

Senate File 2347 - Reprinted

SENATE FILE _____
BY COMMITTEE ON APPROPRIATIONS

(SUCCESSOR TO SSB 3262)

Passed Senate, Date _____ Passed House, Date _____
Vote: Ayes _____ Nays _____ Vote: Ayes _____ Nays _____
Approved _____

A BILL FOR

1 An Act relating to the use of optical scan voting systems in
2 every county, making an appropriation for the cost of
3 purchasing and distributing optical scan voting systems,
4 reducing certain appropriations, providing for continuing
5 education for certain election personnel, and providing an
6 effective date.

7 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:
8 SF 2347
9 sc:rj/cc/26

PAG LIN

1 1 Section 1. NEW SECTION. 47.10 OPTICAL SCAN VOTING SYSTEM
1 2 FUND.

1 3 An optical scan voting system fund is established in the
1 4 office of the treasurer of state under the control of the
1 5 secretary of state. Moneys in the fund are appropriated to
1 6 the office of the secretary of state for purchase and
1 7 distribution of optical scan voting system equipment to
1 8 counties to assist county compliance with section 52.2,
1 9 subsection 2. The secretary of state, in consultation with
1 10 the department of administrative services, shall establish a
1 11 procedure for purchasing and distributing the equipment.

1 12 Sec. 2. Section 49.124, Code 2007, is amended to read as
1 13 follows:

1 14 49.124 TRAINING COURSE BY COMMISSIONER == CONTINUING
1 15 EDUCATION PROGRAM.

1 16 1. The commissioner shall conduct, not later than the day
1 17 before each primary and general election, a training course
1 18 for all election personnel, and the commissioner may do so
1 19 before any other election the commissioner administers. The
1 20 personnel shall include all precinct election officials and
1 21 any other persons who will be employed in or around the
1 22 polling places on election day. At least two precinct
1 23 election officials who will serve on each precinct election
1 24 board at the forthcoming election shall attend the training
1 25 course. If the entire board does not attend, those members
1 26 who do attend shall so far as possible be persons who have not
1 27 previously attended a similar training course.

1 28 2. A continuing education program shall be provided to
1 29 election personnel who are full-time or part-time permanent
1 30 employees of the commissioner's office. The state
1 31 commissioner of elections shall adopt rules pursuant to
1 32 chapter 17A to implement and administer the continuing
1 33 education program.

1 34 Sec. 3. Section 52.2, subsection 2, Code Supplement 2007,
1 35 is amended by striking the subsection and inserting in lieu
2 1 thereof the following:

2 2 2. Notwithstanding any provision to the contrary, for
2 3 elections held on or after November 4, 2008, a county shall
2 4 use an optical scan voting system only. The requirements of
2 5 the federal Help America Vote Act relating to disabled voters
2 6 shall be met by a county through the use of electronic ballot
2 7 marking devices that are compatible with an optical scan
2 8 voting system.

2 9 Sec. 4. Section 52.7, subsection 1, paragraph 1, Code
2 10 Supplement 2007, is amended by striking the paragraph.

2 11 Sec. 5. OPTICAL SCAN VOTING SYSTEM FUND == APPROPRIATION.
2 12 There is appropriated from the rebuild Iowa infrastructure
2 13 fund to the office of the secretary of state for the fiscal
2 14 year beginning July 1, 2007, and ending June 30, 2008, the

2 15 following amount, or so much thereof as is necessary, to be
2 16 used for the purpose designated:

2 17 For deposit into the optical scan voting system fund, as
2 18 established in section 47.10, notwithstanding section 8.57,
2 19 subsection 6, paragraph "c":

2 20 \$ 4,900,880

2 21 1. If any federal funding is received for the same or
2 22 similar purposes authorized in section 47.10, as enacted by
2 23 this Act, of the amount appropriated in this section, \$61,000
2 24 is allocated for matching such federal funding, and an amount
2 25 equal to the federal funding received shall revert from the
2 26 amount appropriated to the rebuild Iowa infrastructure fund at
2 27 the end of the fiscal year.

2 28 2. Notwithstanding section 47.9, as of the effective date
2 29 of this Act, all remaining moneys in the voting machine
2 30 reimbursement fund established in section 47.9 shall be
2 31 transferred to the optical scan voting system fund established
2 32 in section 47.10. Notwithstanding section 8.33, except as
2 33 otherwise provided in subsection 1, the moneys appropriated
2 34 and transferred in accordance with this section shall not
2 35 revert to the fund from which appropriated or transferred.

3 1 3. On or before December 31, 2008, the secretary of state
3 2 shall submit a report to the chairpersons and ranking members
3 3 of the joint appropriations subcommittee on administration and
3 4 regulation regarding the expenditures of moneys from the
3 5 optical scan voting system fund and distribution of equipment
3 6 to counties appropriated in this section.

3 7 Sec. 6. 2006 Iowa Acts, chapter 1179, section 5, as
3 8 amended by 2007 Iowa Acts, chapter 219, section 22, is amended
3 9 to read as follows:

3 10 SEC. 5. DEPARTMENT OF ADMINISTRATIVE SERVICES. There is
3 11 appropriated from the rebuild Iowa infrastructure fund to the
3 12 department of administrative services for the designated
3 13 fiscal years, the following amounts, or so much thereof as is
3 14 necessary, to be used for the purposes designated:

3 15 For planning, design, and construction costs associated
3 16 with the construction of a new approximately
3 17 350,000-gross-square-foot state office building, including
3 18 costs associated with furnishings, employee relocation, and
3 19 the demolition of the Wallace Building:

3 20 FY 2007=2008..... \$ ~~3,600,000~~

3 21 0

3 22 FY 2008=2009..... \$ 23,300,000

3 23 FY 2009=2010..... \$ 12,657,100

3 24 Notwithstanding section 8.33, moneys appropriated in this
3 25 section shall not revert at the close of the fiscal year for
3 26 which they were appropriated but shall remain available for
3 27 the purposes designated until the close of the fiscal year
3 28 that begins July 1, 2011, or until the project for which the
3 29 appropriation was made is completed, whichever is earlier.

3 30 The design specifications of the new state office building
3 31 shall include, at a minimum, energy efficiency specifications
3 32 that exceed state building code requirements and have the
3 33 potential for leadership in energy and environmental design
3 34 silver certification from the United States green building
3 35 council.

4 1 Sec. 7. 2007 Iowa Acts, chapter 219, section 1, subsection
4 2 1, paragraph n, is amended to read as follows:

4 3 n. For costs associated with a feasibility study
4 4 concerning asbestos abatement and related building renovation
4 5 work at the Iowa workforce development building located at
4 6 1000 E. Grand Avenue in Des Moines, notwithstanding section
4 7 8.57, subsection 6, paragraph "c":

4 8 \$ ~~1,000,000~~

4 9 0

4 10 Sec. 8. Section 47.9, Code Supplement 2007, is repealed.

4 11 Sec. 9. EMERGENCY RULES. The secretary of state may adopt
4 12 emergency rules under section 17A.1, subsection 2, and section
4 13 17A.5, subsection 2, paragraph "b", to implement the
4 14 provisions of this Act relating to optical scan voting
4 15 systems, and the rules shall be effective immediately upon
4 16 filing unless a later date is specified in the rules. Any
4 17 rules adopted in accordance with this section shall also be
4 18 published as a notice of intended action as provided in
4 19 section 17A.4.

4 20 Sec. 10. EFFECTIVE DATE. This Act, being deemed of
4 21 immediate importance, takes effect upon enactment.

4 22 SF 2347

4 23 sc:rj/cc/26