

Senate File 540 - Introduced

SENATE FILE 540

BY COMMITTEE ON APPROPRIATIONS

(SUCCESSOR TO SSB 1216)

A BILL FOR

1 An Act relating to and making appropriations to designated
2 state departments, agencies, funds, and certain other
3 entities, providing for regulatory authority, and other
4 properly related matters, and including effective date and
5 contingent retroactive applicability date provisions.
6 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:

..... \$ 2,704,460
..... 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:

..... \$ 3,277,946

e. For operations and maintenance of the Iowa building:

..... \$ 995,535
..... FTEs 7.00

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 subject
3 to that section traveling out of state on behalf of the state
4 shall utilize the form on and after that date.

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

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

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

21 Sec. 5. FUNDING FOR IOWACCESS.

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

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

1 3. For the fiscal year beginning July 1, 2011, and ending
2 June 30, 2012, there is appropriated from the IowAccess
3 revolving fund, to the office of the secretary of state \$75,000
4 for costs associated with decennial redistricting.

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

11 Sec. 7. AUDITOR OF STATE.

12 1. There is appropriated from the general fund of the state
13 to the office of the auditor of state 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
16 the purposes designated, and for not more than the following
17 full-time equivalent positions:

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

20	\$	814,921
21	FTEs	103.00

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

33 3. The auditor of state shall allocate resources from the
34 appropriation in this section solely for audit work related to
35 the comprehensive annual financial report, federally required

1 audits, and investigations of embezzlement, theft, or other
2 significant financial irregularities until the audit of the
3 comprehensive annual financial report is complete.

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

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

13	\$	500,000
14	FTEs	5.00

15 Sec. 9. DEPARTMENT OF COMMERCE.

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

21 a. ALCOHOLIC BEVERAGES DIVISION

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

25	\$	1,220,391
26	FTEs	21.00

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

31 b. PROFESSIONAL LICENSING AND REGULATION BUREAU

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

35	\$	600,353
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1 FTEs 12.00

2 2. There is appropriated from the department of commerce
3 revolving fund created in section 546.12 to the department of
4 commerce 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, for the purposes designated:

7 a. BANKING DIVISION

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

11 \$ 8,851,670

12 FTEs 80.00

13 b. CREDIT UNION DIVISION

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

17 \$ 1,727,995

18 FTEs 19.00

19 c. INSURANCE DIVISION

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

23 \$ 4,983,244

24 FTEs 106.50

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

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

1 need for the expenditures.

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

5 d. UTILITIES DIVISION

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

9	\$	8,173,069
10	FTEs	79.00

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

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

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

24 (3) Notwithstanding sections 8.33 and 476.10 or any other
25 provisions to the contrary, any unencumbered or unobligated
26 balance of the appropriation made in this paragraph for the
27 utilities division or any other operational appropriation made
28 for the fiscal year beginning July 1, 2011, and ending June
29 30, 2012, that remains unused, unencumbered, or unobligated at
30 the close of the fiscal year shall not revert but shall remain
31 available to be used for purposes of the energy-efficient
32 building project authorized under section 476.10B, or for
33 relocation costs in succeeding fiscal years.

34 3. CHARGES. Each division and the office of consumer
35 advocate shall include in its charges assessed or revenues

1 generated an amount sufficient to cover the amount stated
2 in its appropriation and any state-assessed indirect costs
3 determined by the department of administrative services.

4 Sec. 10. DEPARTMENT OF COMMERCE — PROFESSIONAL LICENSING
5 AND REGULATION BUREAU. There is appropriated from the housing
6 trust fund of the Iowa finance authority created in section
7 16.181, to the bureau of professional licensing and regulation
8 of the banking division of the department of commerce 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:
14 \$ 62,317

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

21 For salaries, support, maintenance, and miscellaneous
22 purposes:
23 \$ 2,299,068
24 FTEs 22.88

25 Sec. 12. DEPARTMENT OF HUMAN RIGHTS. There is appropriated
26 from the general fund of the state to the department of human
27 rights for the fiscal year beginning July 1, 2011, and ending
28 June 30, 2012, the following amounts, or so much thereof as is
29 necessary, to be used for the purposes designated:

30 1. CENTRAL ADMINISTRATION DIVISION
31 For salaries, support, maintenance, and miscellaneous
32 purposes, and for not more than the following full-time
33 equivalent positions:
34 \$ 206,103
35 FTEs 7.00

1 2. COMMUNITY ADVOCACY AND SERVICES DIVISION

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

5 \$ 1,056,792
6 FTEs 17.00

7 3. CRIMINAL AND JUVENILE JUSTICE PLANNING DIVISION

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

11 \$ 1,073,892
12 FTEs 10.00

13 The criminal and juvenile justice planning advisory council
14 and the juvenile justice advisory council shall coordinate
15 their efforts in carrying out their respective duties relative
16 to juvenile justice.

17 Sec. 13. DEPARTMENT OF INSPECTIONS AND APPEALS. There
18 is appropriated from the general fund of the state to the
19 department of inspections and appeals for the fiscal year
20 beginning July 1, 2011, and ending June 30, 2012, the following
21 amounts, or so much thereof as is necessary, for the purposes
22 designated:

23 1. ADMINISTRATION DIVISION

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

27 \$ 1,527,740
28 FTEs 37.40

29 2. ADMINISTRATIVE HEARINGS DIVISION

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

33 \$ 553,973
34 FTEs 23.00

35 3. INVESTIGATIONS DIVISION

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

4 \$ 1,168,639
5 FTEs 58.50

6 b. The department, in coordination with the investigations
7 division, shall provide a report to the general assembly by
8 January 10, 2012, concerning the fiscal impact of additional
9 full-time equivalent positions on the department's efforts
10 relative to the Medicaid divestiture program under chapter
11 249F.

12 4. HEALTH FACILITIES DIVISION

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

16 \$ 3,562,739
17 FTEs 134.75

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

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

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

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

33 (4) Identification of state and federal survey trends,
34 cited regulations, the scope and severity of deficiencies
35 identified, and federal and state fines assessed and collected

1 concerning nursing and assisted living facilities and programs.

2 c. It is the intent of the general assembly that the
3 department and division continuously solicit input from
4 facilities regulated by the division to assess and improve
5 the division's level of collaboration and to identify new
6 opportunities for cooperation.

7 5. EMPLOYMENT APPEAL BOARD

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

11	\$	42,215
12	FTEs	14.00

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

22 6. CHILD ADVOCACY BOARD

23 a. For foster care review and the court appointed special
24 advocate program, including salaries, support, maintenance, and
25 miscellaneous purposes, and for not more than the following
26 full-time equivalent positions:

27	\$	2,794,473
28	FTEs	40.80

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

34 c. The court appointed special advocate program shall
35 investigate and develop opportunities for expanding

1 fund-raising for the program.

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

6 Sec. 14. DEPARTMENT OF INSPECTIONS AND APPEALS — MUNICIPAL
7 CORPORATION FOOD INSPECTIONS. For the fiscal year beginning
8 July 1, 2011, and ending June 30, 2012, the department of
9 inspections and appeals shall retain any license fees generated
10 during the fiscal year as a result of actions under section
11 137F.3A occurring during the period beginning July 1, 2009,
12 and ending June 30, 2011, for the purpose of enforcing the
13 provisions of chapters 137C, 137D, and 137F.

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

22 Sec. 16. DEPARTMENT OF INSPECTIONS AND APPEALS — GENERAL
23 SUPPORT — MEDICAID FRAUD FUND APPROPRIATION. There is
24 appropriated from the Medicaid fraud fund created in section
25 249.7 to the health facilities division of the department of
26 inspections and appeals for the fiscal year beginning July
27 1, 2011, and ending June 30, 2012, the following amount, or
28 so much thereof as is necessary, to be used for the purposes
29 designated:

30 For additional health facility surveyors, compliance
31 officers, and residential care facility surveyors:
32 \$ 650,000

33 Sec. 17. DEPARTMENT OF INSPECTIONS AND APPEALS — STATE
34 MATCH REQUIREMENTS — MEDICAID FRAUD FUND APPROPRIATION. There
35 is appropriated from the Medicaid fraud fund created in section

1 249A.7 to the department of inspections and appeals for the
2 fiscal year beginning July 1, 2011, and ending June 30, 2012,
3 the amounts necessary for the purposes designated:

4 1. To cover the cost of any state match to draw down
5 matching federal funds through the department of human services
6 for additional full-time equivalent positions for conducting
7 investigations of alleged fraud and overpayments of food
8 assistance benefits through electronic benefits transfer.

9 2. For the state financial match requirement for meeting
10 the federal mandates connected with the department's Medicaid
11 fraud and abuse activities, and the amount necessary to cover
12 costs incurred by the department or other agencies in providing
13 regulation, responding to allegations, or other activity
14 involving chapter 1350.

15 Sec. 18. DEPARTMENT OF INSPECTIONS AND APPEALS

16 — LEGISLATIVE IMPLEMENTATION — MEDICAID FRAUD FUND

17 APPROPRIATION. There is appropriated from the Medicaid fraud
18 fund created in section 249A.7 to the department of inspections
19 and appeals for the fiscal year beginning July 1, 2011, and
20 ending June 30, 2012, the following amount, or so much thereof
21 as is necessary, to be used for the purposes designated:

22 For salaries, support, maintenance, miscellaneous purposes,
23 administration, and other costs associated with implementation
24 of 2010 Iowa Acts, chapter 1177:

25 \$ 250,000

26 Sec. 19. RACING AND GAMING COMMISSION.

27 1. RACETRACK REGULATION

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

34 For salaries, support, maintenance, and miscellaneous
35 purposes for the regulation of pari-mutuel racetracks, and for

1 not more than the following full-time equivalent positions:

2	\$	2,511,440
3	FTEs	28.53

4 2. EXCURSION BOAT AND GAMBLING STRUCTURE REGULATION

5 There is appropriated from the gaming regulatory revolving
6 fund established in section 99F.20 to the racing and gaming
7 commission of the department of inspections and appeals 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 for administration and enforcement of the excursion
13 boat gambling and gambling structure laws, and for not more
14 than the following full-time equivalent positions:

15	\$	3,078,100
16	FTEs	44.22

17 Sec. 20. ROAD USE TAX FUND APPROPRIATION — DEPARTMENT OF
18 INSPECTIONS AND APPEALS. There is appropriated from the road
19 use tax fund created in section 312.1 to the administrative
20 hearings division of the department of inspections and appeals
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 for the purposes designated:

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

26	\$	1,623,897
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27 Sec. 21. DEPARTMENT OF MANAGEMENT.

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

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

1 \$ 2,423,998

2 FTEs 25.00

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

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

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

16 \$ 56,000

17 Sec. 23. DEPARTMENT OF REVENUE.

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

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

26 \$ 17,705,459

27 FTEs 303.48

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

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

1 Sec. 24. MOTOR VEHICLE FUEL TAX APPROPRIATION. There is
2 appropriated from the motor fuel tax fund created by section
3 452A.77 to the department of revenue 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 and for administration and enforcement of the provisions of
9 chapter 452A and the motor vehicle use tax program:

10 \$ 1,305,775

11 Sec. 25. SECRETARY OF STATE.

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

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

20 \$ 2,860,585

21 FTEs 45.00

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

26 Sec. 26. SECRETARY OF STATE FILING FEES REFUND.

27 Notwithstanding the obligation to collect fees pursuant to the
28 provisions of section 490.122, subsection 1, paragraphs "a" and
29 "s", and section 504.113, subsection 1, paragraphs "a", "c",
30 "d", "j", "k", "l", and "m", for the fiscal year beginning July
31 1, 2011, the secretary of state may refund these fees to the
32 filer pursuant to rules established by the secretary of state.
33 The decision of the secretary of state not to issue a refund
34 under rules established by the secretary of state is final and
35 not subject to review pursuant to chapter 17A.

1 Sec. 27. TREASURER.

2 1. There is appropriated from the general fund of the
3 state to the office of treasurer of state 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, and miscellaneous
8 purposes, and for not more than the following full-time
9 equivalent positions:

10	.....	\$	854,289
11	.....	FTEs	28.80

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

14 Sec. 28. ROAD USE TAX APPROPRIATION — OFFICE OF TREASURER
15 OF STATE. There is appropriated from the road use tax fund
16 created in section 312.1 to the office of treasurer of state
17 for the fiscal year beginning July 1, 2011, and ending June 30,
18 2012, the following amount, or so much thereof as is necessary,
19 to be used for the purposes designated:

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

22	\$	93,148
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23 Sec. 29. IPERS — GENERAL OFFICE. There is appropriated
24 from the Iowa public employees' retirement system fund to the
25 Iowa public employees' retirement system for the fiscal year
26 beginning July 1, 2011, and ending June 30, 2012, the following
27 amount, or so much thereof as is necessary, to be used for the
28 purposes designated:

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

33	.....	\$	17,686,968
34	.....	FTEs	90.13

35 Sec. 30. STATE CAPITOL SIDEWALK HEATING —

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

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

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

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

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

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

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

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

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

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

35 6. a. Lease all buildings and office space necessary to

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

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

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

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

29 1. A rent revolving fund is created in the state treasury
30 under the control of the department to be used by the
31 department to pay the lease or rental costs of all buildings
32 and office space necessary for the proper functioning of any
33 state agency ~~at the seat of state government~~ wherever located
34 throughout the state as provided in section 8A.321, subsection
35 6, except that this fund shall not be used to pay the rental

1 or lease costs of a state agency which has not received funds
2 budgeted for rental or lease purposes.

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

5 **8A.361 Vehicle assignment — authority in department.**

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

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

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

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

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

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

20 Sec. 38. Section 8A.362, subsection 5, Code 2011, is amended
 21 by striking the subsection.

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

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

1 ~~state-owned~~ state-assigned motor vehicle for a trip to the
2 same destination for the same length of time, the director may
3 assign one vehicle to make the trip.

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

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

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

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

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

1 assigned is not usable.

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

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

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

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

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

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

1 purchased.

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

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

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

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

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

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

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

35 (1) The identification of the employee, the employee's

1 title, and the employee's department or agency.

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

3 (3) The reason for the travel.

4 (4) The estimated reimbursable expenses.

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

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

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

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

13 (3) The reason for the travel.

14 (4) The actual amount of expenses reimbursed.

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

16 *c.* Notwithstanding paragraph "b" of this subsection, the
17 searchable database shall not include information regarding
18 travel by officers and employees of the department of
19 public safety occurring in relation to or during the course
20 of criminal investigations, including but not limited to
21 undercover operations.

22 2. A claim for reimbursement for any out-of-state travel,
23 conference, or related expenditures shall only be allowed after
24 the occurrence of both of the following:

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

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

29 3. For purposes of this section, "executive branch employee"
30 means an employee of the executive branch as defined in section
31 7E.2, other than a member or employee of the state board of
32 regents and institutions under the control of the state board
33 of regents.

34 Sec. 44. Section 22.3A, subsection 1, paragraph e, Code
35 2011, is amended to read as follows:

1 *e.* "Data processing software" means an ordered set of
2 instructions or statements that, when executed by a computer,
3 causes the computer to process data, and includes any program
4 or set of programs, procedures, or routines used to employ
5 and control capabilities of computer hardware. As used in
6 this paragraph "data processing software" includes but is not
7 limited to an operating system, compiler, assembler, utility,
8 library resource, maintenance routine, application, or computer
9 networking program, or the associated documentation.

10 Sec. 45. Section 80E.1, Code 2011, is amended to read as
11 follows:

12 **80E.1 Drug policy coordinator. Duties.**

13 ~~1. A drug policy coordinator shall be appointed by the~~
14 ~~governor, subject to confirmation by the senate, and shall~~
15 ~~serve at the pleasure of the governor. The governor shall fill~~
16 ~~a vacancy in the office in the same manner as the original~~
17 ~~appointment was made. The coordinator shall be selected~~
18 ~~primarily for administrative ability. The coordinator shall~~
19 ~~not be selected on the basis of political affiliation and shall~~
20 ~~not engage in political activity while holding the office. The~~
21 ~~salary of the coordinator shall be fixed by the governor.~~

22 ~~2. 1. The coordinator~~ department of public safety, in
23 coordination with the Iowa department of public health, shall:

24 ~~a. Direct the governor's office of drug control policy,~~
25 and coordinate Coordinate and monitor all statewide narcotics
26 enforcement efforts, coordinate and monitor all state and
27 federal substance abuse treatment grants and programs,
28 coordinate and monitor all statewide substance abuse prevention
29 and education programs in communities and schools, and engage
30 in such other related activities as required by law. In
31 carrying out these responsibilities, the department shall
32 be primarily responsible for drug enforcement efforts and
33 activities, and the Iowa department of public health shall be
34 primarily responsible for drug abuse prevention and treatment
35 efforts and activities. ~~The coordinator~~ departments shall work

1 in coordinating ~~the~~ their efforts ~~of the~~ with the department of
2 corrections, the department of education, ~~the Iowa department~~
3 ~~of public health, the department of public safety,~~ and the
4 department of human services. The ~~coordinator~~ departments
5 shall assist in the development and implementation of local and
6 community strategies to fight substance abuse, including local
7 law enforcement, education, and treatment activities.

8 *b.* Submit an annual report to the governor and general
9 assembly by November 1 of each year concerning the activities
10 and programs of the ~~coordinator~~ departments and other
11 departments related to drug enforcement, substance abuse
12 treatment programs, and substance abuse prevention and
13 education programs. The report shall include an assessment
14 of needs with respect to programs related to substance abuse
15 treatment and narcotics enforcement.

16 *c.* Submit an advisory budget recommendation to the governor
17 and general assembly concerning enforcement programs, treatment
18 programs, and education programs related to drugs within the
19 various departments. The ~~coordinator~~ departments shall work
20 with these departments in developing the departmental budget
21 requests to be submitted to the legislative services agency and
22 the general assembly.

23 Sec. 46. Section 80E.2, subsection 1, paragraphs a and e,
24 Code 2011, are amended to read as follows:

25 *a.* ~~The drug policy coordinator~~ commissioner, who shall serve
26 as chairperson of the council.

27 *e.* ~~The~~ A member jointly designated by the commissioner of
28 public safety, ~~or the commissioner's designee~~ and the director
29 of the Iowa department of public health.

30 Sec. 47. Section 99D.14, subsection 2, Code 2011, is amended
31 by adding the following new paragraph:

32 NEW PARAGRAPH. *c.* Notwithstanding sections 8.60 and 99D.17,
33 the portion of the fee paid pursuant to paragraph "a" relating
34 to the costs of the commission, shall not be deposited in the
35 general fund of the state but instead shall be deposited into

1 the gaming regulatory revolving fund established in section
2 99F.20.

3 Sec. 48. Section 99F.10, subsection 4, Code 2011, is amended
4 by adding the following new paragraph:

5 NEW PARAGRAPH. c. Notwithstanding sections 8.60 and 99F.4,
6 the portion of the fee paid pursuant to paragraph "a" relating
7 to the costs of the commission, shall not be deposited in the
8 general fund of the state but instead shall be deposited into
9 the gaming regulatory revolving fund established in section
10 99F.20.

11 Sec. 49. NEW SECTION. 99F.20 Gaming regulatory revolving
12 fund.

13 1. A gaming regulatory revolving fund is created in
14 the state treasury under the control of the department of
15 inspections and appeals. The fund shall consist of fees
16 collected and deposited into the fund paid by licensees
17 pursuant to section 99D.14, subsection 2, paragraph "c", and
18 fees paid by licensees pursuant to section 99F.10, subsection
19 4, paragraph "c". All costs relating to racetrack, excursion
20 boat, and gambling structure regulation shall be paid from the
21 fund as provided in appropriations made for this purpose by
22 the general assembly. The department shall provide quarterly
23 reports to the department of management and the legislative
24 services agency specifying revenues billed and collected and
25 expenditures from the fund in a format as determined by the
26 department of management in consultation with the legislative
27 services agency.

28 2. To meet the department's cash flow needs, the department
29 may temporarily use funds from the general fund of the state
30 to pay expenses in excess of moneys available in the revolving
31 fund if those additional expenditures are fully reimbursable
32 and the department reimburses the general fund of the state
33 and ensures all moneys are repaid in full by the close of the
34 fiscal year. Notwithstanding any provision to the contrary,
35 the department shall, to the fullest extent possible, make

1 an estimate of billings and make such billings as early as
2 possible in each fiscal year, so that the need for the use of
3 general fund moneys is minimized to the lowest extent possible.
4 Periodic billings shall be deemed sufficient to satisfy this
5 requirement. Because any general fund moneys used shall be
6 fully reimbursed, such temporary use of funds from the general
7 fund of the state shall not constitute an appropriation for
8 purposes of calculating the state general fund expenditure
9 limitation pursuant to section 8.54.

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

12 4. The establishment of the revolving fund pursuant to this
13 section shall not be interpreted in any manner to compromise
14 or impact the accountability of, or limit authority with
15 respect to, the department under state law. Any provision
16 applicable to, or responsibility of, the department shall not
17 be altered or impacted by the existence of the fund and shall
18 remain applicable to the same extent as if the department were
19 receiving moneys pursuant to a general fund appropriation.
20 The department shall comply with directions 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
24 any other expenditure efficiencies that the governor deems
25 appropriate.

26 Sec. 50. Section 124.101, subsection 21, Code 2011, is
27 amended by striking the subsection.

28 Sec. 51. Section 124.212A, subsection 5, Code 2011, is
29 amended to read as follows:

30 5. Enter the purchaser's name, address, date of purchase,
31 time of purchase, name of the pseudoephedrine product
32 purchased, and the quantity sold in the electronic logbook. If
33 the electronic logbook is unavailable, an alternative record
34 shall be kept that complies with the rules adopted by both the
35 office department and the board.

1 Sec. 52. Section 124.212B, subsections 1, 5, 8, and 9, Code
2 2011, are amended to read as follows:

3 1. The ~~office~~ department shall establish a real-time
4 electronic repository to monitor and control the sale of
5 schedule V products containing any detectable amount of
6 pseudoephedrine, its salts, or optical isomers, or salts
7 of optical isomers; ephedrine; or phenylpropanolamine. A
8 pharmacy dispensing such products shall report all such sales
9 electronically to a central repository under the control of the
10 ~~office~~ department.

11 5. If the electronic logbook is unavailable for use, a
12 paper record for each sale shall be maintained including
13 the purchaser's signature. Any paper record maintained by
14 the pharmacy shall be provided to the ~~office~~ department for
15 inclusion in the electronic real-time central repository as
16 soon as practicable.

17 8. Both the ~~office~~ department and the board shall adopt
18 rules to administer this section.

19 9. The ~~office~~ department shall report to the board on
20 an annual basis, beginning January 1, 2010, regarding the
21 repository, including the effectiveness of the repository in
22 discovering unlawful sales of pseudoephedrine products.

23 Sec. 53. Section 124.212C, subsections 1, 2, and 4, Code
24 2011, are amended to read as follows:

25 1. The ~~office~~ department shall establish a pseudoephedrine
26 advisory council to provide input and advise the ~~office~~
27 department regarding the implementation and maintenance of
28 the statewide real-time central repository established under
29 section 124.212B to monitor sales of pseudoephedrine. The
30 ~~office~~ department shall specify the duties, responsibilities,
31 and other related matters of the advisory council.

32 2. a. The council shall consist of four licensed
33 pharmacists. The ~~office~~ department shall solicit
34 recommendations for membership on the council from the Iowa
35 pharmacy association and Iowa retail federation, and shall

1 appoint members from the recommendations. The council shall
2 include a member from an independent pharmacy, a member from
3 a regional chain pharmacy, and a member from a national chain
4 pharmacy. The license of any member must be current and not
5 subject to disciplinary sanctions.

6 *b.* The council shall also consist of four members of the
7 general assembly serving as ex officio, nonvoting members, one
8 representative to be appointed by the speaker of the house of
9 representatives, one representative to be appointed by the
10 minority leader of the house of representatives, one senator
11 to be appointed by the majority leader of the senate after
12 consultation with the president of the senate, and one senator
13 to be appointed by the minority leader of the senate.

14 4. The council shall do the following:

15 *a.* Assist the ~~office~~ department in implementing and
16 maintaining the statewide real-time central repository
17 monitoring system.

18 *b.* Assist the ~~office~~ department in developing utilization
19 guidance related to the statewide real-time central repository
20 monitoring system and disseminating such guidance.

21 *c.* Assist the ~~office~~ department in developing guidelines
22 to ensure patient confidentiality and the integrity of the
23 relationship established by the patient and the patient's
24 health care provider.

25 Sec. 54. Section 135.130, subsection 2, Code 2011, is
26 amended to read as follows:

27 2. A substance abuse treatment facility advisory council
28 is established within the department to advise and make
29 recommendations to the director regarding the establishment
30 and operation of a facility for persons with a substance
31 abuse problem who are on probation and to assist with the
32 implementation of treatment programs that are proven to
33 be effective for offenders. The substance abuse treatment
34 facility advisory council shall consist of the directors of the
35 eight judicial district departments of correctional services

1 and one representative each from the judicial branch, the Iowa
2 department of public health, the department of corrections,
3 and the ~~governor's office of drug control policy~~ department of
4 public safety.

5 Sec. 55. Section 216A.132, subsection 1, Code 2011, is
6 amended to read as follows:

7 1. A criminal and juvenile justice planning advisory
8 council is established consisting of twenty-three members who
9 shall all reside in the state.

10 a. The governor shall appoint ~~seven~~ eight members each for
11 a four-year term beginning and ending as provided in section
12 69.19 and subject to confirmation by the senate as follows:

13 (1) Three persons, each of whom is a county supervisor,
14 county sheriff, mayor, nonsupervisory police officer, or a
15 chief of police of a department with less than eleven police
16 officers.

17 (2) Two persons who are knowledgeable about Iowa's juvenile
18 justice system.

19 (3) ~~One person~~ Two persons who ~~represents~~ represent the
20 general public and ~~is~~ are not employed in any law enforcement,
21 judicial, or corrections capacity.

22 (4) One person who is either a crime victim, or who
23 represents a crime victim organization.

24 b. The departments of human services, corrections, and
25 public safety, the office on the status of African Americans,
26 the department of public health, the chairperson of the board
27 of parole, the attorney general, and the state public defender,
28 ~~and the governor's office of drug control policy~~ shall each
29 designate a person to serve on the council.

30 c. The chief justice of the supreme court shall designate
31 one member who is a district judge and one member who is
32 either a district associate judge or associate juvenile judge.
33 The chairperson and ranking member of the senate committee
34 on judiciary shall be members. In alternating four-year
35 intervals, the chairperson and ranking member of the house

1 committee on judiciary or of the house committee on public
2 safety shall be members, with the chairperson and ranking
3 member of the house committee on public safety serving during
4 the initial interval. Nonlegislative members appointed
5 pursuant to this paragraph shall serve for four-year terms
6 beginning and ending as provided in section 69.19 unless the
7 member ceases to serve as a district court judge.

8 *d.* The Iowa county attorneys association shall designate a
9 person to serve on the council.

10 Sec. 56. Section 216A.140, subsection 5, Code 2011, is
11 amended to read as follows:

12 5. *Membership.* The youth development council membership
13 shall be determined by the council itself and shall include the
14 directors or chief administrators, or their designees, from the
15 following state agencies and programs:

16 *a.* Child advocacy board.

17 *b.* Iowa commission on volunteer service in the office of
18 the governor.

19 *c.* Department of education.

20 *d.* Department of human rights.

21 *e.* Department of human services.

22 *f.* Department of public health.

23 *g.* Department of public safety.

24 ~~*g.* *h.* Department of workforce development.~~

25 ~~*h.* Governor's office of drug control policy.~~

26 *i.* Iowa cooperative extension service in agriculture and
27 home economics.

28 *j.* Early childhood Iowa office in the department of
29 management.

30 Sec. 57. Section 217.20, Code 2011, is amended by striking
31 the section.

32 Sec. 58. Section 249A.7, subsection 3, as amended by 2011
33 Iowa Acts, House File 389, section 1, is amended by striking
34 the subsection and inserting in lieu thereof the following:

35 3. *a.* A Medicaid fraud fund is created in the state

1 treasury under the authority of the department of inspections
2 and appeals. Moneys from penalties, investigative costs
3 recouped by the Medicaid fraud control unit, and other amounts
4 received as a result of prosecutions involving the department
5 of inspections and appeals investigations and audits to ensure
6 compliance with the medical assistance program that are not
7 credited to the program shall be credited to the fund.

8 *b.* Notwithstanding section 8.33, moneys credited to the
9 fund from any other account or fund shall not revert to the
10 other account or fund. Moneys in the fund shall only be used as
11 provided in appropriations from the fund and shall be used in
12 accordance with applicable laws, regulations, and the policies
13 of the office of inspector general of the United States
14 department of health and human services.

15 *c.* For the purposes of this subsection, "*investigative*
16 *costs*" means the reasonable value of a Medicaid fraud control
17 unit investigator's, auditor's or employee's time, any moneys
18 expended by the Medicaid fraud control unit, and the reasonable
19 fair market value of resources used or expended by the Medicaid
20 fraud control unit in a case resulting in a criminal conviction
21 of a provider under this chapter or chapter 714 or 715A.

22 Sec. 59. Section 542.3, subsection 1, paragraph a,
23 subparagraph (3), Code 2011, is amended to read as follows:

24 (3) ~~An examination of prospective financial information~~ Any
25 engagement to be performed in accordance with the statements on
26 standards for attestation engagements.

27 Sec. 60. Section 546.12, Code 2011, is amended to read as
28 follows:

29 **546.12 Department of commerce revolving fund.**

30 1. A department of commerce revolving fund is created in
31 the state treasury. The fund shall consist of moneys collected
32 by the banking division; credit union division; utilities
33 division, including moneys collected on behalf of the office
34 of consumer advocate established in section 475A.3; and the
35 insurance division of the department; and deposited into an

1 account for that division or office within the fund on a
2 monthly basis. Except as otherwise provided by statute, all
3 costs for operating the office of consumer advocate and the
4 banking division, the credit union division, the utilities
5 division, and the insurance division of the department shall be
6 paid from the division's accounts within the fund, subject to
7 appropriation by the general assembly. The insurance division
8 shall administer the fund and all other divisions shall work
9 with the insurance division to make sure the fund is properly
10 accounted and reported to the department of management and the
11 department of administrative services. The divisions shall
12 provide quarterly reports to the department of management
13 and the legislative services agency on revenues billed and
14 collected and expenditures from the fund in a format as
15 determined by the department of management in consultation with
16 the legislative services agency.

17 2. To meet cash flow needs for the office of consumer
18 advocate and the banking division, credit union division,
19 utilities division, or the insurance division of the
20 department, the administrative head of that division or
21 office may temporarily use funds from the general fund of the
22 state to pay expenses in excess of moneys available in the
23 revolving fund for that division or office if those additional
24 expenditures are fully reimbursable and the division or office
25 reimburses the general fund of the state and ensures all
26 moneys are repaid in full by the close of the fiscal year.
27 Notwithstanding any provision to the contrary, the divisions
28 shall, to the fullest extent possible, make an estimate
29 of billings and make such billings as early as possible in
30 each fiscal year, so that the need for the use of general
31 fund moneys is minimized to the lowest extent possible.
32 Periodic billings shall be deemed sufficient to satisfy this
33 requirement. Because any general fund moneys used shall be
34 fully reimbursed, such temporary use of funds from the general
35 fund of the state shall not constitute an appropriation for

1 purposes of calculating the state general fund expenditure
2 limitation pursuant to section 8.54.

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

5 4. The establishment of the revolving fund pursuant
6 to this section shall not be interpreted in any manner to
7 compromise or impact the accountability of, or limit authority
8 with respect to, an agency or entity under state law. Any
9 provision applicable to, or responsibility of, a division or
10 office collecting moneys for deposit into the fund established
11 pursuant to this section shall not be altered or impacted by
12 the existence of the fund and shall remain applicable to the
13 same extent as if the division or office were receiving moneys
14 pursuant to a general fund appropriation. Appropriations from
15 the revolving fund shall not be subject to the provisions of
16 section 8.31, subsection 5. The divisions of the department
17 of commerce shall comply with directions by the governor
18 to executive branch departments regarding restrictions on
19 out-of-state travel, hiring justifications, association
20 memberships, equipment purchases, consulting contracts, and
21 any other expenditure efficiencies that the governor deems
22 appropriate.

23 Sec. 61. Section 602.8108, subsection 4, Code 2011, is
24 amended to read as follows:

25 4. The clerk of the district court shall remit all moneys
26 collected from the drug abuse resistance education surcharge
27 provided in section 911.2 to the state court administrator
28 for deposit in the general fund of the state and the amount
29 deposited is appropriated to the ~~governor's office of drug~~
30 ~~control policy~~ department of public safety for use by the drug
31 abuse resistance education program and other programs directed
32 for a similar purpose.

33 Sec. 62. Section 715C.2, subsection 1, Code 2011, is amended
34 to read as follows:

35 1. Any person who owns or licenses computerized data that

1 includes a consumer's personal information that is used in
2 the course of the person's business, vocation, occupation,
3 or volunteer activities and that was subject to a breach
4 of security shall give notice of the breach of security
5 following discovery of such breach of security, or receipt
6 of notification under subsection 2, to any consumer whose
7 personal information was included in the information that was
8 breached. The consumer notification shall be made in the most
9 expeditious manner possible and without unreasonable delay,
10 consistent with the legitimate needs of law enforcement as
11 provided in subsection 3, and consistent with any measures
12 necessary to sufficiently determine contact information for
13 the affected consumers, determine the scope of the breach, and
14 restore the reasonable integrity, security, and confidentiality
15 of the data. A person required to provide notice of a breach
16 of security under this section shall also notify the attorney
17 general as to the timing, content, and distribution of the
18 notice to consumers and an approximate number of affected
19 consumers.

20 Sec. 63. Section 904.114, Code 2011, is amended to read as
21 follows:

22 **904.114 Travel expenses.**

23 The director, staff members, assistants, and employees, in
24 addition to salary, shall receive their necessary traveling
25 expenses by the nearest practicable route, when engaged in
26 the performance of official business. Permission shall not
27 be granted to any person to travel to another state except by
28 approval of the board ~~and the executive council.~~

29 Sec. 64. 2009 Iowa Acts, chapter 169, section 4, subsection
30 2, is amended to read as follows:

31 2. From the moneys appropriated in this section, there
32 is transferred to the department of human rights two
33 hundred fifty thousand dollars for deposit in the individual
34 development account state match fund created in section 541A.7.
35 Notwithstanding other provisions to the contrary in section

1 541A.3, subsection 1, moneys appropriated to the individual
2 development account state match fund under this subsection
3 ~~shall~~ may be used to provide the state match to account holders
4 affected by a natural disaster occurring in 2008 for which the
5 president of the United States declared a disaster area, and
6 who have a household income that is equal to or less than three
7 hundred percent of the federal poverty level as defined by the
8 most recently revised poverty income guidelines published by
9 the United States department of health and human services.

10 Sec. 65. 2010 Iowa Acts, chapter 1193, section 29, is
11 amended to read as follows:

12 SEC. 29. DEPARTMENT OF ADMINISTRATIVE SERVICES —
13 INFORMATION TECHNOLOGY.

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

19 For implementing 2010 Iowa Acts, Senate File 2088, division
20 I, including salaries, support, maintenance, and miscellaneous
21 purposes:

22 \$ 2,300,000

23 2. Notwithstanding section 8.33, moneys appropriated in
24 this section that remain unencumbered or unobligated at the
25 close of the fiscal year ending June 30, 2011, shall not revert
26 but shall remain available for expenditure for the purposes
27 designated until the close of the fiscal year ending June 30,
28 2012.

29 Sec. 66. 2011 Iowa Acts, House File 45, section 8, is
30 amended to read as follows:

31 SEC. 8. SALE OR LEASE OF IOWA COMMUNICATIONS NETWORK. The
32 Iowa telecommunications and technology commission shall
33 implement a request for proposals process to sell or lease
34 the Iowa communications network. The request for proposals
35 shall provide for the sale to be concluded or the lease

1 to commence during the fiscal year beginning July 1, ~~2011~~
2 2012. The commission shall condition the sale or lease of
3 the Iowa communications network with terms that will allow
4 existing authorized users of the network to continue such
5 use at a lower overall long-term cost when compared to the
6 anticipated operation and maintenance costs if state ownership
7 and control were to continue. Public funds shall not be used
8 to secure the purchase of the network. The commission shall
9 submit periodic status reports to the general assembly at
10 three-month intervals, beginning on October 1, 2011, regarding
11 progress made toward selling or leasing the network. The prior
12 authorization and approval requirements specified in section
13 8D.12 shall be complied with prior to a sale or lease of the
14 network pursuant to this section.

15 Sec. 67. REPEAL. 2009 Iowa Acts, chapter 179, section 146,
16 is repealed.

17 Sec. 68. CODE EDITOR DIRECTIVE. The Code editor is directed
18 to change the words "state-owned" to "state-assigned", to the
19 extent not otherwise changed pursuant to this Act, in Code
20 sections 8A.362, 8A.363, 8A.364, and 8A.366.

21 Sec. 69. MEDICAID FRAUD FUND TRANSITION.

22 1. Unencumbered and unobligated moneys in and moneys
23 reverting to the Medicaid fraud account created in section
24 249A.7, Code 2011, on or after June 30, 2011, shall be credited
25 to the Medicaid fraud fund created in section 249A.7, by this
26 division of this Act.

27 2. The appropriations made from the Medicaid fraud account
28 for the fiscal years beginning July 1, 2011, and July 1, 2012,
29 shall instead be charged to the Medicaid fraud fund created in
30 section 249A.7, by this division of this Act.

31 3. This section of this Act, being deemed of immediate
32 importance, takes effect upon enactment, and, if this Act is
33 approved by the governor on or after July 1, 2011, subsection 1
34 of this section applies retroactively to June 30, 2011.

35 Sec. 70. EFFECTIVE UPON ENACTMENT.

1 1. The section of this division of this Act directing the
2 department of administrative services to disconnect electricity
3 to the heated sidewalk installed at the state capitol building,
4 being deemed of immediate importance, takes effect upon
5 enactment.

6 2. The section of this division of this Act providing
7 implementation provisions regarding leasing authority of
8 the department of administrative services, being deemed of
9 immediate importance, takes effect upon enactment.

10 3. The sections of this division of this Act relating to
11 executive branch employee travel and travel reimbursement
12 implementation, being deemed of immediate importance, take
13 effect upon enactment.

14 4. The section of this division of this Act relating to
15 nonreversion of moneys appropriated to the department of
16 administrative services for implementation of 2010 Iowa Acts,
17 chapter 1031, division I, being deemed of immediate importance,
18 takes effect upon enactment.

19 DIVISION II

20 FY 2012-2013

21 Sec. 71. DEPARTMENT OF ADMINISTRATIVE SERVICES.

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

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

30	\$	2,010,172
31	FTEs	84.18

32 b. For the payment of utility costs:

33	\$	1,352,230
34	FTEs	1.00

35 Notwithstanding section 8.33, any excess funds appropriated

1 for utility costs in this lettered paragraph shall not revert
2 to the general fund of the state at the end of the fiscal year
3 but shall remain available for expenditure for the purposes of
4 this lettered paragraph during the succeeding fiscal year.

5 c. For Terrace Hill operations:

6 \$ 202,957
7 FTEs 6.88

8 d. For the I3 distribution account:

9 \$ 1,638,973

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

11 \$ 497,768
12 FTEs 7.00

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

18 3. Any funds and premiums collected by the department for
19 workers' compensation shall be segregated into a separate
20 workers' compensation fund in the state treasury to be used
21 for payment of state employees' workers' compensation claims
22 and administrative costs. Notwithstanding section 8.33,
23 unencumbered or unobligated moneys remaining in this workers'
24 compensation fund at the end of the fiscal year shall not
25 revert but shall be available for expenditure for purposes of
26 the fund for subsequent fiscal years.

27 Sec. 72. REVOLVING FUNDS. There is appropriated to the
28 department of administrative services for the fiscal year
29 beginning July 1, 2012, and ending June 30, 2013, from the
30 revolving funds designated in chapter 8A and from internal
31 service funds created by the department such amounts as the
32 department deems necessary for the operation of the department
33 consistent with the requirements of chapter 8A.

34 Sec. 73. FUNDING FOR IOWACCESS.

35 1. Notwithstanding section 321A.3, subsection 1, for the

1 fiscal year beginning July 1, 2012, and ending June 30, 2013,
2 the first \$750,000 collected and transferred by the department
3 of transportation to the treasurer of state with respect to the
4 fees for transactions involving the furnishing of a certified
5 abstract of a vehicle operating record under section 321A.3,
6 subsection 1, shall be transferred to the IowAccess revolving
7 fund for the purposes of developing, implementing, maintaining,
8 and expanding electronic access to government records as
9 provided by law.

10 2. All fees collected with respect to transactions
11 involving IowAccess shall be deposited in the IowAccess
12 revolving fund and shall be used only for the support of
13 IowAccess projects.

14 Sec. 74. STATE EMPLOYEE HEALTH INSURANCE ADMINISTRATION
15 CHARGE. For the fiscal year beginning July 1, 2012, and ending
16 June 30, 2013, the monthly per contract administrative charge
17 which may be assessed by the department of administrative
18 services shall be \$2 per contract on all health insurance plans
19 administered by the department.

20 Sec. 75. AUDITOR OF STATE.

21 1. There is appropriated from the general fund of the
22 state to the office of the auditor of state for the fiscal
23 year beginning July 1, 2012, and ending June 30, 2013, subject
24 to subsection 3 of this section, the following amount, or so
25 much thereof as is necessary, to be used for the purposes
26 designated, and for not more than the following full-time
27 equivalent positions:

28 For salaries, support, maintenance, and miscellaneous
29 purposes:

30	\$	407,461
31	FTEs	103.00

32 2. The auditor of state may retain additional full-time
33 equivalent positions as is reasonable and necessary to
34 perform governmental subdivision audits which are reimbursable
35 pursuant to section 11.20 or 11.21, to perform audits which are

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

8 3. The auditor of state shall allocate resources from the
9 appropriation in this section solely for audit work related to
10 the comprehensive annual financial report, federally required
11 audits, and investigations of embezzlement, theft, or other
12 significant financial irregularities until the audit of the
13 comprehensive annual financial report is complete.

14 Sec. 76. IOWA ETHICS AND CAMPAIGN DISCLOSURE BOARD. There
15 is appropriated from the general fund of the state to the
16 Iowa ethics and campaign disclosure 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 the purposes
19 designated:

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

23	\$	250,000
24	FTEs	5.00

25 Sec. 77. DEPARTMENT OF COMMERCE.

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

31 a. ALCOHOLIC BEVERAGES DIVISION

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

35	\$	610,196
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1 FTEs 23.00

2 (2) Two of the full-time equivalent positions authorized
3 pursuant to subparagraph (1) shall be allocated for purposes
4 associated with the implementation of 2011 Iowa Acts, House
5 File 617.

6 b. PROFESSIONAL LICENSING AND REGULATION BUREAU

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

10 \$ 300,177

11 FTEs 12.00

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

17 a. BANKING DIVISION

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

21 \$ 4,425,835

22 FTEs 80.00

23 b. CREDIT UNION DIVISION

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

27 \$ 863,998

28 FTEs 19.00

29 c. INSURANCE DIVISION

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

33 \$ 2,491,622

34 FTEs 106.50

35 (2) The insurance division may reallocate authorized

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

9 (a) Notifies the department of management, the legislative
10 services agency, and the legislative fiscal committee of the
11 need for the expenditures.

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

15 d. UTILITIES DIVISION

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

19	\$	4,086,535
20	FTEs	79.00

21 (2) The utilities division may expend additional funds,
22 including funds for additional personnel, if those additional
23 expenditures are actual expenses which exceed the funds
24 budgeted for utility regulation and the expenditures are fully
25 reimbursable. Before the division expends or encumbers an
26 amount in excess of the funds budgeted for regulation, the
27 division shall first do both of the following:

28 (a) Notify the department of management, the legislative
29 services agency, and the legislative fiscal committee of the
30 need for the expenditures.

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

34 (3) Notwithstanding sections 8.33 and 476.10 or any other
35 provisions to the contrary, any unencumbered or unobligated

1 balance of the appropriation made in this paragraph for the
2 utilities division or any other operational appropriation made
3 for the fiscal year beginning July 1, 2012, and ending June
4 30, 2013, that remains unused, unencumbered, or unobligated at
5 the close of the fiscal year shall not revert but shall remain
6 available to be used for purposes of the energy-efficient
7 building project authorized under section 476.10B, or for
8 relocation costs in succeeding fiscal years.

9 3. CHARGES. Each division and the office of consumer
10 advocate shall include in its charges assessed or revenues
11 generated an amount sufficient to cover the amount stated
12 in its appropriation and any state-assessed indirect costs
13 determined by the department of administrative services.

14 Sec. 78. DEPARTMENT OF COMMERCE — PROFESSIONAL LICENSING
15 AND REGULATION BUREAU. There is appropriated from the housing
16 trust fund of the Iowa finance authority created in section
17 16.181, to the bureau of professional licensing and regulation
18 of the banking division of the department of commerce for the
19 fiscal year beginning July 1, 2012, and ending June 30, 2013,
20 the following amount, or so much thereof as is necessary, to be
21 used for the purposes designated:

22 For salaries, support, maintenance, and miscellaneous
23 purposes:
24 \$ 31,159

25 Sec. 79. GOVERNOR AND LIEUTENANT GOVERNOR. There is
26 appropriated from the general fund of the state to the offices
27 of the governor and the lieutenant governor for the fiscal year
28 beginning July 1, 2012, and ending June 30, 2013, the following
29 amounts, or so much thereof as is necessary, to be used for the
30 purposes designated:

31 For salaries, support, maintenance, and miscellaneous
32 purposes:
33 \$ 1,149,534
34 FTEs 22.88

35 Sec. 80. DEPARTMENT OF HUMAN RIGHTS. There is appropriated

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

5 1. CENTRAL ADMINISTRATION DIVISION

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

9	\$	103,052
10	FTEs	7.00

11 2. COMMUNITY ADVOCACY AND SERVICES DIVISION

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

15	\$	528,396
16	FTEs	17.00

17 3. CRIMINAL AND JUVENILE JUSTICE PLANNING DIVISION

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

21	\$	536,946
22	FTEs	10.00

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

27 Sec. 81. DEPARTMENT OF INSPECTIONS AND APPEALS. There
28 is appropriated from the general fund of the state to the
29 department of inspections and appeals for the fiscal year
30 beginning July 1, 2012, and ending June 30, 2013, the following
31 amounts, or so much thereof as is necessary, for the purposes
32 designated:

33 1. ADMINISTRATION DIVISION

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

1 equivalent positions:

2	\$	763,870
3	FTEs	37.40

4 2. ADMINISTRATIVE HEARINGS DIVISION

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

8	\$	276,987
9	FTEs	23.00

10 3. INVESTIGATIONS DIVISION

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

14	\$	584,320
15	FTEs	58.50

16 b. The department, in coordination with the investigations
17 division, shall provide a report to the general assembly by
18 January 10, 2013, concerning the fiscal impact of additional
19 full-time equivalent positions on the department's efforts
20 relative to the Medicaid divestiture program under chapter
21 249F.

22 4. HEALTH FACILITIES DIVISION

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

26	\$	1,781,370
27	FTEs	134.75

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

- 33 (1) The number of inspections conducted by the division
- 34 annually by type of service provider and type of inspection.
- 35 (2) The total annual operations budget for the division,

1 including general fund appropriations and federal contract
2 dollars received by type of service provider inspected.

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

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

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

17 5. EMPLOYMENT APPEAL BOARD

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

21	\$	21,108
22	FTEs	14.00

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

32 6. CHILD ADVOCACY BOARD

33 a. For foster care review and the court appointed special
34 advocate program, including salaries, support, maintenance, and
35 miscellaneous purposes, and for not more than the following

1 full-time equivalent positions:

2	\$	1,397,237
3	FTEs	40.80

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

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

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

16 Sec. 82. DEPARTMENT OF INSPECTIONS AND APPEALS — MUNICIPAL
17 CORPORATION FOOD INSPECTIONS. For the fiscal year beginning
18 July 1, 2012, and ending June 30, 2013, the department of
19 inspections and appeals shall retain any license fees generated
20 during the fiscal year as a result of actions under section
21 137F.3A occurring during the period beginning July 1, 2009,
22 and ending June 30, 2011, for the purpose of enforcing the
23 provisions of chapters 137C, 137D, and 137F.

24 Sec. 83. DEPARTMENT OF INSPECTIONS AND APPEALS —
25 HEALTH CARE FACILITIES INSPECTIONS. Notwithstanding any
26 provision of section 135C.16 to the contrary, inspections of
27 health care facilities that are only state-licensed and not
28 certified under the Medicare or Medicaid programs shall not be
29 inspected by the department of inspections and appeals every
30 thirty months, but only as provided pursuant to sections 135C.9
31 and 135C.38.

32 Sec. 84. DEPARTMENT OF INSPECTIONS AND APPEALS — GENERAL
33 SUPPORT — MEDICAID FRAUD FUND APPROPRIATION. There is
34 appropriated from the Medicaid fraud fund created in section
35 249A.7 to the department of inspections and appeals 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 additional health facility surveyors, compliance
5 officers, and residential care facility surveyors:
6 \$ 325,000

7 Sec. 85. DEPARTMENT OF INSPECTIONS AND APPEALS — STATE
8 MATCH REQUIREMENTS — MEDICAID FRAUD FUND APPROPRIATION. There
9 is appropriated from the Medicaid fraud fund created in section
10 249A.7 to the department of inspections and appeals for the
11 fiscal year beginning July 1, 2012, and ending June 30, 2013,
12 the amounts necessary for the purposes designated:

13 1. To cover the cost of any state match to draw down
14 matching federal funds through the department of human services
15 for additional full-time equivalent positions for conducting
16 investigations of alleged fraud and overpayments of food
17 assistance benefits through electronic benefits transfer.

18 2. For the state financial match requirement for meeting
19 the federal mandates connected with the department's Medicaid
20 fraud and abuse activities, and the amount necessary to cover
21 costs incurred by the department or other agencies in providing
22 regulation, responding to allegations, or other activity
23 involving chapter 1350.

24 Sec. 86. DEPARTMENT OF INSPECTIONS AND APPEALS
25 — LEGISLATIVE IMPLEMENTATION — MEDICAID FRAUD FUND
26 APPROPRIATION. There is appropriated from the Medicaid fraud
27 fund created in section 249A.7 to the department of inspections
28 and appeals for the fiscal year beginning July 1, 2012, and
29 ending June 30, 2013, the following amount, or so much thereof
30 as is necessary, to be used for the purposes designated:

31 For salaries, support, maintenance, miscellaneous purposes,
32 administration, and other costs associated with implementation
33 of 2010 Iowa Acts, chapter 1177:
34 \$ 125,000

35 Sec. 87. RACING AND GAMING COMMISSION.

1 1. RACETRACK REGULATION

2 There is appropriated from the gaming regulatory revolving
3 fund established in section 99F.20 to the racing and gaming
4 commission of the department of inspections and appeals 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 purposes designated:

8 For salaries, support, maintenance, and miscellaneous
9 purposes for the regulation of pari-mutuel racetracks, and for
10 not more than the following full-time equivalent positions:
11 \$ 1,255,720
12 FTEs 28.53

13 2. EXCURSION BOAT AND GAMBLING STRUCTURE REGULATION

14 There is appropriated from the gaming regulatory revolving
15 fund established in section 99F.20 to the racing and gaming
16 commission of the department of inspections and appeals 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 salaries, support, maintenance, and miscellaneous
21 purposes for administration and enforcement of the excursion
22 boat gambling and gambling structure laws, and for not more
23 than the following full-time equivalent positions:
24 \$ 1,539,050
25 FTEs 44.22

26 Sec. 88. ROAD USE TAX FUND APPROPRIATION — DEPARTMENT OF
27 INSPECTIONS AND APPEALS. There is appropriated from the road
28 use tax fund created in section 312.1 to the administrative
29 hearings division of the department of inspections and appeals
30 for the fiscal year beginning July 1, 2012, and ending June 30,
31 2013, the following amount, or so much thereof as is necessary,
32 for the purposes designated:

33 For salaries, support, maintenance, and miscellaneous
34 purposes:
35 \$ 811,949

1 Sec. 89. DEPARTMENT OF MANAGEMENT.

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

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

10	\$	1,211,999
11	FTEs	25.00

12 2. Of the moneys appropriated in this section, the
13 department shall use a portion for enterprise resource
14 planning, providing for a salary model administrator,
15 conducting performance audits, and for the department's LEAN
16 process.

17 Sec. 90. ROAD USE TAX APPROPRIATION — DEPARTMENT OF
18 MANAGEMENT. There is appropriated from the road use tax fund
19 created in section 312.1 to the department of management for
20 the fiscal year beginning July 1, 2012, and ending June 30,
21 2013, the following amount, or so much thereof as is necessary,
22 to be used for the purposes designated:

23 For salaries, support, maintenance, and miscellaneous
24 purposes:

25	\$	28,000
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26 Sec. 91. DEPARTMENT OF REVENUE.

27 1. There is appropriated from the general fund of the state
28 to the department of revenue for the fiscal year beginning July
29 1, 2012, and ending June 30, 2013, the following amounts, or
30 so much thereof as is necessary, to be used 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	\$	8,852,730
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1 FTEs 303.48

2 2. Of the funds appropriated pursuant to this section,
3 \$400,000 shall be used to pay the direct costs of compliance
4 related to the collection and distribution of local sales and
5 services taxes imposed pursuant to chapters 423B and 423E.

6 3. The director of revenue shall prepare and issue a state
7 appraisal manual and the revisions to the state appraisal
8 manual as provided in section 421.17, subsection 17, without
9 cost to a city or county.

10 Sec. 92. MOTOR VEHICLE FUEL TAX APPROPRIATION. There is
11 appropriated from the motor fuel tax fund created by section
12 452A.77 to the department of revenue for the fiscal year
13 beginning July 1, 2012, and ending June 30, 2013, the following
14 amount, or so much thereof as is necessary, to be used for the
15 purposes designated:

16 For salaries, support, maintenance, miscellaneous purposes,
17 and for administration and enforcement of the provisions of
18 chapter 452A and the motor vehicle use tax program:

19 \$ 652,888

20 Sec. 93. SECRETARY OF STATE.

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

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

29 \$ 1,430,293

30 FTEs 45.00

31 2. The state department or state agency which provides
32 data processing services to support voter registration file
33 maintenance and storage shall provide those services without
34 charge.

35 Sec. 94. SECRETARY OF STATE FILING FEES REFUND.

1 Notwithstanding the obligation to collect fees pursuant to the
2 provisions of section 490.122, subsection 1, paragraphs "a" and
3 "s", and section 504.113, subsection 1, paragraphs "a", "c",
4 "d", "j", "k", "l", and "m", for the fiscal year beginning July
5 1, 2012, the secretary of state may refund these fees to the
6 filer pursuant to rules established by the secretary of state.
7 The decision of the secretary of state not to issue a refund
8 under rules established by the secretary of state is final and
9 not subject to review pursuant to chapter 17A.

10 Sec. 95. TREASURER.

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

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

19	\$	427,145
20	FTEs	28.80

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

23 Sec. 96. ROAD USE TAX APPROPRIATION — OFFICE OF TREASURER

24 OF STATE. There is appropriated from the road use tax fund
25 created in section 312.1 to the office of treasurer of state
26 for the fiscal year beginning July 1, 2012, and ending June 30,
27 2013, the following amount, or so much thereof as is necessary,
28 to be used for the purposes designated:

29 For enterprise resource management costs related to the
30 distribution of road use tax funds:

31	\$	46,574
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32 Sec. 97. IPERS — GENERAL OFFICE. There is appropriated
33 from the Iowa public employees' retirement system fund to the
34 Iowa public employees' retirement system for the fiscal year
35 beginning July 1, 2012, and ending June 30, 2013, the following

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

3 For salaries, support, maintenance, and other operational
4 purposes to pay the costs of the Iowa public employees'
5 retirement system, and for not more than the following
6 full-time equivalent positions:

7	\$	8,843,484
8	FTEs	90.13

9 DIVISION III

10 CONDITIONAL EFFECTIVE DATE AND RETROACTIVE APPLICABILITY

11 Sec. 98. EFFECTIVE DATE AND RETROACTIVE

12 APPLICABILITY. Unless otherwise provided, this Act, if
13 approved by the governor on or after July 1, 2011, takes effect
14 upon enactment and applies retroactively to July 1, 2011.

15 EXPLANATION

16 ADMINISTRATION AND REGULATION — FY 2011-2012. This
17 division of the bill relates to and appropriates moneys to
18 various state departments, agencies, and funds for the fiscal
19 year beginning July 1, 2011, and ending June 30, 2012. The
20 division makes appropriations to state departments and agencies
21 including the department of administrative services, auditor of
22 state, Iowa ethics and campaign disclosure board, department
23 of commerce, offices of governor and lieutenant governor, the
24 department of human rights, department of inspections and
25 appeals, department of management, department of revenue,
26 secretary of state, treasurer of state, and Iowa public
27 employees' retirement system.

28 The division appropriates moneys from the IowAccess
29 revolving fund to the office of the secretary of state for
30 costs associated with decennial redistricting for the fiscal
31 year beginning July 1, 2011, and ending June 30, 2012.

32 The division directs the auditor of state to allocate
33 resources from amounts appropriated in the bill solely for
34 audit work related to the comprehensive annual financial
35 report, federally required audits, and investigations

1 of embezzlement, theft, or other significant financial
2 irregularities until the audit of the comprehensive annual
3 financial report is complete.

4 The division allocates a portion of moneys appropriated to
5 the alcoholic beverages division to establish and implement
6 a web-based alcohol compliance employee training program for
7 alcoholic beverage sales personnel.

8 The division provides for the nonreversion of moneys
9 previously appropriated for an energy-efficient building
10 project undertaken by the utilities division of the department
11 of commerce.

12 The division directs the department of administrative
13 services to disconnect electricity to the heated sidewalk
14 installed in the entry walkway on the East side of the state
15 capitol building, and not to reconnect the electricity without
16 the authorization of the general assembly.

17 The division eliminates provisions relating to state
18 purchases of recycled and soybean-based products, and reporting
19 requirements related thereto.

20 The division modifies provisions relating to the awarding
21 of state construction contracts to provide for disclosure
22 to the state agency awarding the contract the names of
23 all subcontractors and suppliers, and modifies related
24 requirements.

25 The division modifies a provision relating to the leasing of
26 building and office space by the department of administrative
27 services at the seat of government to refer to buildings
28 and office space wherever located throughout the state, and
29 provides that the director of the department shall develop
30 cooperative relationships with the state board of regents
31 in order to promote colocation of state agencies. The
32 division specifies implementation provisions relating to these
33 modifications.

34 The division requires the department of administrative
35 services to implement a request for proposals by September 30,

1 2011, to enter into a contract for the purpose of renting or
2 leasing state passenger vehicles, as defined in the division,
3 from a private entity with sufficient inventory and personnel
4 to accommodate the needs of the state. The division provides
5 that by March 1, 2012, the department shall award a contract
6 for rental or leasing to the private entity, and assign
7 passenger vehicles for rental or lease, to the extent the
8 department determines doing so would be economically feasible
9 and financially advantageous. If a contract is entered into,
10 the division states that all state-assigned passenger vehicles
11 located in any county which can support the operation of a
12 rental and leasing entity, which the department determines
13 would be suitable for rental or leasing, shall be returned to
14 the department for sale or disposal by the private entity.
15 The division absolves the private entity from liability to
16 a third party due to negligence on the part of the state
17 or its employees, and requires the department to evaluate
18 the economic advantages of state ownership versus rental or
19 leasing and adjust the number of vehicles subject to the
20 contract accordingly. The division makes conforming changes
21 consistent with these provisions, and eliminates Code section
22 8A.362, subsection 5, which requires that a minimum of 10
23 percent of new state-owned passenger vehicles and light pickup
24 trucks shall be equipped with engines which utilize specified
25 alternative methods of propulsion.

26 The division directs the department of administrative
27 services to develop and maintain an electronic travel
28 authorization form to be used for any executive branch
29 employee's out-of-state travel, conference, or related
30 expenditures associated with the employee's official duties,
31 and a searchable database available on the department's
32 internet site containing specified travel-related information.
33 The division states that a claim for reimbursement for any
34 out-of-state travel, conference, or related expenditures shall
35 only be allowed after the electronic travel authorization form

1 is approved by the head of the employee's department, and the
2 request for reimbursement is submitted by the employee on the
3 appropriate form with required approvals. "Executive branch
4 employee" is defined as an employee of the executive branch as
5 defined in Code section 7E.2, other than a member or employee
6 of the state board of regents and institutions under the
7 control of the state board of regents. The division specifies
8 implementation provisions relating to these modifications.

9 The division adds to a definition of "data processing
10 software" contained in Code section 22.3A, subsection 1,
11 paragraph "e", associated documentation in relation to an
12 operating system, compiler, assembler, utility, library
13 resource, maintenance routine, application, or computer
14 networking program.

15 The division eliminates the governor's office of drug
16 control policy, transferring responsibilities in relation
17 thereto to the department of public safety, in conjunction with
18 the Iowa department of public health, and making conforming
19 changes consistent with this elimination.

20 The division adds to a provision relating to providing
21 notice of a breach of security contained in Code section
22 715C.2, subsection 1, that notice shall also be provided to the
23 attorney general as to the timing, content, and distribution of
24 the notice to consumers and an approximate number of affected
25 consumers.

26 The division establishes a new gaming regulatory revolving
27 fund in the state treasury under the control of the department
28 of inspections and appeals, consisting of fees collected and
29 deposited into the fund paid by pari-mutuel wagering licensees
30 pursuant to Code section 99D.14, subsection 2, paragraph
31 "b", and fees paid by gambling boat and racetrack licensees
32 pursuant to Code section 99F.10, subsection 4, paragraph "b".
33 The division specifies that all costs relating to racetrack,
34 excursion boat, and gambling structure regulation shall be
35 paid from the fund as provided in appropriations made for

1 this purpose by the general assembly. The division makes
2 conforming Code modifications consistent with this provision.
3 The division additionally provides reporting requirements
4 and billing estimate requirements regarding the revolving
5 fund, and states that the establishment of the revolving
6 fund shall not be interpreted in any manner to compromise or
7 impact the accountability of, and limitation of authority with
8 respect to, the department under state law. The bill adds
9 similar requirements in relation to the department of commerce
10 revolving fund established in Code section 546.12.

11 The division changes the Medicaid fraud account established
12 in Code section 249A.7 to the Medicaid fraud fund, provides
13 conforming and transition provisions, makes specified
14 appropriations from the fund, and provides specified immediate
15 effective and retroactive applicability provisions.

16 The division provides that moneys transferred pursuant to
17 2009 Iowa Acts, chapter 169, section 4, subsection 2, may,
18 rather than shall, be used to provide the state match to
19 individual account holders affected by a natural disaster
20 occurring in 2008 and declared a disaster area.

21 The division provides for the nonreversion of moneys
22 appropriated in 2010 Iowa Acts, Senate File 2088, division I,
23 until the close of the fiscal year ending June 30, 2012.

24 The division modifies provisions enacted in 2011 Iowa Acts,
25 House File 45, section 8, relating to the sale or lease of the
26 Iowa communications network, to extend the date by which the
27 sale is to be concluded or the lease commenced from during
28 the fiscal year beginning July 1, 2011, to July 1, 2012. The
29 division further specifies that a sale or lease shall not take
30 place without being authorized by the general assembly and
31 approved by the governor as specified in Code section 8D.12.

32 The division repeals a sunset provision enacted during
33 the 2009 legislative session applicable to the department of
34 commerce revolving fund established in Code section 546.12.
35 The sunset provision currently repeals the Code section

1 effective July 1, 2011.

2 The division provides that the sections of the division
3 relating to disconnecting electricity to the specified
4 Capitol building sidewalk, providing implementation provisions
5 regarding leasing authority of the department of administrative
6 services and executive branch employee travel and travel
7 reimbursement, and relating to nonreversion of moneys
8 appropriated to the department of administrative services for
9 implementation of 2010 Iowa Acts, chapter 1031, division I,
10 take effect upon enactment.

11 ADMINISTRATION AND REGULATION — FY 2012-2013. This
12 division of the bill relates to and appropriates moneys to
13 various state departments, agencies, and funds for the fiscal
14 year beginning July 1, 2012, and ending June 30, 2013. The
15 division makes appropriations to state departments and agencies
16 including the department of administrative services, auditor of
17 state, Iowa ethics and campaign disclosure board, department
18 of commerce, offices of governor and lieutenant governor, the
19 department of human rights, department of inspections and
20 appeals, department of management, department of revenue,
21 secretary of state, treasurer of state, and Iowa public
22 employees' retirement system.

23 CONDITIONAL EFFECTIVE DATE AND RETROACTIVE APPLICABILITY.
24 Unless otherwise provided, the bill, if approved by the
25 governor on or after July 1, 2011, takes effect upon enactment
26 and applies retroactively to July 1, 2011.