

House Study Bill 645 - Introduced

HOUSE FILE _____

BY (PROPOSED COMMITTEE ON
STATE GOVERNMENT BILL BY
CHAIRPERSON COWNIE)

A BILL FOR

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

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DIVISION I

GOVERNMENT INFORMATION TECHNOLOGY SERVICES

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

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

Sec. 2. DEPARTMENT OF ADMINISTRATIVE SERVICES —
INFORMATION TECHNOLOGY COORDINATION AND MANAGEMENT.

1. The department of administrative services, in accordance with the requirements of 2010 Acts, chapter 1031, and Code section 8A.202, subsection 2, paragraph "g", to coordinate and manage information technology services within the department, shall establish a schedule by which all departments subject to the requirements of that Act and chapter 8A shall comply with these requirements. The schedule shall provide for implementation of the requirements to all affected state agencies and departments by December 31, 2013. The department shall submit a copy of the schedule to the general assembly by July 31, 2012, and shall provide periodic updates to the general assembly on the progress of meeting the time deadlines contained in the schedule.

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

DIVISION II
PERSONNEL AND BENEFITS

Sec. 3. NEW SECTION. 8A.440 Group health insurance — family enrollment.

1. If a state employee covered by a collective bargaining agreement entered into pursuant to chapter 20 and the state employee's spouse, who is also a state employee, are both members of a state group health insurance plan for employees

1 of the state established under chapter 509A, the employee and
2 the spouse shall be required to enroll in a single family group
3 health insurance plan.

4 2. If a state employee not covered by a collective
5 bargaining agreement as provided in chapter 20 and the state
6 employee's spouse, who is also a state employee, are both
7 members of a state group health insurance plan for employees
8 of the state established under chapter 509A, the employee and
9 spouse shall be required to enroll in a single family group
10 health insurance plan for both state employees in the same
11 manner as is required under the collective bargaining agreement
12 that covers the greatest number of state employees in the state
13 government entity employing the state employee.

14 Sec. 4. NEW SECTION. 9.8 **Employee classifications.**

15 In addition to public employees listed in section 20.4,
16 public employees of the secretary of state who hold positions
17 that are classified in the information technology series are
18 excluded from chapter 20.

19 Sec. 5. Section 97B.1A, subsection 26, paragraph a,
20 subparagraph (1), subparagraph division (d), Code Supplement
21 2011, is amended to read as follows:

22 (d) For a member of the general assembly, the total
23 compensation received by a member of the general assembly,
24 ~~whether paid in the form of per diem or annual salary,~~
25 exclusive of expense expenses, per diem, and travel allowances
26 paid to a member of the general assembly except as otherwise
27 provided in this subparagraph division. Wages includes per
28 diem payments paid to members of the general assembly during
29 interim periods between sessions of the general assembly.
30 ~~Wages also includes daily allowances to members of the general~~
31 ~~assembly for nontravel expenses of office during a session of~~
32 ~~the general assembly, but does not include the portion of the~~
33 ~~daily allowance which exceeds the maximum established by law~~
34 ~~for members from Polk county.~~

35 Sec. 6. Section 97B.1A, subsection 26, paragraph a,

1 subparagraph (2), subparagraph divisions (h) and (i), Code
2 Supplement 2011, are amended to read as follows:

3 (h) Reimbursements of employee business expenses ~~except for~~
4 ~~those expenses included as wages for a member of the general~~
5 ~~assembly.~~

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

8 Sec. 7. GROUP HEALTH INSURANCE COVERAGE FOR STATE
9 EMPLOYEES.

10 1. The state's executive and judicial branch authorities
11 responsible for negotiating the collective bargaining
12 agreements entered into under chapter 20 shall engage in
13 discussions with the applicable state employee organizations
14 to renegotiate provisions involving health insurance coverage
15 of state employees and their families in order to achieve cost
16 savings for the state. The discussions shall include but
17 are not limited to a requirement for a state employee who is
18 covered by a collective bargaining agreement and whose spouse
19 is also a state employee, where both the state employee covered
20 by the agreement and the spouse are members of a state group
21 health insurance plan for employees of the state established
22 under chapter 509A, to enroll in a single family group health
23 insurance plan for both state employees.

24 2. If collective bargaining agreements are renegotiated
25 to achieve cost savings pursuant to subsection 1, the cost
26 savings provisions shall also apply to state employees who are
27 not covered by collective bargaining as provided in chapter
28 20 and are members of a state group health insurance plan for
29 employees of the state established under chapter 509A.

30 3. Beginning on the effective date of this section, a state
31 legislator or legislative staff member whose spouse is a state
32 employee, where both employees are members of a state group
33 health insurance plan for employees of the state established
34 under chapter 509A, shall be required to enroll in a single
35 family group health insurance plan for both employees.

1 Sec. 8. DEPARTMENT OF ADMINISTRATIVE SERVICES —
2 HUMAN RESOURCES ADMINISTRATION STUDY. The department of
3 administrative services shall conduct a study to examine the
4 feasibility of issuing a request for proposals to enter into
5 a contract with a private entity for the provision of human
6 resources services provided by the department of administrative
7 services for state employees, to include management of
8 human resources, employee benefits, payroll, payroll tax
9 administration, and workers' compensation. The study shall
10 identify potential cost savings, legal requirements, and other
11 relevant issues, in considering entering into a contract with a
12 private entity for the provision of human resources services
13 for state employees. The department shall submit a report to
14 the general assembly detailing the results of its study by
15 January 1, 2013.

16 Sec. 9. APPLICABILITY. The section of this division of this
17 Act enacting section 8A.440, applies to collective bargaining
18 agreements entered into on or after the effective date of that
19 section of this division of this Act.

20 Sec. 10. EFFECTIVE UPON ENACTMENT. The following sections
21 of this division of this Act, being deemed of immediate
22 importance, take effect upon enactment:

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

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

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

27

DIVISION III

28

MEDICATION THERAPY MANAGEMENT

29 Sec. 11. NEW SECTION. **8A.441 Medication therapy management.**

30 1. As used in this section, unless the context otherwise
31 requires:

32 *a. "Eligible employee"* means an employee of the state, with
33 the exception of an employee of the state board of regents or
34 institutions under the state board of regents, for whom group
35 health plans are established pursuant to chapter 509A providing

1 for third-party payment or prepayment for health or medical
2 expenses.

3 *b.* "*Medication therapy management*" means a systematic
4 process performed by a licensed pharmacist, designed to improve
5 quality outcomes for patients and lower health care costs,
6 including emergency room, hospital, provider, and other costs,
7 by optimizing appropriate medication use linked directly to
8 achievement of the clinical goals of therapy. Medication
9 therapy management shall include all of the following services:

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

13 (2) A medication action plan, subject to the limitations
14 specified in this section, communicated to the individual and
15 the individual's primary care physician or other appropriate
16 prescriber to address issues including appropriateness,
17 effectiveness, safety, drug interactions, and adherence. The
18 medication action plan may include drug therapy recommendations
19 to prescribers that are needed to meet clinical goals and
20 achieve optimal patient outcomes.

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

23 2. *a.* The department shall utilize a request for proposals
24 process and shall enter into a contract for the provision of
25 medication therapy management services for eligible employees
26 who meet any of the following criteria:

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

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

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

35 *b.* The contract shall require the entity to provide annual

1 reports to the general assembly detailing the costs, savings,
2 estimated cost avoidance and return on investment, and improved
3 patient outcomes related to the medication therapy management
4 services provided. The entity shall guarantee demonstrated
5 annual savings for overall health care costs, including
6 emergency room, hospital, provider, and other costs, with
7 savings including associated cost avoidance, at least equal
8 to the program's costs with any shortfall amount refunded to
9 the state. The contract shall include terms, conditions,
10 and applicable measurement standards associated with the
11 demonstration of savings. The department shall verify the
12 demonstrated savings reported by the entity was achieved in
13 accordance with the agreed upon measurement standards. The
14 entity shall be prohibited from using the entity's employees to
15 provide the medication therapy management services and shall
16 instead be required to contract with licensed pharmacies,
17 pharmacists, or physicians.

18 *c.* The department may establish an advisory committee
19 comprised of an equal number of physicians and pharmacists
20 to provide advice and oversight in evaluating the results of
21 the program. The department shall appoint the members of the
22 advisory committee based upon designees of the Iowa pharmacy
23 association, the Iowa medical society, and the Iowa osteopathic
24 medical association.

25 *d.* The fees for pharmacist-delivered medication therapy
26 management services shall be separate from the reimbursement
27 for prescription drug product or dispensing services; shall
28 be determined by each third-party payment provider contract,
29 policy, or plan; and must be reasonable based on the resources
30 and time required to provide the service.

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

1 department of natural resources shall be authorized to
2 sell real property and moneys received for the sale of real
3 property pursuant to this section shall be deposited in the
4 Iowa resources enhancement and protection fund established in
5 section 455A.18.

6 Sec. 15. EFFECTIVE UPON ENACTMENT. This division of this
7 Act, being deemed of immediate importance, takes effect upon
8 enactment.

9 DIVISION V

10 FILM PROJECT AND TAX CREDIT PROGRAM

11 Sec. 16. Section 2.48, subsection 3, paragraph c,
12 subparagraph (5), Code 2011, is amended by striking the
13 subparagraph.

14 Sec. 17. Section 15.119, subsection 2, paragraph b, Code
15 Supplement 2011, is amended by striking the paragraph.

16 Sec. 18. Section 422.7, subsection 52, Code Supplement
17 2011, is amended by striking the subsection.

18 Sec. 19. Section 422.33, subsections 23 and 24, Code
19 Supplement 2011, are amended by striking the subsections.

20 Sec. 20. Section 422.35, subsection 23, Code Supplement
21 2011, is amended by striking the subsection.

22 Sec. 21. Section 422.60, subsections 10 and 11, Code
23 Supplement 2011, are amended by striking the subsections.

24 Sec. 22. Section 533.329, subsection 2, paragraphs f and g,
25 Code Supplement 2011, are amended by striking the paragraphs.

26 Sec. 23. REPEAL. Sections 15.391, 15.392, 15.393, 422.11T,
27 422.11U, 432.12J, and 432.12K, Code and Code Supplement 2011,
28 are repealed.

29 Sec. 24. EFFECTIVE UPON ENACTMENT. This division of this
30 Act, being deemed of immediate importance, takes effect upon
31 enactment.

32 Sec. 25. RETROACTIVE APPLICABILITY. This division of this
33 Act applies retroactively to January 1, 2012, for tax years
34 beginning on or after that date.

35 Sec. 26. APPLICABILITY. This division of this Act does not

1 apply to contracts or agreements entered into on or before the
2 effective date of this division of this Act.

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DIVISION VI

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HUMAN SERVICES — FOOD ASSISTANCE PROGRAM

5 Sec. 27. FOOD ASSISTANCE PROGRAM — AUTHORITY TO RESTRICT
6 USE OF BENEFITS. The department of human services shall submit
7 a request to the United States department of agriculture for
8 authorization for a waiver, pilot project, or other approach
9 for restricting the use of food assistance benefits, as
10 administered by the state under the federal supplemental
11 nutrition assistance program, for food items with a low
12 nutritional value. The request shall be submitted within 60
13 days of the effective date of this division of this Act. The
14 department shall regularly report on the status of the request
15 to the members of the joint appropriations subcommittee on
16 health and human services and the legislative services agency.

17 Sec. 28. EFFECTIVE UPON ENACTMENT. This division of this
18 Act, being deemed of immediate importance, takes effect upon
19 enactment.

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DIVISION VII

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MENTAL HEALTH SERVICES

22 Sec. 29. Section 225C.6, subsection 1, paragraph k, Code
23 Supplement 2011, is amended to read as follows:

24 *k.* Coordinate activities with the governor's developmental
25 disabilities council and the mental health planning council,
26 created pursuant to federal law. The commission shall receive
27 any official reports from the two councils and shall consider
28 any recommendations made in the reports. The commission shall
29 work with other state agencies on coordinating, collaborating,
30 and communicating concerning activities involving persons with
31 disabilities.

32 Sec. 30. Section 426B.5, subsection 2, paragraph c, Code
33 Supplement 2011, is amended to read as follows:

34 *c.* A The mental health and disability services commission
35 created in section 225C.5 shall serve as the risk pool board

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

29 DIVISION VIII

30 OPERATIONAL EFFICIENCIES

31 Sec. 31. STATE DEPARTMENT AND AGENCY LIMITATIONS ON
32 MAIL. Notwithstanding any provision of the law to the
33 contrary, state departments and agencies shall not, unless
34 otherwise required for purposes of pursuing legal action or
35 by federal law, provide departmental or agency notices or

1 information by mail. Departments shall provide information
2 or notices through the department's internet site or through
3 electronic mail.

4 DIVISION IX
5 REGULATORY REVIEW

6 Sec. 32. Section 17A.4, subsections 3 and 7, Code 2011, are
7 amended to read as follows:

8 3. When an agency for good cause finds that notice and
9 public participation would be unnecessary, impracticable, or
10 contrary to the public interest, the provisions of subsection 1
11 shall be inapplicable. The agency shall incorporate in each
12 rule issued in reliance upon this provision either the finding
13 and a brief statement of the reasons for the finding, or a
14 statement that the rule is within a very narrowly tailored
15 category of rules whose issuance has previously been exempted
16 from subsection 1 by a special rule relying on this provision
17 and including such a finding and statement of reasons for the
18 entire category. If the administrative rules review committee
19 by a ~~two-thirds~~ majority vote, the governor, or the attorney
20 general files with the administrative code editor an objection
21 to the adoption of any rule pursuant to this subsection, that
22 rule shall cease to be effective one hundred eighty days after
23 the date the objection was filed. A copy of the objection,
24 properly dated, shall be forwarded to the agency at the time of
25 filing the objection. In any action contesting a rule adopted
26 pursuant to this subsection, the burden of proof shall be on
27 the agency to show that the procedures of subsection 1 were
28 impracticable, unnecessary, or contrary to the public interest
29 and that, if a category of rules was involved, the category was
30 very narrowly tailored.

31 7. Upon the vote of ~~two-thirds~~ a majority of its members the
32 administrative rules review committee may delay the effective
33 date of a rule seventy days beyond that permitted in section
34 17A.5, unless the rule was promulgated under section 17A.5,
35 subsection 2, paragraph "b". This provision shall be utilized

1 by the committee only if further time is necessary to study
2 and examine the rule. Notice of an effective date that was
3 delayed under this provision shall be published in the Iowa
4 administrative code and bulletin.

5 Sec. 33. Section 17A.8, subsection 9, Code 2011, is amended
6 to read as follows:

7 9. Upon a vote of ~~two-thirds~~ a majority of its members, the
8 administrative rules review committee may delay the effective
9 date of a rule until the adjournment of the next regular
10 session of the general assembly. The committee shall refer a
11 rule whose effective date has been delayed to the speaker of
12 the house of representatives and the president of the senate
13 who shall refer the rule to the appropriate standing committees
14 of the general assembly. A standing committee shall review
15 a rule within twenty-one days after the rule is referred to
16 the committee by the speaker of the house of representatives
17 or the president of the senate and shall take formal committee
18 action by sponsoring a joint resolution to disapprove the rule,
19 by proposing legislation relating to the rule, or by refusing
20 to propose a joint resolution or legislation concerning the
21 rule. The standing committee shall inform the administrative
22 rules review committee of the committee action taken concerning
23 the rule. If the general assembly has not disapproved of the
24 rule by a joint resolution, the rule shall become effective.
25 The speaker of the house of representatives and the president
26 of the senate shall notify the administrative code editor of
27 the final disposition of each rule delayed pursuant to this
28 subsection. If a rule is disapproved, it shall not become
29 effective and the agency shall rescind the rule. This section
30 shall not apply to rules made effective under section 17A.5,
31 subsection 2, paragraph "b".

32 DIVISION X

33 LOCAL GOVERNMENT

34 Sec. 34. Section 39.2, subsection 4, paragraph c, Code 2011,
35 is amended to read as follows:

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

8 Sec. 35. Section 260C.12, subsection 1, Code 2011, is
9 amended to read as follows:

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

27 Sec. 36. Section 260C.13, subsection 1, Code 2011, is
28 amended to read as follows:

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

1 the county commissioner of elections in all counties included
2 in whole or in part in the merged area.

3 Sec. 37. Section 273.8, subsection 2, paragraphs a and b,
4 Code 2011, are amended to read as follows:

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

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

26 Sec. 38. Section 273.8, subsection 4, paragraph a, Code
27 2011, is amended to read as follows:

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

35 Sec. 39. Section 273.8, subsection 6, Code 2011, is amended

1 to read as follows:

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

9 Sec. 40. Section 277.1, Code 2011, is amended to read as
10 follows:

11 **277.1 Regular election.**

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

18 Sec. 41. Section 277.20, Code 2011, is amended to read as
19 follows:

20 **277.20 Canvassing returns.**

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

1 certify the result as required by section 50.27.

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

8 DIVISION XI

9 ONGOING PROGRAM REVIEW

10 Sec. 42. NEW SECTION. 8.71 Ongoing program review — repeal
11 dates.

12 1. The general assembly finds that a regular review of
13 the programs and projects administered by state government is
14 necessary to determine whether each program and project is
15 effectively and efficiently meeting the needs for which created
16 and whether the needs remain applicable. The general assembly
17 further finds that a regular, systematic review process can
18 identify the programs and projects that are no longer relevant
19 or functioning at a desirable level and can eliminate or
20 reorganize those programs and projects so that state resources
21 can be used most effectively or diverted to other priorities.

22 2. The state government efficiency review committee
23 established in section 2.69 shall propose legislation for
24 consideration by the Eighty-fifth General Assembly, 2014
25 session, providing a staggered schedule for establishing an
26 automatic repeal date for each program or project administered
27 by a department of state government over the succeeding
28 five-year period. The review committee shall consult with
29 the office of the governor and the department of management
30 in formulating the staggered schedule and the office and
31 department shall cooperate in providing necessary information
32 requested by the committee. The repeal date provisions shall
33 be implemented in a manner so that any program or project that
34 is reauthorized by law is again subject to automatic repeal
35 five years after reauthorization.

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DIVISION XII
IOWA JOBS BOARD

Sec. 43. Section 12.87, subsection 12, Code Supplement 2011, is amended to read as follows:

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

Sec. 44. Section 16.193, subsection 1, Code Supplement 2011, is amended to read as follows:

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

Sec. 45. Section 16.194, subsection 2, Code 2011, is amended to read as follows:

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

Sec. 46. Section 16.194, subsection 4, unnumbered paragraph 1, Code 2011, is amended to read as follows:

The ~~board~~ authority shall consider the following criteria in

1 evaluating eligible projects to receive financial assistance
2 under the program:

3 Sec. 47. Section 16.194, subsection 7, Code 2011, is amended
4 to read as follows:

5 7. In order for a project to be eligible to receive
6 financial assistance from the ~~board~~ authority, the project
7 must be a public construction project pursuant to subsection 1
8 with a demonstrated substantial local, regional, or statewide
9 economic impact.

10 Sec. 48. Section 16.194, subsection 8, unnumbered paragraph
11 1, Code 2011, is amended to read as follows:

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

14 Sec. 49. Section 16.194, subsection 9, paragraph b, Code
15 2011, is amended to read as follows:

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

22 Sec. 50. Section 16.194, subsection 10, Code 2011, is
23 amended to read as follows:

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

28 Sec. 51. Section 16.194A, subsections 2, 7, 9, and 10, Code
29 2011, are amended to read as follows:

30 2. A city or county in this state that applies the smart
31 planning principles and guidelines pursuant to sections 18B.1
32 and 18B.2 may submit an application to the ~~Iowa jobs board~~
33 authority for financial assistance for a local infrastructure
34 competitive grant for an eligible project under the program,
35 notwithstanding any limitation on the state's percentage in

1 funding as contained in section 29C.6, subsection 17.

2 7. In order for a project to be eligible to receive
3 financial assistance from the ~~board~~ authority, the project
4 must be a public construction project pursuant to subsection 1
5 with a demonstrated substantial local, regional, or statewide
6 economic impact.

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

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

17 Sec. 52. Section 16.194A, subsection 4, unnumbered
18 paragraph 1, Code 2011, is amended to read as follows:

19 The ~~board~~ authority shall consider the following criteria in
20 evaluating eligible projects to receive financial assistance
21 under the program:

22 Sec. 53. Section 16.194A, subsection 8, unnumbered
23 paragraph 1, Code 2011, is amended to read as follows:

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

26 Sec. 54. Section 16.195, Code Supplement 2011, is amended
27 to read as follows:

28 **16.195 Iowa jobs program application review.**

29 1. Applications for assistance under the Iowa jobs program
30 and Iowa jobs II program shall be submitted to the ~~Iowa finance~~
31 authority for review and approval. ~~The authority shall provide~~
32 ~~a staff review and evaluation of applications to the Iowa jobs~~
33 ~~program review committee referred to in subsection 2 and to the~~
34 ~~Iowa jobs board.~~

35 2. ~~A review committee composed of members of the board~~

1 ~~as determined by the board shall review Iowa jobs program~~
2 ~~applications submitted to the board and make recommendations~~
3 ~~regarding the applications to the board.~~ When reviewing the
4 applications, the ~~review committee and the~~ authority shall
5 consider the project criteria specified in sections 16.194 and
6 16.194A. The ~~board~~ authority shall develop the appropriate
7 level of transparency regarding project fund allocations.

8 3. Upon approval of an application for financial assistance
9 under the program, the ~~board~~ authority shall notify the
10 treasurer of state regarding the amount of moneys needed to
11 satisfy the award of financial assistance and the terms of the
12 award. The treasurer of state shall notify the ~~Iowa finance~~
13 authority any time moneys are disbursed to a recipient of
14 financial assistance under the program.

15 Sec. 55. Section 16.197, Code 2011, is amended to read as
16 follows:

17 **16.197 Limitation of liability.**

18 ~~A member of the Iowa jobs board, a person acting on behalf of~~
19 ~~the board while acting within the scope of their employment or~~
20 ~~agency, The authority~~ or the treasurer of state, shall not be
21 subject to personal liability resulting from carrying out the
22 powers and duties of the ~~board~~ authority or the treasurer, as
23 applicable, in sections ~~16.192~~ 16.193 through ~~16.196~~ 16.195.

24 Sec. 56. IOWA JOBS BOARD — TRANSITION PROVISIONS —
25 LIMITATION OF LIABILITY.

26 1. Any contract or agreement issued or entered into by the
27 Iowa jobs board relating to the provisions of this division
28 of this Act, in effect on the effective date of this division
29 of this Act, shall continue in full force and effect and
30 any responsibility of the board relative to the contracts or
31 agreements as provided in those contracts or agreements shall
32 be transferred to the Iowa finance authority.

33 2. A member of the Iowa jobs board or a person acting on
34 behalf of the board while acting within the scope of that
35 person's employment or agency shall not be subject to personal

1 liability resulting from carrying out the powers and duties
2 of the board prior to the effective date of this division of
3 this Act, as applicable, in sections 12.87 through 12.90 and in
4 sections 16.192 through 16.196, Code 2011.

5 Sec. 57. REPEAL. Sections 16.191, 16.192, and 16.196, Code
6 and Code Supplement 2011, are repealed.

7 DIVISION XIII

8 BOARDS AND COMMISSIONS

9 Sec. 58. Section 190A.3, subsection 4, Code 2011, is amended
10 to read as follows:

11 4. The ~~farm-to-school council~~ department of agriculture and
12 land stewardship and the department of education shall actively
13 seek financial or in-kind contributions from organizations or
14 persons to support the program.

15 Sec. 59. Section 216.3, Code 2011, is amended by striking
16 the section and inserting in lieu thereof the following:

17 **216.3 Civil rights commission — director.**

18 1. The human rights board, established in section 216A.3,
19 shall serve as the Iowa state civil rights commission.

20 2. The governor shall appoint a director, subject to
21 confirmation by the senate, who shall serve as the executive
22 officer of the commission.

23 Sec. 60. Section 216.4, Code 2011, is amended to read as
24 follows:

25 **216.4 Compensation and expenses — rules.**

26 Commissioners shall be paid a per diem as specified in
27 section 7E.6 and shall be reimbursed for actual and necessary
28 expenses incurred while on official commission business. All
29 per diem and expense moneys paid to commissioners shall be paid
30 from funds appropriated to the commission. The commission
31 shall adopt, amend or rescind rules as necessary for the
32 conduct of its meetings. A quorum shall consist of ~~four~~
33 commissioners six voting members of the commission.

34 Sec. 61. Section 256.9, subsection 55, paragraph j, Code
35 Supplement 2011, is amended by striking the paragraph.

1 Sec. 62. REPEAL. Section 190A.2, Code 2011, is repealed.

2 DIVISION XIV

3 OBSOLETE PROVISIONS

4 Sec. 63. Section 84A.5, subsection 7, paragraphs a and c,
5 Code Supplement 2011, are amended by striking the paragraphs.

6 Sec. 64. Section 97B.1A, subsection 8, paragraph b,
7 subparagraph (8), Code Supplement 2011, is amended by striking
8 the subparagraph.

9 Sec. 65. REPEAL. Sections 84A.7, 84A.9, and 84A.10, Code
10 2011, are repealed.

11 Sec. 66. REPEAL. Section 15.112, Code Supplement 2011, is
12 repealed.

13 Sec. 67. REPEAL. Chapters 15C, 15D, and 28K, Code 2011,
14 are repealed.

15 EXPLANATION

16 This bill relates to government efficiency, including other
17 matters related to the operation of state and local government.

18 DIVISION I — GOVERNMENT INFORMATION TECHNOLOGY SERVICES.

19 This division amends Code section 8A.205, concerning digital
20 government, to encourage state agencies to utilize duplex
21 printing. This division of the bill also directs the
22 department of administrative services (DAS) to establish a
23 schedule for departments to comply with information technology
24 coordination and management requirements of Code chapter
25 8A. In addition, DAS is encouraged to procure information
26 technology for participating agencies through leasing.

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

34 This division also directs those state entities negotiating
35 collective bargaining agreements to enter into discussions

1 with employee organizations representing state employees to
2 renegotiate provisions in the agreement to provide that state
3 employees whose spouse is also a state employee enroll in a
4 family group health insurance plan for both employees. If the
5 agreements are renegotiated, the changed provisions shall also
6 apply to state employees who are not covered by a collective
7 bargaining agreement. In addition, this division of the bill
8 applies the same family group health insurance requirement to a
9 state legislator and legislative staff. These provisions of
10 the bill take effect upon enactment.

11 This division of the bill also excludes employees of the
12 secretary of state who hold positions that are classified
13 in the information technology series from Code chapter 20,
14 relating to public employee collective bargaining.

15 This division of the bill also amends Code section
16 97B.1A(26), concerning the definition of wages for purposes
17 of the Iowa public employees' retirement system (IPERS) for
18 members of the general assembly. The division provides that
19 per diem payments to members of the general assembly and daily
20 allowance paid to members of the general assembly are not
21 considered wages for purposes of IPERS.

22 This division also requires DAS to conduct a study to
23 consider the feasibility of entering into a contract with a
24 private entity to provide human resources services currently
25 provided by DAS to state employees. DAS is required to submit
26 a report to the general assembly relative to the study by
27 January 1, 2013.

28 DIVISION III — MEDICATION THERAPY MANAGEMENT. This
29 division of the bill relates to medication therapy management.
30 The bill codifies the pilot program for medication therapy
31 management implemented on July 1, 2010, for eligible state
32 employees, making the program an ongoing program and directing
33 DAS to utilize a request for proposals process and to enter
34 into a contract to continue the program. This division of the
35 bill takes effect upon enactment.

1 DIVISION IV — STATE PHYSICAL RESOURCES. This division
2 of the bill requires that DAS conduct an analysis of state
3 employee workstations and office standards by September 30,
4 2012. The division further requires the department to submit
5 findings and recommendations to the capitol planning commission
6 and the legislative government oversight committees by October
7 30, 2012.

8 This division of the bill also requires the department of
9 natural resources to identify and sell real property prior to
10 and during FY 2012-2013 in sufficient acreage to generate at
11 least \$20 million for deposit in the Iowa resources enhancement
12 and protection fund.

13 This division takes effect upon enactment.

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

26 DIVISION VI — HUMAN SERVICES — FOOD ASSISTANCE PROGRAM.
27 This division of the bill requires the department of human
28 services to request authorization from the United States
29 department of agriculture to allow the state to restrict the
30 use of food assistance benefits for food items with a low
31 nutritional value. The state administers the food assistance
32 benefits, formerly known as food stamps, under the federal
33 supplemental nutritional assistance program (SNAP).

34 The department is directed to submit the request within
35 60 days of the bill division's effective date and to report

1 regularly on the status of the request to the members of the
2 joint appropriations subcommittee on health and human services
3 and the legislative services agency.

4 The division takes effect upon enactment.

5 DIVISION VII — MENTAL HEALTH SERVICES. Code section
6 225C.6, concerning the duties of the mental health and
7 disability services commission, is amended to provide that the
8 commission shall receive and consider any official reports
9 from the governor's developmental disabilities council and the
10 mental health planning council.

11 Code section 426B.5(2), concerning the risk pool board
12 for mental health, mental retardation, and developmental
13 disabilities services, is amended by eliminating the risk pool
14 board and providing that the mental health and disability
15 services commission serve as the risk pool board.

16 DIVISION VIII — OPERATIONAL EFFICIENCIES. This division
17 provides that each state department and agency shall not use
18 mail to provide departmental notices and information unless
19 otherwise required by federal law or for the purposes of legal
20 action. The bill provides that departments utilize their
21 internet sites or electronic mail for this purpose.

22 DIVISION IX — REGULATORY REVIEW. Code chapter 17A,
23 relating to the administrative rules review committee (ARRC),
24 is amended to provide that action by ARRC to object to or to
25 delay a rule may be approved by a majority vote and not by a
26 two-thirds vote.

27 DIVISION X — LOCAL GOVERNMENT. This division of the bill
28 changes the date of regular school elections for local school
29 districts, merged areas, and area education agencies. The bill
30 moves the date of the regular school election from the second
31 Tuesday in September in odd-numbered years to the first Tuesday
32 after the first Monday in November of odd-numbered years, which
33 is the date of the regular city election.

34 Because area education agency board directors are elected at
35 the director district conventions by members of school boards,

1 the bill also changes the date of their election from September
2 to November in the odd-numbered year.

3 DIVISION XI — ONGOING PROGRAM REVIEW. This division of
4 the bill addresses regular review of programs and projects
5 administered by executive branch departments by providing for
6 implementation of an organized system of ongoing repeal dates
7 for the programs and projects. Code section 8.2 defines the
8 term "department" to mean any executive department, commission,
9 board, institution, bureau, office, or other agency of the
10 state government, that uses, expends, or receives any state
11 funds.

12 New Code section 8.71 states legislative findings as to the
13 purposes for performing a regular review of state programs and
14 projects. The state government efficiency review committee is
15 directed to propose legislation for the Eighty-fifth General
16 Assembly, 2014 session, providing a staggered schedule for
17 establishing an automatic repeal date for each program or
18 project administered by a department over the succeeding
19 five-year period. The review committee is required to
20 consult with the office of the governor and the department of
21 management in formulating the staggered schedule and the office
22 and the department are required to cooperate in providing
23 information requested by the committee. The repeal date
24 provisions are required to be implemented in a manner so that
25 any program or project that is reauthorized by law is again
26 subject to automatic repeal five years after reauthorization.

27 DIVISION XII — IOWA JOBS BOARD. This division of this bill
28 eliminates the Iowa jobs board and provides that any duties
29 or responsibilities of the Iowa jobs board shall become the
30 responsibility of the Iowa finance authority. The division of
31 the bill also repeals Code section 16.196, concerning the Iowa
32 jobs restricted capitals fund and associated appropriations.
33 The division also provides transition provisions relative to
34 any contracts or agreements entered into by the Iowa jobs board
35 and provides for a limitation of personal liability for actions

1 by a member or agent of the board taken prior to the effective
2 date of this division of the bill relative to the duties of the
3 board.

4 DIVISION XIII — BOARDS AND COMMISSIONS. This division
5 of the bill repeals the farm-to-school council and provides
6 that the human rights board serve as the Iowa civil rights
7 commission.

8 DIVISION XIV — OBSOLETE PROVISIONS. This division of
9 the bill removes obsolete language from the Code relating
10 to programs administered by the department of workforce
11 development which are no longer active or funded.

12 The programs removed are the Iowa conservation corps, the
13 statewide mentoring program, and the new employment opportunity
14 program. The Iowa conservation corps was established to
15 provide public services jobs for certain specified segments of
16 the population in conservation-related areas. The statewide
17 mentoring program was established to recruit, screen, train,
18 and match individuals in mentoring relationships. The new
19 employment opportunity program was established to assist
20 individuals in underutilized segments of the workforce to gain
21 and retain employment.

22 This division of the bill repeals Code section 15.112,
23 relating to matching funds for a farmworks national
24 demonstration project; Code chapter 15C, relating to a world
25 trade center; Code chapter 15D, relating to the midwest nuclear
26 compact; and Code section 28K, relating to mid-America port
27 agreement. Code chapter 15D contains provisions relating to
28 repeal and withdrawal from the compact.