purposes of the child care  
25 and development block grant in the succeeding fiscal year.

26 Sec. 497. PROCEDURE FOR REDUCED FEDERAL FUNDS.

27 1. If the funds received from the federal government for the  
28 block grants specified in this Act are less than the amounts  
29 appropriated, the funds actually received shall be prorated  
30 by the governor for the various programs, other than for the  
31 services to victims of sex offenses and for rape prevention  
32 education under section 22, subsection 3, of this division of  
33 this Act, for which each block grant is available according to  
34 the percentages that each program is to receive as specified in  
35 this division of this Act. However, if the governor determines

1 that the funds allocated by the percentages will not be  
2 sufficient to accomplish the purposes of a particular program,  
3 or if the appropriation is not allocated by percentage,  
4 the governor may allocate the funds in a manner which will  
5 accomplish to the greatest extent possible the purposes of the  
6 various programs for which the block grants are available.

7 2. Before the governor implements the actions provided for  
8 in subsection 1, the following procedures shall be taken:

9 a. The chairpersons and ranking members of the senate and  
10 house standing committees on appropriations, the appropriate  
11 chairpersons and ranking members of subcommittees of those  
12 committees, and the director of the legislative services agency  
13 shall be notified of the proposed action.

14 b. The notice shall include the proposed allocations,  
15 and information on the reasons why particular percentages or  
16 amounts of funds are allocated to the individual programs,  
17 the departments and programs affected, and other information  
18 deemed useful. Chairpersons and ranking members notified shall  
19 be allowed at least two weeks to review and comment on the  
20 proposed action before the action is taken.

21 Sec. 498. PROCEDURE FOR INCREASED FEDERAL FUNDS.

22 1. If funds received from the federal government in the form  
23 of block grants exceed the amounts appropriated in sections 19,  
24 20, 21, 22, 25, 27, and 29 of this division of this Act, the  
25 excess shall be prorated to the appropriate programs according  
26 to the percentages specified in those sections, except  
27 additional funds shall not be prorated for administrative  
28 expenses.

29 2. If actual funds received from the federal government  
30 from block grants exceed the amount appropriated in section 28  
31 of this division of this Act for the low-income home energy  
32 assistance program, not more than 10 percent of the excess  
33 may be allocated to the low-income residential weatherization  
34 program and not more than 15 percent of the excess may be used  
35 for administrative costs.

1 3. If funds received from the federal government from  
2 community services block grants exceed the amount appropriated  
3 in section 26 of this division of this Act, 100 percent of  
4 the excess is allocated to the community services block grant  
5 program.

6 Sec. 499. PROCEDURE FOR EXPENDITURE OF ADDITIONAL FEDERAL  
7 FUNDS. If other federal grants, receipts, and funds and other  
8 nonstate grants, receipts, and funds become available or are  
9 awarded which are not available or awarded during the period  
10 in which the general assembly is in session, but which require  
11 expenditure by the applicable department or agency prior  
12 to March 15 of the fiscal year beginning July 1, 2012, and  
13 ending June 30, 2013, these grants, receipts, and funds are  
14 appropriated to the extent necessary, provided that the fiscal  
15 committee of the legislative council is notified within 30 days  
16 of receipt of the grants, receipts, or funds and the fiscal  
17 committee of the legislative council has an opportunity to  
18 comment on the expenditure of the grants, receipts, or funds.

19 Sec. 500. EXPENDITURE REPORT. Each department, agency,  
20 or authority receiving an appropriation of federal funds  
21 pursuant to this Act for the federal fiscal year beginning  
22 October 1, 2011, or October 1, 2012, shall submit a detailed  
23 plan for the expenditure of the federal funds designated for  
24 departmental administrative expenses to the members of the  
25 joint appropriations subcommittee with jurisdiction over the  
26 state appropriations for the department, agency, or authority.  
27 The plan shall be submitted at least 60 calendar days prior to  
28 the commencement of the federal fiscal year to which the plan  
29 applies and shall be accompanied by a detailed report on the  
30 actual department administrative expenditures for the federal  
31 fiscal year in progress and the most recently completed federal  
32 fiscal year, both in a form acceptable to the legislative  
33 services agency.

34 Sec. 501. OTHER GRANTS, RECEIPTS, AND FUNDS. Federal  
35 grants, receipts, and funds and other nonstate grants,

1 receipts, and funds, available in whole or in part of the  
2 fiscal year beginning July 1, 2012, and ending June 30, 2013,  
3 are appropriated to the following departments and agencies that  
4 are designated by and for the purposes set forth in the grants,  
5 receipts, or conditions accompanying the receipt of the funds,  
6 unless otherwise provided by law:

- 7 1. Department of administrative services.
- 8 2. Department on aging.
- 9 3. Department of agriculture and land stewardship.
- 10 4. Office of auditor of state.
- 11 5. Department for the blind.
- 12 6. Iowa state civil rights commission.
- 13 7. College student aid commission.
- 14 8. Department of commerce.
- 15 9. Department of corrections.
- 16 10. Department of cultural affairs.
- 17 11. Department of economic development.
- 18 12. Department of education.
- 19 13. Office of energy independence.
- 20 14. Iowa ethics and campaign disclosure board.
- 21 15. Iowa finance authority.
- 22 16. Offices of the governor and lieutenant governor.
- 23 17. Governor's office of drug control policy.
- 24 18. Department of human rights.
- 25 19. Department of human services.
- 26 20. Department of inspections and appeals.
- 27 21. Judicial branch.
- 28 22. Department of justice.
- 29 23. Iowa law enforcement academy.
- 30 24. Department of management.
- 31 25. Department of natural resources.
- 32 26. Board of parole.
- 33 27. Department of public defense.
- 34 28. Public employment relations board.
- 35 29. Department of public health.

- 1 30. Department of public safety.
- 2 31. State board of regents.
- 3 32. Department of revenue.
- 4 33. Office of secretary of state.
- 5 34. Iowa state fair authority.
- 6 35. Office for state-federal relations.
- 7 36. Iowa telecommunications and technology commission.
- 8 37. Office of treasurer of state.
- 9 38. Department of transportation.
- 10 39. Department of veterans affairs.
- 11 40. Department of workforce development.

12 DIVISION LVII

13 STANDINGS

14 STANDING APPROPRIATIONS AND RELATED MATTERS — FY 2011-2012

15 Sec. 502. BUDGET PROCESS FOR FISCAL YEAR 2012-2013.

16 1. For the budget process applicable to the fiscal year  
17 beginning July 1, 2012, on or before October 1, 2011, in lieu  
18 of the information specified in section 8.23, subsection 1,  
19 unnumbered paragraph 1, and paragraph "a", all departments and  
20 establishments of the government shall transmit to the director  
21 of the department of management, on blanks to be furnished by  
22 the director, estimates of their expenditure requirements,  
23 including every proposed expenditure, for the ensuing fiscal  
24 year, together with supporting data and explanations as called  
25 for by the director of the department of management after  
26 consultation with the legislative services agency.

27 2. The estimates of expenditure requirements shall be  
28 in a form specified by the director of the department of  
29 management, and the expenditure requirements shall include all  
30 proposed expenditures and shall be prioritized by program or  
31 the results to be achieved. The estimates shall be accompanied  
32 by performance measures for evaluating the effectiveness of the  
33 programs or results.

34 Sec. 503. LIMITATION OF STANDING APPROPRIATIONS.

35 Notwithstanding the standing appropriations in the following

1 designated sections for the fiscal year beginning July 1, 2011,  
2 and ending June 30, 2012, the amounts appropriated from the  
3 general fund of the state pursuant to these sections for the  
4 following designated purposes shall not exceed the following  
5 amounts:

6 1. For performance of duty by the executive council in  
7 sections 7D.29, 8A.321, and 29C.20:  
8 ..... \$ 38,000,000

9 2. For operational support grants and community cultural  
10 grants under section 99F.11, subsection 3, paragraph "d",  
11 subparagraph (1):  
12 ..... \$ 416,702

13 3. For regional tourism marketing under section 99F.11,  
14 subsection 3, paragraph "d", subparagraph (2):  
15 ..... \$ 810,306

16 4. For the center for congenital and inherited disorders  
17 central registry under section 144.13A, subsection 4, paragraph  
18 "a":  
19 ..... \$ 171,121

20 5. For primary and secondary child abuse prevention  
21 programs under section 144.13A, subsection 4, paragraph "a":  
22 ..... \$ 217,772

23 6. For programs for at-risk children under section 279.51:  
24 ..... \$ 10,804,258

25 The amount of any reduction in this subsection shall be  
26 prorated among the programs specified in section 279.51,  
27 subsection 1, paragraphs "a", "b", and "c".

28 7. For payment for nonpublic school transportation under  
29 section 285.2:  
30 ..... \$ 7,060,931

31 If total approved claims for reimbursement for nonpublic  
32 school pupil transportation exceed the amount appropriated in  
33 accordance with this subsection, the department of education  
34 shall prorate the amount of each approved claim.

35 8. For reimbursement for the homestead property tax credit



1 under section 425.1:

2 ..... \$ 86,188,387

3 9. For reimbursement for the family farm and agricultural  
4 land tax credits under sections 425A.1 and 426.1:

5 ..... \$ 32,395,131

6 10. For the enforcement of chapter 453D relating to tobacco  
7 product manufacturers under section 453D.8:

8 ..... \$ 18,416

9 Sec. 504. INSTRUCTIONAL SUPPORT STATE AID — FY

10 2011-2012. In lieu of the appropriation provided in section  
11 257.20, subsection 2, the appropriation for the fiscal year  
12 beginning July 1, 2011, and ending June 30, 2012, for paying  
13 instructional support state aid under section 257.20 for fiscal  
14 year 2011-2012 is zero.

15 Sec. 505. APPROPRIATION — FARMERS WITH

16 DISABILITIES. There is appropriated from the general fund of  
17 the state to the department of agriculture and land stewardship  
18 for the fiscal year beginning July 1, 2011, and ending June 30,  
19 2012, the following amount, or so much thereof as is necessary,  
20 for a program for farmers with disabilities:

21 ..... \$ 97,000

22 The moneys appropriated in this section shall be used  
23 for the public purpose of providing a grant to a national  
24 nonprofit organization with over 80 years of experience in  
25 assisting children and adults with disabilities and special  
26 needs. The moneys shall be used to support a nationally  
27 recognized program that began in 1986 and has been replicated  
28 in at least 30 other states, but which is not available through  
29 any other entity in this state, and that provides assistance  
30 to farmers with disabilities in all 99 counties to allow the  
31 farmers to remain in their own homes and be gainfully engaged  
32 in farming through provision of agricultural worksite and home  
33 modification consultations, peer support services, services  
34 to families, information and referral, and equipment loan  
35 services. Notwithstanding section 8.33, moneys appropriated

1 in this section that remain unencumbered or unobligated at the  
2 close of the fiscal year shall not revert but shall remain  
3 available for expenditure for the purposes designated until the  
4 close of the succeeding fiscal year.

5 Sec. 506. Section 256.30, unnumbered paragraph 1, Code  
6 2011, is amended by striking the unnumbered paragraph and  
7 inserting in lieu thereof the following:

8 For the fiscal year beginning July 1, 2011, and ending  
9 June 30, 2012, there is appropriated from the general fund of  
10 the state to the department the sum of one hundred thousand  
11 dollars. For the fiscal year beginning July 1, 2012, and  
12 ending June 30, 2013, and for each succeeding fiscal year,  
13 there is appropriated from the general fund of the state to  
14 the department the sum of eighty-five thousand dollars. The  
15 department shall distribute the appropriation to the tribal  
16 council of the Sac and Fox Indian settlement for expenses of  
17 educating American Indian children residing in the Sac and Fox  
18 Indian settlement on land held in trust by the secretary of  
19 the interior of the United States in excess of federal moneys  
20 paid to the tribal council for educating the American Indian  
21 children when moneys are appropriated for that purpose. The  
22 tribal council shall administer the moneys distributed pursuant  
23 to this section and shall submit an annual report and other  
24 reports as required by the department to the department on the  
25 expenditure of the moneys.

26 Sec. 507. Section 257.35, Code 2011, is amended by adding  
27 the following new subsection:

28 NEW SUBSECTION. 5A. Notwithstanding subsection 1, and in  
29 addition to the reduction applicable pursuant to subsection  
30 2, the state aid for area education agencies and the portion  
31 of the combined district cost calculated for these agencies  
32 for the fiscal year beginning July 1, 2011, and ending June  
33 30, 2012, shall be reduced by the department of management by  
34 twenty million dollars. The reduction for each area education  
35 agency shall be prorated based on the reduction that the agency

1 received in the fiscal year beginning July 1, 2003.

2 Sec. 508. Section 453A.35, subsection 1, Code 2011, is  
3 amended to read as follows:

4 1. a. ~~The~~ With the exception of revenues credited to the  
5 health care trust fund pursuant to paragraph "b", the proceeds  
6 derived from the sale of stamps and the payment of taxes, fees,  
7 and penalties provided for under this chapter, and the permit  
8 fees received from all permits issued by the department, shall  
9 be credited to the general fund of the state. However, of  
10 b. Of the revenues generated from the tax on cigarettes  
11 pursuant to section 453A.6, subsection 1, and from the tax on  
12 tobacco products as specified in section 453A.43, subsections  
13 1, 2, 3, and 4, and credited to the general fund of the state  
14 under this subsection, there is appropriated, annually, to the  
15 health care trust fund created in section 453A.35A, the first  
16 one hundred six million sixteen thousand four hundred dollars  
17 shall be credited to the health care trust fund created in  
18 section 453A.35A.

19 Sec. 509. Section 453A.35A, subsection 1, Code 2011, is  
20 amended to read as follows:

21 1. A health care trust fund is created in the office of  
22 the treasurer of state. The fund consists of the revenues  
23 generated from the tax on cigarettes pursuant to section  
24 453A.6, subsection 1, and from the tax on tobacco products  
25 as specified in section 453A.43, subsections 1, 2, 3, and  
26 4, that are credited to the ~~general fund of the state and~~  
27 ~~appropriated to the~~ health care trust fund, annually, pursuant  
28 to section 453A.35. Moneys in the fund shall be separate from  
29 the general fund of the state and shall not be considered  
30 part of the general fund of the state. However, the fund  
31 shall be considered a special account for the purposes of  
32 section 8.53 relating to generally accepted accounting  
33 principles. Moneys in the fund shall be used only as specified  
34 in this section and shall be appropriated only for the uses  
35 specified. Moneys in the fund are not subject to section 8.33

1 and shall not be transferred, used, obligated, appropriated,  
2 or otherwise encumbered, except as provided in this section.  
3 Notwithstanding section 12C.7, subsection 2, interest or  
4 earnings on moneys deposited in the fund shall be credited to  
5 the fund.

6 DIVISION LVIII

7 STANDINGS

8 SALARIES, COMPENSATION, AND RELATED MATTERS — FY 2011-2012

9 Sec. 510. BONUS PAY. For the fiscal years beginning July  
10 1, 2011, and July 1, 2012, employees of the executive branch,  
11 judicial branch, and legislative branch shall not receive bonus  
12 pay unless otherwise authorized by law, required pursuant to  
13 a contract of employment entered into before July 1, 2011,  
14 or required pursuant to a collective bargaining agreement.  
15 This section does not apply to employees of the state board of  
16 regents who receive bonuses funded by nonpublic moneys. For  
17 purposes of this section, "bonus pay" means any additional  
18 remuneration provided an employee in the form of a bonus,  
19 including but not limited to a retention bonus, recruitment  
20 bonus, exceptional job performance pay, extraordinary job  
21 performance pay, exceptional performance pay, extraordinary  
22 duty pay, or extraordinary or special duty pay, and any extra  
23 benefit not otherwise provided to other similarly situated  
24 employees.

25 Sec. 511. SALARY INCREASES — CERTAIN REVOLVING FUNDS.

26 1. For the fiscal years beginning July 1, 2011, and July  
27 1, 2012, there is appropriated from the gaming enforcement  
28 revolving fund an amount necessary for funding annual pay  
29 adjustments and related benefits for agents and officers of  
30 the division of criminal investigation's racetrack, excursion  
31 boat, or gambling structure enforcement activities. Moneys  
32 appropriated pursuant to this subsection shall be in addition  
33 to and supplement other appropriations from the fund.

34 2. For the fiscal years beginning July 1, 2011, and July  
35 1, 2012, there is appropriated from the gaming regulatory

1 revolving fund, if enacted by the Eighty-fourth General  
2 Assembly, 2011 session, an amount necessary for funding annual  
3 pay adjustments and related benefits for positions in the  
4 racing and gaming commission of the department of inspections  
5 and appeals who are assigned to administration and enforcement  
6 of the excursion boat and gambling structure laws. Moneys  
7 appropriated pursuant to this subsection shall be in addition  
8 to and supplement other appropriations from the fund.

9     Sec. 512. STATE TROOPER MEAL ALLOWANCE. For the fiscal  
10 years beginning July 1, 2011, and July 1, 2012, the sworn peace  
11 officers in the department of public safety who are not covered  
12 by a collective bargaining agreement negotiated pursuant to  
13 chapter 20 shall receive the same per diem meal allowance as  
14 the sworn peace officers in the department of public safety who  
15 are covered by a collective bargaining agreement negotiated  
16 pursuant to chapter 20.

17     Sec. 513. SALARY MODEL ADMINISTRATOR. The salary model  
18 administrator shall work in conjunction with the legislative  
19 services agency to maintain the state's salary model used for  
20 analyzing, comparing, and projecting state employee salary  
21 and benefit information, including information relating to  
22 employees of the state board of regents. The department of  
23 revenue, the department of administrative services, the five  
24 institutions under the jurisdiction of the state board of  
25 regents, the judicial district departments of correctional  
26 services, and the state department of transportation shall  
27 provide salary data to the department of management and the  
28 legislative services agency to operate the state's salary  
29 model. The format and frequency of provision of the salary  
30 data shall be determined by the department of management and  
31 the legislative services agency. The information shall be  
32 used in collective bargaining processes under chapter 20 and  
33 in calculating the funding needs contained within the annual  
34 salary adjustment legislation. A state employee organization  
35 as defined in section 20.3, subsection 4, may request

1 information produced by the model, but the information provided  
2 shall not contain information attributable to individual  
3 employees.

4 Sec. 514. GROUP HEALTH INSURANCE PREMIUM COSTS FOR STATE  
5 EMPLOYEES.

6 1. The state's executive and judicial branch authorities  
7 responsible for negotiating the collective bargaining  
8 agreements entered into under chapter 20 shall engage in  
9 discussions with the applicable state employee organizations  
10 to renegotiate provisions involving health insurance coverage  
11 of state employees and their families in order to achieve cost  
12 savings for the state. The discussions shall include but  
13 are not limited to a requirement for a state employee who is  
14 covered by a collective bargaining agreement and is a member of  
15 state group health insurance plan for employees of the state  
16 established under chapter 509A to pay at least one hundred  
17 dollars per month of the total premium for such health plan  
18 coverage for single persons or increase the amount paid per  
19 month for family coverage by the same amount that would be paid  
20 for the single person's coverage.

21 2. If collective bargaining agreements are renegotiated  
22 to achieve cost savings pursuant to subsection 1, the cost  
23 savings provisions shall also apply to state employees who are  
24 not covered by collective bargaining as provided in chapter  
25 20 and are members of a state group health insurance plan for  
26 employees of the state established under chapter 509A.

27 3. Beginning on the effective date of this section, a state  
28 legislator or legislative staff member who is a member of a  
29 state group health insurance plan for employees of the state  
30 established under chapter 509A shall pay at least one hundred  
31 dollars per month of the total premium for such health care  
32 coverage for single persons or increase the amount paid per  
33 month for family coverage by the same amount that would be paid  
34 for the single persons coverage. The payment amount shall be  
35 determined by the legislative council, subject to the minimum

1 amount specified in this subsection.

2 Sec. 515. NEW SECTION. **8A.440 Group health insurance**  
3 **premium costs.**

4 1. Collective bargaining agreements entered into pursuant  
5 to chapter 20 for state employees shall provide that a state  
6 employee covered by that agreement who is a member of a  
7 state group health insurance plan for employees of the state  
8 established under chapter 509A shall pay at least one hundred  
9 dollars per month of the total premium for such insurance for  
10 single persons or increase the amount paid per month for family  
11 coverage by the same amount that would be paid for the single  
12 person's coverage.

13 2. A state employee not covered by a collective bargaining  
14 agreement as provided in chapter 20 who is a member of a  
15 state group health insurance plan for employees of the state  
16 established under chapter 509A shall pay the same amount per  
17 month of the total premium for such insurance as is paid under  
18 the collective bargaining agreement that covers the greatest  
19 number of state employees in the state government entity  
20 employing the state employee.

21 Sec. 516. **APPLICABILITY.** The section of this division  
22 of this Act enacting section 8A.440, applies to collective  
23 bargaining agreements entered into on or after the effective  
24 date of that section of this division of this Act.

25 Sec. 517. **EFFECTIVE UPON ENACTMENT.** The following sections  
26 of this division of this Act, being deemed of immediate  
27 importance, take effect upon enactment:

28 1. The section of this division relating to group health  
29 insurance premium costs for state employees.

30 2. The section of this division enacting section 8A.440.

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

32 **DIVISION LIX**

33 **STANDINGS**

34 **CORRECTIVE PROVISIONS**

35 Sec. 518. Section 8.6, subsection 9A, as enacted by 2011

1 Iowa Acts, House File 45, section 39, is amended to read as  
2 follows:

3 9A. *Budget and tax rate databases.* To develop and make  
4 available to the public a searchable budget database and  
5 internet site as required under chapter 8G, ~~division~~ subchapter  
6 I, and to develop and make available to the public a searchable  
7 tax rate database and internet site as required under chapter  
8 8G, ~~division~~ subchapter II.

9 Sec. 519. Section 8.57E, subsection 3, paragraph a, as  
10 enacted by 2011 Iowa Acts, Senate File 209, section 30, is  
11 amended to read as follows:

12 a. Moneys in the ~~taxpayer's~~ taxpayers trust fund may be  
13 used for cash flow purposes during a fiscal year provided that  
14 any moneys so allocated are returned to the fund by the end of  
15 that fiscal year.

16 Sec. 520. Section 8G.13, as enacted by 2011 Iowa Acts, House  
17 File 45, section 50, is amended to read as follows:

18 **8G.13 Updating database.**

19 To facilitate the department of management's efforts in  
20 creating and maintaining a searchable database of the taxes  
21 identified in section 8G.12, subsection 3 1, for all taxing  
22 jurisdictions in the state, each taxing jurisdiction may  
23 annually be required to report its tax rates to the department  
24 of management or the department of revenue and shall report any  
25 changes to its tax rates within thirty days of the change.

26 Sec. 521. Section 16.193, subsection 3, paragraph a, Code  
27 2011, as amended by 2011 Iowa Acts, Senate File 475, section  
28 11, is amended to read as follows:

29 a. During the term of the Iowa jobs program and Iowa jobs  
30 II program, the Iowa finance authority shall collect data on  
31 all of the projects approved for the ~~program~~ programs. The  
32 department of management and the state agencies associated  
33 with the projects shall assist the authority with the data  
34 collection and in developing the report required by this  
35 subsection. The authority shall report quarterly to the



1 governor and the general assembly concerning the data.

2 Sec. 522. Section 68A.401, subsection 4, Code 2011, as  
3 amended by 2011 Iowa Acts, Senate File 475, section 17, is  
4 amended to read as follows:

5 4. Political committees expressly advocating the  
6 nomination, election, or defeat of candidates for both  
7 federal office and any elected office created by law or the  
8 Constitution of the State of Iowa shall file statements and  
9 reports with the board in addition to any federal reports  
10 required to be filed with the board. However, a political  
11 committee that is registered and filing full disclosure  
12 reports of all financial activities with the federal election  
13 commission may file verified statements as provided in section  
14 ~~68B.201A~~ 68A.201A.

15 Sec. 523. Section 139A.19, subsection 3, as enacted by 2011  
16 Iowa Acts, House File 467, section 20, is amended to read as  
17 follows:

18 3. This section does not preclude a hospital, clinic, other  
19 health facility, or a health care provider from providing  
20 notification to a care provider under circumstances in  
21 which the hospital's, clinic's, other health facility's, or  
22 health care provider's policy provides for notification of  
23 the hospital's, ~~clinics~~ clinic's, other health facility's,  
24 or health care provider's own employees of exposure to a  
25 contagious or infectious disease that is not life-threatening  
26 if the notice does not reveal a patient's name, unless the  
27 patient consents.

28 Sec. 524. Section 175.3, subsection 1, paragraph a, Code  
29 2011, as amended by 2011 Iowa Acts, Senate File 429, section 1,  
30 is amended to read as follows:

31 a. The agricultural development authority is established  
32 within the department of agriculture and land stewardship. The  
33 agency authority is constituted as a public instrumentality  
34 and agency of the state exercising public and essential  
35 governmental functions.

1     Sec. 525. Section 207.22, subsection 3, paragraph b, Code  
2 2011, as amended by 2011 Iowa Acts, Senate File 475, section  
3 47, is amended to read as follows:

4     *b.* Acquisition of coal refuse disposal sites and all  
5 coal refuse thereon will serve the purposes of ~~Tit. IV of~~  
6 Pub. L. No. 95-87, Tit. IV, codified at 30 U.S.C. ch. 25,  
7 subch. IV, or that public ownership is desirable to meet  
8 emergency situations and prevent recurrences of the adverse  
9 effect of past coal mining practices.

10    Sec. 526. Section 232.71D, subsection 3, paragraph a,  
11 unnumbered paragraph 1, as enacted by 2011 Iowa Acts, House  
12 File 562, section 3, is amended to read as follows:

13    Unless any of the circumstances listed in paragraph "b" are  
14 applicable, cases to which any of the following circumstances  
15 apply shall not be placed ~~on~~ in the central registry:

16    Sec. 527. Section 256.7, subsection 26, paragraph a,  
17 subparagraph (1), as enacted by 2011 Iowa Acts, Senate File  
18 453, section 1, is amended to read as follows:

19    (1) The rules establishing high school graduation  
20 requirements shall authorize a school district or  
21 accredited nonpublic school to consider that any student who  
22 satisfactorily completes a high school-level unit of English  
23 or language arts, mathematics, science, or social studies has  
24 satisfactorily completed a unit of the high school graduation  
25 requirements for that area as specified in this lettered  
26 paragraph, and ~~to~~ shall authorize the school district or  
27 accredited nonpublic school to issue high school credit for the  
28 unit to the student.

29    Sec. 528. Section 321.34, subsection 20C, paragraph a,  
30 if enacted by 2011 Iowa Acts, House File 651, section 2, is  
31 amended to read as follows:

32    *a.* The department, in consultation with the adjutant  
33 general, shall design combat infantryman badge, combat action  
34 badge, combat action ribbon, air force combat action medal,  
35 and combat medical badge distinguishing processed emblems.

1 Upon receipt of two hundred fifty orders for ~~special~~ combat  
2 infantryman badge, combat action badge, combat action ribbon,  
3 air force combat action medal, or combat medical badge special  
4 registration plates, accompanied by a start-up fee of twenty  
5 dollars per order, the department shall begin issuing special  
6 registration plates with the applicable distinguishing  
7 processed emblem as provided in paragraphs "b" and "c". The  
8 minimum order requirement shall apply separately to each of the  
9 special registration plates created under this subsection.

10 Sec. 529. Section 321.34, subsection 25, paragraph a,  
11 if enacted by 2011 Iowa Acts, House File 651, section 2, is  
12 amended to read as follows:

13 a. The department, in consultation with the adjutant  
14 general, shall design a civil war sesquicentennial  
15 distinguishing processed emblem. Upon receipt of two hundred  
16 fifty orders for ~~special~~ civil war sesquicentennial special  
17 registration plates, accompanied by a start-up fee of twenty  
18 dollars per order, the department shall begin issuing special  
19 registration plates with a civil war sesquicentennial processed  
20 emblem as provided in paragraph "b".

21 Sec. 530. Section 327B.5, Code 2011, is amended to read as  
22 follows:

23 **327B.5 Penalty.**

24 Any person violating the provisions of this chapter shall,  
25 upon conviction, be subject to a scheduled fine as provided in  
26 section 805.8A, subsection 13, ~~paragraphs~~ paragraph "f" and ~~"g"~~.

27 Sec. 531. Section 422.110, subsection 5, paragraph a,  
28 subparagraph (2), if enacted by 2011 Iowa Acts, Senate File  
29 531, section 17, is amended to read as follows:

30 (2) The E-15 plus gasoline promotion tax credit pursuant to  
31 section 422.11Y.

32 Sec. 532. Section 422.11Y, subsection 1, paragraph d, if  
33 enacted by 2011 Iowa Acts, Senate File 531, section 35, is  
34 amended to read as follows:

35 d. "Tax credit" means the E-15 plus gasoline promotion tax

1 credit as provided in this section.

2 Sec. 533. Section 422.11Y, subsection 3, unnumbered  
3 paragraph 1, if enacted by 2011 Iowa Acts, Senate File 531,  
4 section 35, is amended to read as follows:

5 The taxes imposed under this division, less the credits  
6 allowed under section 422.12, shall be reduced by the amount of  
7 the E-15 plus gasoline promotion tax credit for each tax year  
8 that the taxpayer is eligible to claim a tax credit under this  
9 subsection.

10 Sec. 534. Section 422.11Y, subsection 6, paragraph b,  
11 subparagraph (2), if enacted by 2011 Iowa Acts, Senate File  
12 531, section 35, is amended to read as follows:

13 (2) The retail dealer may claim the ethanol promotion  
14 tax credit as provided in paragraph "a" for the same ethanol  
15 gallonage used to calculate and claim the E-15 plus gasoline  
16 promotion tax credit.

17 Sec. 535. Section 423.4, subsection 9, unnumbered paragraph  
18 1, if enacted by 2011 Iowa Acts, Senate File 531, section 59,  
19 is amended to read as follows:

20 A person who qualifies as a biodiesel producer as provided in  
21 this subsection may apply to the director for a refund of the  
22 amount of the sales or use tax imposed and paid upon purchases  
23 made by the person.

24 Sec. 536. Section 483A.24A, Code 2011, as amended by 2011  
25 Iowa Acts, Senate File 194, section 10, is amended to read as  
26 follows:

27 **483A.24A License refunds — military service.**

28 Notwithstanding any provision of this chapter to the  
29 contrary, a service member deployed for military service, ~~both~~  
30 as defined in section 29A.1, subsection 3, shall receive a  
31 refund of that portion of any license fee paid by the service  
32 member representing the service member's period of military  
33 service.

34 Sec. 537. Section 501.101, subsection 01, as enacted by  
35 2011 Iowa Acts, House File 348, section 7, is amended to read

1 as follows:

2 01. "Alternative voting method" means a method of voting  
3 other than a written ballot, including voting by electronic,  
4 telephonic, internet, or other means that reasonably allow  
5 allows members the opportunity to vote.

6 Sec. 538. Section 501A.703, subsection 5, paragraph d, Code  
7 2011, as amended by 2011 Iowa Acts, House File 348, section 19,  
8 is amended to read as follows:

9 d. If the ballot of the member is received by the  
10 cooperative on or before the date of the regular members'  
11 meeting or as otherwise prescribed for an alternative, voting  
12 method, the ballot or alternative voting method shall be  
13 accepted and counted as the vote of the absent member.

14 Sec. 539. Section 511.8, subsection 22, paragraph i,  
15 unnumbered paragraph 1, as enacted by 2011 Iowa Acts, Senate  
16 File 406, section 25, is amended to read as follows:

17 Securities held in the legal reserve of a life insurance  
18 company or association pledged as collateral for financial  
19 instruments used in highly effective hedging transactions as  
20 defined in the national association of insurance commissioners'  
21 ~~Statement~~ statement of ~~Statutory Accounting Principles No.~~  
22 statutory accounting principles no. 86 shall continue to  
23 be eligible for inclusion ~~on~~ in the legal reserve of the  
24 life insurance company or association subject to all of the  
25 following:

26 Sec. 540. Section 514J.109, subsection 3, paragraph f,  
27 if enacted by 2011 Iowa Acts, House File 597, section 9, is  
28 amended to read as follows:

29 f. The covered person or the covered person's authorized  
30 representative has provided all the information and forms  
31 required by the commissioner that are necessary to process an  
32 external review request pursuant to this section.

33 Sec. 541. Section 521F.4, subsection 1, paragraph b, as  
34 enacted by 2011 Iowa Acts, Senate File 406, section 44, is  
35 amended to read as follows:

1     *b.* The filing of a risk-based capital report by a health  
2 organization which indicates that the health organization has  
3 total adjusted capital which is greater than or equal to its  
4 company-action-level risk-based capital but less than the  
5 product of its authorized-control-level risk-based capital and  
6 three and triggers the trend test determined in accordance with  
7 the trend test ~~calculations~~ calculation included in the health  
8 risk-based capital instructions.

9     Sec. 542. Section 524.310, subsection 5, paragraph b, Code  
10 2011, as amended by 2011 Iowa Acts, Senate File 475, section  
11 120, is amended to read as follows:

12     *b.* A corporate or company name reserved, registered, or  
13 protected as provided in section 489.109, 490.402, 490.403,  
14 ~~490A.402~~, 504.402, or 504.403.

15     Sec. 543. Section 717.3, subsection 5, paragraph b, Code  
16 2011, as enacted by 2011 Iowa Acts, Senate File 478, section 6,  
17 is amended to read as follows:

18     *b.* That the department shall assume supervision of and  
19 provide for the sustenance of the livestock ~~and~~ as provided in  
20 section 717.4.

21     Sec. 544. Section 717.4, subsection 2, as enacted by 2011  
22 Iowa Acts, Senate File 478, section 7, is amended to read as  
23 follows:

24     2. The court ordered lien shall be for the benefit of the  
25 department. The amount of the lien shall not be ~~not~~ more than  
26 for expenses incurred in providing sustenance to the livestock  
27 pursuant to section 717.3 and providing for the disposition of  
28 the livestock pursuant to section 717.5.

29     Sec. 545. Section 717.4A, as enacted by 2011 Iowa Acts,  
30 Senate File 478, section 8, is amended to read as follows:

31     **717.4A Livestock in immediate need of sustenance — livestock**  
32 **remediation fund.**

33     The department may utilize the moneys deposited into the  
34 livestock remediation fund pursuant to section 459.501 to pay  
35 for any expenses associated with providing sustenance to or

1 the disposition of the livestock pursuant to a court order  
2 entered pursuant to section 717.3 or 717.5. The department  
3 shall utilize moneys from the fund only to the extent that  
4 the department determines that expenses cannot be timely  
5 paid by utilizing the available provisions of sections 717.4  
6 and 717.5. The department shall deposit any unexpended and  
7 unobligated moneys in the fund. The department shall pay to  
8 the fund the proceeds from the disposition of the livestock and  
9 associated products less expenses incurred by the department in  
10 providing for the sustenance and disposition of the livestock,  
11 as provided in section 717.5.

12 Sec. 546. Section 903A.5, subsection 1, as enacted by 2011  
13 Iowa Acts, House File 271, section 3, is amended to read as  
14 follows:

15 1. An inmate shall not be discharged from the custody  
16 of the director of the Iowa department of corrections until  
17 the inmate has served the full term for which the inmate was  
18 sentenced, less earned time and other credits earned and not  
19 forfeited, unless the inmate is pardoned or otherwise legally  
20 released. Earned time accrued and not forfeited shall apply  
21 to reduce a mandatory minimum sentence being served pursuant  
22 to section 124.406, 124.413, 902.7, 902.8, 902.8A, or 902.11.  
23 An inmate shall be deemed to be serving the sentence from the  
24 day on which the inmate is received into the institution. If  
25 an inmate was confined to a county jail or other correctional  
26 or mental facility at any time prior to sentencing, or after  
27 sentencing but prior to the case having been decided on appeal,  
28 because of failure to furnish bail or because of being charged  
29 with a nonbailable offense, the inmate shall be given credit  
30 for the days already served upon the term of the sentence.  
31 However, if a person commits any offense while confined in a  
32 county jail or other correctional or mental health facility,  
33 the person shall not be granted jail credit for that offense.  
34 Unless the inmate was confined in a correctional facility,  
35 the sheriff of the county in which the inmate was confined

1 shall certify to the clerk of the district court from which  
2 the inmate was sentenced and to the department of corrections'  
3 records administrator at the Iowa medical and classification  
4 center the number of days so served. The department of  
5 corrections' records administrator, or the administrator's  
6 designee, shall apply jail credit as ordered by the court  
7 of proper jurisdiction or as authorized by this section and  
8 section 907.3, subsection 3.

9 Sec. 547. EFFECTIVE DATES.

10 1. The section of this division of this Act amending section  
11 422.110, subsection 5, paragraph a, subparagraph (2), if  
12 enacted by 2011 Iowa Acts, Senate File 531, section 17, takes  
13 effect January 1, 2012.

14 2. Section 423.4, subsection 9, unnumbered paragraph 1, if  
15 enacted by 2011 Iowa Acts, Senate File 531, section 59, takes  
16 effect January 1, 2012.

17 Sec. 548. APPLICABILITY.

18 1. The section of this division of this Act amending section  
19 422.110, subsection 5, paragraph a, subparagraph (2), if  
20 enacted by 2011 Iowa Acts, Senate File 531, section 17, applies  
21 to tax years beginning on and after January 1, 2012.

22 2. The section of this division of this Act amending  
23 section 422.11Y, subsection 1, paragraph d, if enacted by 2011  
24 Iowa Acts, Senate File 531, section 35, applies to tax years  
25 beginning on and after January 1, 2012, and to that part of a  
26 retail dealer's tax year or tax years occurring during that  
27 portion of the calendar year beginning on and after July 1,  
28 2011, and ending on December 31, 2011.

29 3. The section of this division of this Act amending section  
30 422.11Y, subsection 3, unnumbered paragraph 1, if enacted by  
31 2011 Iowa Acts, Senate File 531, section 35, applies to tax  
32 years beginning on and after January 1, 2012, and to that part  
33 of a retail dealer's tax year or tax years occurring during  
34 that portion of the calendar year beginning on and after July  
35 1, 2011, and ending on December 31, 2011.



1 4. The section of this division of this Act amending section  
2 422.11Y, subsection 6, paragraph b, subparagraph (2), if  
3 enacted by 2011 Iowa Acts, Senate File 531, section 35, applies  
4 to tax years beginning on and after January 1, 2012, and to  
5 that part of a retail dealer's tax year or tax years occurring  
6 during that portion of the calendar year beginning on and after  
7 July 1, 2011, and ending on December 31, 2011.

8 DIVISION LX  
9 STANDINGS

10 MISCELLANEOUS PROVISIONS AND APPROPRIATIONS

11 Sec. 549. APPROPRIATION — BATTLESHIP IOWA, BB-61.

12 1. There is appropriated from the general fund of the state  
13 to the department of cultural affairs for the fiscal year  
14 beginning July 1, 2010, and ending June 30, 2011, the following  
15 amount, or so much thereof as is necessary, to be credited to  
16 the BB-61 fund created in 2010 Iowa Acts, chapter 1194:  
17 ..... \$ 3,000,000

18 2. If the department of the navy, pursuant to a process  
19 outlined in a notice published in the federal register on  
20 May 24, 2010, volume 75, number 99, awards possession or  
21 conditionally awards possession of the battleship Iowa,  
22 BB-61, to a nonprofit group that is eligible to receive the  
23 battleship, the department of cultural affairs shall award a  
24 grant to the nonprofit group in an amount equal to \$3 million  
25 in addition to any moneys awarded as a grant from the BB-61  
26 fund.

27 3. Notwithstanding section 8.33, moneys appropriated in  
28 this section that remain unencumbered or unobligated at the  
29 close of the fiscal year shall not revert but shall remain  
30 available for expenditure for the purposes designated for  
31 succeeding fiscal years.

32 Sec. 550. STATE AGENCY OFFICE SUPPLIES PURCHASE,  
33 EQUIPMENT PURCHASES, PRINTING AND BINDING, AND MARKETING  
34 — APPLICABILITY. The limitation on expenditures made for  
35 office supplies, purchases of equipment, office equipment, and

1 equipment noninventory, printing and binding, and marketing  
2 implemented pursuant to 2011 Iowa Acts, House File 45, section  
3 2, does not apply to a department or agency receiving a  
4 supplemental appropriation for the fiscal year beginning July  
5 1, 2010, pursuant to 2011 Iowa Acts, Senate File 209, division  
6 III.

7 Sec. 551. Section 321J.2, subsection 4, paragraph b, Code  
8 2011, is amended to read as follows:

9 b. Assessment of a minimum fine of one thousand eight  
10 hundred ~~fifty~~ seventy-five dollars and a maximum fine of six  
11 thousand two hundred fifty dollars. Surcharges and fees shall  
12 be assessed pursuant to chapter 911.

13 Sec. 552. REPEAL. Chapter 327K, Code 2011, is repealed.

14 Sec. 553. EFFECTIVE AND APPLICABILITY DATES. The section  
15 of this division of this Act appropriating moneys to the  
16 department of cultural affairs for purposes of a grant for the  
17 battleship Iowa, BB-61, being deemed of immediate importance,  
18 takes effect upon enactment and, if approved by the governor on  
19 or after July 1, 2011, shall apply retroactively to June 30,  
20 2011.

21 Sec. 554. EFFECTIVE UPON ENACTMENT AND RETROACTIVE  
22 APPLICABILITY. The provision of this division of this Act  
23 relating to a limitation on state agency office supplies  
24 purchase, equipment purchases, printing and binding, and  
25 marketing as enacted by 2011 Iowa Acts, House File 45, being  
26 deemed of immediate importance, takes effect upon enactment and  
27 applies retroactively to March 7, 2011.

28 DIVISION LXI

29 STANDINGS

30 GROW IOWA VALUES FUND AND PROGRAM

31 Sec. 555. Section 15.103, subsection 6, Code 2011, is  
32 amended to read as follows:

33 6. As part of the organizational structure of the  
34 department, the board shall establish a due diligence  
35 committee and a loan and credit guarantee committee composed

1 of members of the board. The committees shall serve in an  
2 advisory capacity to the board and shall carry out any duties  
3 assigned by the board in relation to programs administered  
4 by the department. The loan and credit guarantee committee  
5 shall advise the board on the winding up of loan guarantees  
6 made under the loan and credit guarantee program established  
7 pursuant to section 15E.224, Code 2009, ~~and on the proper~~  
8 ~~amount of the allocation described in section 15G.111,~~  
9 ~~subsection 4, paragraph "g".~~

10 Sec. 556. Section 15.104, subsection 1, Code 2011, is  
11 amended by striking the subsection.

12 Sec. 557. Section 15.104, subsection 8, paragraphs b and i,  
13 Code 2011, are amended by striking the paragraphs.

14 Sec. 558. Section 15.104, subsection 8, paragraph j, Code  
15 2011, is amended to read as follows:

16 *j. Renewable fuel programs.* A detailed accounting of  
17 expenditures in support of renewable fuel infrastructure  
18 programs, as provided in sections 15G.203 and 15G.204. ~~The~~  
19 ~~renewable fuel infrastructure board established in section~~  
20 ~~15G.202 shall approve that portion of the department's annual~~  
21 ~~report regarding projects supported from the grow Iowa values~~  
22 ~~fund created in section 15G.111.~~ This paragraph is repealed on  
23 July 1, 2012.

24 Sec. 559. Section 15.327, Code 2011, is amended by adding  
25 the following new subsections:

26 NEW SUBSECTION. 01. "*Base employment level*" means the  
27 number of full-time equivalent positions at a business,  
28 as established by the department and a business using the  
29 business's payroll records, as of the date a business applies  
30 for financial assistance under the program.

31 NEW SUBSECTION. 3A. "*County wage*" means the average hourly  
32 compensation rates, excluding the value of nonwage benefits for  
33 comparable jobs, from the most recent four quarters of wage  
34 and employment information from the quarterly covered wage and  
35 employment data report issued by the department of workforce

1 development.

2 NEW SUBSECTION. 7A. "*Full-time equivalent position*" means  
3 a non-part-time position for the number of hours or days per  
4 week considered to be full-time work for the kind of service  
5 or work performed for an employer. Typically, a full-time  
6 equivalent position requires two thousand eighty hours of work  
7 in a calendar year, including all paid holidays, vacations,  
8 sick time, and other paid leave.

9 NEW SUBSECTION. 7B. "*Maintenance period*" means the period  
10 of time between the project completion date and maintenance  
11 period completion date.

12 NEW SUBSECTION. 12A. "*Regional wage*" means the average  
13 hourly compensation rates, excluding the value of nonwage  
14 benefits for comparable jobs, from the most recent four  
15 quarters of wage and employment information from the quarterly  
16 covered wage and employment data report issued by the  
17 department of workforce development.

18 Sec. 560. Section 15.327, subsections 1, 4, 7, 8, 10, 12,  
19 and 13, Code 2011, are amended by striking the subsections and  
20 inserting in lieu thereof the following:

21 1. "*Benefit*" means nonwage compensation provided to an  
22 employee. Benefits typically include medical and dental  
23 insurance plans, pension, retirement, and profit-sharing plans,  
24 child care services, life insurance coverage, vision insurance  
25 coverage, disability insurance coverage, and any other nonwage  
26 compensation as determined by the board.

27 4. "*Created job*" means a new, permanent, full-time  
28 equivalent position added to a business's payroll in excess of  
29 the business's base employment level.

30 7. "*Fiscal impact ratio*" means a ratio calculated by  
31 estimating the amount of taxes to be received from a business  
32 by the state and dividing the estimate by the estimated cost  
33 to the state of providing certain financial incentives to  
34 the business, reflecting a ten-year period of taxation and  
35 incentives and expressed in terms of current dollars. For

1 purposes of the program, "fiscal impact ratio" does not include  
2 taxes received by political subdivisions.

3 8. "Maintenance period completion date" means the date on  
4 which the maintenance period ends.

5 10. "Project completion date" means the date by which  
6 a recipient of financial assistance has agreed to meet all  
7 the terms and obligations contained in an agreement with the  
8 department as described in section 15.330.

9 12. "Qualifying wage threshold" means the county wage or the  
10 regional wage, as calculated pursuant to subsections 3A and  
11 12A, whichever is lower.

12 13. "Retained job" means a full-time equivalent position,  
13 in existence at the time an employer applies for financial  
14 assistance which remains continuously filled or authorized  
15 to be filled as soon as possible and which is at risk of  
16 elimination if the project for which the employer is seeking  
17 assistance does not proceed.

18 Sec. 561. Section 15.329, subsection 2, Code 2011, is  
19 amended to read as follows:

20 2. A business providing a sufficient package of benefits to  
21 each employee holding a created or retained job shall qualify  
22 for a credit against the qualifying wage threshold requirements  
23 described in subsection 1, paragraph "c". The credit shall be  
24 calculated and applied in the following manner: ~~described in~~  
25 ~~section 15G.112, subsection 4, paragraph "b".~~

26 a. By multiplying the qualifying wage threshold of  
27 the county in which the business is located by one and  
28 three-tenths.

29 b. By multiplying the result of paragraph "a" by one-tenth.

30 c. The amount of the result of paragraph "b" shall be  
31 credited against the amount of the one hundred thirty percent  
32 qualifying wage threshold requirement that the business is  
33 required to meet under subsection 1, paragraph "c".

34 d. The credit shall not be applied against the one hundred  
35 percent of qualifying wage threshold requirement described in

1 subsection 1, paragraph "c".

2 Sec. 562. Section 15.330, subsection 4, Code 2011, is  
3 amended to read as follows:

4 4. A project completion date, a maintenance period  
5 completion date, the number of jobs to be created or retained,  
6 or certain other terms and obligations described in ~~section~~  
7 ~~15G.112, subsection 1, paragraph "d"~~ an agreement, as the  
8 department deems necessary in order to make the requirements in  
9 project agreements uniform. The department, with the approval  
10 of the board, may adopt rules as necessary for making such  
11 requirements uniform. Such rules shall be in compliance with  
12 the provisions of this part ~~and with the provisions of chapter~~  
13 ~~15G.~~

14 Sec. 563. Section 15.335A, subsection 1, unnumbered  
15 paragraph 1, Code 2011, is amended to read as follows:

16 Tax incentives are available to eligible businesses as  
17 provided in this section. The incentives are based upon the  
18 number of jobs created or retained that pay at least one  
19 hundred thirty percent of the qualifying wage threshold as  
20 computed pursuant to section ~~15G.112~~ 15.329, subsection 4 1,  
21 and the amount of the qualifying investment made according to  
22 the following schedule:

23 Sec. 564. Section 15.335A, subsection 2, paragraphs b, c, f,  
24 and g, Code 2011, are amended by striking the paragraphs.

25 Sec. 565. Section 15.335A, subsection 5, Code 2011, is  
26 amended to read as follows:

27 5. The department shall negotiate the amount of tax  
28 incentives provided to an applicant under the program  
29 in accordance with this section ~~and section 15G.112, as~~  
30 ~~applicable.~~

31 Sec. 566. Section 15A.7, subsection 3, Code 2011, is amended  
32 to read as follows:

33 3. That the employer shall agree to pay wages for the jobs  
34 for which the credit is taken of at least the county wage or  
35 the regional wage, as calculated ~~by the department~~ pursuant to

1 section ~~15G.112, subsection 3~~ 15.327, subsections 3A and 12A,  
2 whichever is lower. Eligibility for the supplemental credit  
3 shall be based on a one-time determination of starting wages by  
4 the community college.

5 Sec. 567. Section 15E.193, subsection 1, paragraphs b  
6 through d, Code 2011, are amended to read as follows:

7 *b.* (1) The business shall provide a sufficient package of  
8 benefits to each employee holding a created or retained job.  
9 For purposes of this paragraph, "*created job*" and "*retained job*"  
10 have the same meaning as defined in section ~~15G.101~~ 15.327.

11 (2) The board, upon the recommendation of the department,  
12 shall adopt rules determining what constitutes a sufficient  
13 package of benefits.

14 *c.* The business shall pay a wage that is at least ninety  
15 percent of the qualifying wage threshold. For purposes of this  
16 paragraph, "*qualifying wage threshold*" has the same meaning as  
17 defined in section ~~15G.101~~ 15.327.

18 *d.* Creates or retains at least ten full-time equivalent  
19 positions and maintains them until the maintenance period  
20 completion date. For purposes of this paragraph, "*maintenance*  
21 *period completion date*" and "*full-time equivalent position*" have  
22 the same meanings as defined in section ~~15G.101~~ 15.327.

23 Sec. 568. Section 15E.231, unnumbered paragraph 1, Code  
24 2011, is amended to read as follows:

25 ~~In order for an~~ An economic development region ~~to receive~~  
26 ~~moneys under the grow Iowa values financial assistance program~~  
27 ~~established in section 15G.112, an~~ shall establish a regional  
28 development plan. An economic development region's regional  
29 development plan must be approved by the department. An  
30 economic development region shall consist of not less than  
31 three counties, unless two contiguous counties have a combined  
32 population of at least three hundred thousand based on the  
33 most recent federal decennial census. An economic development  
34 region shall establish a focused economic development effort  
35 that shall include a regional development plan relating to one

1 or more of the following areas:

2 Sec. 569. Section 15E.232, subsections 1, 3, 4, 5, 6, and 7,  
3 Code 2011, are amended by striking the subsections.

4 Sec. 570. Section 15E.351, subsection 1, Code 2011, is  
5 amended to read as follows:

6 1. The department shall establish and administer a business  
7 accelerator program to provide financial assistance for  
8 the establishment and operation of a business accelerator  
9 for technology-based, value-added agricultural, information  
10 solutions, alternative and renewable energy including the  
11 alternative and renewable energy sectors listed in section  
12 476.42, subsection 1, paragraph "a", or advanced manufacturing  
13 start-up businesses or for a satellite of an existing business  
14 accelerator. The program shall be designed to foster the  
15 accelerated growth of new and existing businesses through the  
16 provision of technical assistance. ~~The department, subject to~~  
17 ~~the approval of the economic development board, may provide~~  
18 ~~financial assistance under this section from moneys allocated~~  
19 ~~for regional financial assistance pursuant to section 15G.111,~~  
20 ~~subsection 9.~~

21 Sec. 571. Section 159A.6B, subsection 2, Code 2011, is  
22 amended to read as follows:

23 2. The office may execute contracts in order to provide  
24 technical support and outreach services for purposes of  
25 assisting and educating interested persons as provided in this  
26 section. The office may also contract with a consultant to  
27 provide part or all of these services. The office may require  
28 that a person receiving assistance pursuant to this section  
29 contribute up to fifty percent of the amount required to  
30 support the costs of contracting with the consultant to provide  
31 assistance to the person. ~~The office shall assist the person~~  
32 ~~in completing any technical information required in order to~~  
33 ~~receive assistance by the department of economic development~~  
34 ~~pursuant to the value-added agriculture component of the grow~~  
35 ~~Iowa values financial assistance program established pursuant~~



1 ~~to section 15G.112.~~

2 Sec. 572. Section 455B.104, subsection 2, Code 2011, is  
3 amended by striking the subsection.

4 Sec. 573. 2010 Iowa Acts, chapter 1184, section 26, is  
5 amended to read as follows:

6 SEC. 26. GROW IOWA VALUES FUND.

7 1. There is appropriated from the rebuild Iowa  
8 infrastructure fund to the department of economic development  
9 for deposit in the grow Iowa values fund, for the fiscal year  
10 beginning July 1, 2010, and ending June 30, 2011, the following  
11 amount, notwithstanding section 8.57, subsection 6, paragraph  
12 "c":

13 ..... \$ 38,000,000

14 2. On the effective date of this section of this 2011 Iowa  
15 Act, any unobligated and unencumbered moneys appropriated in  
16 this section and section 27 of this 2010 Iowa Act, shall revert  
17 to the general fund of the state. Any repayments of moneys  
18 loaned from moneys appropriated in this section and section 27  
19 of this 2010 Iowa Act, and received after the effective date  
20 of this 2011 Iowa Act, shall be credited to the general fund of  
21 the state.

22 Sec. 574. 2010 Iowa Acts, chapter 1184, section 27, is  
23 amended to read as follows:

24 SEC. 27. GROW IOWA VALUES FUND APPROPRIATION REDUCTION.

25 1. In lieu of the \$50,000,000 appropriated for the fiscal  
26 year beginning July 1, 2010, and ending June 30, 2011, from  
27 the grow Iowa values fund to the department of economic  
28 development pursuant to section 15G.111, subsection 3, there is  
29 appropriated from the grow Iowa values fund to the department  
30 of economic development for the fiscal year beginning July 1,  
31 2010, and ending June 30, 2011, \$38,000,000 for the purposes of  
32 making expenditures pursuant to chapter 15G.

33 2. On the effective date of this section of this 2011 Iowa  
34 Act, an entity receiving moneys appropriated pursuant to this  
35 section, with the exception of moneys allocated pursuant to

1 section 28, subsections 2 and 5, of this 2010 Iowa Act, shall  
2 cease obligating or encumbering such moneys.

3 Sec. 575. REPEAL. Section 15E.233, Code 2011, is repealed.

4 Sec. 576. REPEAL. Sections 15G.101 and 15G.109 through  
5 15G.115, Code 2011, are repealed.

6 Sec. 577. REPEAL. Section 266.19, Code 2011, is repealed.

7 Sec. 578. REPEAL. Section 455B.433, Code 2011, is repealed.

8 Sec. 579. EFFECTIVE DATE. The provisions of this division  
9 of this Act amending 2010 Iowa Acts, chapter 1184, being deemed  
10 of immediate importance, take effect upon enactment.

11 DIVISION LXII

12 STANDINGS

13 MH/MR/DD SERVICES ALLOWED GROWTH FUNDING — FY 2013-2014

14 Sec. 580. ADULT MH/MR/DD SERVICES ALLOWED GROWTH FUNDING —  
15 FY 2013-2014. Notwithstanding section 331.439, subsection 3,  
16 the allowed growth factor adjustment for county mental health,  
17 mental retardation, and developmental disabilities service  
18 expenditures for the fiscal year beginning July 1, 2013, shall  
19 be established by statute which shall be enacted within thirty  
20 calendar days of the convening of the Eighty-fifth General  
21 Assembly, 2013 Session, on January 14, 2013. The governor  
22 shall submit to the general assembly a recommendation for such  
23 allowed growth factor adjustment and the amounts of related  
24 appropriations to the general assembly on or before January 14,  
25 2013.

26 DIVISION LXIII

27 STANDINGS

28 STANDING APPROPRIATIONS AND RELATED MATTERS — FY 2012-2013

29 Sec. 581. BUDGET PROCESS FOR FISCAL YEAR 2013-2014.

30 1. For the budget process applicable to the fiscal year  
31 beginning July 1, 2013, on or before October 1, 2012, in lieu  
32 of the information specified in section 8.23, subsection 1,  
33 unnumbered paragraph 1, and paragraph "a", all departments and  
34 establishments of the government shall transmit to the director  
35 of the department of management, on blanks to be furnished by

1 the director, estimates of their expenditure requirements,  
2 including every proposed expenditure, for the ensuing fiscal  
3 year, together with supporting data and explanations as called  
4 for by the director of the department of management after  
5 consultation with the legislative services agency.

6 2. The estimates of expenditure requirements shall be  
7 in a form specified by the director of the department of  
8 management, and the expenditure requirements shall include all  
9 proposed expenditures and shall be prioritized by program or  
10 the results to be achieved. The estimates shall be accompanied  
11 by performance measures for evaluating the effectiveness of the  
12 programs or results.

13 Sec. 582. LIMITATION OF STANDING APPROPRIATIONS.

14 Notwithstanding the standing appropriations in the following  
15 designated sections for the fiscal year beginning July 1, 2012,  
16 and ending June 30, 2013, the amounts appropriated from the  
17 general fund of the state pursuant to these sections for the  
18 following designated purposes shall not exceed the following  
19 amounts:

20 1. For performance of duty by the executive council in  
21 sections 7D.29, 8A.321, and 29C.20:  
22 ..... \$ 38,000,000

23 2. For operational support grants and community cultural  
24 grants under section 99F.11, subsection 3, paragraph "d",  
25 subparagraph (1):  
26 ..... \$ 416,702

27 3. For regional tourism marketing under section 99F.11,  
28 subsection 3, paragraph "d", subparagraph (2):  
29 ..... \$ 810,306

30 4. For the center for congenital and inherited disorders  
31 central registry under section 144.13A, subsection 4, paragraph  
32 "a":  
33 ..... \$ 171,121

34 5. For primary and secondary child abuse prevention  
35 programs under section 144.13A, subsection 4, paragraph "a":

1 ..... \$ 217,772

2 6. For programs for at-risk children under section 279.51:

3 ..... \$ 10,804,258

4 The amount of any reduction in this subsection shall be  
5 prorated among the programs specified in section 279.51,  
6 subsection 1, paragraphs "a", "b", and "c".

7 7. For payment for nonpublic school transportation under  
8 section 285.2:

9 ..... \$ 7,060,931

10 If total approved claims for reimbursement for nonpublic  
11 school pupil transportation exceed the amount appropriated in  
12 accordance with this subsection, the department of education  
13 shall prorate the amount of each approved claim.

14 8. For the enforcement of chapter 453D relating to tobacco  
15 product manufacturers under section 453D.8:

16 ..... \$ 18,416

17 Sec. 583. APPROPRIATION — FARMERS WITH

18 DISABILITIES. There is appropriated from the general fund of  
19 the state to the department of agriculture and land stewardship  
20 for the fiscal year beginning July 1, 2012, and ending June 30,  
21 2013, the following amount, or so much thereof as is necessary,  
22 for a program for farmers with disabilities:

23 ..... \$ 82,450

24 The moneys appropriated in this section shall be used  
25 for the public purpose of providing a grant to a national  
26 nonprofit organization with over 80 years of experience in  
27 assisting children and adults with disabilities and special  
28 needs. The moneys shall be used to support a nationally  
29 recognized program that began in 1986 and has been replicated  
30 in at least 30 other states, but which is not available through  
31 any other entity in this state, and that provides assistance  
32 to farmers with disabilities in all 99 counties to allow the  
33 farmers to remain in their own homes and be gainfully engaged  
34 in farming through provision of agricultural worksite and home  
35 modification consultations, peer support services, services

1 to families, information and referral, and equipment loan  
2 services. Notwithstanding section 8.33, moneys appropriated  
3 in this section that remain unencumbered or unobligated at the  
4 close of the fiscal year shall not revert but shall remain  
5 available for expenditure for the purposes designated until the  
6 close of the succeeding fiscal year.

7 Sec. 584. INSTRUCTIONAL SUPPORT STATE AID — FY  
8 2012-2013. In lieu of the appropriation provided in section  
9 257.20, subsection 2, the appropriation for the fiscal year  
10 beginning July 1, 2012, and ending June 30, 2013, for paying  
11 instructional support state aid under section 257.20 for fiscal  
12 year 2012-2013 is zero.

13 Sec. 585. Section 257.35, Code 2011, is amended by adding  
14 the following new subsection:

15 NEW SUBSECTION. 5B. Notwithstanding subsection 1, and in  
16 addition to the reduction applicable pursuant to subsection  
17 2, the state aid for area education agencies and the portion  
18 of the combined district cost calculated for these agencies  
19 for the fiscal year beginning July 1, 2012, and ending June  
20 30, 2013, shall be reduced by the department of management by  
21 twenty million dollars. The reduction for each area education  
22 agency shall be prorated based on the reduction that the agency  
23 received in the fiscal year beginning July 1, 2003.

24 DIVISION LXIV

25 STANDINGS

26 SALARIES, COMPENSATION, AND RELATED MATTERS — FY 2012-2013

27 Sec. 586. BONUS PAY. For the fiscal years beginning July  
28 1, 2012, and July 1, 2013, employees of the executive branch,  
29 judicial branch, and legislative branch shall not receive bonus  
30 pay unless otherwise authorized by law, required pursuant to  
31 a contract of employment entered into before July 1, 2012,  
32 or required pursuant to a collective bargaining agreement.  
33 This section does not apply to employees of the state board of  
34 regents who receive bonuses funded by nonpublic moneys. For  
35 purposes of this section, "bonus pay" means any additional

1 remuneration provided an employee in the form of a bonus,  
2 including but not limited to a retention bonus, recruitment  
3 bonus, exceptional job performance pay, extraordinary job  
4 performance pay, exceptional performance pay, extraordinary  
5 duty pay, or extraordinary or special duty pay, and any extra  
6 benefit not otherwise provided to other similarly situated  
7 employees.

8 Sec. 587. SALARY INCREASES — CERTAIN REVOLVING FUNDS.

9 1. For the fiscal years beginning July 1, 2012, and July  
10 1, 2013, there is appropriated from the gaming enforcement  
11 revolving fund an amount necessary for funding annual pay  
12 adjustments and related benefits for agents and officers of  
13 the division of criminal investigation's racetrack, excursion  
14 boat, or gambling structure enforcement activities. Moneys  
15 appropriated pursuant to this subsection shall be in addition  
16 to and supplement other appropriations from the fund.

17 2. For the fiscal years beginning July 1, 2012, and July  
18 1, 2013, there is appropriated from the gaming regulatory  
19 revolving fund, if enacted by the Eighty-fourth General  
20 Assembly, 2011 or 2012 session, an amount necessary for funding  
21 annual pay adjustments and related benefits for positions  
22 in the racing and gaming commission of the department of  
23 inspections and appeals who are assigned to administration and  
24 enforcement of the excursion boat and gambling structure laws.  
25 Moneys appropriated pursuant to this subsection shall be in  
26 addition to and supplement other appropriations from the fund.

27 Sec. 588. STATE TROOPER MEAL ALLOWANCE. For the fiscal  
28 years beginning July 1, 2012, and July 1, 2013, the sworn peace  
29 officers in the department of public safety who are not covered  
30 by a collective bargaining agreement negotiated pursuant to  
31 chapter 20 shall receive the same per diem meal allowance as  
32 the sworn peace officers in the department of public safety who  
33 are covered by a collective bargaining agreement negotiated  
34 pursuant to chapter 20.

35 Sec. 589. SALARY MODEL ADMINISTRATOR. The salary model

1 administrator shall work in conjunction with the legislative  
2 services agency to maintain the state's salary model used for  
3 analyzing, comparing, and projecting state employee salary  
4 and benefit information, including information relating to  
5 employees of the state board of regents. The department of  
6 revenue, the department of administrative services, the five  
7 institutions under the jurisdiction of the state board of  
8 regents, the judicial district departments of correctional  
9 services, and the state department of transportation shall  
10 provide salary data to the department of management and the  
11 legislative services agency to operate the state's salary  
12 model. The format and frequency of provision of the salary  
13 data shall be determined by the department of management and  
14 the legislative services agency. The information shall be  
15 used in collective bargaining processes under chapter 20 and  
16 in calculating the funding needs contained within the annual  
17 salary adjustment legislation. A state employee organization  
18 as defined in section 20.3, subsection 4, may request  
19 information produced by the model, but the information provided  
20 shall not contain information attributable to individual  
21 employees.

22 DIVISION LXV

23 STANDINGS

24 SALES TAX REVENUES — TRANSFERS

25 Sec. 590. Section 423E.4, subsection 1, unnumbered  
26 paragraph 1, Code 2011, is amended to read as follows:

27 The moneys credited in a fiscal year to the secure an  
28 advanced vision for education fund shall, following the  
29 transfer required under section 423F.2, subsection 3, paragraph  
30 "a", be distributed as follows:

31 Sec. 591. Section 423E.4, subsection 2, paragraph b,  
32 subparagraphs (3) and (4), Code 2011, are amended to read as  
33 follows:

34 (3) "*Statewide tax revenues per student*" means the amount  
35 determined by estimating the total revenues that would be

1 generated by a one percent local option sales and services  
2 tax for school infrastructure purposes if imposed by all the  
3 counties during the entire fiscal year, minus the amount  
4 required to be transferred under section 423F.2, subsection  
5 3, paragraph "a", and dividing this estimated revenue amount  
6 by the sum of the combined actual enrollment for all counties  
7 as determined in section 423E.3, subsection 3, paragraph "a",  
8 subparagraph (2).

9 (4) *"Supplemental school infrastructure amount"* means the  
10 guaranteed school infrastructure amount for the school district  
11 less its pro rata share, following the required transfer of  
12 revenues from the secure an advanced vision for education fund  
13 under section 423F.2, subsection 3, paragraph "a", of local  
14 sales and services tax for school infrastructure purposes as  
15 provided in section 423E.3, subsection 3, paragraph "a".

16 Sec. 592. Section 423F.2, subsection 1, paragraph b, Code  
17 2011, is amended to read as follows:

18 b. The increase in the state sales, services, and use taxes  
19 under chapter 423, subchapters II and III, from five percent  
20 to six percent shall replace the repeal of the county's local  
21 sales and services tax for school infrastructure purposes. The  
22 distribution of moneys in the secure an advanced vision for  
23 education fund, following the transfer under subsection 3,  
24 paragraph "a", and the use of the moneys for infrastructure  
25 purposes or property tax relief shall be as provided in this  
26 chapter. However, the formula for the distribution of the  
27 moneys in the fund shall be based upon amounts that would have  
28 been received if the local sales and services taxes under  
29 former chapter 423E, Code and Code Supplement 2007, continued  
30 in existence.

31 Sec. 593. Section 423F.2, subsection 3, Code 2011, is  
32 amended to read as follows:

33 3. a. For the fiscal year beginning July 1, 2011, and each  
34 fiscal year thereafter, and prior to any distribution of moneys  
35 for the purposes under paragraph "b", there is transferred



1 to the property tax equity and relief fund from state sales,  
2 services, and use tax revenues collected and deposited in  
3 the secure an advanced vision for education fund during the  
4 fiscal year for which the transfer is made an amount equal to  
5 twenty-five million dollars minus the amount credited to the  
6 property tax equity and relief fund under paragraph "b" for  
7 use in the fiscal year for which the transfer is made if such  
8 amount credited to the fund under paragraph "b" for use in  
9 the fiscal year for which the transfer is made is less than  
10 twenty-five million dollars.

11 b. The moneys available in a fiscal year in the secure an  
12 advanced vision for education fund, following the transfer of  
13 such amounts required under paragraph "a", shall be distributed  
14 by the department of revenue to each school district in an  
15 amount equal to the amount the school district would have  
16 received pursuant to the formula in section 423E.4 as if the  
17 local sales and services tax for school infrastructure purposes  
18 was imposed. Moneys in a fiscal year that are in excess of that  
19 needed to provide each school district with its formula amount  
20 shall be distributed and credited to the property tax equity  
21 and relief fund created in section 257.16A.

22 DIVISION LXVI

23 STANDINGS

24 REGULAR PROGRAM AND CATEGORICAL STATE PERCENT

25 OF GROWTH FOR EDUCATION — FY 2012-2013

26 Sec. 594. Section 257.8, subsection 1, Code 2011, is amended  
27 to read as follows:

28 1. *State percent of growth.* ~~The state percent of growth~~  
29 ~~for the budget year beginning July 1, 2009, is four percent.~~  
30 The state percent of growth for the budget year beginning July  
31 1, 2010, is two percent. The state percent of growth for the  
32 budget year beginning July 1, 2012, is two percent. The state  
33 percent of growth for each subsequent budget year shall be  
34 established by statute which shall be enacted within thirty  
35 days of the submission in the year preceding the base year of

1 the governor's budget under section 8.21. The establishment of  
2 the state percent of growth for a budget year shall be the only  
3 subject matter of the bill which enacts the state percent of  
4 growth for a budget year.

5 Sec. 595. Section 257.8, subsection 2, Code 2011, is amended  
6 to read as follows:

7 2. *Categorical state percent of growth.* The categorical  
8 state percent of growth for the budget year beginning July 1,  
9 2010, is two percent. The categorical state percent of growth  
10 for the budget year beginning July 1, 2012, is two percent.  
11 The categorical state percent of growth for each budget year  
12 shall be established by statute which shall be enacted within  
13 thirty days of the submission in the year preceding the  
14 base year of the governor's budget under section 8.21. The  
15 establishment of the categorical state percent of growth for a  
16 budget year shall be the only subject matter of the bill which  
17 enacts the categorical state percent of growth for a budget  
18 year. The categorical state percent of growth may include  
19 state percents of growth for the teacher salary supplement, the  
20 professional development supplement, and the early intervention  
21 supplement.

22 Sec. 596. CODE SECTION 257.8 — APPLICABILITY. The  
23 requirements of section 257.8 regarding the time period  
24 of enactment and the subject matter of the legislation  
25 establishing the state percent of growth and the categorical  
26 state percent of growth for a budget year are not applicable  
27 to the division. The requirements of section 257.8 regarding  
28 enactment of the regular program state percent of growth and  
29 categorical state percent of growth within thirty days of  
30 the submission in the year preceding the base year of the  
31 governor's budget and the requirements that the subject matter  
32 of each bill establishing the state percent of growth or the  
33 categorical state percent of growth be the only subject matter  
34 of the bill do not apply to this division of this Act.

35 Sec. 597. APPLICABILITY. This division of this Act is

1 applicable for computing state aid under the state school  
2 foundation program for the school budget year beginning July  
3 1, 2012.

4 DIVISION LXVII  
5 APPROPRIATION TRANSFERS  
6 REBUILD IOWA INFRASTRUCTURE FUND

7 Sec. 598. 2010 Iowa Acts, chapter 1184, section 26, is  
8 amended to read as follows:

9 SEC. 26. There is appropriated from the rebuild Iowa  
10 infrastructure fund to the department of economic development  
11 for deposit in the grow Iowa values fund, for the fiscal year  
12 beginning July 1, 2010, and ending June 30, 2011, the following  
13 amount, notwithstanding section 8.57, subsection 6, paragraph  
14 "c":

15 ..... \$ 38,000,000

16 Of the moneys appropriated in this section, from the  
17 amount allocated to the department of economic development  
18 in accordance with 2010 Iowa Acts, chapter 1184, section 28,  
19 subsection 1, \$1,200,000 shall be used for the department's  
20 Iowans helping Iowans business assistance program.  
21 Notwithstanding section 8.33, moneys designated pursuant  
22 to this unnumbered paragraph that remain unencumbered or  
23 unobligated at the close of the fiscal year shall not revert  
24 but shall remain available for expenditure for the purposes  
25 designated until the close of the succeeding fiscal year.

26 CASH RESERVE FUND

27 Sec. 599. 2010 Iowa Acts, chapter 1193, section 90,  
28 subsection 1, is amended to read as follows:

29 1. DEPARTMENT OF HUMAN SERVICES

30 For the medical assistance program:

31 ..... \$187,800,000

32 a. Of the moneys appropriated in this subsection, the  
33 following amounts shall be transferred as follows:

34 (1) To the Iowa finance authority to be used for the Iowans  
35 helping Iowans housing assistance program:

1 ..... \$ 6,050,000

2 (2) To the department of human services to be used for the  
3 unmet needs program administered by the department:

4 ..... \$ 3,056,603

5 b. Notwithstanding section 8.33, moneys transferred  
6 pursuant to paragraph "a" that remain unencumbered or  
7 unobligated at the close of the fiscal year shall not revert  
8 but shall remain available for expenditure for the purposes  
9 designated until the close of the succeeding fiscal year.

10 Sec. 600. EFFECTIVE DATE — APPLICABILITY.

11 1. This division of this Act being deemed of immediate  
12 importance takes effect upon enactment.

13 2. The provisions of this division of this Act providing  
14 for transfers are retroactively applicable to August 27,  
15 2010, and apply in lieu of the transfers made for the same  
16 purposes by the executive branch, as reported by the department  
17 of management in the transfer notice to the governor and  
18 lieutenant governor dated August 27, 2010.

19 DIVISION LXVIII

20 TAXATION

21 Sec. 601. TAXATION. It is the intent of the general  
22 assembly to address the issues of property taxation and income  
23 taxation during the 2011 legislative session.

24 DIVISION LXIX

25 CONDITIONAL RETROACTIVE APPLICABILITY

26 Sec. 602. RETROACTIVE APPLICABILITY. Unless otherwise  
27 provided, this Act, if approved by the governor after July 1,  
28 2011, shall apply retroactively to July 1, 2011.

29 EXPLANATION

30 ADMINISTRATION AND REGULATION — FY 2011-2012. This  
31 division of the bill relates to and appropriates moneys to  
32 various state departments, agencies, and funds for the fiscal  
33 year beginning July 1, 2011, and ending June 30, 2012. The  
34 division makes appropriations to state departments and agencies  
35 including the department of administrative services, auditor of

1 state, Iowa ethics and campaign disclosure board, department  
2 of commerce, offices of governor and lieutenant governor, the  
3 governor's office of drug control policy, department of human  
4 rights, department of inspections and appeals, department  
5 of management, department of revenue, secretary of state,  
6 treasurer of state, and Iowa public employees' retirement  
7 system.

8 The division appropriates moneys from the IowAccess  
9 revolving fund to the office of the secretary of state for  
10 costs associated with decennial redistricting for the fiscal  
11 year beginning July 1, 2011, and ending June 30, 2012.

12 The division directs the auditor of state to allocate  
13 resources from amounts appropriated in the bill solely for  
14 audit work related to the comprehensive annual financial  
15 report, federally required audits, and investigations  
16 of embezzlement, theft, or other significant financial  
17 irregularities until the audit of the comprehensive annual  
18 financial report is complete.

19 The division allocates a portion of moneys appropriated to  
20 the alcoholic beverages division to establish and implement  
21 a web-based alcohol compliance employee training program for  
22 alcoholic beverage sales personnel.

23 The division appropriates moneys to the utilities division  
24 of the department of commerce for implementation of legislation  
25 relating to the permitting, licensing, construction, and  
26 operation of nuclear generation facilities and establishing  
27 rate-making principles in relation thereto, if enacted during  
28 the 2011 legislative session.

29 The division authorizes not more than 2.00 FTEs for the  
30 investigations division of the department of inspections and  
31 appeals to be used to implement specified provisions of Senate  
32 File 313 or successor legislation relating to debt setoff or  
33 other recovery activities for nonpayment of premiums.

34 The division directs the department of administrative  
35 services to disconnect electricity to the heated sidewalk

1 installed in the entry walkway on the East side of the state  
2 capitol building, and not to reconnect the electricity without  
3 the authorization of the general assembly.

4 The division eliminates provisions relating to state  
5 purchases of recycled and soybean-based products, and reporting  
6 requirements related thereto.

7 The division modifies provisions relating to the awarding  
8 of state construction contracts to provide for disclosure  
9 to the state agency awarding the contract the names of  
10 all subcontractors and suppliers, and modifies related  
11 requirements.

12 The division modifies a provision relating to the leasing of  
13 building and office space by the department of administrative  
14 services at the seat of government to refer to buildings  
15 and office space wherever located throughout the state, and  
16 provides that the director of the department shall develop  
17 cooperative relationships with the state board of regents  
18 in order to promote colocation of state agencies. The  
19 division specifies implementation provisions relating to these  
20 modifications.

21 The division requires the department of administrative  
22 services to implement a request for proposals by September 30,  
23 2011, to enter into a contract for the purpose of renting or  
24 leasing state passenger vehicles, as defined in the division,  
25 from a private entity with sufficient inventory and personnel  
26 to accommodate the needs of the state. The division provides  
27 that by March 1, 2012, the department shall award a contract  
28 for rental or leasing to the private entity, and assign  
29 passenger vehicles for rental or lease, to the extent the  
30 department determines doing so would be economically feasible  
31 and financially advantageous. If a contract is entered into,  
32 the division states that all state-assigned passenger vehicles  
33 located in any county which can support the operation of a  
34 rental and leasing entity, which the department determines  
35 would be suitable for rental or leasing, shall be returned to

1 the department for sale or disposal by the private entity.  
2 The division absolves the private entity from liability to  
3 a third party due to negligence on the part of the state  
4 or its employees, and requires the department to evaluate  
5 the economic advantages of state ownership versus rental or  
6 leasing and adjust the number of vehicles subject to the  
7 contract accordingly. The division makes conforming changes  
8 consistent with these provisions, and eliminates Code section  
9 8A.362, subsection 5, which requires that a minimum of 10  
10 percent of new state-owned passenger vehicles and light pickup  
11 trucks shall be equipped with engines which utilize specified  
12 alternative methods of propulsion.

13 The division directs the department of administrative  
14 services to develop and maintain an electronic travel  
15 authorization form to be used for any executive branch  
16 employee's reimbursable travel, conference, or related  
17 expenditures associated with the employee's official duties,  
18 and a searchable database available on the department's  
19 internet site containing specified travel-related information.  
20 The division states that a claim for reimbursement for any  
21 travel, conference, or related expenditures shall only be  
22 allowed after the electronic travel authorization form is  
23 approved by the head of the employee's department, and the  
24 request for reimbursement is submitted by the employee on the  
25 appropriate form with required approvals. "Executive branch  
26 employee" is defined as an employee of the executive branch as  
27 defined in Code section 7D.2, other than a member or employee  
28 of the state board of regents and institutions under the  
29 control of the state board of regents. The division specifies  
30 implementation provisions relating to these modifications.

31 The division adds to a definition of "data processing  
32 software" contained in Code section 22.3A, subsection 1,  
33 paragraph "e", associated documentation in relation to an  
34 operating system, compiler, assembler, utility, library  
35 resource, maintenance routine, application, or computer

1 networking program.

2 The division adds to a provision relating to providing  
3 notice of a breach of security contained in Code section  
4 715C.2, subsection 1, that notice shall also be provided to the  
5 attorney general as to the timing, content, and distribution of  
6 the notice to consumers and an approximate number of affected  
7 consumers.

8 The division establishes a new gaming regulatory revolving  
9 fund in the state treasury under the control of the department  
10 of inspections and appeals, consisting of fees collected and  
11 deposited into the fund paid by pari-mutuel wagering licensees  
12 pursuant to Code section 99D.14, subsection 2, paragraph  
13 "b", and fees paid by gambling boat and racetrack licensees  
14 pursuant to Code section 99F.10, subsection 4, paragraph "b".  
15 The division specifies that all costs relating to racetrack,  
16 excursion boat, and gambling structure regulation shall be  
17 paid from the fund as provided in appropriations made for  
18 this purpose by the general assembly. The division makes  
19 conforming Code modifications consistent with this provision.  
20 The division additionally provides reporting requirements  
21 and billing estimate requirements regarding the revolving  
22 fund, and states that the establishment of the revolving  
23 fund shall not be interpreted in any manner to compromise or  
24 impact the accountability of, and limitation of authority with  
25 respect to, the department under state law. The bill adds  
26 similar requirements in relation to the department of commerce  
27 revolving fund established in Code section 546.12.

28 The division transfers moneys transferred pursuant to 2009  
29 Iowa Acts, chapter 169, section 4, subsection 2, that remain  
30 unencumbered or unobligated on July 1, 2011, to the taxpayers  
31 trust fund created in Code section 8.57E.

32 The division provides for the nonreversion of moneys  
33 appropriated in 2010 Iowa Acts, Senate File 2088, division I,  
34 until the close of the fiscal year ending June 30, 2012.

35 The division modifies provisions enacted in 2011 Iowa Acts,



1 House File 45, section 8, relating to the sale or lease of the  
2 Iowa communications network, to extend the date by which the  
3 sale is to be concluded or the lease commenced from during  
4 the fiscal year beginning July 1, 2011, to July 1, 2012. The  
5 division further specifies that these provisions shall be  
6 deemed to satisfy the statutory requirement specified in Code  
7 section 8D.12 regarding prior authorization to dispose of the  
8 network.

9 The bill repeals a sunset provision enacted during the 2009  
10 legislative session applicable to the department of commerce  
11 revolving fund established in Code section 546.12. The sunset  
12 provision currently repeals the Code section effective July 1,  
13 2011.

14 The division provides that the sections of the division  
15 relating to disconnecting electricity to the specified  
16 Capitol building sidewalk, providing implementation provisions  
17 regarding leasing authority of the department of administrative  
18 services and executive branch employee travel and travel  
19 reimbursement, and relating to nonreversion of moneys  
20 appropriated to the department of administrative services for  
21 implementation of 2010 Iowa Acts, chapter 1031, division I,  
22 take effect upon enactment.

23 ADMINISTRATION AND REGULATION — FY 2012-2013. This  
24 division of the bill relates to and appropriates moneys to  
25 various state departments, agencies, and funds for the fiscal  
26 year beginning July 1, 2012, and ending June 30, 2013. The  
27 division makes appropriations to state departments and agencies  
28 including the department of administrative services, auditor of  
29 state, Iowa ethics and campaign disclosure board, department  
30 of commerce, offices of governor and lieutenant governor, the  
31 governor's office of drug control policy, department of human  
32 rights, department of inspections and appeals, department  
33 of management, department of revenue, secretary of state,  
34 treasurer of state, and Iowa public employees' retirement  
35 system.

1 AGRICULTURE AND NATURAL RESOURCES — DEPARTMENT OF  
2 AGRICULTURE AND LAND STEWARDSHIP — GENERAL APPROPRIATIONS  
3 FOR FY 2011-2012. The division appropriates moneys to the  
4 department of agriculture and land stewardship from the general  
5 fund of the state and other revenues including those deposited  
6 in the renewable fuel infrastructure fund, in order to support  
7 the department and its programs for FY 2011-2012.

8 AGRICULTURE AND NATURAL RESOURCES — DEPARTMENT OF NATURAL  
9 RESOURCES — GENERAL APPROPRIATIONS FOR FY 2011-2012. The  
10 division appropriates moneys to the department of natural  
11 resources from the general fund of the state and other  
12 revenues including those deposited into the state fish and  
13 game protection fund, the groundwater protection fund, the  
14 snowmobile fund, and the unassigned revenue fund, in order to  
15 support the department and its programs for FY 2011-2012.

16 AGRICULTURE AND NATURAL RESOURCES — IOWA STATE UNIVERSITY  
17 APPROPRIATION FOR FY 2011-2012. The division appropriates  
18 moneys to Iowa state university from the general fund of  
19 the state for the operation of the Iowa state university's  
20 veterinary diagnostic laboratory for FY 2011-2012.

21 AGRICULTURE AND NATURAL RESOURCES — ENVIRONMENT FIRST FUND  
22 — GENERAL APPROPRIATIONS FOR FY 2011-2012. The division  
23 appropriates moneys to the department of agriculture and land  
24 stewardship and the department of natural resources from the  
25 environment first fund in order to support a number of programs  
26 and dedicated funds related to conservation, natural resources,  
27 and local foods administered by the departments or other  
28 entities, for FY 2011-2012.

29 AGRICULTURE AND NATURAL RESOURCES — ENVIRONMENT FIRST FUND  
30 — APPROPRIATION TO THE RESOURCES ENHANCEMENT AND PROTECTION  
31 (REAP) FUND FOR FY 2011-2012. The division appropriates moneys  
32 from the environment first fund to the resources enhancement  
33 and protection fund to support a number of natural resources  
34 and conservation programs for FY 2011-2012. The appropriation  
35 is made in lieu of the \$20 million appropriated to the

1 resources enhancement and protection fund by Code section  
2 455A.18 from the general fund of the state.

3 AGRICULTURE AND NATURAL RESOURCES — RELATED MISCELLANEOUS  
4 PROVISIONS FOR FY 2011-2012. The division requires the  
5 department of agriculture and land stewardship report on  
6 agricultural drainage well closings.

7 AGRICULTURE AND NATURAL RESOURCES — RELATED STATUTORY  
8 CHANGES FOR CODIFICATIONS IN 2011 — LOCAL FOOD AND FARM  
9 INITIATIVE. The division establishes an initiative related to  
10 the production, processing, and marketing of local foods. The  
11 initiative is administered by a local food and farm program  
12 coordinator established within the department of agriculture  
13 and land stewardship but stationed at Iowa state university as  
14 part of its cooperative extension service in agriculture and  
15 home economics.

16 AGRICULTURE AND NATURAL RESOURCES — RELATED STATUTORY  
17 CHANGES FOR CODIFICATION IN 2011 — SPECIAL FUNDS. The  
18 division amends statutory provisions which allocate moneys from  
19 the groundwater protection fund for community beautification  
20 projects. The division also amends statutory provisions which  
21 allow the department of natural resources and the department of  
22 agriculture and land stewardship to retain moneys appropriated  
23 each year from the Iowa comprehensive petroleum underground  
24 storage tank fund. The division takes effect upon enactment.

25 AGRICULTURE AND NATURAL RESOURCES — DEPARTMENT OF  
26 AGRICULTURE AND LAND STEWARDSHIP — GENERAL APPROPRIATIONS  
27 FOR FY 2012-2013. The division appropriates moneys to the  
28 department of agriculture and land stewardship from the general  
29 fund of the state and other revenues including those deposited  
30 in the renewable fuel infrastructure fund, in order to support  
31 the department and its programs for FY 2012-2013.

32 AGRICULTURE AND NATURAL RESOURCES — DEPARTMENT OF NATURAL  
33 RESOURCES — GENERAL APPROPRIATIONS FOR FY 2012-2013. The  
34 division appropriates moneys to the department of natural  
35 resources from the general fund of the state and other

1 revenues including those deposited into the state fish and  
2 game protection fund, the groundwater protection fund, the  
3 snowmobile fund, and the unassigned revenue fund, in order to  
4 support the department and its programs for FY 2012-2013.

5 AGRICULTURE AND NATURAL RESOURCES — STATE UNIVERSITIES —  
6 APPROPRIATIONS FOR FY 2012-2013. The division appropriates  
7 moneys to Iowa state university from the general fund of  
8 the state for the operation of the Iowa state university's  
9 veterinary diagnostic laboratory for FY 2012-2013, and to the  
10 university of Iowa to support the Iowa flood center for the  
11 same fiscal year.

12 AGRICULTURE AND NATURAL RESOURCES — ENVIRONMENT FIRST FUND  
13 — APPROPRIATIONS FOR FY 2012-2013. The division appropriates  
14 moneys to the department of agriculture and land stewardship  
15 and the department of natural resources from the environment  
16 first fund in order to support a number of programs and  
17 dedicated funds related to conservation, natural resources, and  
18 local foods, administered by the departments or other entities  
19 for FY 2012-2013.

20 AGRICULTURE AND NATURAL RESOURCES — ENVIRONMENT FIRST FUND  
21 — APPROPRIATION TO THE RESOURCES ENHANCEMENT AND PROTECTION  
22 (REAP) FUND FOR FY 2012-2013. The division appropriates moneys  
23 from the environment first fund to the resources enhancement  
24 and protection fund to support a number of natural resources  
25 and conservation programs for FY 2012-2013. The appropriation  
26 is made in lieu of the \$20 million appropriated to the  
27 resources enhancement and protection fund by Code section  
28 455A.18 from the general fund of the state.

29 ECONOMIC DEVELOPMENT — FY 2011-2012. The division makes  
30 appropriations and transfers from the general fund of the  
31 state and other funds to the department of cultural affairs,  
32 the department of economic development, the university of  
33 northern Iowa, the university of Iowa, Iowa state university,  
34 the department of workforce development, the Iowa finance  
35 authority, and the public employment relations board for the

1 2011-2012 fiscal year.

2 The division provides certain goals for the department of  
3 economic development.

4 The division authorizes an additional 2.25 FTEs for  
5 the department of economic development for purposes of  
6 administrative duties related to the vision Iowa program.

7 The division transfers moneys collected by the division of  
8 insurance in excess of the anticipated gross revenues to the  
9 department of economic development for purposes of insurance  
10 economic development and international insurance economic  
11 development.

12 The division appropriates moneys from the Iowa community  
13 development loan fund to the department of economic development  
14 for purposes of the community development program.

15 The division appropriates moneys from the workforce  
16 development fund account to the workforce development fund.

17 The division provides that moneys appropriated or  
18 transferred to or receipts credited to the workforce  
19 development fund are appropriated to the department of economic  
20 development for administration of workforce development  
21 activities.

22 The division provides that all moneys in the job training  
23 fund on July 1, 2011, and any moneys appropriated or credited  
24 to the fund during the fiscal year beginning July 1, 2011,  
25 shall be transferred to the workforce development fund.

26 The division requires the department of economic development  
27 to compile and submit by January 1, 2012, a report on all  
28 expenditures made during the previous fiscal year for purposes  
29 of green initiatives, sustainability programs, and all such  
30 similar efforts.

31 The division requires the state board of regents to submit  
32 a report on the progress of regents institutions in meeting  
33 the strategic plan for technology transfer and economic  
34 development.

35 The division requires the auditor of state to conduct an

1 audit of the department of workforce development.

2 The division appropriates moneys from the special employment  
3 security contingency fund to the department of workforce  
4 development for the division of workers' compensation and for  
5 field offices.

6 The division appropriates interest earned on the  
7 unemployment compensation reserve fund to the department of  
8 workforce development for the operation of field offices.

9 The division appropriates moneys to the department of  
10 workforce development for an employee misclassification  
11 program.

12 The division restricts the department of workforce  
13 development from using any appropriations for purposes of the  
14 national career readiness program.

15 The division appropriates moneys to the Iowa finance  
16 authority for purposes of providing reimbursement for rent  
17 expenses under the rent subsidy program.

18 The division appropriates moneys from moneys credited to  
19 the state by the secretary of the treasury of the United  
20 States pursuant to the Social Security Act to the department  
21 of workforce development for the administration of the  
22 unemployment compensation program only.

23 ECONOMIC DEVELOPMENT — FY 2012-2013. The division makes  
24 appropriations and transfers from the general fund of the  
25 state and other funds to the department of cultural affairs,  
26 the department of economic development, the university of  
27 northern Iowa, the university of Iowa, Iowa state university,  
28 the department of workforce development, the Iowa finance  
29 authority, and the public employment relations board for the  
30 2012-2013 fiscal year.

31 ECONOMIC DEVELOPMENT — AGENCY APPEARANCES. The division  
32 requires the directors of the Iowa finance authority and the  
33 department of economic development, or their designees, to  
34 annually appear before the joint appropriations subcommittee  
35 on economic development.

1 EDUCATION — FY 2011-2012. This division of this bill  
2 appropriates moneys for fiscal year 2011-2012 from the general  
3 fund of the state to the college student aid commission, the  
4 department for the blind, the department of education, and the  
5 state board of regents and its institutions.

6 The division appropriates to the department for the blind  
7 for its administration.

8 The division includes appropriations to the college student  
9 aid commission for general administrative purposes, student  
10 aid programs, loan forgiveness for health care professionals,  
11 the national guard educational assistance program, the teacher  
12 shortage loan forgiveness program, the all Iowa opportunity  
13 foster care grant and scholarship programs, the registered  
14 nurse loan and nurse educator forgiveness program, and the  
15 barber and cosmetology arts and sciences tuition grant program.

16 The division replaces the osteopathic physician recruitment  
17 program with a health care professionals recruitment program,  
18 and eliminates the osteopathic forgivable loan program, the  
19 match requirement under the program for Des Moines university,  
20 and the osteopathic tuition scholarship.

21 The division reduces the standing appropriations for Iowa  
22 tuition grants for students attending for-profit institutions,  
23 and provides that a for-profit institution which, effective  
24 January 8, 2010, purchased an accredited nonprofit private  
25 institution, Waldorf College, shall be an eligible institution  
26 under the tuition grant program. The division notwithstanding  
27 the \$2.75 million standing appropriation for the Iowa  
28 work-study program and provides that the amount appropriated  
29 for fiscal year 2011-2012 is zero.

30 The division appropriates moneys to the department  
31 of education for purposes of the department's general  
32 administration, vocational education administration,  
33 division of vocational rehabilitation services including  
34 independent living and the entrepreneurs with disabilities  
35 program and independent living centers, state library for

1 general administration and the enrich Iowa program, library  
2 service area system, public broadcasting division, regional  
3 telecommunications councils, vocational education to secondary  
4 schools, school food service, early childhood Iowa fund,  
5 expansion of the federal Individuals with Disabilities  
6 Education Improvement Act birth through age three services,  
7 textbooks for nonpublic school pupils, the beginning  
8 administrator mentoring and induction program, the student  
9 achievement and teacher quality program, jobs for America's  
10 graduates specialists, and community colleges.

11 The division reduces the school aid formula weighting for  
12 the statewide preschool program for four-year-old children from  
13 60 percent to 30 percent of the actual enrollment of eligible  
14 students. This provision takes effect upon enactment, and  
15 applies to budget years beginning on or after that date.

16 The division limits the amount of preschool foundation  
17 aid that a school district may use for administration of its  
18 approved preschool program to not more than 5 percent.

19 From the appropriation made to the department of education  
20 for the 2010-2011 fiscal year for purposes of the student  
21 achievement and teacher quality program, the division transfers  
22 specified amounts for purposes of vocational education  
23 administration, reimbursement for vocational education  
24 expenditures to secondary schools, and school food service  
25 for the 2010-2011 fiscal year, and provides that the transfer  
26 provision takes effect upon enactment.

27 The division amends statute to provide that of the state  
28 funding that an early childhood Iowa area board designates of  
29 family support programs, at least 60 percent shall be committed  
30 to programs with a home visitation component. Current Code  
31 requires 60 percent of all funding from all sources be used  
32 for programs with a home visitation component. The division  
33 also amends statute to change the allocations under the student  
34 achievement and teacher quality program, and to strike the  
35 allocation for teacher development academies.



1 The division changes the allocations under the student  
2 achievement and teacher quality program, and strikes the  
3 allocation for teacher development academies.

4 The division amends statute to permit children to qualify  
5 for school district home school assistance programs if they  
6 are school age, rather than compulsory attendance age. The  
7 division also requires school districts to expend moneys  
8 received from weighted enrollment of children receiving  
9 competent private instruction at home on home school assistance  
10 programs and broadens the acceptable uses of the state  
11 assistance school districts receive from additional weighting  
12 for students receiving competent private instruction from  
13 a licensed practitioner provided through a public school  
14 district. Funds received for purposes of providing a program,  
15 under the division, may be used for instructing students; for  
16 equipment or facility acquisition, including the lease or  
17 rental of space to supplement existing schoolhouse facilities;  
18 and for operational, maintenance, or administrative costs other  
19 than those costs necessary to operate, maintain, and administer  
20 the program.

21 The division appropriates moneys to the state board of  
22 regents for the board office, universities' general operating  
23 budgets; the southwest Iowa graduate studies center; the  
24 siouxland interstate metropolitan planning council; the  
25 quad-cities graduate studies center; Iowa public radio; the  
26 state university of Iowa; Iowa state university of science  
27 and technology; the university of northern Iowa; and for the  
28 Iowa school for the deaf and the Iowa braille and sight saving  
29 school, including tuition and transportation costs for students  
30 residing in the schools and licensed classroom teachers.

31 The division also requires the department of administrative  
32 services to pay the state school for the deaf and the Iowa  
33 braille and sight saving school moneys collected from counties  
34 for expenses related to prescription drug costs for students  
35 attending the schools.

1 The division allows the state board of regents to use  
2 indebtedness to finance certain projects resulting in energy  
3 savings.

4 EDUCATION — FY 2012-2013. This division of the bill  
5 appropriates moneys for fiscal year 2012-2013 from the general  
6 fund of the state to the college student aid commission, the  
7 department for the blind, the department of education, and the  
8 state board of regents and its institutions.

9 EDUCATION — MIDWESTERN HIGHER EDUCATION COMPACT. This  
10 division appropriates moneys for fiscal years 2010-2011,  
11 2011-2012, and 2012-2013 from the general fund of the state to  
12 the state board of regents for distribution to the midwestern  
13 high education compact to pay Iowa's member state annual  
14 obligation. The division repeals Code section 261D.4 regarding  
15 the annual payment of dues for membership in the midwestern  
16 higher education compact. The division takes effect upon  
17 enactment, and if approved by the governor on or after July 1,  
18 2011, applies retroactively to June 30, 2011.

19 HEALTH AND HUMAN SERVICES — DEPARTMENT ON AGING — FY  
20 2011-2012. This division appropriates funding from the general  
21 fund of the state for the department on aging.

22 HEALTH AND HUMAN SERVICES — DEPARTMENT OF PUBLIC HEALTH  
23 — FY 2011-2012. This division appropriates funding from the  
24 general fund of the state for the department of public health.

25 HEALTH AND HUMAN SERVICES — DEPARTMENT OF VETERANS AFFAIRS  
26 — FY 2011-2012. This division appropriates funding from  
27 the general fund of the state for the department of veterans  
28 affairs.

29 HEALTH AND HUMAN SERVICES — DEPARTMENT OF HUMAN SERVICES  
30 — FY 2011-2012. The division appropriates funding from  
31 the general fund of the state and the federal temporary  
32 assistance for needy families block grant to the department  
33 of human services. The allocation for the family development  
34 and self-sufficiency grant program is made directly to the  
35 department of human rights.

1 An appropriation is made from the health care trust fund for  
2 the medical assistance (Medicaid) program in addition to the  
3 general fund appropriation made for this purpose.

4 The reimbursement section addresses reimbursement for  
5 providers reimbursed by the department of human services.

6 HEALTH AND HUMAN SERVICES — PHARMACEUTICAL SETTLEMENT  
7 ACCOUNT, IOWACARE ACCOUNT, NONPARTICIPATING PROVIDER  
8 REIMBURSEMENT FUND, HEALTH CARE TRANSFORMATION ACCOUNT,  
9 MEDICAID FRAUD ACCOUNT, QUALITY ASSURANCE TRUST FUND, AND  
10 HOSPITAL HEALTH CARE ACCESS TRUST FUND — FY 2011-2012. This  
11 division makes appropriations for fiscal year 2011-2012. The  
12 appropriation to the department of inspections and appeals is  
13 made from the Medicaid fraud account.

14 The division makes an appropriation from the pharmaceutical  
15 settlement account to the department of human services to  
16 supplement the medical contracts appropriation.

17 The division makes appropriations from the IowaCare  
18 account to the state board of regents for distribution to the  
19 university of Iowa hospitals and clinics and to the department  
20 of human services for distribution to a publicly owned acute  
21 care teaching hospital in a county with a population over  
22 350,000 related to the IowaCare program and indigent care. The  
23 division also makes appropriations from the IowaCare account  
24 to the department of human services for distribution to the  
25 regional provider network, a care coordination pool, and a  
26 laboratory test and radiology pool. The division makes an  
27 appropriation from the nonparticipating provider reimbursement  
28 fund to reimburse nonparticipating providers under the IowaCare  
29 program. The division makes an appropriation to the department  
30 of human services from the health care transformation account  
31 for various health care reform initiatives.

32 Appropriations are made to supplement the Medicaid program  
33 from the following funds: quality assurance trust fund,  
34 Medicaid fraud account, and hospital health care access trust  
35 fund.

1 The division provides that if the total amount appropriated  
2 from all sources for the medical assistance program for fiscal  
3 year 2011-2012 exceeds the amount needed, the excess remains  
4 available to be used for the program in the succeeding fiscal  
5 year.

6 HEALTH AND HUMAN SERVICES — MH/MR/DD SERVICES ALLOWED  
7 GROWTH FUNDING FISCAL YEAR 2011-2012. This division allocates  
8 the appropriation made in 2010 Iowa Acts, chapter 1193, for  
9 distribution to counties for adult mental illness, mental  
10 retardation, and developmental disabilities services allowed  
11 growth for fiscal year 2011-2012.

12 The standing appropriation from the general fund of the  
13 state of \$88.4 million for purposes of the property tax relief  
14 fund in Code section 426B.1 is reduced to approximately \$81.2  
15 million for FY 2011-2012.

16 HEALTH AND HUMAN SERVICES — PRIOR APPROPRIATIONS AND  
17 RELATED PROVISIONS — FY 2011-2012. This division addresses  
18 previous appropriations and related provisions.

19 Code section 35A.8A, relating to Vietnam conflict veterans  
20 bonus compensation, is amended to change the application  
21 deadline from July 1, 2010, to May 1, 2011. This change is  
22 retroactive to July 1, 2010.

23 New Code section 16.185 creates the community housing for  
24 persons with disabilities loan program fund under the Iowa  
25 finance authority.

26 An appropriation originally enacted in 2008 Iowa Acts,  
27 chapter 1187, section 68, for the Vietnam conflict veterans  
28 bonus fund, is amended to provide that upon repeal of the  
29 bonus fund on June 30, 2011, the balance is transferred to the  
30 veterans trust fund to be expended at a later date for a bonus  
31 enacted for veterans of more recent conflicts.

32 An existing nonreversion clause for purposes of the  
33 appropriation made for the injured veterans grant program in  
34 2008 Iowa Acts, chapter 1187, section 69, is extended through  
35 FY 2011-2012.

1 A provision in 2009 Iowa Acts, chapter 182, section 9,  
2 requiring the department of human services to maintain a  
3 behavioral health account, is amended so that unused funds do  
4 not revert but are retained to be used for crisis stabilization  
5 and other mental and behavioral health service improvements.

6 Unused funds remaining from the allocation made in 2009  
7 Iowa Acts, chapter 182, section 14, for the child welfare  
8 decategorization projects are transferred to the community  
9 housing for persons with disabilities loan program created in  
10 the Act.

11 The requirements for an allocation made in 2009 Iowa Acts,  
12 chapter 183, section 62, for infant and toddler care quality,  
13 are revised.

14 Requirements in 2010 Iowa Acts, chapter 1192, sections 1 and  
15 37, for quarterly review of reimbursement provisions for case  
16 management services under the Medicaid program elderly waiver,  
17 are deleted.

18 Funds remaining from the appropriation made in 2010 Iowa  
19 Acts, chapter 1192, section 3, for the Iowa veterans home are  
20 subject to a nonreversion clause under Code section 35D.18.  
21 The bill provides for the first \$500,000 to be used for the  
22 Iowa veterans home in the succeeding fiscal year and the  
23 remainder to be transferred to the department of human services  
24 to be used for the Medicaid program.

25 The appropriation made for the Medicaid program in 2010  
26 Iowa Acts, chapter 1192, section 11, is amended to allow the  
27 department of human services to increase the amounts allocated  
28 for staffing as necessary to implement cost containment efforts  
29 to accomplish Medicaid program savings.

30 Moneys from the general fund of the state are appropriated  
31 for FY 2010-2011 to be credited to the injured veterans trust  
32 fund to be used for the injured veterans grant program. The  
33 moneys appropriated from the general fund do not revert.

34 A nonreversion clause is provided for the appropriation made  
35 for the state supplementary assistance program in 2010 Iowa

1 Acts, chapter 1192, section 14.

2 Sixty thousand dollars of the appropriation made for  
3 adoption subsidy for FY 2010-2011 is transferred to the state  
4 mental health institute at Cherokee to be used for children's  
5 beds.

6 The appropriation made from the quality assurance fund in  
7 2010 Iowa Acts, chapter 1192, section 44, for the Medicaid  
8 program, is increased.

9 An appropriation made from the merchant marine bonus fund  
10 to the department of cultural affairs for FY 2010-2011 is  
11 transferred to the department of veterans affairs on the  
12 effective date of the provision. Transferred moneys remaining  
13 at the close of the fiscal year are required to be credited to  
14 the veterans trust fund.

15 A portion of appropriations made to the department of human  
16 services for FY 2010-2011 for the state resource center at  
17 Glenwood is transferred to the Iowa juvenile home appropriation  
18 and for the state resource center at Woodward is transferred  
19 to the state mental health institute at Independence. This  
20 provision is retroactively applicable to January 1, 2012.

21 The division directs the department of human services to  
22 not amend the medical assistance waiver for the Iowa family  
23 planning network as provided in 2010 Iowa Acts, chapter 1192,  
24 and instead to continue the waiver as it exists on July 1,  
25 2011, and to only increase the eligibility percentage to the  
26 minimum extent necessary to comply with federal maintenance of  
27 effort requirements.

28 For the period of June 1, 2010, and ending June 30, 2011,  
29 a child welfare funding decategorization project that is  
30 incorporated and owns real property may utilize project funding  
31 to purchase liability insurance. This provision applies  
32 retroactively to June 1, 2010.

33 If an accountable health care organization is certified  
34 by the U.S. government, the department of human services may  
35 provide certain Medicaid data to the organization for purposes

1 of a pilot project to identify cost savings strategies.

2 The division takes effect upon enactment and if approved by  
3 the governor on or after July 1, 2011, applies retroactively  
4 to June 30, 2011.

5 HEALTH AND HUMAN SERVICES — PREVENTION AND CHRONIC CARE  
6 MANAGEMENT. This division repeals the state initiative for  
7 prevention and chronic care management in Code section 135.161,  
8 directs that the initiative be incorporated into the duties of  
9 the medical home system advisory council, and makes conforming  
10 amendments.

11 HEALTH AND HUMAN SERVICES — MISCELLANEOUS — FY 2011-2012.  
12 This division provides miscellaneous statutory provisions.

13 Code section 29C.20B, relating to disaster case management,  
14 is amended to transfer administrative responsibility from the  
15 department of human services to the homeland security and  
16 emergency management division.

17 Code section 135.106, establishing the healthy opportunities  
18 for parents to experience success (HOPES) — healthy families  
19 Iowa (HFI) program, is amended to provide legislative intent  
20 that the priority for home visitation funding be given to  
21 approaches using evidence-based or promising models for home  
22 visitation.

23 Code section 147.136, relating to the scope of recovery  
24 in legal actions for personal injury against a health care  
25 provider, is amended to provide that recovery of economic  
26 losses replaced by the Medicaid program is not barred.

27 Code section 155A.43 is enacted to provide an annual  
28 allocation of fees collected by the board of pharmacy to  
29 administer the pharmaceutical collection and disposal program.

30 Code section 225B.8, relating to the sunset repeal date for  
31 the prevention of disabilities planning council, is amended to  
32 change the date from July 1, 2011, to July 1, 2012.

33 The nonreversion clause in Code section 232.188 applicable  
34 to carryover funding under the decategorization of child  
35 welfare funding initiative, is extended for an additional

1 fiscal year.

2 Code section 249A.4B is amended to update the name of the  
3 Iowa primary care association.

4 Code section 135.27A, the governor council on physical  
5 fitness and nutrition, is repealed December 31, 2011.

6 HEALTH AND HUMAN SERVICES — MEDICAID PRESCRIPTION DRUGS.  
7 This division relates to coverage of prescription drugs under  
8 the Medicaid program which are prescribed for mental illness.  
9 The division takes effect upon enactment and applies  
10 retroactively to January 1, 2011.

11 HEALTH AND HUMAN SERVICES — IOWA FALSE CLAIMS ACT. This  
12 division includes various amendments to the false claims Act in  
13 Code chapter 685.

14 HEALTH AND HUMAN SERVICES — VOLUNTEER HEALTH CARE PROVIDER  
15 PROGRAM. This division amends Code section 135.24, relating to  
16 the volunteer health care provider program and immunity from  
17 civil liability under the program.

18 HEALTH AND HUMAN SERVICES — DEPARTMENT ON AGING — FY  
19 2012-2013. This division appropriates funding from the general  
20 fund of the state for the department on aging.

21 HEALTH AND HUMAN SERVICES — DEPARTMENT OF PUBLIC HEALTH  
22 — FY 2012-2013. This division appropriates funding from the  
23 general fund of the state for the department of public health.

24 HEALTH AND HUMAN SERVICES — DEPARTMENT OF VETERANS AFFAIRS  
25 — FY 2012-2013. This division appropriates funding from  
26 the general fund of the state for the department of veterans  
27 affairs.

28 HEALTH AND HUMAN SERVICES — DEPARTMENT OF HUMAN SERVICES  
29 — FY 2012-2013. This division appropriates funding from the  
30 general fund of the state for the department of human services.

31 HEALTH AND HUMAN SERVICES — PHARMACEUTICAL SETTLEMENT  
32 ACCOUNT, IOWACARE ACCOUNT, NONPARTICIPATING PROVIDER  
33 REIMBURSEMENT FUND, HEALTH CARE TRANSFORMATION ACCOUNT,  
34 MEDICAID FRAUD ACCOUNT, QUALITY ASSURANCE TRUST FUND, AND  
35 HOSPITAL HEALTH CARE ACCESS TRUST FUND — FY 2012-2013. This



1 division appropriates funding from various funds and accounts  
2 for purposes of health and human services.

3 HEALTH AND HUMAN SERVICES — MH/MR/DD SERVICES ALLOWED  
4 GROWTH FUNDING FISCAL YEAR 2012-2013. This division  
5 appropriates and distributes funding to counties for  
6 adult mental health, mental retardation, and developmental  
7 disabilities allowed growth for FY 2012-2013.

8 JUSTICE SYSTEM — FY 2011-2012. The division makes  
9 appropriations from the general fund of the state for fiscal  
10 year 2011-2012 to the departments of justice, corrections,  
11 public defense, and public safety, and the Iowa law enforcement  
12 academy, office of the state public defender, board of parole,  
13 and Iowa state civil rights commission.

14 The division appropriates moneys from the department of  
15 commerce revolving fund to the office of consumer advocate of  
16 the department of justice.

17 The division appropriates moneys from the gaming enforcement  
18 revolving fund to the department of public safety. The  
19 division also authorizes FTEs related to gaming enforcement in  
20 the fund.

21 The division provides that for each additional license to  
22 conduct gambling games on an excursion gambling boat, gambling  
23 structure, or racetrack enclosure issued during the fiscal year  
24 2011-2012, there is appropriated from the gaming enforcement  
25 fund to the department of public safety for the fiscal year  
26 beginning July 1, 2011, an additional amount of not more than  
27 \$521,000 to be used for not more than 6.00 additional full-time  
28 equivalent positions. Additional positions are authorized for  
29 each riverboat or gambling structure that extends operations  
30 to 24 hours.

31 The division requires the department of public safety to  
32 issue quarterly reports to the department of management and the  
33 legislative services agency relating to the revenues billed  
34 and collected and the expenditures from the gaming enforcement  
35 revolving fund. The division requires the department of

1 public safety to estimate the temporary use of funds from the  
2 general fund for the cash flow needs of the gaming enforcement  
3 revolving fund as early as possible in each fiscal year. The  
4 division specifies the establishment of the gaming enforcement  
5 revolving fund shall not be interpreted in any manner to  
6 compromise or impact the accountability of, and the limitation  
7 of authority with respect to, an agency or entity under state  
8 law.

9 The division amends 2009 Iowa Acts, chapter 178, to extend  
10 the fiscal period that increases the annual appropriations from  
11 the consumer education and litigation fund in Code section  
12 714.16C, to the department of justice. The fiscal period  
13 authorizing such increases is extended from the fiscal period  
14 beginning on July 1, 2008, and ending on June 30, 2011, to  
15 the fiscal period beginning on July 1, 2008, and ending June  
16 30, 2013. By extending the fiscal period that authorizes  
17 increased appropriations from the consumer education and  
18 litigation fund, the fiscal period that moneys may be allocated  
19 from the consumer education and litigation fund to the victim  
20 compensation fund for cash flow purposes is also extended,  
21 if the moneys so allocated are returned to the consumer  
22 education and litigation fund by the end of each fiscal year  
23 the allocation occurs.

24 The division requires the departments of corrections,  
25 human services, inspections and appeals, and public health,  
26 and the board of parole, to jointly study the development  
27 and establishment of treatment options for geriatric and  
28 psychiatric patients currently under the care, custody,  
29 and control of the state. The department of corrections in  
30 consultation with the other departments and the board of parole  
31 shall submit a report detailing the results of the study to the  
32 co-chairpersons and ranking members of the joint appropriations  
33 subcommittee on health and human services, the co-chairpersons  
34 and ranking members of the joint appropriations subcommittee on  
35 justice system, and the legislative services agency by November

1 15, 2011.

2 For the fiscal year beginning July 1, 2011, the division  
3 provides that the department of corrections, department  
4 of public safety, and the judicial district department of  
5 correctional services are exempt from the target ratio of  
6 supervisory employees to other employees otherwise applicable  
7 for the fiscal year beginning July 1, 2011, under Code section  
8 8A.402(2)(g).

9 JUSTICE SYSTEM — FY 2012-2013. The division makes  
10 appropriations from the general fund of the state for fiscal  
11 year 2012-2013 to the departments of justice, corrections,  
12 public defense, and public safety, and the Iowa law enforcement  
13 academy, office of the state public defender, board of parole,  
14 and Iowa state civil rights commission.

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16 commerce revolving fund to the office of consumer advocate of  
17 the department of justice.

18 The division appropriates moneys from the gaming enforcement  
19 revolving fund to the department of public safety. The  
20 division also authorizes FTEs related to gaming enforcement in  
21 the fund.

22 The division also provides that for each additional  
23 license to conduct gambling games on an excursion gambling  
24 boat, gambling structure, or racetrack enclosure issued  
25 during the fiscal period beginning on July 1, 2012, there is  
26 appropriated from the gaming enforcement fund to the department  
27 of public safety for the fiscal year beginning July 1, 2012,  
28 an additional amount of not more than \$521,000 to be used for  
29 not more than 6.00 additional full-time equivalent positions.  
30 Additional positions are authorized for each riverboat or  
31 gambling structure that extends operations to 24 hours.

32 For the fiscal year beginning July 1, 2012, the division  
33 provides that the department of corrections, department  
34 of public safety, and the judicial district department of  
35 correctional services are exempt from the target ratio of

1 supervisory employees to other employees otherwise applicable  
2 for the fiscal year beginning July 1, 2012, under Code section  
3 8A.402(2)(g).

4 JUDICIAL BRANCH — FY 2011-2012. The division appropriates  
5 from the general fund of the state for FY 2011-2012 to the  
6 judicial branch for salaries, maintenance, equipment, and  
7 miscellaneous purposes.

8 The division appropriates \$2.3 million from the general fund  
9 of the state to the revolving fund created in Code section  
10 602.1302 for jury and witness fees, mileage, costs related to  
11 summoning jurors, fees for interpreters, and certain attorney  
12 fee reimbursement.

13 The division provides it is the intent of the general  
14 assembly that the offices of the clerk of the district court  
15 operate in all 99 counties and be accessible to the public as  
16 much as reasonably possible.

17 The division provides that a civil trial including a jury  
18 trial may take place in a county contiguous to the county with  
19 proper jurisdiction, even if the contiguous county is located  
20 in an adjacent judicial district or judicial election district,  
21 if all the parties in a case agree. If a trial is moved to  
22 another county that is located in another judicial district or  
23 judicial election district, the judicial officers serving the  
24 judicial district or judicial election district receiving the  
25 case shall preside over the case.

26 The division permits a judicial officer to waive travel  
27 reimbursement for any travel outside the judicial officer's  
28 county of residence to conduct official business.

29 The division allows a judicial officer to be placed on  
30 unpaid leave for the fiscal year beginning July 1, 2011, and  
31 ending June 30, 2012, on any day a court employee is required  
32 to furlough. The division provides that if a judicial officer  
33 is placed on unpaid leave, the salary of the judicial officer  
34 shall be reduced accordingly for the pay period in which the  
35 unpaid leave occurred. Through the course of the fiscal year,

1 the division provides that the judicial branch may use an  
2 amount equal to the aggregate amount of the salary reductions  
3 due to judicial officer unpaid leave for any purpose other than  
4 judicial salaries.

5 JUDICIAL BRANCH — FY 2012-2013. The division appropriates  
6 from the general fund of the state for FY 2012-2013 to the  
7 judicial branch for salaries, maintenance, equipment, and  
8 miscellaneous purposes.

9 The division appropriates \$2.3 million from the general fund  
10 of the state to the revolving fund created in Code section  
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12 summoning jurors, fees for interpreters, and certain attorney  
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19 trial may take place in a county contiguous to the county with  
20 proper jurisdiction, even if the contiguous county is located  
21 in an adjacent judicial district or judicial election district,  
22 if all the parties in a case agree. If a trial is moved to  
23 another county that is located in another judicial district or  
24 judicial election district, the judicial officers serving the  
25 judicial district or judicial election district receiving the  
26 case shall preside over the case.

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28 reimbursement for any travel outside the judicial officer's  
29 county of residence to conduct official business.

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31 unpaid leave for the fiscal year beginning July 1, 2012, and  
32 ending June 30, 2013, on any day a court employee is required  
33 to furlough. The division provides that if a judicial officer  
34 is placed on unpaid leave, the salary of the judicial officer  
35 shall be reduced accordingly for the pay period in which the

1 unpaid leave occurred. Through the course of the fiscal year,  
2 the division provides that the judicial branch may use an  
3 amount equal to the aggregate amount of the salary reductions  
4 due to judicial officer unpaid leave for any purpose other than  
5 judicial salaries.

6       TRANSPORTATION — FY 2011-2012. This division makes  
7 appropriations for FY 2011-2012 from the road use tax fund and  
8 the primary road fund to the department of transportation for  
9 support of ongoing operations and for various infrastructure  
10 maintenance and improvement projects, including replacement of  
11 the Swea City garage.

12       TRANSPORTATION — FY 2012-2013. This division makes  
13 appropriations for FY 2012-2013 from the road use tax fund and  
14 the primary road fund to the department of transportation for  
15 support of ongoing operations and for various infrastructure  
16 maintenance and improvement projects, including replacement of  
17 the New Hampton combined facility.

18       INFRASTRUCTURE AND CAPITALS — REBUILD IOWA INFRASTRUCTURE  
19 FUND APPROPRIATIONS. This division appropriates project  
20 funding for FY 2011-2012 and FY 2012-2013 from the rebuild  
21 Iowa infrastructure fund, including projects for the  
22 departments of administrative services, corrections, cultural  
23 affairs, economic development, education, public defense, and  
24 transportation, to the treasurer of state, and to the state  
25 board of regents.

26       The division appropriates project funding for FY 2011-2012  
27 from the rebuild Iowa infrastructure fund to the department for  
28 the blind, department of human services, department of natural  
29 resources, and department of veterans affairs.

30       The division appropriates project funding for FY 2013-2014  
31 from the rebuild Iowa infrastructure fund to the department of  
32 corrections and to the state board of regents.

33       The division appropriates project funding for FY 2014-2015  
34 from the rebuild Iowa infrastructure fund to the state board  
35 of regents.

1       INFRASTRUCTURE AND CAPITALS — TECHNOLOGY REINVESTMENT  
2 FUND — APPROPRIATIONS. This division appropriates project  
3 funding for FY 2011-2012 and FY 2012-2013 from the technology  
4 reinvestment fund to the departments of administrative  
5 services, corrections, education, human rights, human services,  
6 public safety, and the Iowa telecommunications and technology  
7 commission.

8       The division appropriates project funding for FY 2011-2012  
9 from the technology reinvestment fund to the department of  
10 management.

11       The division appropriates project funding for FY 2013-2014  
12 from the technology reinvestment fund to the departments of  
13 human services and public safety.

14       The division appropriates project funding for FY 2014-2015  
15 from the technology reinvestment fund to the department of  
16 human services.

17       INFRASTRUCTURE AND CAPITALS — REVENUE BONDS CAPITALS FUND  
18 — APPROPRIATIONS. This division appropriates project funding  
19 for FY 2011-2012 from the revenue bonds capitals fund to the  
20 departments of corrections and administrative services.

21       INFRASTRUCTURE AND CAPITALS — REVENUE BONDS CAPITALS II  
22 FUND — APPROPRIATIONS. This division appropriates project  
23 funding for FY 2011-2012 from the revenue bonds capitals II  
24 fund to the department of administrative services.

25       INFRASTRUCTURE AND CAPITALS — GENERAL FUND —  
26 APPROPRIATIONS. This division appropriates funding for FY  
27 2012-2013 from the general fund of the state to the department  
28 of transportation.

29       INFRASTRUCTURE AND CAPITALS — PUBLIC BIDDING AND  
30 CONTRACTING. This division relates to bidding and contracting  
31 for public improvement, public works, and public road projects.

32       The division sets out procedural requirements which a public  
33 body must follow when awarding a contract for a public works  
34 project to a bidder through a competitive bidding process. The  
35 division defines criteria that the public body cannot consider

1 when awarding such a contract. Prohibited criteria include  
2 whether the bidder's employees belong to or are represented by  
3 a labor union; requiring the bidder to enter into an agreement  
4 that directly or indirectly requires the bidder to recruit,  
5 train, or hire employees from a particular source; or requiring  
6 the bidder or its subcontractors or agents to enter into an  
7 agreement or arrangement imposing various other limitations  
8 relating to the bidder's employees. The division requires the  
9 public body to include the prohibited criteria in any document  
10 requesting or inviting bids on public works projects subject  
11 to the bill.

12 The division requires the labor commissioner to administer  
13 and enforce Code section 73A.21, which allows the state  
14 and political subdivisions awarding a contract for a public  
15 improvement to give a preference to an Iowa resident bidder  
16 over a nonresident bidder. The preference must be reciprocal  
17 to any preference given to in-state resident bidders over  
18 nonresident bidders by the state or foreign country of  
19 a nonresident bidder. The division directs the labor  
20 commissioner to hire necessary personnel and adopt rules as  
21 necessary to administer Code section 73A.21.

22 The division includes in the reciprocity requirement  
23 nonresident bidders from a state or foreign country which  
24 gives any type of labor force preference or any other form  
25 of preference to resident bidders or laborers. The division  
26 provides that if the provisions of Code section 73A.21  
27 may cause denial of federal funds which would otherwise be  
28 available, or would otherwise be inconsistent with requirements  
29 of any federal law or regulation, the Code section will be  
30 suspended, but only to the extent necessary to prevent denial  
31 of the funds or to eliminate the inconsistency with federal  
32 requirements. The division requires a public body involved  
33 in a public improvement to require all nonresident bidders  
34 to specify on all project bid specifications and contract  
35 documents whether the nonresident bidder's state or country of



1 residence has any type of resident bidder preference in effect  
2 at the time of a bid submittal.

3 The division provides the labor commissioner with certain  
4 powers relating to nonresident bidders for public improvement  
5 projects to enforce Code section 73A.21. The division provides  
6 the labor commissioner with investigative powers concerning  
7 nonresident bidders. Such powers include the power to hold  
8 hearings, to enter a place of employment to inspect records  
9 regarding labor force residency, to question employees, and to  
10 take depositions and issue subpoenas. The division provides  
11 that the labor commissioner may sue for injunctive relief for  
12 violations of Code section 73A.21. The division requires the  
13 labor commissioner to develop a written complaint form for  
14 violations. The division requires a nonresident contractor  
15 domiciled in a state or country that has a resident labor  
16 force preference to keep for at least three years accurate  
17 records containing certain identifying information including  
18 residency for all workers employed by the contractor. The  
19 division provides that the labor commissioner may direct that  
20 up to 25 percent of the contract price be withheld from the  
21 contractor if the contractor does not file such records until  
22 the records are filed. The division provides for a civil  
23 penalty of \$1,000 for each violation found during a first  
24 investigation, \$5,000 for each violation found during a second  
25 investigation, and \$15,000 for each violation found during  
26 a subsequent investigation. The division provides that a  
27 separate and distinct violation occurs for each worker employed  
28 by the contractor for each day the worker is employed by the  
29 contractor. The division provides for a review process with  
30 the division of labor and sets out procedural requirements.  
31 The division modifies and adds applicable definitions for Code  
32 section 73A.21.

33 The division strikes the requirement in Code section 331.341  
34 that a county board of supervisors give preference to in-state  
35 labor in accordance with Code chapter 73 when contracting for

1 public improvement projects.

2 The division repeals Code sections 73.3 and 73.4, which  
3 require public bodies to give preference to in-state labor in  
4 public improvement or public works projects.

5 The division is effective upon enactment.

6 The division applies to all public improvement, public  
7 works, and public road projects, and to public improvement,  
8 public works, and public road contracts entered into on or  
9 after July 1, 2011.

10 The division may include a state mandate as defined in Code  
11 section 25B.3.

12 INFRASTRUCTURE AND CAPITALS — BUSINESS DEVELOPMENT  
13 ASSISTANCE — APPROPRIATIONS. This division appropriates  
14 \$15 million from the rebuild Iowa infrastructure fund to the  
15 department of economic development for purposes of providing  
16 financial assistance to businesses and for other related  
17 purposes.

18 INFRASTRUCTURE AND CAPITALS — MISCELLANEOUS CODE  
19 CHANGES. This division expands the definition of "vertical  
20 infrastructure" for purposes of the rebuild Iowa infrastructure  
21 fund for public vertical infrastructure projects to include  
22 debt service payments on academic revenue bonds issued in  
23 accordance with Code chapter 262A for capital projects at board  
24 of regents institutions. The division eliminates FY 2011-2012,  
25 FY 2012-2013, and FY 2013-2014 standing appropriations from  
26 the rebuild Iowa infrastructure fund to the secure an advanced  
27 vision for education fund created in Code section 423F.2.

28 The division reduces the FY 2011-2012 standing  
29 appropriations from the rebuild Iowa infrastructure fund to the  
30 environment first fund from \$42 million to \$33 million.

31 The division makes a standing appropriation from the rebuild  
32 Iowa infrastructure fund for FY 2012-2013 to the environment  
33 first fund of \$35 million.

34 The division eliminates the \$17.5 million standing  
35 appropriation from the general fund of the state to the

1 technology reinvestment fund for FY 2011-2012 and appropriates  
2 \$16 million from the rebuild Iowa infrastructure fund to the  
3 technology reinvestment fund for FY 2011-2012.

4 The division amends Code section 8A.321 to require the  
5 department of administrative services to issue a request for  
6 proposals for leasing privately owned office space in downtown  
7 Des Moines prior to replacing or renovating publicly owned  
8 buildings or relocating any state agencies to any space in  
9 publicly owned buildings.

10 The division amends Code section 12.82 to provide that  
11 notwithstanding any other provision of the Code chapter, the  
12 school infrastructure fund shall be used for purposes of the  
13 school infrastructure program established in Code section  
14 292.2. The division also amends Code section 12.82 to provide  
15 that any amounts remaining in the school infrastructure fund  
16 at the end of the fiscal year beginning July 1, 2010, shall be  
17 transferred to the rebuild Iowa infrastructure fund. These  
18 provisions take effect upon enactment and, if approved by the  
19 governor on or after July 1, 2011, apply retroactively to June  
20 30, 2011.

21 The division increases the standing appropriation from the  
22 rebuild Iowa infrastructure fund to the community attraction  
23 and trust fund for FY 2011-2012 from \$5 million to \$5.1  
24 million.

25 The division eliminates standing appropriations for FY  
26 2011-2012 and FY 2012-2013 from the franchise tax revenues  
27 deposited in the general fund of the state to the community  
28 attraction and tourism fund.

29 The division reduces the standing appropriation from the  
30 rebuild Iowa infrastructure fund to the Iowa finance authority  
31 for FY 2011-2012 from \$3 million to \$2 million.

32 The division eliminates the \$200,000 appropriation from the  
33 rebuild Iowa infrastructure fund to the Iowa finance authority  
34 for administration of the Iowa jobs program.

35 INFRASTRUCTURE AND CAPITALS — CHANGES TO PRIOR

1 APPROPRIATIONS. This division extends the reversion date for  
2 project funding appropriated to the department of public safety  
3 from the endowment for Iowa's health restricted capitals fund  
4 for FY 2006-2007.

5 The division extends the reversion dates for project funding  
6 appropriated to the department of administrative services from  
7 the rebuild Iowa infrastructure fund for FY 2007-2008. The  
8 division also authorizes the department of administrative  
9 services to provide for the disposition and relocation or  
10 demolition of specified structures and to use any amount  
11 received from that disposition for costs associated with the  
12 restoration of the west capitol terrace.

13 The division reduces from \$300,000 to \$60,000 the  
14 appropriation from the rebuild Iowa infrastructure fund for FY  
15 2008-2009 to the department of transportation for construction  
16 of a depot and platform and to accommodate future Amtrak  
17 service from Dubuque to Chicago.

18 The division eliminates the \$10 million appropriations  
19 for FY 2011-2012 and FY 2012-2013 from the rebuild Iowa  
20 infrastructure fund to the department of economic development  
21 for deposit into the river enhancement community attraction and  
22 tourism fund.

23 The division reduces from \$10 million to \$9.2 million,  
24 the appropriation from the FY 2009 tax-exempt bond proceeds  
25 restricted capitals fund account of the tobacco settlement  
26 trust fund to the department of economic development for  
27 deposit into the river enhancement community attraction and  
28 tourism fund.

29 The division reduces the appropriation to the department of  
30 transportation for the passenger rail service revolving fund  
31 for FY 2009-2010 from \$3 million to \$500,000.

32 The division eliminates the \$6.5 million appropriation from  
33 the rebuild Iowa infrastructure fund to the department of  
34 transportation for the passenger rail service revolving fund  
35 for FY 2011-2012.

1 The division eliminates the \$4 million appropriation  
2 from the revenue bonds capitals II fund to the department of  
3 economic development for deposit into the river enhancement  
4 community attraction and tourism fund.

5 The division makes changes to the FY 2010-2011  
6 appropriations from the revenue bonds capitals II fund to the  
7 treasurer of state, from the FY 2009 prison bonding fund to  
8 the department of corrections, from the Iowa comprehensive  
9 petroleum underground storage tank fund to the department of  
10 transportation, and from the school infrastructure fund to the  
11 department of economic development.

12 Except as otherwise provided, the division takes effect upon  
13 enactment and, if approved by the governor on or after July 1,  
14 2011, applies retroactively to June 30, 2011. The exemptions  
15 from the expenditure limitations contained in 2011 Iowa Acts,  
16 House File 45, section 2, subsection 2, apply retroactively to  
17 March 7, 2011.

18 BLOCK GRANTS — FY 2011-2012. This division appropriates  
19 for the 2011-2012 federal fiscal year which begins October  
20 1, 2011, block grants available from the federal government  
21 and provides procedures for increasing or decreasing the  
22 appropriations if the block grants are increased or decreased.

23 The division also makes appropriations for federal and state  
24 fiscal years 2011-2012 of other federal grants, receipts, and  
25 funds, and other nonstate funds.

26 BLOCK GRANTS — FY 2012-2013. This division also  
27 appropriates for the 2012-2013 federal fiscal year which  
28 begins October 1, 2012, block grants available from the  
29 federal government and provides procedures for increasing or  
30 decreasing the appropriations if the block grants are increased  
31 or decreased.

32 The division also makes appropriations for federal and state  
33 fiscal years 2012-2013 of other federal grants, receipts, and  
34 funds, and other nonstate funds.

35 STANDINGS — STANDING APPROPRIATIONS AND RELATED MATTERS

1 — FY 2011-2012. For the budget process applicable to FY  
2 2012-2013, state agencies are required to submit estimates and  
3 other expenditure information as called for by the director  
4 of the department of management instead of the information  
5 required under Code section 8.23.

6 This division limits or reduces standing appropriations for  
7 FY 2011-2012 made for the following purposes: performance of  
8 duty by the executive council, casino wagering tax proceeds  
9 allocated for department of cultural affairs operational  
10 support grants and community cultural grants and for regional  
11 tourism marketing; the center for congenital and inherited  
12 disorders; primary and secondary child abuse prevention  
13 programs; programs for at-risk children; payment for nonpublic  
14 school transportation; reimbursement for the homestead property  
15 tax credit and for the family farm and agricultural land tax  
16 credits; and the enforcement of Code chapter 452D relating to  
17 tobacco product manufacturers.

18 The division amends Code section 256.30 to create a standing  
19 limited appropriation from the general fund of the state to the  
20 department of education for the Sac and Fox Indian settlement.

21 The division appropriates moneys to the department of  
22 agriculture and land stewardship for a program for farmers with  
23 disabilities.

24 The standing appropriation in Code section 257.20 of an  
25 amount necessary to pay instructional support state aid, as  
26 determined under that Code provision, is replaced with a zero  
27 appropriation for FY 2011-2012.

28 Code section 257.35 is amended to reduce area education  
29 agencies' budgets for fiscal year 2011-2012 by \$20 million.

30 The division provides that the first \$106,016,400 of  
31 revenues generated from the tax on cigarettes and from the tax  
32 on certain tobacco products are credited to the health care  
33 trust fund. Currently, the moneys are credited to the general  
34 fund of the state and appropriated annually to the health care  
35 trust fund.

1 SALARIES, COMPENSATION, AND RELATED MATTERS — FY 2011-2012.  
2 The division prohibits bonus pay for employees of the executive  
3 branch except for employees of the state board of regents,  
4 the judicial branch, and the legislative branch, unless the  
5 bonus pay is otherwise authorized by law, required pursuant to  
6 an employment contract entered into before July 1, 2011, or  
7 required pursuant to a collective bargaining agreement.

8 For FY 2011-2012, the division appropriates moneys from the  
9 gaming enforcement revolving fund for annual pay adjustments  
10 and related benefits for agents and officers of the division  
11 of criminal investigation's racetrack, excursion boat, or  
12 gambling structure enforcement activities. For FY 2011-2012,  
13 the division appropriates moneys from the gaming regulatory  
14 revolving fund for annual pay adjustments and related benefits  
15 for positions in the racing and gaming commission of the  
16 department of inspections and appeals who are assigned to  
17 administration and enforcement of the excursion boat and  
18 gambling structure laws.

19 The division requires sworn peace officers in the department  
20 of public safety who are not covered by a collective bargaining  
21 agreement to receive the same per diem meal allowance as  
22 the sworn peace officers covered by a collective bargaining  
23 agreement.

24 The salary model administrator is required to work in  
25 conjunction with the department of management and the  
26 legislative services agency to analyze, compare, and project  
27 state salary and benefit information.

28 The division requires the state's executive and judicial  
29 branch authorities responsible for collective bargaining  
30 negotiations with applicable state employee organizations, to  
31 discuss health insurance coverage of state employees and their  
32 families in order to renegotiate such coverage to achieve cost  
33 savings for the state. One of the options to be discussed is  
34 a required monthly payment by employees of at least \$100 of  
35 the cost of single coverage or a like increase in the employee

1 cost for family coverage. This provision takes effect upon  
2 enactment.

3 New Code section 8A.440 requires collective bargaining  
4 agreements for state employees to require monthly payment by  
5 employees of at least \$100 of the cost of single health care  
6 coverage or a like increase in the employee cost for family  
7 coverage. This provision takes effect upon enactment and  
8 applies to collective bargaining agreements entered into on or  
9 after the effective date.

10 CORRECTIVE PROVISIONS. Code section 8.6(9A), as enacted  
11 by 2011 Iowa Acts, House File 45, section 39, is amended to  
12 correct references to the subchapters rather than the divisions  
13 of new Code chapter 8G, as created in that Act.

14 Code section 8.57E(3)(a), as enacted by 2011 Iowa Acts,  
15 Senate File 209, section 30, is amended to correctly refer to  
16 the taxpayers trust fund as created in that Act.

17 Code section 8G.13, as enacted by 2011 Iowa Acts, House File  
18 45, section 50, is amended to correct an internal reference to  
19 the Act's provision requiring the availability on the internet  
20 of a searchable database of all tax rates for each taxing  
21 jurisdiction in the state.

22 Code section 16.193(3)(a), as amended by 2011 Iowa Acts,  
23 Senate File 475, section 11, is amended to use the plural form  
24 of the word "program" with regard to two Iowa jobs programs  
25 referenced earlier in the sentence.

26 Code section 68A.401(4), as amended by 2011 Iowa Acts,  
27 Senate File 475, section 17, is amended to correct a reference  
28 to Code section 68A.201A relating to political committee  
29 disclosure reports.

30 Code section 139A.19(3), as enacted by 2011 Iowa Acts, House  
31 File 467, section 20, is amended to correct the punctuation  
32 in the word "clinics" by adding an apostrophe in this disease  
33 exposure notification provision.

34 Code section 175.3(1)(a), as amended by 2011 Iowa Acts,  
35 Senate File 429, section 1, is amended to correct a reference



1 to the agricultural development authority in a provision  
2 relating to the authority's status as a public instrumentality.

3 Code section 207.22(3)(b), as amended by 2011 Iowa Acts,  
4 Senate File 475, section 47, is amended to strike a redundant  
5 reference to "Title IV" of Pub. L. No. 95-87, in this rewritten  
6 federal Act reference.

7 Code section 232.71D(3)(a)(ul), as enacted by 2011 Iowa  
8 Acts, House File 562, section 3, is amended to insert the  
9 correct preposition in the phrase "in the central registry"  
10 when referring to the central registry for child abuse  
11 information.

12 Code section 256.7(26)(a)(1), as enacted by 2011 Iowa Acts,  
13 Senate File 453, section 1, is amended to substitute a helping  
14 verb for a preposition in order to correct the grammar in this  
15 provision relating to high school graduation requirements.

16 Code section 321.34(20C)(a) and (25)(a), if enacted by  
17 2011 Iowa Acts, House File 651, section 2, are amended by  
18 striking an extraneous instance of the word "special" in each  
19 subsection.

20 Code section 327B.5, relating to the penalty for violation  
21 of motor carrier registration requirements, is amended by  
22 correcting a reference to scheduled fines in Code section  
23 805.8A, in order to conform with changes made by 2011 Iowa  
24 Acts, Senate File 205, section 29.

25 Code sections 422.110(5)(a)(2) and 422.11Y(1)(d), (3)(ul),  
26 and (6)(b)(2), if enacted by 2011 Iowa Acts, Senate File 531,  
27 sections 17 and 35, are amended to correctly refer to the E-15  
28 plus gasoline promotion tax credit as created in that Act. The  
29 corrections generally take effect or are applicable beginning  
30 January 1, 2012.

31 Code section 423.4(9)(ul), if enacted by 2011 Iowa Acts,  
32 Senate File 531, section 59, is amended to correctly refer to  
33 both sales and use taxes for which a refund may be applied  
34 for by a qualified biodiesel producer under that Act. The  
35 correction takes effect January 1, 2012.

1 Code section 483A.24A, as amended by 2011 Iowa Acts, Senate  
2 File 194, section 10, is amended to strike a reference to  
3 "both" definitions, since the amended Code section now only  
4 refers to one definition in this provision relating to military  
5 service members' refunds of certain fishing and hunting license  
6 fees.

7 Code section 501.101(01), as enacted by 2011 Iowa Acts,  
8 House File 348, section 7, is amended to correct the form of  
9 the verb to match the singular subject of the sentence in this  
10 provision relating to alternative voting methods for closed  
11 cooperatives.

12 Code section 501A.703(5)(d), Code 2011, as amended by 2011  
13 Iowa Acts, House File 348, section 19, is amended to delete an  
14 unnecessary comma in this provision relating to alternative  
15 voting methods for cooperative associations.

16 Code section 511.8(22)(i)(ul), as enacted by 2011 Iowa Acts,  
17 Senate File 406, section 25, is amended to use the correct  
18 preposition in a provision relating to life insurance company  
19 legal reserves.

20 Code section 514J.109(3)(f), if enacted by 2011 Iowa Acts,  
21 House File 597, section 9, is amended to correct a reference to  
22 a health care coverage external review request in a provision  
23 relating to the contents of such a request.

24 Code section 521F.4(1)(b), as enacted by 2011 Iowa Acts,  
25 Senate File 406, section 44, is amended to correctly refer to  
26 a single trend test calculation in a provision relating to a  
27 health organization's risk-based capital report.

28 Code section 524.310(5)(b), as amended by 2011 Iowa Acts,  
29 Senate File 475, section 120, is amended to strike a reference  
30 to a Code section repealed on December 31, 2010, and to insert  
31 the correct reference to the new Code provision in Code chapter  
32 489 relating to limited liability companies.

33 Code section 717.3(5)(b), as enacted by 2011 Iowa  
34 Acts, Senate File 478, section 6, is amended to strike  
35 the conjunction "and" in a phrase where only a preposition

1 is required, in a provision relating to the sustenance of  
2 livestock.

3 Code section 717.4(2), as enacted by 2011 Iowa Acts, Senate  
4 File 478, section 7, is amended to add the preposition "for" in  
5 a phrase relating to the expenses of providing sustenance to  
6 livestock, to match similar phrases in Code section 717.5, as  
7 amended in the same Act.

8 Code section 717.4A, as enacted by 2011 Iowa Acts, Senate  
9 File 478, section 8, is amended to add the preposition "to"  
10 in a phrase relating to the payment of proceeds from the  
11 disposition of livestock to the livestock remediation fund.

12 Code section 717.4A, as enacted by 2011 Iowa Acts, House File  
13 271, section 3, is amended to strike the word "credit" from the  
14 term "jail credit" to conform with similar terminology use in  
15 2011 Iowa Acts, House File 271.

16 MISCELLANEOUS PROVISIONS AND APPROPRIATIONS. The division  
17 appropriates moneys to the department of cultural affairs for  
18 FY 2010-2011 for purposes of the battleship Iowa, BB-61. These  
19 provisions take effect upon enactment and, if approved by the  
20 governor after July 1, 2011, shall apply retroactively to June  
21 30, 2011.

22 The division makes inapplicable the limitation on  
23 expenditures made for office supplies, purchases of equipment,  
24 office equipment, and equipment noninventory, printing and  
25 binding, and marketing implemented pursuant to 2011 Iowa  
26 Acts, House File 45, for FY 2010-2011 to a department or  
27 agency receiving a supplemental appropriation for FY 2010-2011  
28 pursuant to 2011 Iowa Acts, Senate File 209. This provision  
29 takes effect upon enactment and is retroactively applicable to  
30 the effective date of House File 45 of March 7, 2011.

31 The division increases the minimum fine for a second offense  
32 operating while intoxicated from \$1,850 to \$1,875.

33 The division repeals Code chapter 327K relating to the  
34 midwest interstate passenger rail compact. By the terms of the  
35 compact, withdrawal from the compact becomes effective one year

1 following the repeal of Code chapter 237K.

2       STANDINGS — GROW IOWA VALUES FUND AND PROGRAM. This  
3 division addresses the grow Iowa values fund.

4       The division repeals Code sections related to the grow  
5 Iowa values fund and financial assistance program and makes  
6 conforming amendments. The division amends two 2010 Iowa Acts  
7 provisions to prohibit the department of economic development  
8 from further obligating any moneys appropriated for purposes  
9 of the grow Iowa values fund for fiscal year 2010-2011 and  
10 requires that unobligated and unencumbered moneys are credited  
11 to the general fund of the state, which take effect upon  
12 enactment. The division requires repayments on moneys loaned  
13 from the appropriated moneys to be credited to the general fund  
14 of the state.

15       STANDINGS — MH/MR/DD SERVICES ALLOWED GROWTH FUNDING — FY  
16 2013-2014. Code section 331.439, subsection 3, provides that  
17 county mental health, mental retardation, and developmental  
18 disabilities (MH/MR/DD) service expenditures for a fiscal year  
19 are limited to a fixed budget amount and that the fixed amount  
20 is subject to an allowed growth factor adjustment. The allowed  
21 growth factor adjustment is to be set by statute for the fiscal  
22 year which commences two years from the beginning date of the  
23 fiscal year in progress at the time the statute is enacted.  
24 The mental health and disability services commission is  
25 required to make a recommendation of the adjustment amount to  
26 the governor annually in November and the governor is required  
27 to submit a recommendation for the amount to the general  
28 assembly at the time the governor's budget is submitted. This  
29 division provides that for the allowed growth adjustment factor  
30 legislation for FY 2013-2014, the governor must submit a  
31 recommendation on or before January 14, 2013, and the statute  
32 providing the allowed growth factor adjustment is to be enacted  
33 within 30 calendar days of the date the 2013 session of the  
34 general assembly convenes.

35       STANDINGS — STANDING APPROPRIATIONS AND RELATED MATTERS

1 — FY 2012-2013. For the budget process applicable to FY  
2 2013-2014, state agencies are required to submit estimates and  
3 other expenditure information as called for by the director  
4 of the department of management instead of the information  
5 required under Code section 8.23.

6 This division limits or reduces standing appropriations for  
7 FY 2012-2013 made for the following purposes: performance of  
8 duty by the executive council, casino wagering tax proceeds  
9 allocated for department of cultural affairs operational  
10 support grants and community cultural grants and for regional  
11 tourism marketing; the center for congenital and inherited  
12 disorders; primary and secondary child abuse prevention  
13 programs; programs for at-risk children; payment for nonpublic  
14 school transportation; and the enforcement of Code chapter 452D  
15 relating to tobacco product manufacturers.

16 The division appropriates moneys to the department of  
17 agriculture and land stewardship for purposes of a program for  
18 farmers with disabilities.

19 The standing appropriation in Code section 257.20 of an  
20 amount necessary to pay instructional support state aid, as  
21 determined under that Code provision, is replaced with a zero  
22 appropriation for FY 2012-2013.

23 Code section 257.35 is amended to reduce area education  
24 agencies' budgets for fiscal year 2012-2013 by \$20 million.

25 STANDINGS — SALARIES, COMPENSATION, AND RELATED MATTERS —  
26 FY 2012-2013. The division prohibits bonus pay for employees  
27 of the executive branch except for employees of the state  
28 board of regents, the judicial branch, and the legislative  
29 branch, unless the bonus pay is otherwise authorized by law,  
30 required pursuant to an employment contract entered into before  
31 July 1, 2012, or required pursuant to a collective bargaining  
32 agreement.

33 For FY 2012-2013, the division appropriates moneys from the  
34 gaming enforcement revolving fund for annual pay adjustments  
35 and related benefits for agents and officers of the division

1 of criminal investigation's racetrack, excursion boat, or  
2 gambling structure enforcement activities. For FY 2012-2013,  
3 the division appropriates moneys from the gaming regulatory  
4 revolving fund for annual pay adjustments and related benefits  
5 for positions in the racing and gaming commission of the  
6 department of inspections and appeals who are assigned to  
7 administration and enforcement of the excursion boat and  
8 gambling structure laws.

9 The division requires sworn peace officers in the department  
10 of public safety who are not covered by a collective bargaining  
11 agreement to receive the same per diem meal allowance as  
12 the sworn peace officers covered by a collective bargaining  
13 agreement.

14 The salary model administrator is required to work in  
15 conjunction with the department of management and the  
16 legislative services agency to analyze, compare, and project  
17 state salary and benefit information.

18 STANDINGS — SALES TAX REVENUES — TRANSFERS. The division  
19 transfers additional moneys from the secure an advanced vision  
20 for education fund to the property tax equity and relief fund.

21 REGULAR PROGRAM AND CATEGORICAL STATE PERCENT OF GROWTH FOR  
22 EDUCATION — FY 2012-2013. This division establishes a regular  
23 program state percent of growth at 2 percent and a categorical  
24 state percent of growth at 2 percent for purposes of the state  
25 school foundation program for the school budget year beginning  
26 July 1, 2012.

27 The categorical state percent of growth includes the teacher  
28 salary supplement, the professional development supplement, and  
29 the early intervention supplement.

30 The division is applicable for state aid computation under  
31 the school foundation program for the school budget year  
32 beginning July 1, 2012.

33 STANDINGS — APPROPRIATIONS — TRANSFERS. This division  
34 allocates moneys appropriated for the grow Iowa values fund for  
35 use by the department of economic development for the Iowans

1 helping Iowans business assistance program. The division  
2 allocates moneys for the medical assistance program to the  
3 Iowa finance authority for the Iowans helping Iowans housing  
4 assistance program and to the department of human services for  
5 the unmet needs program.

6 TAXATION. The division states an intent by the general  
7 assembly to address the issues of property taxation and income  
8 taxation during the 2011 legislative session.

9 CONDITIONAL RETROACTIVE APPLICABILITY. The division provides  
10 that, unless otherwise provided, this Act, if approved by the  
11 governor after July 1, 2011, shall apply retroactively to July  
12 1, 2011.