

Senate Study Bill 1106 - Introduced

SENATE FILE _____
BY (PROPOSED COMMITTEE ON
STATE GOVERNMENT BILL BY
CHAIRPERSON DANIELSON)

A BILL FOR

1 An Act relating to government operations and efficiency and
2 other related matters and including effective date and
3 applicability provisions.
4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

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DIVISION I

GOVERNMENT INFORMATION TECHNOLOGY SERVICES

Section 1. Section 8A.205, subsection 2, paragraph g, Code 2013, is amended to read as follows:

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

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

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

2. The department shall submit a report to the general assembly by January 1, 2014, describing the department's actions as required by this section. The report shall, if applicable, identify any statutory barriers or needed technology investments for pursuing efforts described in this section and shall include in the report its findings and any recommendations for legislative action.

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

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

1 31, 2014. The department shall submit a copy of the schedule
2 to the general assembly by July 31, 2013, and shall provide
3 periodic updates to the general assembly on the progress of
4 meeting the time deadlines contained in the schedule.

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

9 DIVISION II

10 MEDICATION THERAPY MANAGEMENT

11 Sec. 4. NEW SECTION. 8A.441 Medication therapy management.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

25 Sec. 5. EFFECTIVE UPON ENACTMENT. This division of this
26 Act, being deemed of immediate importance, takes effect upon
27 enactment.

28 DIVISION III

29 STATE PHYSICAL RESOURCES

30 Sec. 6. STATE EMPLOYEE WORK ENVIRONMENT ANALYSIS
31 AND REPORT. By September 30, 2013, the department of
32 administrative services shall conduct a high level needs
33 analysis of state employee work stations and office standards,
34 assessing adequate square footage needs, and creating healthy,
35 productive, and efficient work environments in an economical

1 manner. Overall objectives of the analysis shall include
2 improving employee density; properly allocating space for
3 individual and group work; improving worker health and
4 safety; improving technology integration; and improving energy
5 efficiency and sustainability in state offices. The department
6 shall submit findings and recommendations to the capitol
7 planning commission and to the legislative fiscal committee by
8 October 30, 2013.

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DIVISION IV

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AUDITS

11 Sec. 7. Section 11.6, subsection 10, Code 2013, is amended
12 to read as follows:

13 10. The auditor of state shall adopt rules in accordance
14 with chapter 17A to establish and collect a filing fee for
15 the filing of each report of audit or examination conducted
16 pursuant to ~~subsections 1 through 3~~ subsection 1, paragraphs "a"
17 and "c", subsection 2, and subsection 3. The funds collected
18 shall be maintained in a segregated account for use by the
19 office of the auditor of state in performing audits conducted
20 pursuant to subsection 4 and for work paper reviews conducted
21 pursuant to subsection 5. Any funds collected by the auditor
22 pursuant to subsection 4 shall be deposited in this account.
23 Notwithstanding section 8.33, the funds in this account shall
24 not revert at the end of any fiscal year.

25 Sec. 8. Section 182.18, subsection 1, Code 2013, is amended
26 to read as follows:

27 1. Moneys collected under this chapter are subject to audit
28 by the auditor of state and shall be used by the Iowa sheep and
29 wool promotion board first for the payment of collection and
30 refund expenses, second for payment of the costs and expenses
31 arising in connection with conducting referendums, and third
32 for the purposes identified in section 182.11, ~~and fourth for~~
33 ~~the cost of audits for the auditor of state.~~ Moneys of the
34 board remaining after a referendum is held at which a majority
35 of the voters favor termination of the board and the assessment

1 shall continue to be expended in accordance with this chapter
2 until exhausted. ~~The auditor of state may seek reimbursement~~
3 ~~for the cost of the audit.~~

4 Sec. 9. Section 184.14, subsection 2, Code 2013, is amended
5 to read as follows:

6 2. Moneys collected, deposited in the fund, and transferred
7 to the council as provided in this chapter are subject to
8 audit by the auditor of state. ~~The auditor of state may~~
9 ~~seek reimbursement for the cost of the audit.~~ The moneys
10 transferred to the council shall be used by the council first
11 for the payment of collection expenses, second for payment of
12 the costs and expenses arising in connection with conducting
13 referendums, and third to perform the functions and carry out
14 the duties of the council as provided in this chapter, ~~and~~
15 ~~fourth for the cost of audits by the auditor of state.~~ Moneys
16 remaining after the council is abolished and the imposition of
17 an assessment is terminated pursuant to a referendum conducted
18 pursuant to section 184.5 shall continue to be expended in
19 accordance with this chapter until exhausted.

20 Sec. 10. Section 184A.6, subsection 2, Code 2013, is amended
21 to read as follows:

22 2. The council shall expend moneys from the account first
23 for the payment of expenses for the collection of assessments,
24 ~~second~~ and then for the payment of expenses related to
25 conducting a referendum as provided in section 184A.12, ~~and~~
26 ~~and third for the cost of audits by the auditor of state as~~
27 ~~required in section 184A.9.~~ The council shall expend remaining
28 moneys for market development, producer education, and the
29 payment of refunds to producers as provided in this chapter.

30 Sec. 11. Section 184A.9, Code 2013, is amended to read as
31 follows:

32 **184A.9 Audit.**

33 Moneys required to be deposited in the turkey council
34 account as provided in section 184A.4 shall be subject to
35 audit by the auditor of state. ~~The auditor of state may seek~~

1 ~~reimbursement for the cost of the audit from moneys deposited~~
2 ~~in the turkey council account.~~

3 Sec. 12. Section 185C.26, Code 2013, is amended to read as
4 follows:

5 **185C.26 Deposit of moneys — corn promotion fund.**

6 A state assessment collected by the board from a sale of corn
7 shall be deposited in the office of the treasurer of state in
8 a special fund known as the corn promotion fund. The fund may
9 include any gifts, rents, royalties, interest, license fees,
10 or a federal or state grant received by the board. Moneys
11 collected, deposited in the fund, and transferred to the board
12 as provided in this chapter shall be subject to audit by the
13 auditor of state. ~~The auditor of state may seek reimbursement~~
14 ~~for the cost of the audit from moneys deposited in the fund as~~
15 ~~provided in this chapter.~~ The department of administrative
16 services shall transfer moneys from the fund to the board
17 for deposit into an account established by the board in a
18 qualified financial institution. The department shall transfer
19 the moneys as provided in a resolution adopted by the board.
20 However, the department is only required to transfer moneys
21 once during each day and only during hours when the offices of
22 the state are open. From moneys collected, the board shall
23 first pay all the direct and indirect costs incurred by the
24 secretary and the costs of referendums, elections, and other
25 expenses incurred in the administration of this chapter, before
26 moneys may be expended for the purpose of carrying out the
27 purposes of this chapter as provided in section 185C.11.

28 Sec. 13. EFFECTIVE UPON ENACTMENT. This division of this
29 Act, being deemed of immediate importance, takes effect upon
30 enactment.

31 DIVISION V

32 HOMELAND SECURITY AND EMERGENCY MANAGEMENT ORGANIZATION

33 Sec. 14. Section 7E.5, subsection 1, paragraph p, Code 2013,
34 is amended to read as follows:

35 *p.* The department of public defense, created in section

1 29.1, which has primary responsibility for state military
2 forces ~~and emergency management~~.

3 Sec. 15. Section 7E.5, subsection 1, Code 2013, is amended
4 by adding the following new paragraph:

5 NEW PARAGRAPH. *w.* The department of homeland security
6 and emergency management, created in section 29C.5, which has
7 primary responsibility for the administration of emergency
8 planning matters, including emergency resource planning in
9 this state, homeland security activities, and coordination of
10 available services and resources in the event of a disaster to
11 include those services and resources of the federal government
12 and private entities.

13 Sec. 16. Section 8A.202, subsection 5, paragraph e, Code
14 2013, is amended to read as follows:

15 *e.* (1) The department of public defense, ~~including both~~
16 ~~the military division and the homeland security and emergency~~
17 ~~management division,~~ shall not be required to obtain any
18 information technology services pursuant to this subchapter
19 for the department of public defense ~~or its divisions~~ that is
20 provided by the department pursuant to this chapter without the
21 consent of the adjutant general.

22 (2) The department of homeland security and emergency
23 management shall not be required to obtain any information
24 technology services pursuant to this subchapter for the
25 department of homeland security and emergency management that
26 is provided by the department pursuant to this chapter without
27 the consent of the director of the department of homeland
28 security and emergency management.

29 Sec. 17. Section 8D.2, subsection 5, paragraph b, Code 2013,
30 is amended to read as follows:

31 *b.* For the purposes of this chapter, "*public agency*" also
32 includes any homeland security or defense facility or disaster
33 response agency established by the ~~administrator~~ director of
34 the department of homeland security and emergency management
35 ~~division of the department of public defense~~ or the governor

1 or any facility connected with a security or defense system or
2 disaster response as required by the ~~administrator~~ director of
3 the department of homeland security and emergency management
4 ~~division of the department of public defense~~ or the governor.

5 Sec. 18. Section 8D.9, subsection 3, Code 2013, is amended
6 to read as follows:

7 3. A facility that is considered a public agency pursuant
8 to section 8D.2, subsection 5, paragraph "b", shall be
9 authorized to access the Iowa communications network strictly
10 for homeland security communication purposes and disaster
11 communication purposes. Any utilization of the network that
12 is not related to communications concerning homeland security
13 or a disaster, as defined in section 29C.2, is expressly
14 prohibited. Access under this subsection shall be available
15 only if a state of disaster emergency is proclaimed by the
16 governor pursuant to section 29C.6 or a homeland security
17 or disaster event occurs requiring connection of disparate
18 communications systems between public agencies to provide
19 for a multiagency or multijurisdictional response. Access
20 shall continue only for the period of time the homeland
21 security or disaster event exists. For purposes of this
22 subsection, disaster communication purposes includes training
23 and exercising for a disaster if public notice of the training
24 and exercising session is posted on the ~~website~~ internet site
25 of the department of homeland security and emergency management
26 ~~division of the department of public defense~~. A scheduled and
27 noticed training and exercising session shall not exceed five
28 days. Interpretation and application of the provisions of this
29 subsection shall be strictly construed.

30 Sec. 19. Section 16.191, subsection 2, paragraph e, Code
31 2013, is amended to read as follows:

32 e. The ~~administrator~~ director of the department of homeland
33 security and emergency management ~~division of the department of~~
34 ~~public defense~~ or the ~~administrator's~~ director's designee.

35 Sec. 20. Section 22.7, subsection 45, Code 2013, is amended

1 to read as follows:

2 45. The critical asset protection plan or any part of the
3 plan prepared pursuant to section 29C.8 and any information
4 held by the department of homeland security and emergency
5 ~~management division~~ that was supplied to the ~~division~~
6 department by a public or private agency or organization and
7 used in the development of the critical asset protection plan
8 to include, but not be limited to, surveys, lists, maps, or
9 photographs. However, the ~~administrator~~ director shall make
10 the list of assets available for examination by any person.
11 A person wishing to examine the list of assets shall make
12 a written request to the ~~administrator~~ director on a form
13 approved by the ~~administrator~~ director. The list of assets may
14 be viewed at the ~~division's~~ department's offices during normal
15 working hours. The list of assets shall not be copied in any
16 manner. Communications and asset information not required by
17 law, rule, or procedure that are provided to the ~~administrator~~
18 director by persons outside of government and for which the
19 ~~administrator~~ director has signed a nondisclosure agreement are
20 exempt from public disclosures. The department of homeland
21 security and emergency management ~~division~~ may provide all or
22 part of the critical asset plan to federal, state, or local
23 governmental agencies which have emergency planning or response
24 functions if the ~~administrator~~ director is satisfied that
25 the need to know and intended use are reasonable. An agency
26 receiving critical asset protection plan information from the
27 ~~division~~ department shall not disseminate the information
28 without prior approval of the ~~administrator~~ director.

29 Sec. 21. Section 23A.2, subsection 10, paragraph m, Code
30 2013, is amended to read as follows:

31 *m.* The repair, calibration, or maintenance of radiological
32 detection equipment by the department of homeland security
33 and emergency management ~~division of the department of public~~
34 ~~defense~~.

35 Sec. 22. Section 29.1, Code 2013, is amended to read as

1 follows:

2 **29.1 Department of public defense.**

3 The department of public defense is composed of the ~~military~~
4 ~~division and the homeland security and emergency management~~
5 ~~division~~ office of the adjutant general and the military forces
6 of the state of Iowa. The adjutant general is the director of
7 the department of public defense and ~~the budget and personnel~~
8 ~~of all of the divisions are subject to the approval of the~~
9 adjutant general shall perform all functions, responsibilities,
10 powers, and duties over the military forces of the state of
11 Iowa as provided in the laws of the state. ~~The Iowa emergency~~
12 ~~response commission established by section 30.2 is attached to~~
13 ~~the department of public defense for organizational purposes.~~

14 Sec. 23. Section 29.2A, Code 2013, is amended to read as
15 follows:

16 **29.2A Airport fire fighters — maximum age.**

17 The maximum age for a person to be employed as an airport
18 fire fighter by the ~~military division of the~~ department of
19 public defense is sixty-five years of age.

20 Sec. 24. Section 29A.3A, subsection 4, paragraph a, Code
21 2013, is amended to read as follows:

22 a. Operations and administration of the civil air patrol
23 relating to missions not qualifying for federal mission status
24 shall be funded by the state from moneys appropriated to the
25 department of homeland security and emergency management
26 ~~division of the department of public defense~~ for that purpose.

27 Sec. 25. Section 29A.12, subsection 1, Code 2013, is amended
28 to read as follows:

29 1. The adjutant general shall have command and control of
30 the ~~military division~~ department of public defense, and perform
31 such duties as pertain to the office of the adjutant general
32 under law and regulations, pursuant to the authority vested in
33 the adjutant general by the governor. The adjutant general
34 shall superintend the preparation of all letters and reports
35 required by the United States from the state, and perform all

1 the duties prescribed by law. The adjutant general shall
2 have charge of the state military reservations, and all other
3 property of the state kept or used for military purposes. The
4 adjutant general may accept and expend nonappropriated funds
5 in accordance with law and regulations. The adjutant general
6 shall cause an inventory to be taken at least once each year
7 of all military stores, property, and funds under the adjutant
8 general's jurisdiction. In each year preceding a regular
9 session of the general assembly, the adjutant general shall
10 prepare a detailed report of the transactions of that office,
11 its expenses, and other matters required by the governor for
12 the period since the last preceding report, and the governor
13 may at any time require a similar report.

14 Sec. 26. Section 29A.56, Code 2013, is amended to read as
15 follows:

16 **29A.56 Special police.**

17 The adjutant general may by order entered of record
18 commission one or more of the employees of the ~~military~~
19 ~~division~~ department of public defense as special police. Such
20 special police shall on the premises of any state military
21 reservation or other state military property have and exercise
22 the powers of regular peace officers.

23 Sec. 27. Section 29C.1, subsection 1, Code 2013, is amended
24 to read as follows:

25 1. To establish a department of homeland security
26 and emergency management ~~division of the department of~~
27 ~~public defense~~ and to authorize the establishment of local
28 organizations for emergency management in the political
29 subdivisions of the state.

30 Sec. 28. Section 29C.2, Code 2013, is amended by adding the
31 following new subsections:

32 NEW SUBSECTION. 1A. "*Department*" means the department of
33 homeland security and emergency management.

34 NEW SUBSECTION. 1B. "*Director*" means the director of the
35 department of homeland security and emergency management.

1 Sec. 29. Section 29C.5, Code 2013, is amended to read as
2 follows:

3 **29C.5 Homeland Department of homeland security and emergency**
4 **management division.**

5 A The department of homeland security and emergency
6 management division is created ~~within the department of public~~
7 ~~defense.~~ The department of homeland security and emergency
8 management division shall be responsible for the administration
9 of emergency planning matters, including emergency resource
10 planning in this state, cooperation with, support of, funding
11 for, and tasking of the civil air patrol for missions not
12 qualifying for federal mission status as described in section
13 29A.3A in accordance with operational and funding criteria
14 developed with the adjutant general and coordinated with
15 the civil air patrol, homeland security activities, and
16 coordination of available services and resources in the event
17 of a disaster to include those services and resources of the
18 federal government and private entities. The Iowa emergency
19 response commission established by section 30.2 is attached to
20 the department of homeland security and emergency management
21 for organizational purposes.

22 Sec. 30. Section 29C.8, Code 2013, is amended to read as
23 follows:

24 **29C.8 Powers and duties of ~~administrator~~ director.**

25 1. The department of homeland security and emergency
26 management division shall be under the management of an
27 ~~administrator~~ a director appointed by the governor.

28 2. ~~The administrator~~ director shall be vested with the
29 authority to administer emergency management and homeland
30 security affairs in this state and shall be responsible for
31 preparing and executing the emergency management and homeland
32 security programs of this state subject to the direction of the
33 ~~adjutant general~~ governor. In the event of a disaster beyond
34 local control, the director may assume direct operational
35 control over all or any part of the emergency management

1 functions within this state.

2 3. The ~~administrator~~ director, upon the direction of
3 the governor and ~~supervisory control of the director of the~~
4 ~~department of public defense~~, shall:

5 a. Prepare a comprehensive emergency plan and emergency
6 management program for homeland security, disaster
7 preparedness, response, recovery, mitigation, emergency
8 operation, and emergency resource management of this state.
9 The plan and program shall be integrated into and coordinated
10 with the homeland security and emergency plans of the federal
11 government and of other states to the fullest possible extent
12 and. The director shall also coordinate the preparation of
13 plans and programs for emergency management of the political
14 subdivisions and various state departments of this state.
15 The plans shall be integrated into and coordinated with a
16 comprehensive state homeland security and emergency program for
17 this state as coordinated by the ~~administrator of the homeland~~
18 ~~security and emergency management division~~ director to the
19 fullest possible extent.

20 b. Make such studies and surveys of the industries,
21 resources, and facilities in this state as may be necessary to
22 ascertain the vulnerabilities of critical state infrastructure
23 and assets to attack and the capabilities of the state for
24 disaster recovery, disaster planning and operations, and
25 emergency resource management, and to plan for the most
26 efficient emergency use thereof.

27 c. Provide technical assistance to any commission requiring
28 the assistance in the development of an emergency management
29 or homeland security program.

30 d. Implement planning and training for emergency response
31 teams as mandated by the federal government under the
32 Comprehensive Environmental Response, Compensation, and
33 Liability Act of 1980 as amended by the Superfund Amendments
34 and Reauthorization Act of 1986, 42 U.S.C. § 9601 et seq.

35 e. Prepare a critical asset protection plan that contains

1 an inventory of infrastructure, facilities, systems, other
2 critical assets, and symbolic landmarks; an assessment of the
3 criticality, vulnerability, and level of threat to the assets;
4 and information pertaining to the mobilization, deployment, and
5 tactical operations involved in responding to or protecting the
6 assets.

7 *f.* Approve and support the development and ongoing
8 operations of homeland security and emergency response teams to
9 be deployed as a resource to supplement and enhance disrupted
10 or overburdened local emergency and disaster operations and
11 deployed as available to provide assistance to other states
12 pursuant to the interstate emergency management assistance
13 compact described in section 29C.21. The following shall apply
14 to homeland security and emergency response teams:

15 (1) A member of a homeland security and emergency response
16 team acting under this section upon the directive of the
17 ~~administrator~~ director or pursuant to a governor's disaster
18 proclamation as provided in section 29C.6 shall be considered
19 an employee of the state for purposes of section 29C.21 and
20 chapter 669 and shall be afforded protection as an employee
21 of the state under section 669.21. Disability, workers'
22 compensation, and death benefits for team members working
23 under the authority of the ~~administrator~~ director or pursuant
24 to the provisions of section 29C.6 shall be paid by the
25 state in a manner consistent with the provisions of chapter
26 85, 410, or 411 as appropriate, depending on the status of
27 the member, provided that the member is registered with the
28 ~~homeland security and emergency management division~~ department
29 as a member of an approved team and is participating as a
30 team member in a response or recovery operation initiated
31 by the ~~administrator~~ director or governor pursuant to this
32 section or in a training or exercise activity approved by the
33 ~~administrator~~ director.

34 (2) Each approved homeland security and emergency
35 management response team shall establish standards for

1 team membership, shall provide the ~~division~~ department with
2 a listing of all team members, and shall update the list
3 each time a member is removed from or added to the team.
4 Individuals so identified as team members shall be considered
5 to be registered as team members for purposes of subparagraph
6 (1).

7 (3) Upon notification of a compensable loss to a member of
8 a homeland security and emergency management response team, the
9 department of administrative services shall process the claim
10 and seek authorization from the executive council to pay as an
11 expense paid from the appropriations addressed in section 7D.29
12 those costs associated with covered benefits.

13 g. Implement and support the national incident management
14 system as established by the United States department of
15 homeland security to be used by state agencies and local and
16 tribal governments to facilitate efficient and effective
17 assistance to those affected by emergencies and disasters.

18 h. Carry out duties related to the flood mitigation program
19 and the flood mitigation board under chapter 418.

20 4. The ~~administrator~~ director, with the approval of the
21 governor ~~and upon recommendation of the adjutant general~~, may
22 employ a deputy ~~administrator~~ director and such technical,
23 clerical, stenographic, and other personnel and make such
24 expenditures within the appropriation or from other funds made
25 available to the department ~~of public defense for purposes of~~
26 ~~emergency management~~, as may be necessary to administer this
27 chapter.

28 5. The ~~homeland security and emergency management division~~
29 department may charge fees for the repair, calibration, or
30 maintenance of radiological detection equipment and may expend
31 funds in addition to funds budgeted for the servicing of the
32 radiological detection equipment. The ~~division~~ department
33 shall adopt rules pursuant to chapter 17A providing for the
34 establishment and collection of fees for radiological detection
35 equipment repair, calibration, or maintenance services and

1 for entering into agreements with other public and private
2 entities to provide the services. Fees collected for repair,
3 calibration, or maintenance services shall be treated as
4 repayment receipts as defined in section 8.2 and shall be used
5 for the operation of the ~~division's~~ department's radiological
6 maintenance facility or radiation incident response training.

7 Sec. 31. Section 29C.8A, subsection 2, Code 2013, is amended
8 to read as follows:

9 2. The emergency response fund shall be administered by the
10 ~~homeland security and emergency management division~~ department
11 to carry out planning and training for the emergency response
12 teams.

13 Sec. 32. Section 29C.9, subsections 1, 5, 7, 8, and 10, Code
14 2013, are amended to read as follows:

15 1. The county boards of supervisors, city councils, and
16 the sheriff in each county shall cooperate with the ~~homeland~~
17 ~~security and emergency management division of the department of~~
18 ~~public defense~~ department to establish a commission to carry
19 out the provisions of this chapter.

20 5. The commission shall model its bylaws and conduct its
21 business according to the guidelines provided in the ~~state~~
22 ~~division's~~ department's administrative rules.

23 7. The commission shall delegate to the emergency
24 management coordinator the authority to fulfill the
25 commission duties as described in the ~~division's~~ department's
26 administrative rules. Each commission shall appoint a
27 local emergency management coordinator who shall meet the
28 qualifications specified in the administrative rules by the
29 ~~administrator of the homeland security and emergency management~~
30 ~~division~~ director. Additional emergency management personnel
31 may be appointed at the discretion of the commission.

32 8. The commission shall develop, adopt, and submit
33 for approval by local governments within the commission's
34 jurisdiction, a comprehensive emergency plan which meets
35 standards adopted by the ~~division~~ department in accordance

1 with chapter 17A. If an approved comprehensive emergency
2 plan has not been prepared according to established standards
3 and the ~~administrator of the homeland security and emergency~~
4 ~~management division~~ director finds that satisfactory progress
5 is not being made toward the completion of the plan, or if
6 the ~~administrator~~ director finds that a commission has failed
7 to appoint a qualified emergency management coordinator as
8 provided in this chapter, the ~~administrator~~ director shall
9 notify the governing bodies of the counties and cities affected
10 by the failure and the governing bodies shall not appropriate
11 any moneys to the local emergency management fund until the
12 comprehensive emergency plan is prepared and approved or a
13 qualified emergency management coordinator is appointed.
14 If the ~~administrator~~ director finds that a commission has
15 appointed an unqualified emergency management coordinator,
16 the ~~administrator~~ director shall notify the commission citing
17 the qualifications which are not met and the commission shall
18 not approve the payment of the salary or expenses of the
19 unqualified emergency management coordinator.

20 10. Two or more commissions may, upon review by the
21 ~~state administrator~~ director and with the approval of their
22 respective boards of supervisors and cities, enter into
23 agreements pursuant to chapter 28E for the joint coordination
24 and administration of emergency management services throughout
25 the multicounty area.

26 Sec. 33. Section 29C.11, subsection 1, Code 2013, is amended
27 to read as follows:

28 1. The local emergency management commission shall, in
29 collaboration with other public and private agencies within
30 this state, develop mutual aid arrangements for reciprocal
31 disaster services and recovery aid and assistance in case
32 of disaster too great to be dealt with unassisted. The
33 arrangements shall be consistent with the ~~homeland security and~~
34 ~~emergency management division~~ department plan and program, and
35 in time of emergency each local emergency management agency

1 shall render assistance in accordance with the provisions of
2 the mutual aid arrangements.

3 Sec. 34. Section 29C.12, Code 2013, is amended to read as
4 follows:

5 **29C.12 Use of existing facilities.**

6 In carrying out the provisions of this chapter, the
7 governor, and the director ~~of the department of public defense,~~
8 and the executive officers or governing boards of political
9 subdivisions of the state shall utilize, to the maximum extent
10 practicable, the services, equipment, supplies, and facilities
11 of existing departments, officers, and agencies of the state
12 and of political subdivisions at their respective levels of
13 responsibility.

14 Sec. 35. Section 29C.12A, Code 2013, is amended to read as
15 follows:

16 **29C.12A Participation in funding disaster recovery facility.**

17 All state government departments and agencies may
18 participate in sharing the cost of the design, construction,
19 and operation of a disaster recovery facility located in the
20 ~~STARC~~ joint forces headquarters armory at Camp Dodge. State
21 departments and agencies may use funds from any source,
22 including but not limited to user fees and appropriations
23 for operational or capital purposes, to participate in the
24 facility.

25 Sec. 36. Section 29C.14, Code 2013, is amended to read as
26 follows:

27 **29C.14 Director of the department of administrative services**
28 **to issue warrants.**

29 The director of the department of administrative services
30 shall draw warrants on the treasurer of state for the purposes
31 specified in this chapter, upon duly itemized and verified
32 vouchers that have been approved by the ~~administrator~~ director
33 of the department of homeland security and emergency management
34 ~~division~~.

35 Sec. 37. Section 29C.18, subsection 1, Code 2013, is amended

1 to read as follows:

2 1. Every organization for homeland security and emergency
3 management established pursuant to this chapter and its
4 officers shall execute and enforce the orders or rules made by
5 the governor, or under the governor's authority and the orders
6 or rules made by subordinate organizations and not contrary or
7 inconsistent with the orders or rules of the governor.

8 Sec. 38. Section 29C.20B, Code 2013, is amended to read as
9 follows:

10 **29C.20B Disaster case management.**

11 1. The department of homeland security and emergency
12 management ~~division~~ shall work with the department of
13 human services and nonprofit, voluntary, and faith-based
14 organizations active in disaster recovery and response to
15 establish a statewide system of disaster case management
16 to be activated following the governor's proclamation of a
17 disaster emergency or the declaration of a major disaster by
18 the president of the United States for individual assistance
19 purposes. Under the system, the department of homeland
20 security and emergency management ~~division~~ shall coordinate
21 case management services locally through local committees as
22 established in each commission's emergency plan.

23 2. The department of homeland security and emergency
24 management ~~division~~, in conjunction with the department of
25 human services and an Iowa representative to the national
26 voluntary organizations active in disaster, shall adopt rules
27 pursuant to chapter 17A to create coordination mechanisms
28 and standards for the establishment and implementation of
29 a statewide system of disaster case management which shall
30 include at least all of the following:

- 31 a. Disaster case management standards.
- 32 b. Disaster case management policies.
- 33 c. Reporting requirements.
- 34 d. Eligibility criteria.
- 35 e. Coordination mechanisms necessary to carry out the

1 services provided.

2 *f.* Development of formal working relationships with
3 agencies and creation of interagency agreements for those
4 considered to provide disaster case management services.

5 *g.* Coordination of all available services for individuals
6 from multiple agencies.

7 Sec. 39. Section 29C.22, subsection 3, paragraph c, Code
8 2013, is amended to read as follows:

9 *c.* The authorized representative of a participating
10 government may initiate a request by contacting the department
11 of homeland security and emergency management ~~division of the~~
12 ~~state department of public defense~~. When a request is received
13 by the ~~division~~ department, the ~~division~~ department shall
14 directly contact other participating governments to coordinate
15 the provision of mutual aid.

16 Sec. 40. Section 29C.22, subsection 11, paragraphs b and c,
17 Code 2013, are amended to read as follows:

18 *b.* Any participating government may withdraw from this
19 compact by adopting an ordinance or resolution repealing the
20 same, but a withdrawal shall not take effect until thirty days
21 after the governing body of the withdrawing participating
22 government has given notice in writing of the withdrawal to the
23 ~~administrator~~ director of the department of homeland security
24 and emergency management ~~division~~ who shall notify all other
25 participating governments. The action shall not relieve the
26 withdrawing political subdivision from obligations assumed
27 under this compact prior to the effective date of withdrawal.

28 *c.* Duly authenticated copies of this compact and any
29 supplementary agreements as may be entered into shall
30 be deposited, at the time of their approval, with the
31 ~~administrator~~ director of the department of homeland security
32 and emergency management ~~division~~ who shall notify all
33 participating governments and other appropriate agencies of
34 state government.

35 Sec. 41. Section 30.2, subsections 1 and 2, Code 2013, are

1 amended to read as follows:

2 1. The Iowa emergency response commission is established.
3 The commission is responsible directly to the governor. The
4 commission is attached to the department of ~~public defense~~
5 homeland security and emergency management for routine
6 administrative and support services only.

7 2. a. The commission is composed of ~~fifteen~~ sixteen members
8 appointed by the governor. One member shall be appointed to
9 represent the department of homeland security and emergency
10 management, one to represent the department of agriculture and
11 land stewardship, one to represent the department of workforce
12 development, one to represent the department of justice, one to
13 represent the department of natural resources, one to represent
14 the department of public defense, one to represent the Iowa
15 department of public health, one to represent the department
16 of public safety, one to represent the state department of
17 transportation, one to represent the state fire service and
18 emergency response council, one to represent a local emergency
19 planning committee, one to represent the Iowa hazardous
20 materials task force, and one to represent the office of the
21 governor. Three representatives from private industry shall
22 also be appointed by the governor, subject to confirmation by
23 the senate.

24 b. The commission members representing the departments
25 of homeland security and emergency management, workforce
26 development, natural resources, public defense, public safety,
27 and transportation, a local emergency planning committee,
28 and one private industry representative designated by the
29 commission shall be voting members of the commission. The
30 remaining members of the commission shall serve as nonvoting,
31 advisory members.

32 Sec. 42. Section 30.5, subsection 2, Code 2013, is amended
33 to read as follows:

34 2. The commission may enter into agreements pursuant to
35 chapter 28E to accomplish any duty imposed upon the commission

1 by the Emergency Planning and Community Right-to-know Act,
2 but the commission shall not compensate any governmental unit
3 for the performance of duties pursuant to such an agreement.
4 Funding for administering the duties of the commission under
5 sections 30.7, 30.8, and 30.9 shall be included in the budgets
6 of the department of natural resources and the department of
7 public-defense homeland security and emergency management.

8 Sec. 43. Section 30.9, Code 2013, is amended to read as
9 follows:

10 **30.9 Duties to be allocated to department of public-defense**
11 **homeland security and emergency management.**

12 Agreements negotiated by the commission and the department
13 of public-defense homeland security and emergency management
14 shall provide for the allocation of duties to the department
15 of public-defense homeland security and emergency management
16 as follows:

17 1. Comprehensive emergency plans required to be developed
18 under section 303 of the Emergency Planning and Community
19 ~~Right-to-Know~~ Right-to-know Act, 42 U.S.C. § 11003, shall
20 be submitted to the department of public-defense homeland
21 security and emergency management. Committee submission to
22 that department constitutes compliance with the requirement for
23 reporting to the commission. After initial submission, a plan
24 need not be resubmitted unless revisions are requested by the
25 commission. The department of public-defense homeland security
26 and emergency management shall review the plan on behalf of the
27 commission and shall incorporate the provisions of the plan
28 into its responsibilities under chapter 29C.

29 2. The department of public-defense homeland security and
30 emergency management shall advise the commission of the failure
31 of any committee to submit an initial comprehensive emergency
32 response and recovery plan or a revised plan requested by the
33 commission.

34 3. The department of public-defense homeland security and
35 emergency management shall make available to the public upon

1 request during normal working hours the information in its
2 possession pursuant to section 324 of the Emergency Planning
3 and Community ~~Right-to-Know~~ Right-to-know Act, 42 U.S.C.
4 § 11044.

5 Sec. 44. Section 34A.2, subsection 2, Code 2013, is amended
6 by striking the subsection.

7 Sec. 45. Section 34A.2, Code 2013, is amended by adding the
8 following new subsection:

9 NEW SUBSECTION. 5A. "*Director*" means the director of the
10 department of homeland security and emergency management.

11 Sec. 46. Section 34A.2A, Code 2013, is amended to read as
12 follows:

13 **34A.2A Program manager — appointment — duties.**

14 1. ~~The administrator of the homeland security and emergency~~
15 ~~management division of the department of public defense~~
16 director shall appoint an E911 program manager to administer
17 this chapter.

18 2. The E911 program manager shall act under the
19 supervisory control of the ~~administrator of the homeland~~
20 ~~security and emergency management division of the department~~
21 ~~of public defense~~ director, and in consultation with the
22 E911 communications council, and shall perform the duties
23 specifically set forth in this chapter and as assigned by the
24 ~~administrator~~ director.

25 Sec. 47. Section 34A.6, subsection 3, Code 2013, is amended
26 to read as follows:

27 3. The secretary of state, in consultation with the
28 ~~administrator~~ director, shall adopt rules for the conduct of
29 joint E911 service referendums as required by and consistent
30 with subsections 1 and 2.

31 Sec. 48. Section 34A.7A, subsection 1, paragraph a, Code
32 2013, is amended to read as follows:

33 a. Notwithstanding section 34A.6, the ~~administrator~~
34 director shall adopt by rule a monthly surcharge of up
35 to sixty-five cents to be imposed on each communications

1 service number provided in this state. The surcharge shall
2 be imposed uniformly on a statewide basis and simultaneously
3 on all communications service numbers as provided by rule
4 of the ~~administrator~~ director. The surcharge shall not be
5 imposed on wire-line-based communications or prepaid wireless
6 telecommunications service.

7 Sec. 49. Section 34A.7A, subsection 2, paragraphs a and f,
8 Code 2013, are amended to read as follows:

9 a. An amount as appropriated by the general assembly to the
10 ~~administrator~~ director shall be allocated to the ~~administrator~~
11 director and program manager for implementation, support, and
12 maintenance of the functions of the ~~administrator~~ director and
13 program manager and to employ the auditor of state to perform
14 an annual audit of the E911 emergency communications fund.

15 f. The ~~administrator~~ director, in consultation with the
16 program manager and the E911 communications council, shall
17 adopt rules pursuant to chapter 17A governing the distribution
18 of the surcharge collected and distributed pursuant to this
19 subsection. The rules shall include provisions that all joint
20 E911 service boards and the department of public safety which
21 answer or service wireless E911 calls are eligible to receive
22 an equitable portion of the receipts.

23 Sec. 50. Section 34A.15, subsection 3, Code 2013, is amended
24 to read as follows:

25 3. The council shall advise and make recommendations to
26 the ~~administrator~~ director and program manager regarding
27 the implementation of this chapter. Such advice and
28 recommendations shall be provided on issues at the request of
29 the ~~administrator~~ director or program manager or as deemed
30 necessary by the council.

31 Sec. 51. Section 34A.20, subsection 2, Code 2013, is amended
32 to read as follows:

33 2. The authority shall cooperate with the ~~administrator~~
34 director in the creation, administration, and funding of the
35 E911 program established in subchapter I.

1 Sec. 52. Section 35A.5, subsection 16, Code 2013, is amended
2 to read as follows:

3 16. In coordination with the ~~military division of the~~
4 department of public defense, advise service members prior to,
5 and after returning from, deployment on active duty service
6 outside the United States of issues related to the filing
7 of tax returns and the payment of taxes due and encourage a
8 service member who has not filed a return or who owes taxes to
9 contact the department of revenue prior to deployment.

10 Sec. 53. Section 68B.2, subsection 23, Code 2013, is amended
11 to read as follows:

12 23. "*Regulatory agency*" means the department of agriculture
13 and land stewardship, department of workforce development,
14 department of commerce, Iowa department of public health,
15 department of public safety, department of education, state
16 board of regents, department of human services, department of
17 revenue, department of inspections and appeals, department of
18 administrative services, public employment relations board,
19 state department of transportation, civil rights commission,
20 department of public defense, department of homeland security
21 and emergency management, Iowa ethics and campaign disclosure
22 board, and department of natural resources.

23 Sec. 54. Section 80.28, subsection 2, paragraph a,
24 subparagraph (3), Code 2013, is amended to read as follows:

25 (3) One member representing the department of homeland
26 security and emergency management ~~division~~.

27 Sec. 55. Section 80B.11C, Code 2013, is amended to read as
28 follows:

29 **80B.11C Telecommunicator training standards.**

30 The director of the academy, subject to the approval of
31 the council, in consultation with the Iowa state sheriffs'
32 and deputies' association, the Iowa police executive forum,
33 the Iowa peace officers association, the Iowa state police
34 association, the Iowa professional fire fighters, the Iowa
35 emergency medical services association, the joint council of

1 Iowa fire service organizations, the Iowa department of public
2 safety, the Iowa chapter of the association of public-safety
3 communications officials—international, inc., the Iowa chapter
4 of the national emergency number association, the department of
5 homeland security and emergency management ~~division of the Iowa~~
6 ~~department of public defense~~, and the Iowa department of public
7 health, shall adopt rules pursuant to chapter 17A establishing
8 minimum standards for training of telecommunicators. For
9 purposes of this section, "telecommunicator" means a person who
10 receives requests for, or dispatches requests to, emergency
11 response agencies which include, but are not limited to, law
12 enforcement, fire, rescue, and emergency medical services
13 agencies.

14 Sec. 56. Section 97B.49B, subsection 1, paragraph e,
15 subparagraph (8), Code 2013, is amended to read as follows:

16 (8) An airport fire fighter employed by the ~~military~~
17 ~~division of the~~ department of public defense.

18 Sec. 57. Section 100B.22, subsection 1, paragraph a, Code
19 2013, is amended to read as follows:

20 a. Regional emergency response training centers shall be
21 established to provide training to fire fighters and other
22 emergency responders. The lead public agency for the training
23 centers shall be the following community colleges for the
24 following merged areas:

25 (1) Northeast Iowa community college for merged area I
26 in partnership with the Dubuque county firemen's association
27 and to provide advanced training in agricultural emergency
28 response as such advanced training is funded by the department
29 of homeland security and emergency management ~~division of the~~
30 ~~department of public defense~~.

31 (2) North Iowa area community college for merged area II in
32 partnership with the Mason City fire department.

33 (3) Iowa lakes community college for merged area III and
34 northwest Iowa community college for merged area IV.

35 (4) Iowa central community college for merged area V and to

1 provide advanced training in homeland security as such advanced
2 training is funded by the department of homeland security and
3 emergency management ~~division of the department of public~~
4 ~~defense.~~

5 (5) Hawkeye community college for merged area VII in
6 partnership with the Waterloo regional hazardous materials
7 training center and to provide advanced training in hazardous
8 materials emergency response as such advanced training is
9 funded by the department of homeland security and emergency
10 management ~~division of the department of public defense.~~

11 (6) Eastern Iowa community college for merged area IX in
12 partnership with the city of Davenport fire department.

13 (7) Kirkwood community college for merged area X in
14 partnership with the city of Coralville fire department and the
15 Iowa City fire department and to provide advanced training in
16 agricultural terrorism response and mass casualty and fatality
17 response as such advanced training is funded by the department
18 of homeland security and emergency management ~~division of the~~
19 ~~department of public defense.~~

20 (8) Des Moines area community college for merged area XI and
21 Iowa valley community college for merged area VI and to provide
22 advanced training in operations integration in compliance
23 with the national incident management system as such advanced
24 training is funded by the department of homeland security and
25 emergency management ~~division of the department of public~~
26 ~~defense.~~

27 (9) Western Iowa technical community college for merged
28 area XII in partnership with the Sioux City fire department
29 and to provide advanced training in emergency responder
30 communications as such advanced training is funded by the
31 department of homeland security and emergency management
32 ~~division of the department of public defense.~~

33 (10) Iowa western community college for merged areas XIII
34 and XIV in partnership with southwestern community college and
35 the Council Bluffs fire department.

1 (11) Southeastern Iowa community college for merged areas
2 XV and XVI in partnership with Indian hills community college
3 and the city of Fort Madison fire department.

4 Sec. 58. Section 135.141, subsection 2, paragraphs a and j,
5 Code 2013, are amended to read as follows:

6 a. Coordinate with the department of homeland security
7 and emergency management ~~division of the department of public~~
8 ~~defense~~ the administration of emergency planning matters
9 which involve the public health, including development,
10 administration, and execution of the public health components
11 of the comprehensive emergency plan and emergency management
12 program pursuant to section 29C.8.

13 j. Adopt rules pursuant to chapter 17A for the
14 administration of this division of this chapter including rules
15 adopted in cooperation with the Iowa pharmacy association
16 and the Iowa hospital association for the development of a
17 surveillance system to monitor supplies of drugs, antidotes,
18 and vaccines to assist in detecting a potential public health
19 disaster. Prior to adoption, the rules shall be approved by
20 the state board of health and the ~~administrator~~ director of
21 the department of homeland security and emergency management
22 ~~division of the department of public defense~~.

23 Sec. 59. Section 135.145, subsections 1 and 2, Code 2013,
24 are amended to read as follows:

25 1. When the department of public safety or other federal,
26 state, or local law enforcement agency learns of a case of a
27 disease or health condition, unusual cluster, or a suspicious
28 event that may be the cause of a public health disaster, the
29 department or agency shall immediately notify the department,
30 the ~~administrator~~ director of the department of homeland
31 security and emergency management ~~division of the department~~
32 ~~of public defense~~, the department of agriculture and land
33 stewardship, and the department of natural resources as
34 appropriate.

35 2. When the department learns of a case of a disease

1 or health condition, an unusual cluster, or a suspicious
2 event that may be the cause of a public health disaster, the
3 department shall immediately notify the department of public
4 safety, the department of homeland security and emergency
5 ~~management division of the department of public defense~~, and
6 other appropriate federal, state, and local agencies and
7 officials.

8 Sec. 60. Section 163.3A, subsection 2, Code 2013, is amended
9 to read as follows:

10 2. The services shall be performed under the direction of
11 the department and may be part of measures authorized by the
12 governor under a declaration or proclamation issued pursuant to
13 chapter 29C. In such case, the department shall cooperate with
14 the Iowa department of public health under chapter 135, and the
15 department of ~~public defense~~, homeland security and emergency
16 management ~~division~~, and local emergency management agencies as
17 provided in chapter 29C.

18 Sec. 61. Section 163.51, subsection 2, paragraph b, Code
19 2013, is amended to read as follows:

20 b. If the department confirms an outbreak of foot and
21 mouth disease in this state, the department shall cooperate
22 with the governor; federal agencies, including the United
23 States department of agriculture; and state agencies, including
24 the department of homeland security and emergency management
25 ~~division of the department of public defense~~, in order to
26 provide the public with timely and accurate information
27 regarding the outbreak. The department shall cooperate with
28 organizations representing agricultural producers in order to
29 provide all necessary information to agricultural producers
30 required to control the outbreak.

31 Sec. 62. Section 305.8, subsection 1, paragraph b, Code
32 2013, is amended to read as follows:

33 b. In consultation with the department of homeland security
34 and emergency management ~~division of the department of public~~
35 ~~defense~~, establish policies, standards, and guidelines for

1 the identification, protection, and preservation of records
2 essential for the continuity or reestablishment of governmental
3 functions in the event of an emergency arising from a natural
4 or other disaster.

5 Sec. 63. Section 418.1, subsection 3, Code 2013, is amended
6 to read as follows:

7 3. ~~"Division"~~ "Department" means the department of homeland
8 security and emergency management ~~division of the department~~
9 ~~of public defense.~~

10 Sec. 64. Section 418.5, subsection 1, Code 2013, is amended
11 to read as follows:

12 1. The flood mitigation board is established consisting of
13 nine voting members and four ex officio, nonvoting members,
14 and is located for administrative purposes within the ~~division~~
15 department. The ~~administrator~~ director of the ~~division~~
16 department shall provide office space, staff assistance,
17 and necessary supplies and equipment for the board. The
18 ~~administrator~~ director shall budget funds to pay the necessary
19 expenses of the board. In performing its functions, the board
20 is performing a public function on behalf of the state and is a
21 public instrumentality of the state.

22 Sec. 65. Section 418.5, subsection 2, paragraph e, Code
23 2013, is amended to read as follows:

24 e. The ~~administrator~~ director of the ~~division~~ department or
25 the ~~administrator's~~ director's designee.

26 Sec. 66. Section 418.7, Code 2013, is amended to read as
27 follows:

28 **418.7 ~~Division~~ Department duties.**

29 The ~~division~~ department, subject to approval by the board,
30 shall adopt administrative rules pursuant to chapter 17A
31 necessary to administer the flood mitigation program. The
32 ~~division~~ department shall provide the board with assistance in
33 implementing administrative functions and providing technical
34 assistance and application assistance to applicants under the
35 program.

1 Sec. 67. Section 418.8, subsection 1, Code 2013, is amended
2 to read as follows:

3 1. The board shall establish and the ~~division~~ department,
4 subject to direction and approval by the board, shall
5 administer a flood mitigation program to assist governmental
6 entities in undertaking projects approved under this chapter.
7 The flood mitigation program shall include projects approved
8 by the board to utilize either financial assistance from
9 the flood mitigation fund created under section 418.10 or
10 sales tax revenues remitted to the governmental entity under
11 section 418.12. A governmental entity shall not be approved
12 by the board to utilize both financial assistance from the
13 flood mitigation fund and sales tax revenues remitted to the
14 governmental entity.

15 Sec. 68. Section 418.9, subsections 4 and 7, Code 2013, are
16 amended to read as follows:

17 4. Upon review of the applications, the board, following
18 consultation with the economic development authority, shall
19 approve, defer, or deny the applications. If a project plan
20 is denied, the board shall state the reasons for the denial
21 and the governmental entity may resubmit the application so
22 long as the application is filed on or before January 1, 2016.
23 If a project plan application is approved, the board shall
24 specify whether the governmental entity is approved for the
25 use of sales tax revenues under section 418.12 or whether the
26 governmental entity is approved to receive financial assistance
27 from the flood mitigation fund under section 418.10. If
28 the board approves a project plan application that includes
29 financial assistance from the flood mitigation fund, the
30 board shall negotiate and execute on behalf of the ~~division~~
31 department all necessary agreements to provide such financial
32 assistance. If the board approves a project plan application
33 that includes the use of sales tax increment revenues, the
34 board shall establish the annual maximum amount of such
35 revenues that may be remitted to the governmental entity

1 not to exceed the limitations in section 418.12, subsection
2 4. The board may, however, establish remittance limitations
3 for the project lower than the individual project remittance
4 limitations specified for projects under section 418.12,
5 subsection 4.

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

13 Sec. 69. Section 455B.266, subsection 1, paragraph d, Code
14 2013, is amended to read as follows:

15 d. Determination by the department in conjunction with
16 the department of homeland security and emergency management
17 ~~division of the department of public defense~~ of a local crisis
18 which affects availability of water.

19 Sec. 70. Section 455B.385, Code 2013, is amended to read as
20 follows:

21 **455B.385 State hazardous condition contingency plan.**

22 All public agencies, as defined in chapter 28E, shall
23 cooperate in the development and implementation of a state
24 hazardous condition contingency plan. The plan shall detail
25 the manner in which public agencies shall participate in the
26 response to a hazardous condition. The director may enter
27 into agreements, with approval of the commission, with any
28 state agency or unit of local government or with the federal
29 government, as necessary to develop and implement the plan.
30 The plan shall be coordinated with the department of homeland
31 security and emergency management ~~division of the department~~
32 ~~of public defense~~ and any joint emergency management agencies
33 established pursuant to chapter 29C.

34 Sec. 71. Section 466B.3, subsection 4, paragraph d, Code
35 2013, is amended to read as follows:

1 *d.* The ~~administrator~~ director of the department of homeland
2 security and emergency management ~~division of the department of~~
3 ~~public defense~~ or the ~~administrator's~~ director's designee.

4 Sec. 72. REPEAL. Sections 29.2, 29.3, and 29C.7, Code 2013,
5 are repealed.

6 Sec. 73. TRANSITION PROVISIONS.

7 1. Any rule, regulation, form, order, or directive
8 promulgated by the division of homeland security and
9 emergency management of the department of public defense shall
10 continue in full force and effect until amended, repealed,
11 or supplemented by affirmative action of the department of
12 homeland security and emergency management as established in
13 this division of this Act.

14 2. All employees of the division of homeland security and
15 emergency management of the department of public defense shall
16 be considered employees of the department of homeland security
17 and emergency management upon the elimination of the former and
18 creation of the latter as provided in this division of this
19 Act.

20 DIVISION VI

21 IOWA JOBS BOARD

22 Sec. 74. Section 12.87, subsection 12, Code 2013, is amended
23 to read as follows:

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

31 Sec. 75. Section 16.193, subsection 1, Code 2013, is amended
32 to read as follows:

33 ~~1. The Iowa finance authority, subject to approval by the~~
34 ~~Iowa jobs board,~~ shall adopt administrative rules pursuant to
35 chapter 17A necessary to administer the Iowa jobs program and

1 Iowa jobs II program. The authority shall ~~provide the board~~
2 ~~with assistance in implementing administrative functions, be~~
3 responsible for providing technical assistance and application
4 assistance to applicants under the programs, negotiating
5 contracts, and providing project follow up. ~~The authority, in~~
6 ~~cooperation with the board, may conduct negotiations on behalf~~
7 ~~of the board with applicants regarding terms and conditions~~
8 ~~applicable to awards under the program.~~

9 Sec. 76. Section 16.194, subsection 2, Code 2013, is amended
10 to read as follows:

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

17 Sec. 77. Section 16.194, subsection 4, unnumbered paragraph
18 1, Code 2013, is amended to read as follows:

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

22 Sec. 78. Section 16.194, subsection 7, Code 2013, is amended
23 to read as follows:

24 7. In order for a project to be eligible to receive
25 financial assistance from the ~~board~~ authority, the project
26 must be a public construction project pursuant to subsection 1
27 with a demonstrated substantial local, regional, or statewide
28 economic impact.

29 Sec. 79. Section 16.194, subsection 8, unnumbered paragraph
30 1, Code 2013, is amended to read as follows:

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

33 Sec. 80. Section 16.194, subsection 9, paragraph b, Code
34 2013, is amended to read as follows:

35 b. Any portion of an amount allocated for projects

1 that remains unexpended or unencumbered one year after the
2 allocation has been made may be reallocated to another project
3 category, at the discretion of the ~~board~~ authority. The ~~board~~
4 authority shall ensure that all bond proceeds be expended
5 within three years from when the allocation was initially made.

6 Sec. 81. Section 16.194, subsection 10, Code 2013, is
7 amended to read as follows:

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

12 Sec. 82. Section 16.194A, subsections 2, 7, 9, and 10, Code
13 2013, are amended to read as follows:

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

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

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

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

1 Sec. 83. Section 16.194A, subsection 4, unnumbered
2 paragraph 1, Code 2013, is amended to read as follows:

3 The ~~board~~ authority shall consider the following criteria in
4 evaluating eligible projects to receive financial assistance
5 under the program:

6 Sec. 84. Section 16.194A, subsection 8, unnumbered
7 paragraph 1, Code 2013, is amended to read as follows:

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

10 Sec. 85. Section 16.195, Code 2013, is amended to read as
11 follows:

12 **16.195 Iowa jobs program application review.**

13 1. Applications for assistance under the Iowa jobs program
14 and Iowa jobs II program shall be submitted to the ~~Iowa finance~~
15 authority for review and approval. ~~The authority shall provide~~
16 ~~a staff review and evaluation of applications to the Iowa jobs~~
17 ~~program review committee referred to in subsection 2 and to the~~
18 ~~Iowa jobs board.~~

19 2. ~~A review committee composed of members of the board~~
20 ~~as determined by the board shall review Iowa jobs program~~
21 ~~applications submitted to the board and make recommendations~~
22 ~~regarding the applications to the board.~~ When reviewing the
23 applications, the ~~review committee and the~~ authority shall
24 consider the project criteria specified in sections 16.194 and
25 16.194A. The ~~board~~ authority shall develop the appropriate
26 level of transparency regarding project fund allocations.

27 3. Upon approval of an application for financial assistance
28 under the program, the ~~board~~ authority shall notify the
29 treasurer of state regarding the amount of moneys needed to
30 satisfy the award of financial assistance and the terms of the
31 award. The treasurer of state shall notify the ~~Iowa finance~~
32 authority any time moneys are disbursed to a recipient of
33 financial assistance under the program.

34 Sec. 86. Section 16.196, Code 2013, is amended to read as
35 follows:

1 **16.196 Iowa jobs ~~restricted capitals fund~~ — fund**
2 **appropriations.**

3 ~~1. An Iowa jobs restricted capitals fund is created and~~
4 ~~established as a separate and distinct fund in the state~~
5 ~~treasury. The fund consists of moneys appropriated from~~
6 ~~the revenue bonds capitals fund created in section 12.88.~~
7 ~~The moneys in the fund are appropriated to the Iowa jobs~~
8 ~~board for purposes of the Iowa jobs program established in~~
9 ~~section 16.194. Moneys in the fund shall not be subject to~~
10 ~~appropriation for any other purpose by the general assembly,~~
11 ~~but shall be used only for the purposes of the Iowa jobs~~
12 ~~program. The treasurer of state shall act as custodian of the~~
13 ~~fund and disburse moneys contained in the fund. The fund shall~~
14 ~~be administered by the board which shall make allocations from~~
15 ~~the fund consistent with the purposes of the Iowa jobs program.~~

16 ~~2. 1.~~ There is appropriated from the revenue bonds capitals
17 fund created in section 12.88, ~~to the Iowa jobs restricted~~
18 ~~capitals fund,~~ for the fiscal year beginning July 1, 2009, and
19 ending June 30, 2010, one hundred sixty-five million dollars to
20 be allocated as follows:

21 ~~a.~~ One hundred eighteen million five hundred thousand
22 dollars for competitive grants for local infrastructure
23 projects relating to disaster rebuilding, reconstruction
24 and replacement of local buildings, flood control and flood
25 protection, and future flood prevention public projects. An
26 applicant for a local infrastructure grant shall not receive
27 more than fifty million dollars in financial assistance from
28 the fund.

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

35 (1) For grants to a county with a population between

1 one hundred eighty-nine thousand and one hundred ninety-six
2 thousand in the latest preceding certified federal census, to
3 be distributed as follows:

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

8 (b) Five million dollars for the construction or renovation
9 of a facility for a county-funded workshop program serving
10 the public and particularly persons with mental illness or
11 developmental disabilities.

12 (2) For grants to a city with a population between one
13 hundred ten thousand and one hundred twenty thousand in the
14 latest preceding certified federal census, to be distributed
15 as follows:

16 (a) Five million dollars for an economic redevelopment
17 project benefiting the public by improving energy efficiency
18 and the development of alternative and renewable energy
19 technologies.

20 (b) Ten million dollars for a museum serving the public and
21 dedicated to the preservation of an eastern European cultural
22 heritage through the collection, exhibition, preservation, and
23 interpretation of historical artifacts.

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

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

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

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

30 (a) Five hundred thousand dollars to a city with a
31 population between six hundred and six hundred fifty in the
32 latest preceding certified federal census, for a public fire
33 station.

34 (b) Five hundred thousand dollars to a city with a
35 population between one thousand four hundred and one thousand

1 five hundred in the latest preceding certified federal census,
2 for a public fire station.

3 (c) Five hundred thousand dollars for a city with a
4 population between seven thousand eight hundred and seven
5 thousand eight hundred fifty, for a public fire station.

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

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

26 ~~5.~~ 3. Annually, on or before January 15 of each year, the
27 ~~board~~ authority shall report to the legislative services agency
28 and the department of management the status of all projects
29 receiving moneys from the fund completed or in progress. The
30 report shall include a description of the project, the progress
31 of work completed, the total estimated cost of the project, a
32 list of all revenue sources being used to fund the project, the
33 amount of funds expended, the amount of funds obligated, and
34 the date the project was completed or an estimated completion
35 date of the project, where applicable.

1 ~~6.~~ 4. Payment of moneys appropriated from the fund shall be
2 made in a manner that does not adversely affect the tax-exempt
3 status of any outstanding bonds issued by the treasurer of
4 state.

5 Sec. 87. Section 16.197, Code 2013, is amended to read as
6 follows:

7 **16.197 Limitation of liability.**

8 ~~A member of the Iowa jobs board, a person acting on behalf of~~
9 ~~the board while acting within the scope of their employment or~~
10 ~~agency, The authority or the treasurer of state, shall not be~~
11 ~~subject to personal liability resulting from carrying out the~~
12 ~~powers and duties of the board authority or the treasurer, as~~
13 ~~applicable, in sections ~~16.192~~ 16.193 through 16.196.~~

14 Sec. 88. IOWA JOBS BOARD — TRANSITION PROVISIONS —
15 LIMITATION OF LIABILITY.

16 1. Any contract or agreement issued or entered into by the
17 Iowa jobs board relating to the provisions of this division
18 of this Act, in effect on the effective date of this division
19 of this Act, shall continue in full force and effect and
20 any responsibility of the board relative to the contracts or
21 agreements as provided in those contracts or agreements shall
22 be transferred to the Iowa finance authority.

23 2. A member of the Iowa jobs board or a person acting on
24 behalf of the board while acting within the scope of that
25 person's employment or agency shall not be subject to personal
26 liability resulting from carrying out the powers and duties
27 of the board prior to the effective date of this division of
28 this Act, as applicable, in sections 12.87 through 12.90 and in
29 sections 16.192 through 16.196, Code 2013.

30 Sec. 89. REPEAL. Sections 16.191 and 16.192, Code 2013,
31 are repealed.

32 DIVISION VII

33 ELECTRONIC COMMUNICATIONS

34 Sec. 90. Section 22.7, Code 2013, is amended by adding the
35 following new subsection:

1 NEW SUBSECTION. 65. Electronic mail addresses of
2 individuals collected by state departments and agencies for the
3 purpose of electronic communications.

4 Sec. 91. STATE DEPARTMENT AND AGENCY LIMITATIONS ON
5 MAIL. Notwithstanding any provision of the law to the
6 contrary, a state department or agency shall provide
7 departmental or agency notices or information through the
8 department's or agency's internet site or through electronic
9 mail to the fullest extent possible. This requirement shall
10 not apply to department and agency communications required for
11 purposes of pursuing legal action or to comply with federal
12 law. Departments and agencies shall have rulemaking authority
13 to implement this section and to collect electronic mail
14 addresses for the purpose of electronic communications.

15 DIVISION VIII

16 STATE RECORDS

17 Sec. 92. Section 96.11, subsection 11, Code 2013, is amended
18 to read as follows:

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

1 Sec. 93. Section 305.2, subsection 2, Code 2013, is amended
2 to read as follows:

3 2. "*Archives*" means records that have been appraised by
4 the ~~state records commission~~ department as having sufficient
5 historical, research, evidential, or informational value to
6 warrant permanent preservation and that have been transferred
7 to the custody of the state archives.

8 Sec. 94. Section 305.2, subsections 3 and 5, Code 2013, are
9 amended by striking the subsections.

10 Sec. 95. Section 305.2, Code 2013, is amended by adding the
11 following new subsection:

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

14 Sec. 96. Section 305.2, subsection 12, Code 2013, is amended
15 to read as follows:

16 12. "*Records series retention and disposition schedule*"
17 means a timetable established by the ~~state records commission~~
18 department that describes the length of time a records series
19 of an agency or multiple agencies must be retained in active
20 and inactive status and provides authorization for a final
21 disposition of the records series by destruction or permanent
22 retention.

23 Sec. 97. Section 305.4, unnumbered paragraph 1, Code 2013,
24 is amended to read as follows:

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

27 Sec. 98. Section 305.8, subsection 1, unnumbered paragraph
28 1, Code 2013, is amended to read as follows:

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

30 Sec. 99. Section 305.8, subsection 1, Code 2013, is amended
31 by adding the following new paragraph:

32 NEW PARAGRAPH. *0e.* Provide training, advice, and counsel
33 to agencies on government information policies, standards, and
34 guidelines.

35 Sec. 100. Section 305.8, subsection 1, Code 2013, is amended

1 by adding the following new paragraphs:

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

5 NEW PARAGRAPH. *00f.* Manage any centralized records storage
6 facility established by the department for the temporary
7 storage of agency records prior to their final disposition by
8 destruction or permanent preservation in accordance with the
9 records series retention and disposition schedules.

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

12 NEW PARAGRAPH. *0000f.* Manage the state archives and develop
13 operating procedures for the transfer, accession, arrangement,
14 description, preservation, protection, and public access of
15 those records the department identifies as having permanent
16 value.

17 NEW PARAGRAPH. *00000f.* Maintain physical custody and legal
18 custody of archives that have been transferred and delivered
19 to the state archives.

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

25 (2) Upon request, the state archivist shall make a certified
26 copy of any record in the legal custody or in the physical
27 custody of the state archivist, or a certified transcript
28 of any record if reproduction is inappropriate because of
29 legal or physical considerations. If a copy or transcript is
30 properly authenticated, it has the same legal effect as though
31 certified by the officer from whose office it was transferred
32 or by the secretary of state. The department shall establish
33 reasonable fees for certified copies or certified transcripts
34 of records in the legal custody or physical custody of the
35 state archivist.

1 NEW PARAGRAPH. *000000f.* Establish, maintain, and administer
2 an archive of records created and maintained in electronic
3 format in order to preserve and provide public access to state
4 government records identified as having permanent historical
5 value by the department.

6 Sec. 101. Section 305.8, subsection 1, Code 2013, is amended
7 by adding the following new paragraph:

8 NEW PARAGRAPH. *0i.* Establish rates to be charged an agency
9 by the department for storage and retention of records of
10 the agency in a records storage facility maintained by the
11 department. Rates established shall be reviewed annually by
12 the department and shall be reasonably related to the cost of
13 storing and retaining records of an agency.

14 Sec. 102. Section 305.8, subsection 2, unnumbered paragraph
15 1, Code 2013, is amended to read as follows:

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

17 Sec. 103. Section 305.8, subsection 2, Code 2013, is amended
18 by adding the following new paragraph:

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

22 Sec. 104. Section 305.8, subsection 2, paragraph e, Code
23 2013, is amended to read as follows:

24 *e.* Make, or cause to be made, preservation duplicates of
25 records, which may include existing copies of original state
26 records. Any preservation duplicate record shall be durable,
27 accurate, complete, and clear, and shall be made by means
28 designated by the ~~commission~~ department.

29 Sec. 105. NEW SECTION. **305.8A Records retention and storage**
30 **costs — billing — internal service fund.**

31 1. The department may bill an agency for records storage
32 and retention services rendered by the department pursuant to
33 the rates established by the department for these services.
34 The department shall periodically render a billing statement
35 to an agency outlining the cost of services provided. The

1 amount indicated on the statement shall be paid by the agency
2 and amounts received by the department shall be considered
3 repayment receipts as defined in section 8.2, and deposited
4 into the accounts of the department.

5 2. a. The department may establish and maintain an internal
6 service fund in accordance with generally accepted accounting
7 principles, as defined in section 8.57, for the records storage
8 and retention activities of the department which are primarily
9 funded from billings to agencies for services rendered by the
10 department.

11 b. The internal service fund shall be administered by
12 the department and shall consist of moneys collected by the
13 department from billings issued in accordance with this section
14 and any other moneys obtained or accepted by the department,
15 including but not limited to gifts, loans, donations, grants,
16 and contributions, which are designated to support the
17 activities of the internal service fund.

18 c. The proceeds of the internal service fund established
19 pursuant to this section shall be used by the department
20 for the operations of the department in records storage and
21 retention consistent with this chapter.

22 d. Section 8.33 does not apply to any moneys in the
23 internal service fund established pursuant to this section.
24 Notwithstanding section 12C.7, subsection 2, interest or
25 earnings on moneys deposited in the fund shall be credited to
26 the fund.

27 e. The director of the department shall annually provide
28 financial information and reports relative to the internal
29 service fund established pursuant to this section to the
30 department of management and the general assembly. The
31 information provided may include the recommendation that a
32 portion of unexpended net income be periodically returned to
33 the appropriate funding source.

34 Sec. 106. Section 305.10, subsection 1, paragraphs c, d, e,
35 f, and j, Code 2013, are amended to read as follows:

1 *c.* Cooperate with the ~~state records commission~~ department
2 and the state archives and records program in the development
3 and implementation of government information policies,
4 standards, and guidelines, and in the development and
5 implementation of records series retention and disposition
6 schedules.

7 *d.* Comply with requests from the ~~state records commission~~
8 ~~or~~ department and the state archives and records program to
9 examine records in the possession, constructive possession, or
10 control of the agency in order to carry out the purposes of
11 this chapter.

12 *e.* Inventory agency records in accordance with ~~state~~
13 ~~records commission~~ department policies to draft records series
14 retention and disposition schedules.

15 *f.* Identify vital operating records in accordance with
16 the policies, standards, and guidelines of the ~~state records~~
17 ~~commission~~ department.

18 *j.* Provide for compliance with this chapter and the rules
19 adopted by the ~~state records commission~~ department.

20 Sec. 107. Section 305.10, subsection 2, Code 2013, is
21 amended to read as follows:

22 2. Agency heads may petition the ~~state records commission~~
23 department to create or modify government information policies,
24 standards, and guidelines, and to create or modify records
25 series retention and disposition schedules.

26 Sec. 108. Section 305.11, Code 2013, is amended to read as
27 follows:

28 **305.11 Termination of state agency — records transfer.**

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

32 Sec. 109. Section 305.14, Code 2013, is amended to read as
33 follows:

34 **305.14 Liability precluded.**

35 ~~No member~~ An employee of the ~~commission~~ department or head

1 of an agency shall not be held liable for damages or loss, or
2 civil or criminal liability, because of the destruction of
3 public records pursuant to the provisions of this chapter or
4 any other law authorizing their destruction.

5 Sec. 110. Section 305.15, Code 2013, is amended to read as
6 follows:

7 **305.15 Exemptions — duties of state department of**
8 **transportation and state board of regents.**

9 The state department of transportation and the agencies and
10 institutions under the control of the state board of regents
11 are exempt from the state records manual and the provisions of
12 this chapter. However, the state department of transportation
13 and the state board of regents shall adopt rules pursuant to
14 chapter 17A for their employees, agencies, and institutions
15 that are consistent with the objectives of this chapter.
16 The rules shall be approved by the ~~state records commission~~
17 department.

18 Sec. 111. Section 305.16, subsection 6, paragraph b,
19 subparagraph (1), Code 2013, is amended to read as follows:

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

23 Sec. 112. Section 321.31, subsection 1, paragraph b, Code
24 2013, is amended to read as follows:

25 *b.* The department may make photostatic, microfilm, or other
26 photographic copies of certificates of title, registration
27 receipts, or other records, reports or documents which are
28 required to be retained by the department. When copies have
29 been made, the department may destroy the original records in
30 such manner as prescribed by the director. The photostatic,
31 microfilm, or other photographic copies, when no longer of use,
32 may be destroyed in the manner prescribed by the director,
33 subject to the approval of the ~~state records commission~~
34 department of cultural affairs. Photostatic, microfilm, or
35 other photographic copies of records shall be admissible in

1 evidence when duly certified and authenticated by the officer
2 having custody and control of the copies of records. Records
3 of vehicle certificates of title may be destroyed seven years
4 after the date of issue.

5 Sec. 113. REPEAL. Sections 305.3, 305.5, 305.6, 305.7, and
6 305.9, Code 2013, are repealed.

7 Sec. 114. ADMINISTRATIVE RULES — TRANSITION PROVISIONS.

8 1. Any rule, regulation, form, order, or directive
9 promulgated by the state records commission relative to the
10 provisions of this division of this Act in existence on the
11 effective date of this division of this Act shall continue in
12 full force and effect until amended, repealed, or supplemented
13 by affirmative action of the department of cultural affairs
14 under the duties and powers established in this division of
15 this Act and under the procedure established in subsection 2.

16 2. In regard to updating references and format in the Iowa
17 administrative code in order to correspond to the transferring
18 of duties as established in this division of this Act, the
19 administrative rules coordinator and the administrative rules
20 review committee, in consultation with the administrative code
21 editor, shall jointly develop a schedule for the necessary
22 updating of the Iowa administrative code.

23 DIVISION IX

24 DEPARTMENT OF TRANSPORTATION PROVISIONS

25 Sec. 115. Section 321.196, subsection 4, Code 2013, is
26 amended to read as follows:

27 4. The department in its discretion may authorize the
28 renewal of a valid driver's license other than a commercial
29 driver's license upon application without an examination
30 provided that the applicant meets one of the following
31 conditions:

32 a. The applicant satisfactorily passes a vision test as
33 prescribed by the department ~~or~~.

34 b. The applicant files a vision report in accordance with
35 section 321.186A which shows that the applicant's visual acuity

1 level meets or exceeds those required by the department.

2 c. The applicant is eligible for license renewal
3 electronically, pursuant to rules adopted by the department.

4 4A. An application for renewal of a driver's license shall
5 include a statement for the applicant to sign that acknowledges
6 the applicant's knowledge of the requirement to notify the
7 department of a mailing address change under section 321.182,
8 subsection 1.

9 Sec. 116. REPEAL. Section 321.116, Code 2013, is repealed.

10 Sec. 117. EMERGENCY RULES. The department of
11 transportation may adopt emergency rules under section 17A.4,
12 subsection 3, and section 17A.5, subsection 2, paragraph "b",
13 to implement section 321.196, subsection 4, paragraph "c",
14 as enacted in this division of this Act, and the rules shall
15 be effective immediately upon filing unless a later date is
16 specified in the rules. Any rules adopted in accordance with
17 this section shall also be published as a notice of intended
18 action as provided in section 17A.4.

19 Sec. 118. EFFECTIVE UPON ENACTMENT. The following
20 provisions of this division of this Act, being deemed of
21 immediate importance, take effect upon enactment:

22 1. The section of this division of this Act amending section
23 321.196, subsection 4.

24 2. The section of this division of this Act authorizing the
25 adoption of emergency rules.

26 Sec. 119. APPLICABILITY. The section of this division of
27 this Act that repeals section 321.116 applies for registration
28 years beginning on or after January 1, 2014.

29 DIVISION X

30 REPORT — STATE DEBT COORDINATOR

31 Sec. 120. DEPARTMENT OF REVENUE AND OFFICE OF THE STATE
32 DEBT COORDINATOR — REPORT. The director of revenue shall
33 develop and recommend legislative proposals deemed necessary
34 for the continued efficiency of the functions of the office of
35 the state debt coordinator established in section 421C.1, and

1 shall prepare and file a report detailing the recommendations.
2 The report shall be filed by the director of revenue with
3 the department of management, the governor, and the general
4 assembly no later than January 13, 2014.

5 DIVISION XI

6 POLLUTION PREVENTION AND WASTE MANAGEMENT ASSISTANCE

7 Sec. 121. Section 455B.481, subsections 1 through 3, Code
8 2013, are amended to read as follows:

9 1. The purpose of this part is to promote the proper and
10 ~~safe storage, treatment, and disposal~~ management of solid,
11 hazardous, and low-level radioactive wastes in Iowa. The
12 ~~management of these wastes generated within Iowa is the~~
13 ~~responsibility of Iowans. It is the intent of the general~~
14 ~~assembly that Iowans assume this responsibility to the extent~~
15 ~~consistent with the protection of public health, safety, and~~
16 ~~the environment, and that Iowans insure that waste management~~
17 ~~practices, as alternatives to land disposal, including source~~
18 ~~reduction, recycling, compaction, incineration, and other forms~~
19 ~~of waste reduction, are employed.~~

20 2. ~~It is also the intent of the general assembly that a~~
21 ~~comprehensive waste management plan be established by the~~
22 ~~department which includes: the determination of need and~~
23 ~~adequate regulatory controls prior to the initiation of site~~
24 ~~selection; the process for selecting a superior site determined~~
25 ~~to be necessary; the establishment of a process for a site~~
26 ~~community to submit or present data, views, or arguments~~
27 ~~regarding the selection of the operator and the technology~~
28 ~~that best ensures proper facility operation; the prohibition~~
29 ~~of shallow land burial of hazardous and low-level radioactive~~
30 ~~wastes; the establishment of a regulatory framework for a~~
31 ~~facility; and the establishment of provisions for the safe~~
32 ~~and orderly development, operation, closure, postclosure, and~~
33 ~~long-term monitoring and maintenance of the facility.~~

34 3. 2. ~~In order to meet capacity assurance requirements~~
35 ~~of section 104k of the federal Superfund Amendments and~~

1 ~~Reauthorization Act of 1986, Pub. L. No. 99-499, and further~~
2 ~~the objectives of waste minimization, the~~ The department, in
3 cooperation with the ~~small business assistance center at the~~
4 ~~university of northern Iowa~~ Iowa waste reduction center for
5 safe and economic management of solid waste and hazardous
6 substances established in section 268.4, shall work with
7 generators of hazardous wastes in the state to develop and
8 implement aggressive waste minimization programs. ~~The goal~~
9 ~~of these programs is to reduce the volume of hazardous waste~~
10 ~~generated in the state as a whole by twenty five percent of~~
11 ~~the amount generated as of January 1, 1987, as reported in the~~
12 ~~biennial reports collected by the United States environmental~~
13 ~~protection agency. The twenty five percent reduction goal~~
14 ~~shall be reached as expeditiously as possible and no later than~~
15 ~~July 1, 1994. In meeting the reduction goal, elements "a"~~
16 ~~through "d" of the hazardous waste management hierarchy shall~~
17 ~~be utilized. The department, in cooperation with the small~~
18 ~~business assistance center, shall reassess the twenty five~~
19 ~~percent reduction goal in 1994. The department shall promote~~
20 ~~research and development, provide and promote educational~~
21 ~~and informational programs, promote and encourage~~ provide
22 confidential, voluntary technical assistance to hazardous waste
23 generators, promote assistance by the ~~small business assistance~~
24 Iowa waste reduction center, and promote other activities by
25 the public and private sectors that support this goal. ~~In~~
26 ~~the promotion of the goal, the following hazardous waste~~
27 management pollution prevention hierarchy, in descending order
28 of preference, ~~is established by the department:~~
29 ~~a.~~ a. Source reduction for waste elimination.
30 ~~b.~~ b. Reuse.
31 ~~c.~~ c. On-site recycling.
32 ~~e.~~ d. Off-site recycling.
33 ~~d.~~ e. Waste treatment.
34 ~~e.~~ f. Ineineration Combustion with energy recovery.
35 ~~f.~~ g. Land disposal.

1 Sec. 122. Section 455B.481, subsections 4 and 5, Code 2013,
2 are amended by striking the subsections.

3 Sec. 123. Section 455B.482, Code 2013, is amended by adding
4 the following new subsection:

5 NEW SUBSECTION. 7A. "*Pollution prevention*" means employment
6 of a practice that reduces the industrial use of toxic
7 substances or reduces the environmental and health hazards
8 associated with an environmental waste without diluting or
9 concentrating the waste before the release, handling, storage,
10 transport, treatment, or disposal of the waste.

11 Sec. 124. Section 455B.484, Code 2013, is amended by adding
12 the following new subsection:

13 NEW SUBSECTION. 1A. Implement the waste management policy
14 provided in section 455B.481.

15 Sec. 125. Section 455B.484, subsections 2, 3, 4, 6, 7, 9,
16 and 10, Code 2013, are amended by striking the subsections.

17 Sec. 126. Section 455B.484A, subsection 1, paragraph c,
18 Code 2013, is amended to read as follows:

19 c. "*Assistance program*" means the ~~waste reduction assistance~~
20 pollution prevention program of the department or of the Iowa
21 waste reduction center for safe and economic management of
22 solid waste and hazardous substances conducted pursuant to
23 section 268.4.

24 Sec. 127. Section 455B.485, subsections 3 and 5, Code 2013,
25 are amended by striking the subsections.

26 Sec. 128. Section 455B.486, subsection 1, Code 2013, is
27 amended by striking the subsection.

28 Sec. 129. Section 455B.487, subsection 1, Code 2013, is
29 amended to read as follows:

30 1. The commission shall adopt rules establishing criteria
31 for the identification of land areas or sites which are
32 suitable for the operation of facilities for the management
33 of ~~hazardous and~~ low-level radioactive wastes. Upon request,
34 the department shall assist in locating suitable sites for the
35 location of a facility. The commission may purchase or condemn

1 land to be leased or used for the operation of a facility
2 subject to chapter 6A. Consideration for a contract for
3 purchase of land shall not be in excess of funds appropriated
4 by the general assembly for that purpose. The commission may
5 lease land purchased under this section to any person including
6 the state or a state agency. This section authorizes the state
7 to own or operate ~~hazardous waste facilities and~~ low-level
8 radioactive waste facilities, subject to the approval of the
9 general assembly.

10 Sec. 130. Section 455B.487, subsection 8, Code 2013, is
11 amended by striking the subsection.

12 Sec. 131. Section 455C.12, subsection 1, Code 2013, is
13 amended to read as follows:

14 1. Any person violating the provisions of section 455C.2,
15 455C.3, or 455C.5, ~~and 455C.8~~, or a rule adopted under this
16 chapter, shall be guilty of a simple misdemeanor.

17 Sec. 132. Section 455D.1, subsections 3, 5, and 7, Code
18 2013, are amended by striking the subsections.

19 Sec. 133. Section 455D.1, Code 2013, is amended by adding
20 the following new subsection:

21 NEW SUBSECTION. 4A. "*Pollution prevention techniques*" means
22 any of the following practices employed by the user of a toxic
23 substance:

24 a. Input substitution, which is the replacement of a toxic
25 substance or raw material used in a production process with a
26 nontoxic or less toxic substance.

27 b. Product reformulation, which is the substitution of an
28 end product which is nontoxic or less toxic upon use or release
29 for an existing end product.

30 c. Production process redesign or modification, which is
31 the development and use of production processes of a different
32 design other than those currently in use.

33 d. Production process modernization, which is the upgrading
34 or replacing of existing production process equipment or
35 methods with other equipment or methods based on the same

1 production process.

2 e. Improved operation and maintenance of existing production
3 process equipment and methods, which is the modification or
4 addition to existing equipment or methods, including but not
5 limited to such techniques as improved housekeeping practices,
6 system adjustments, product and process inspections, and
7 production process control equipment or methods.

8 f. Recycling, reuse, or extended use of toxic substances by
9 using equipment or methods that become an integral part of the
10 production process.

11 Sec. 134. Section 455D.3, subsections 1 and 3, Code 2013,
12 are amended to read as follows:

13 1. ~~Year 1994 and 2000 goals~~ Waste reduction goals.

14 a. The goal of the state is to reduce the amount of
15 materials in the waste stream, existing as of July 1, 1988, by
16 an intermediate goal of twenty-five percent by July 1, 1994,
17 and by a final goal of at least fifty percent by July 1, 2000,
18 through the practice of waste volume reduction at the source
19 and through recycling. For the purposes of this section, "waste
20 stream" means the disposal of solid waste as "solid waste" is
21 defined in section 455B.301.

22 b. Notwithstanding section 455D.1, subsection 6, facilities
23 which employ combustion of solid waste with energy recovery
24 and refuse-derived fuel, which are included in an approved
25 comprehensive plan, may include these processes in the
26 definition of recycling for the purpose of meeting the state
27 goal if at least thirty-five percent of the fifty percent waste
28 reduction goal, ~~required to be met by July 1, 2000, pursuant~~
29 ~~to this section,~~ is met through volume reduction at the source
30 and recycling and reuse, as established pursuant to section
31 455B.301A, subsection 1, paragraphs "a" and "b".

32 3. Departmental monitoring.

33 a. ~~By October 31, 1994, a planning area shall submit to~~
34 ~~the department a solid waste abatement table which is updated~~
35 ~~through June 30, 1994. By April 1, 1995, the department shall~~

1 ~~report to the general assembly on the progress that has been~~
2 ~~made by each planning area on attainment of the July 1, 1994,~~
3 ~~twenty-five percent goal.~~

4 (1) If at any time the department determines that a planning
5 area has met or exceeded the twenty-five percent goal, but has
6 not met or exceeded the fifty percent goal, a planning area
7 shall subtract sixty cents from the total amount of the tonnage
8 fee imposed pursuant to section 455B.310. If at any time the
9 department determines that a planning area has met or exceeded
10 the fifty percent goal, a planning area shall subtract fifty
11 cents from the total amount of the tonnage fee imposed pursuant
12 to section 455B.310. The reduction in tonnage fees pursuant
13 to this ~~subparagraph~~ paragraph shall be taken from that
14 portion of the tonnage fees which would have been allocated for
15 funding alternatives to landfills pursuant to section 455E.11,
16 subsection 2, paragraph "a", subparagraph (1).

17 (2) b. If the department determines that a planning area
18 has failed to meet the ~~July 1, 1994,~~ twenty-five percent
19 goal, the planning area shall, ~~at a minimum, implement the~~
20 ~~solid waste management techniques as listed in subsection~~
21 ~~4. Evidence of implementation of the solid waste management~~
22 ~~techniques shall be documented in subsequent comprehensive~~
23 ~~plans submitted to the department~~ remit fifty cents per
24 ton to the department. The moneys shall be deposited in
25 the groundwater protection fund created in section 455E.11,
26 subsection 2, paragraph "a", and credited to the solid waste
27 account of the fund to be used for funding alternatives to
28 landfills pursuant to section 455E.11, subsection 2, paragraph
29 "a", subparagraph (1). Moneys shall continue to be remitted
30 pursuant to this paragraph until such time as evidence of
31 attainment of the twenty-five percent goal is documented in
32 subsequent plans submitted to the department.

33 ~~b. (1) By October 31, 2000, a planning area shall submit to~~
34 ~~the department, a solid waste abatement table which is updated~~
35 ~~through June 30, 2000. By April 1, 2001, the department shall~~

1 ~~report to the general assembly on the progress that has been~~
2 ~~made by each planning area on attainment of the July 1, 2000,~~
3 ~~fifty percent goal.~~

4 (2) c. If at any time the department determines that a
5 planning area has met or exceeded the fifty percent goal, the
6 planning area shall subtract fifty cents from the total amount
7 of the tonnage fee imposed pursuant to section 455B.310. This
8 amount shall be in addition to any amount subtracted pursuant
9 to paragraph "a". The reduction in tonnage fees pursuant
10 to this ~~subparagraph~~ paragraph shall be taken from that
11 portion of the tonnage fees which would have been allocated to
12 funding alternatives to landfills pursuant to section 455E.11,
13 subsection 2, paragraph "a", subparagraph (1). ~~Except for fees~~
14 ~~required under subsection 4, paragraph "a",~~ a A planning area
15 failing to meet the fifty percent goal is not required to remit
16 any additional tonnage fees to the department.

17 Sec. 135. Section 455D.3, subsections 2 and 4, Code 2013,
18 are amended by striking the subsections.

19 Sec. 136. Section 455D.6, subsections 1, 6, and 7, Code
20 2013, are amended to read as follows:

21 1. Unless otherwise specified in this chapter, recommend
22 rules to the commission which are necessary to implement
23 this chapter. ~~Initial recommendations shall be made to the~~
24 ~~commission no later than July 1, 1991.~~

25 6. Develop a strategy and recommend to the commission the
26 adoption of rules necessary to implement a strategy for white
27 goods and waste oil ~~by January 1, 1990.~~

28 7. Develop a strategy and recommend to the commission
29 the adoption of rules necessary to implement ~~by January 1,~~
30 ~~2004,~~ a strategy for the recycling of electronic goods and
31 the disassembling and removing of toxic parts from electronic
32 goods.

33 Sec. 137. Section 455D.6, subsections 2, 5, 8, 9, and 10,
34 Code 2013, are amended by striking the subsections.

35 Sec. 138. Section 455D.7, subsection 1, Code 2013, is

1 amended to read as follows:

2 1. Unless otherwise specified in this chapter, adopt rules
3 necessary to implement this chapter pursuant to chapter 17A.
4 ~~Initial rules shall be adopted no later than April 1, 1992.~~

5 Sec. 139. Section 455D.7, subsection 4, Code 2013, is
6 amended by striking the subsection.

7 Sec. 140. Section 455D.9, subsections 1, 2, 3, and 6, Code
8 2013, are amended to read as follows:

9 1. ~~Beginning January 1, 1991, land~~ Land disposal of yard
10 waste as defined by the department is prohibited. However,
11 yard waste which has been separated at its source from other
12 solid waste may be accepted by a sanitary landfill for the
13 purposes of soil conditioning or composting.

14 2. The department shall assist local communities in the
15 development of collection systems for yard waste generated
16 from residences and shall assist in the establishment of
17 local composting facilities. ~~Within one hundred twenty days~~
18 ~~of the adoption of rules by the department regarding yard~~
19 ~~waste, each~~ Each city and county shall, by ordinance, require
20 persons within the city or county to separate yard waste from
21 other solid waste generated. ~~Municipalities which provide~~
22 ~~a collection system for solid waste shall provide for a~~
23 ~~collection system for yard waste which is not composted.~~

24 3. The department shall ~~develop~~ adopt rules which define
25 yard waste and provide for the safe and proper method of
26 composting. ~~The rules adopted for a composting facility to be~~
27 ~~located on property owned by an applicant for a permit prior~~
28 ~~to July 1, 1992, when the property is located within twenty~~
29 ~~miles of a metropolitan area of two hundred fifty thousand or~~
30 ~~more, shall require that prior to the issuance of a permit for~~
31 ~~a composting facility, the applicant shall submit an economic~~
32 ~~impact statement to the department. For the purpose of this~~
33 ~~subsection, "economic impact statement" means an estimate of~~
34 ~~the economic impact of the siting of a composting facility at a~~
35 ~~specific location on affected property owners~~ yard waste and

1 other organic materials.

2 6. This section prohibits the ~~incineration~~ open burning of
3 yard waste within the permitted boundary at a sanitary disposal
4 project.

5 Sec. 141. Section 455D.12, subsection 2, unnumbered
6 paragraph 1, Code 2013, is amended to read as follows:

7 ~~Beginning July 1, 1992,~~ a A person shall not distribute,
8 sell, or offer for sale in this state a plastic bottle or rigid
9 plastic container unless the product is labeled with a code
10 indicating the plastic resin used to produce the bottle or
11 container. Rigid plastic bottles or rigid plastic containers
12 with labels and basecups of a different material shall be coded
13 by their basic material. The code shall consist of a number
14 placed within a triangle of arrows and letters placed below the
15 triangle of arrows. The triangle shall be equilateral, formed
16 by three arrows with the apex of each point of the triangle
17 at the midpoint of each arrow, rounded with a short radius.
18 The arrowhead of each arrow shall be at the midpoint of each
19 side of the triangle with a short gap separating the pointer
20 from the base of the adjacent arrow. The triangle, formed by
21 the three arrows curved at their midpoints, shall depict a
22 clockwise path around the code number. The numbers and letters
23 used shall be as follows:

24 Sec. 142. Section 455D.12, subsection 3, Code 2013, is
25 amended by striking the subsection.

26 Sec. 143. Section 455D.15, subsection 2, Code 2013, is
27 amended by striking the subsection and inserting in lieu
28 thereof the following:

29 2. The fund shall be utilized by the department for
30 providing technical assistance to Iowa businesses in developing
31 and implementing pollution prevention techniques.

32 Sec. 144. Section 455D.15, subsection 3, Code 2013, is
33 amended by striking the subsection.

34 Sec. 145. Section 455E.8, subsections 2 and 3, Code 2013,
35 are amended by striking the subsections.

1 Sec. 146. REPEAL. Sections 455B.516, 455B.517, 455B.518,
2 455C.8, and 455C.15, Code 2013, are repealed.

3 DIVISION XII

4 ONGOING PROGRAM REVIEW

5 Sec. 147. Section 2.69, subsection 4, Code 2013, is amended
6 by adding the following new paragraph:

7 NEW PARAGRAPH. *oc.* Comprehensively review on a regular
8 basis the programs and projects administered by state
9 government to determine whether each program and project
10 reviewed is effectively and efficiently meeting the needs for
11 which created, and whether the needs remain applicable. The
12 review shall consider whether modifications to the program or
13 project reviewed could better meet the needs identified in a
14 more effective manner.

15 DIVISION XIII

16 BOARDS AND COMMISSIONS

17 Sec. 148. Section 34A.2A, subsection 2, Code 2013, is
18 amended to read as follows:

19 2. The E911 program manager shall act under the supervisory
20 control of the administrator of the homeland security and
21 emergency management division of the department of public
22 defense, and in consultation with the ~~E911 communications~~
23 council state interoperable communications system board
24 established in section 80.28, and perform the duties
25 specifically set forth in this chapter and as assigned by the
26 administrator.

27 Sec. 149. Section 34A.7A, subsection 2, paragraph f, Code
28 2013, is amended to read as follows:

29 *f.* The administrator, in consultation with the program
30 manager and the ~~E911 communications council~~ state interoperable
31 communications system board established in section 80.28, shall
32 adopt rules pursuant to chapter 17A governing the distribution
33 of the surcharge collected and distributed pursuant to this
34 subsection. The rules shall include provisions that all joint
35 E911 service boards and the department of public safety which

1 answer or service wireless E911 calls are eligible to receive
2 an equitable portion of the receipts.

3 Sec. 150. Section 34A.15, subsection 3, Code 2013, is
4 amended to read as follows:

5 3. The council shall advise and make recommendations to
6 the ~~administrator and program manager~~ state interoperable
7 communications system board established in section 80.28
8 regarding the implementation of this chapter. Such advice and
9 recommendations shall be provided on issues at the request
10 of the ~~administrator or program manager~~ state interoperable
11 communications system board established in section 80.28 or as
12 deemed necessary by the council.

13 Sec. 151. Section 80.29, Code 2013, is amended by adding the
14 following new subsection:

15 NEW SUBSECTION. 12A. Advise and make recommendations, in
16 consultation with the E911 communications council established
17 in section 34A.15, to the director of the department of
18 homeland security and emergency management and the E911 program
19 manager appointed pursuant to section 34A.2A regarding the
20 implementation of chapter 34A. Such advice and recommendations
21 shall be provided on issues at the request of the director or
22 program manager or as deemed necessary by the board. However,
23 the authority of the board as to this duty is limited to the
24 issues specifically identified in this subsection and does
25 not preempt the authority of the utilities board, created in
26 section 474.1, to act on issues within the jurisdiction of the
27 utilities board.

28 Sec. 152. Section 190A.3, subsection 3, Code 2013, is
29 amended to read as follows:

30 3. The ~~farm-to-school council~~ department of agriculture
31 and land stewardship and the department of education shall
32 seek to establish partnerships with public agencies and
33 nonprofit organizations to implement a structure to facilitate
34 communication between farmers and schools.

35 Sec. 153. Section 190A.3, subsection 4, Code 2013, is

1 amended to read as follows:

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

6 Sec. 154. Section 256.9, subsection 55, paragraph j, Code
7 2013, is amended by striking the paragraph.

8 Sec. 155. REPEAL. Section 190A.2, Code 2013, is repealed.

9 Sec. 156. MULTIPLE AMENDMENTS — HARMONIZATION AND
10 PREVALENCE.

11 1. The amendments in this division of this Act and in
12 the division of this Act creating a department of homeland
13 security and emergency management to section 34A.2A, subsection
14 2, and section 34A.7A, subsection 2, paragraph "f", shall be
15 harmonized by the Code editor in accordance with section 2B.13.

16 2. If section 34A.15, subsection 3, is amended in this
17 division of this Act and in the division of this Act creating a
18 department of homeland security and emergency management, the
19 amendments are deemed irreconcilable and the amendment in this
20 division of this Act shall prevail.

21 DIVISION XIV

22 OBSOLETE PROVISIONS

23 Sec. 157. REPEAL. Section 15.112, Code 2013, is repealed.

24 Sec. 158. REPEAL. Chapters 15C and 15D, Code 2013, are
25 repealed.

26 EXPLANATION

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

29 DIVISION I — GOVERNMENT INFORMATION TECHNOLOGY SERVICES.

30 This division amends Code section 8A.205, concerning digital
31 government, to encourage state agencies to utilize duplex
32 printing.

33 The division directs the department of administrative
34 services (DAS) to conduct an inventory of information
35 technology devices utilized by state agencies with the goal of

1 identifying possibilities to reduce costs. DAS is required to
2 submit a report to the general assembly by January 1, 2014,
3 concerning the results of the inventory.

4 The division also directs the department of administrative
5 services (DAS) to establish a schedule for departments to
6 comply with information technology coordination and management
7 requirements of Code chapter 8A. In addition, DAS is
8 encouraged to procure information technology for participating
9 agencies through leasing.

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

18 DIVISION III — STATE PHYSICAL RESOURCES. This division
19 of the bill requires that DAS conduct an analysis of state
20 employee workstations and office standards by September 30,
21 2013. The division further requires the department to submit
22 findings and recommendations to the capitol planning commission
23 and the legislative fiscal committee by October 30, 2013.

24 DIVISION IV — AUDITS. This division concerns audit
25 costs and filing fees for the filing of certain audits or
26 examinations conducted by the auditor of state.

27 Code section 11.6(10) is amended to eliminate the authority
28 of the auditor to establish and collect a filing fee relative
29 to certain audits conducted on certain mental health centers,
30 substance abuse programs, and community action agencies.

31 The division also relates to four commodity organizations
32 representing producers of sheep (and wool), eggs, turkeys,
33 and corn. The marketing, research, and promotional purposes
34 of these organizations are financed by an excise tax or state
35 assessment (commonly referred to as a checkoff) imposed upon

1 the first purchasers of the commodities. Moneys derived from
2 each checkoff are controlled by the governing body of each
3 organization, including the Iowa sheep and wool promotion
4 board, the Iowa egg council, the Iowa turkey marketing council,
5 and the Iowa corn promotion board. In each case, the collected
6 moneys are subject to audit by the auditor of state. In 2010,
7 the general assembly enacted S.F. 2367 (2010 Iowa Acts, ch.
8 1189) which amended a number of sections referring to those
9 audits, by authorizing the auditor of state to be reimbursed
10 from the organizations for the cost of the audits. The
11 division eliminates the changes made in S.F. 2367 and restores
12 the sections to the language as it existed prior to that
13 legislation.

14 The division takes effect upon enactment.

15 DIVISION V — HOMELAND SECURITY AND EMERGENCY MANAGEMENT
16 ORGANIZATION. Currently, the department of public defense is
17 composed of the military division and the homeland security
18 and emergency management division. This division transfers
19 the homeland security and emergency management division of the
20 department of public defense into a new department of homeland
21 security and emergency management. The division retains
22 within the department of public defense responsibility over
23 the office of the adjutant general and the military forces of
24 the state of Iowa. The division provides that the governor
25 appoint the director of the new department. Current duties
26 and responsibilities of the homeland security and emergency
27 management division are transferred to the new department of
28 homeland security and emergency management. In addition,
29 the division transfers the attachment of the Iowa emergency
30 response commission for routine administrative support from the
31 department of public defense to the new department of homeland
32 security and emergency management.

33 The division also includes transition provisions relative
34 to the establishment of the department of homeland security
35 and emergency management. The division provides that any

1 rule, regulation, form, order, or directive promulgated by the
2 division of homeland security and emergency management of the
3 department of public defense shall continue unless modified
4 or otherwise changed by the new department. The division
5 provides that employees of the division of homeland security
6 and emergency management of the department shall be considered
7 employees of the department of homeland security and emergency
8 management.

9 DIVISION VI — IOWA JOBS BOARD. This division eliminates
10 the Iowa jobs board and provides that any duties or
11 responsibilities of the Iowa jobs board shall become the
12 responsibility of the Iowa finance authority. The division
13 also provides transition provisions relative to any contracts
14 or agreements entered into by the Iowa jobs board and provides
15 for a limitation of personal liability for actions by a member
16 or agent of the board taken prior to the effective date of the
17 division relative to the duties of the board.

18 DIVISION VII — ELECTRONIC COMMUNICATIONS. This division
19 provides that each state department and agency shall provide
20 departmental or agency notices or information through the
21 department's or agency's internet site or through electronic
22 mail to the fullest extent possible. Code section 22.7,
23 concerning confidential public records, is amended to provide
24 that electronic mail addresses of individuals collected by
25 state departments and agencies for the purpose of electronic
26 communications shall be considered confidential.

27 DIVISION VIII — STATE RECORDS. This division eliminates
28 the state records commission and transfers the duties and
29 responsibilities of the state records commission to the
30 department of cultural affairs. The division includes a
31 transition provision that any rule promulgated by the state
32 records commission shall continue until changed by the
33 department of cultural affairs.

34 The division also authorizes the department of cultural
35 affairs to bill agencies for records storage and retention.

1 Code section 305.8 is amended to provide that the department
2 of cultural affairs establish rates to charge agencies for
3 providing records storage and retention services. New Code
4 section 305.8A authorizes the department of cultural affairs
5 to bill agencies for records storage and retention services,
6 establish an internal service fund for receipt of moneys from
7 agencies billed for this purpose, and authorizes the department
8 to utilize moneys received and deposited in the fund for the
9 operations of the department in records storage and retention.

10 DIVISION IX — DEPARTMENT OF TRANSPORTATION PROVISIONS.

11 This division contains provisions relating to a variety of
12 matters regulated by the department of transportation.

13 Code section 321.196 is amended to provide that when the
14 department renews a driver's license electronically, it may
15 do so without requiring the licensee to pass a vision test or
16 file a vision report, pursuant to rules of the department.
17 The division authorizes the adoption of emergency rules to
18 implement this provision. The amendment to Code section
19 321.196 and the authorization to adopt emergency rules are
20 effective upon enactment.

21 Code section 321.116, which establishes an annual
22 registration fee of \$25 for electric motor vehicles, is
23 repealed. As a result, electric motor vehicles will be subject
24 to registration fees based on the weight and value of the
25 vehicle. The change applies for registration years beginning
26 on or after January 1, 2014.

27 DIVISION X — REPORT — STATE DEBT COORDINATOR. This
28 division establishes a report to be prepared and filed by the
29 director of the department of revenue. The director will
30 develop and recommend legislative proposals deemed necessary
31 for the office of the state debt coordinator, which shall
32 be compiled in a report and filed with the department of
33 management, the governor, and the general assembly no later
34 than January 13, 2014.

35 DIVISION XI — POLLUTION PREVENTION AND WASTE MANAGEMENT

1 ASSISTANCE. This division relates to pollution prevention and
2 waste management assistance.

3 The division relates to pollution prevention and waste
4 management assistance.

5 The division amends the waste management assistance
6 provisions of Code chapter 455B by updating the waste
7 management policy. The division includes reuse and combustion
8 with energy recovery in the pollution prevention hierarchy and
9 removes incineration from the hierarchy.

10 The division includes a new definition for "pollution
11 prevention" and uses the term to replace "hazardous waste
12 management" and "waste reduction assistance". The division
13 eliminates references to hazardous waste throughout Code
14 chapter 455B, division IV, part 9, including duties of the
15 department and the environmental protection commission relating
16 to hazardous waste and the location, acquisition, and operation
17 of hazardous waste management facilities.

18 The division eliminates certain definitions from Code
19 chapter 455D for terms no longer used in the Code chapter.

20 Currently, the waste stream reduction goals include a 25
21 percent reduction by July 1, 1994, and 50 percent reduction by
22 July 1, 2000. The goals are based on the waste stream existing
23 as of July 1, 1988. The division eliminates the references
24 to July 1, 1994, and July 1, 2000, but retains the 25 and 50
25 percent goals as intermediate and final goals. The division
26 eliminates provisions related to the date-specific goals. The
27 division eliminates mandatory solid waste management techniques
28 for planning areas that fail to meet the 25 percent reduction
29 goal.

30 The division eliminates many of the duties of the department
31 in relation to waste management and includes a new general duty
32 to implement the waste management policy.

33 The division eliminates certain duties of the director of
34 the department of natural resources. The division eliminates
35 redundant language relating to the duty of the director to

1 receive moneys for deposit in the waste reduction and recycling
2 trust fund. The division eliminates duties including the
3 providing of financial assistance for certain waste reduction
4 and recycling markets and industries; the study of technology
5 for the reclamation and recycling of refrigerant; and the
6 identification of products made from recycled or recovered
7 materials. The division also eliminates certain expired
8 deadlines and other outdated requirements.

9 The division eliminates two duties of the environmental
10 protection commission in relation to waste management policy.
11 The duties relate to budget requests and approval of certain
12 contracts and agreements.

13 The division eliminates a duty of the commission to
14 recommend to the general assembly, annually, the imposition of
15 waste abatement fees, rebates, and deposits.

16 The division eliminates certain municipal requirements
17 related to yard waste. The division eliminates certain
18 rules requirements for composting related to economic impact
19 statements. The division expands the definition of composting
20 to include yard waste and other organic materials.

21 The division eliminates a requirement that the department
22 maintain a list of label codes for plastic containers.

23 The division amends provisions related to the waste volume
24 reduction and recycling fund. The division eliminates a
25 requirement that grants from the fund be awarded based on the
26 solid waste management hierarchy. The division provides that
27 the fund shall be utilized for purposes of providing technical
28 assistance to Iowa businesses in developing and implementing
29 pollution prevention techniques.

30 The division eliminates two duties of the director of the
31 department relating to groundwater reporting requirements.

32 The division repeals Code sections 455B.516, 455B.517, and
33 455B.518, which relate to the toxics pollution prevention
34 program. The division repeals Code section 455C.8, relating
35 to the prohibition against snap-top cans, and Code section

1 455C.15, relating to the prohibition against plastic cans.

2 DIVISION XII — ONGOING PROGRAM REVIEW. This division
3 amends Code section 2.69, establishing the legislative
4 state government efficiency review committee, to provide
5 that the committee also conduct a comprehensive review on a
6 regular basis of programs and projects administered by state
7 government.

8 DIVISION XIII — BOARDS AND COMMISSIONS. This division
9 provides that the duties of the E911 communications council
10 relative to advising homeland security and emergency management
11 on enhanced 911 emergency telephone systems are transferred
12 to the state interoperable communications system board.
13 The division retains the E911 communications council and
14 provides that the council shall advise the state interoperable
15 communications system board relative to enhanced 911 emergency
16 telephone systems.

17 The division repeals the farm-to-school council.

18 DIVISION XIV — OBSOLETE PROVISIONS. This division repeals
19 Code section 15.112, relating to matching funds for a farmworks
20 national demonstration project; Code chapter 15C, relating to
21 a world trade center; and Code chapter 15D, relating to the
22 midwest nuclear compact, which contains provisions relating to
23 repeal and withdrawal from the compact.