

**Senate File 541 - Reprinted**

SENATE FILE 541  
BY COMMITTEE ON APPROPRIATIONS

(SUCCESSOR TO SSB 1215)

(As Amended and Passed by the Senate June 22, 2011)

**A BILL FOR**

1 An Act relating to and making, reducing, and transferring  
2 appropriations to state departments and agencies from  
3 the rebuild Iowa infrastructure fund, the technology  
4 reinvestment fund, the revenue bonds capitals fund, and  
5 other funds, providing for related matters and including  
6 effective date and retroactive applicability provisions.  
7 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

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DIVISION I

REBUILD IOWA INFRASTRUCTURE FUND

Section 1. There is appropriated from the rebuild Iowa infrastructure fund to the following departments and agencies for the following fiscal years, the following amounts, or so much thereof as is necessary, to be used for the purposes designated:

1. DEPARTMENT OF ADMINISTRATIVE SERVICES

For projects related to major repairs and major maintenance and for state buildings and facilities:

FY 2011-2012..... \$ 3,000,000

a. Of the amount appropriated in this subsection, \$1,200,000 shall be allocated for exterior repairs and related improvements to the state historical building.

b. The department may use any remaining amounts appropriated in this subsection for routine maintenance as necessary, notwithstanding section 8.57, subsection 6, paragraph "c".

2. DEPARTMENT FOR THE BLIND

For replacement of air handlers and related improvements:

FY 2011-2012..... \$ 1,065,674

3. DEPARTMENT OF CORRECTIONS

a. For the construction project and one-time furniture, fixture, and equipment costs at Fort Madison:

FY 2011-2012..... \$ 5,155,077

FY 2012-2013..... \$ 18,269,124

FY 2013-2014..... \$ 3,000,000

b. For the construction project and one-time equipment costs at the Iowa correctional facility for women at Mitchellville:

FY 2011-2012..... \$ 3,361,556

FY 2012-2013..... \$ 5,391,062

FY 2013-2014..... \$ 26,769,040

4. DEPARTMENT OF CULTURAL AFFAIRS

For deposit into the Iowa great places program fund created

1 in section 303.3D for Iowa great places program projects that  
2 meet the definition of the term "vertical infrastructure" in  
3 section 8.57, subsection 6, paragraph "c":

4 FY 2011-2012..... \$ 1,000,000

5 5. DEPARTMENT OF ECONOMIC DEVELOPMENT

6 a. For accelerated career education program capital  
7 projects at community colleges that are authorized under  
8 chapter 260G and that meet the definition of vertical  
9 infrastructure in section 8.57, subsection 6, paragraph "c":

10 FY 2011-2012..... \$ 5,000,000

11 b. For equal distribution to regional sports authority  
12 districts certified by the department pursuant to section  
13 15E.321, notwithstanding section 8.57, subsection 6, paragraph  
14 "c":

15 FY 2011-2012..... \$ 500,000

16 c. For costs associated with the renovation, expansion,  
17 and improvements of exhibits as part of a zoo capital campaign  
18 located in a central Iowa city with a population between one  
19 hundred ninety-five thousand and two hundred five thousand as  
20 determined by the 2010 federal decennial census:

21 FY 2011-2012..... \$ 500,000

22 d. For interior and exterior renovations and repairs,  
23 including improved energy efficiencies and compliance with  
24 the federal Americans with Disabilities Act, for cabins at a  
25 year-round camp for persons with disabilities in a central Iowa  
26 city with a population between one hundred ninety-five thousand  
27 and two hundred five thousand as determined by the 2010 federal  
28 decennial census:

29 FY 2011-2012..... \$ 250,000

30 e. For administration and support of the world food prize  
31 including the Borlaug/Ruan scholar program, notwithstanding  
32 section 8.57, subsection 6, paragraph "c":

33 FY 2011-2012..... \$ 100,000

34 6. DEPARTMENT OF EDUCATION

35 a. To the public broadcasting division for the purchase of a

1 building in a city with a population between seventeen thousand  
2 two hundred and seventeen thousand three hundred as determined  
3 by the 2010 federal decennial census:

4 FY 2011-2012..... \$ 1,255,550

5 b. For major renovation and major repair needs, including  
6 health, life, and fire safety needs and for compliance with the  
7 federal Americans with Disabilities Act, for state buildings  
8 and facilities under the purview of the community colleges:

9 FY 2011-2012..... \$ 1,000,000

10 7. DEPARTMENT OF HUMAN SERVICES

11 For the renovation and construction of certain nursing  
12 facilities, consistent with the provisions of chapter 249K:

13 FY 2011-2012..... \$ 285,000

14 8. DEPARTMENT OF NATURAL RESOURCES

15 a. For floodplain management and dam safety,  
16 notwithstanding section 8.57, subsection 6, paragraph "c":

17 FY 2011-2012..... \$ 2,000,000

18 Of the amounts appropriated in this lettered paragraph,  
19 up to \$400,000 is authorized for stream gages to be used  
20 for tracking and predicting flood events and for compiling  
21 necessary data relating to flood frequency analysis.

22 b. For implementation of lake projects that have  
23 established watershed improvement initiatives and community  
24 support in accordance with the department's annual lake  
25 restoration plan and report, notwithstanding section 8.57,  
26 subsection 6, paragraph "c":

27 FY 2011-2012..... \$ 5,000,000

28 Of the amount appropriated in this lettered paragraph,  
29 \$350,000 shall be allocated for a lake with public access  
30 that has the support of a benefited lake district located in  
31 a county with a population between seventeen thousand seven  
32 hundred and seventeen thousand eight hundred as determined  
33 by the 2010 federal decennial census. The allocated moneys  
34 shall be used for purposes of completing a preconstruction  
35 dam restoration study that would include a geotechnical

1 evaluation, hydrological studies, restoration alternatives, and  
2 construction specifications.

3 c. For the administration of a water trails and low head  
4 dam public hazard statewide plan, including salaries, support,  
5 maintenance, and miscellaneous purposes, notwithstanding  
6 section 8.57, subsection 6, paragraph "c":

7 FY 2011-2012..... \$ 75,000

8 d. For costs associated with the hiring and employment of an  
9 asset manager at Honey creek resort state park, notwithstanding  
10 section 8.57, subsection 6, paragraph "c":

11 FY 2011-2012..... \$ 100,000

12 e. For costs associated with dam repair for a lake with  
13 public access that has the support of a benefitted lake  
14 district located in a county with a population between  
15 seventeen thousand seven hundred and seventeen thousand eight  
16 hundred as determined by the 2010 federal decennial census:

17 FY 2012-2013..... \$ 2,500,000

18 FY 2013-2014..... \$ 2,500,000

19 Moneys appropriated for each fiscal year in this lettered  
20 paragraph are contingent upon receipt of moneys on a  
21 dollar-for-dollar matching basis from any source for each  
22 fiscal year.

23 9. DEPARTMENT OF PUBLIC DEFENSE

24 a. For major maintenance projects at national guard  
25 armories and facilities:

26 FY 2011-2012..... \$ 1,500,000

27 b. For renovation and facility improvements at the  
28 Muscatine readiness center:

29 FY 2011-2012..... \$ 100,000

30 c. For construction improvement projects at statewide  
31 readiness centers:

32 FY 2011-2012..... \$ 1,800,000

33 d. For construction upgrades at Camp Dodge including  
34 sanitary system and sewer system improvements:

35 FY 2011-2012..... \$ 1,000,000

1 e. For renovation, repair, and related improvements at the  
 2 joint forces headquarters building:  
 3 FY 2011-2012..... \$ 1,000,000

4 10. DEPARTMENT OF PUBLIC SAFETY

5 For the provision of a statewide public safety radio network  
 6 and the purchase of compatible radio communications equipment  
 7 with the goal of achieving compliance with the federal  
 8 communications commission's narrowbanding mandate deadline, and  
 9 for achieving "interoperability", as defined in section 80.28,  
 10 notwithstanding section 8.57, subsection 6, paragraph "c":

11 FY 2011-2012..... \$ 2,500,000  
 12 FY 2012-2013..... \$ 2,500,000  
 13 FY 2013-2014..... \$ 2,500,000

14 Of the amounts appropriated in this subsection, the  
 15 department of public safety may enter into a public-private  
 16 partnership, through a competitive bidding process, for  
 17 the provision of the statewide network and the purchase of  
 18 compatible equipment.

19 On or before January 13, 2012, the department of public  
 20 safety shall provide a report to the legislative services  
 21 agency and the department of management. The report shall  
 22 detail the status of the funds appropriated in this subsection  
 23 and shall include the estimated needs of the departments of  
 24 public safety, corrections, and natural resources to achieve  
 25 interoperability and to meet the federal narrowbanding mandate,  
 26 any changes in estimated costs to meet those needs, and the  
 27 status of requests for proposals to develop a public-private  
 28 partnership.

29 11. BOARD OF REGENTS

30 a. For allocation by the state board of regents to the  
 31 state university of Iowa, the Iowa state university of  
 32 science and technology, and the university of northern Iowa to  
 33 reimburse the institutions for deficiencies in the operating  
 34 funds resulting from the pledging of tuition, student fees  
 35 and charges, and institutional income to finance the cost of

1 providing academic and administrative buildings and facilities  
2 and utility services at the institutions, notwithstanding  
3 section 8.57, subsection 6, paragraph "c":

4 FY 2011-2012..... \$ 24,305,412

5 b. For the Iowa flood center at the state university of Iowa  
6 for use by the university's college of engineering, pursuant  
7 to section 466C.1, notwithstanding section 8.57, subsection 6,  
8 paragraph "c":

9 FY 2011-2012..... \$ 1,300,000

10 c. For construction, renovation, and related improvements  
11 for phase II of the agricultural and biosystems engineering  
12 complex, including classrooms, laboratories, and offices at  
13 Iowa state university of science and technology:

14 FY 2011-2012..... \$ 2,000,000

15 FY 2012-2013..... \$ 19,800,000

16 FY 2013-2014..... \$ 20,000,000

17 FY 2014-2015..... \$ 18,600,000

18 d. For the renovation and related improvements to the dental  
19 science building at the state university of Iowa including but  
20 not limited to renovation of clinical spaces and development of  
21 a multidisciplinary clinical area:

22 FY 2011-2012..... \$ 2,000,000

23 FY 2012-2013..... \$ 11,000,000

24 FY 2013-2014..... \$ 8,000,000

25 FY 2014-2015..... \$ 8,000,000

26 e. For renovation and related improvements for Bartlett  
27 hall at the university of northern Iowa including providing  
28 faculty offices, seminar rooms, and laboratories in the  
29 building and the associated demolition of Baker hall:

30 FY 2011-2012..... \$ 2,000,000

31 FY 2012-2013..... \$ 7,286,000

32 FY 2013-2014..... \$ 9,767,000

33 FY 2014-2015..... \$ 1,947,000

34 12. DEPARTMENT OF TRANSPORTATION

35 a. For acquiring, constructing, and improving recreational

1 trails within the state:

2 FY 2011-2012..... \$ 2,500,000

3 Of the amount appropriated in this lettered paragraph "a",  
4 \$500,000 shall be allocated for the development of a connecting  
5 trail and for bicycle boulevard improvements in a central Iowa  
6 city with a population between one hundred ninety-five thousand  
7 and two hundred five thousand as determined by the 2010 federal  
8 decennial census.

9 Of the amount appropriated in this lettered paragraph "a",  
10 \$112,000 shall be allocated for the planning and development  
11 of the Iowa portion of the Mississippi river trail located  
12 in a county with a population between forty-two thousand and  
13 forty-three thousand in the latest preceding certified federal  
14 census and a county with a population between one hundred sixty  
15 thousand and one hundred seventy-five thousand in the latest  
16 preceding certified federal census.

17 b. For deposit into the public transit infrastructure  
18 grant fund created in section 324A.6A, for projects that meet  
19 the definition of "vertical infrastructure" in section 8.57,  
20 subsection 6, paragraph "c":

21 FY 2011-2012..... \$ 1,500,000

22 c. For infrastructure improvements at the commercial  
23 service airports within the state:

24 FY 2011-2012..... \$ 1,500,000

25 d. For infrastructure improvements at general aviation  
26 airports within the state:

27 FY 2011-2012..... \$ 750,000

28 13. TREASURER OF STATE

29 For distribution in accordance with chapter 174 to qualified  
30 fairs which belong to the association of Iowa fairs for county  
31 fair infrastructure improvements:

32 FY 2011-2012..... \$ 1,060,000

33 14. DEPARTMENT OF VETERANS AFFAIRS

34 a. For transfer to the Iowa finance authority for the  
35 continuation of the home ownership assistance program for



1 persons who are or were eligible members of the armed forces of  
2 the United States, pursuant to section 16.54, notwithstanding  
3 section 8.57, subsection 6, paragraph "c":

4 FY 2011-2012..... \$ 1,000,000

5 b. For the Iowa veterans home to upgrade generator emissions  
6 controls to meet required stack emissions for four generators  
7 and related improvements:

8 FY 2011-2012..... \$ 250,000

9 Sec. 2. REVERSION. For purposes of section 8.33, unless  
10 specifically provided otherwise, unencumbered or unobligated  
11 moneys made from an appropriation in this division of this Act  
12 shall not revert but shall remain available for expenditure for  
13 the purposes designated until the close of the fiscal year that  
14 ends three years after the end of the fiscal year for which the  
15 appropriation is made. However, if the project or projects for  
16 which such appropriation was made are completed in an earlier  
17 fiscal year, unencumbered or unobligated moneys shall revert at  
18 the close of that same fiscal year.

19 DIVISION II

20 TECHNOLOGY REINVESTMENT FUND

21 Sec. 3. There is appropriated from the technology  
22 reinvestment fund created in section 8.57C to the following  
23 departments and agencies for the following fiscal years, the  
24 following amounts, or so much thereof as is necessary, to be  
25 used for the purposes designated:

26 1. DEPARTMENT OF ADMINISTRATIVE SERVICES

27 For technology improvement projects:

28 FY 2011-2012..... \$ 1,557,904

29 2. DEPARTMENT OF CORRECTIONS

30 For costs associated with the Iowa corrections offender  
31 network data system:

32 FY 2011-2012..... \$ 500,000

33 3. DEPARTMENT OF EDUCATION

34 a. For maintenance and lease costs associated with  
35 connections for part III of the Iowa communications network:

1 FY 2011-2012..... \$ 2,727,000

2 b. For the implementation of an educational data warehouse  
3 that will be utilized by teachers, parents, school district  
4 administrators, area education agency staff, department of  
5 education staff, and policymakers:

6 FY 2011-2012..... \$ 600,000

7 The department may use a portion of the moneys appropriated  
8 in this lettered paragraph for an e-transcript data system  
9 capable of tracking students throughout their education via  
10 interconnectivity with multiple schools.

11 4. DEPARTMENT OF HUMAN RIGHTS

12 For the cost of equipment and computer software for the  
13 implementation of Iowa's criminal justice information system:

14 FY 2011-2012..... \$ 1,689,307

15 5. DEPARTMENT OF HUMAN SERVICES

16 For the purchase of software and for training costs  
17 associated with the purchase of the software for a  
18 community-based, nonprofit, nonresidential program serving  
19 persons with disabilities, notwithstanding section 8.57C,  
20 subsection 2:

21 FY 2011-2012..... \$ 11,000

22 6. IOWA TELECOMMUNICATIONS AND TECHNOLOGY COMMISSION

23 For replacement of equipment for the Iowa communications  
24 network:

25 FY 2011-2012..... \$ 2,237,653

26 The commission may continue to enter into contracts pursuant  
27 to section 8D.13 for the replacement of equipment and for  
28 operation and maintenance costs of the network.

29 In addition to funds appropriated in this subsection, the  
30 commission may use a financing agreement entered into by the  
31 treasurer of state in accordance with section 12.28 for the  
32 replacement of equipment for the network. For purposes of  
33 this subsection, the treasurer of state is not subject to  
34 the maximum principal limitation contained in section 12.28,  
35 subsection 6. Repayment of any amounts financed shall be made

1 from receipts associated with fees charged for use of the  
2 network.

3 7. DEPARTMENT OF MANAGEMENT

4 To develop a searchable database that can be placed on the  
5 internet for budget and financial information:

6 FY 2011-2012..... \$ 580,000

7 8. DEPARTMENT OF PUBLIC SAFETY

8 a. For transfer to a firefighter association in a county  
9 with a population between ninety thousand and ninety-five  
10 thousand as determined by the 2010 federal decennial census  
11 for a driving simulator to enhance the association's emergency  
12 vehicle operations course:

13 FY 2011-2012..... \$ 80,000

14 b. For the purchase of an emergency diesel generator for  
15 radio communications for a county with a population between  
16 seventeen thousand and seventeen thousand one hundred fifty as  
17 determined by the 2010 federal decennial census:

18 FY 2011-2012..... \$ 20,000

19 Sec. 4. REVERSION. For purposes of section 8.33, unless  
20 specifically provided otherwise, unencumbered or unobligated  
21 moneys made from an appropriation in this division of this Act  
22 shall not revert but shall remain available for expenditure for  
23 the purposes designated until the close of the fiscal year that  
24 ends three years after the end of the fiscal year for which the  
25 appropriation is made. However, if the project or projects for  
26 which such appropriation was made are completed in an earlier  
27 fiscal year, unencumbered or unobligated moneys shall revert at  
28 the close of that same fiscal year.

29 DIVISION III

30 REVENUE BONDS CAPITALS

31 FUND — APPROPRIATIONS

32 Sec. 5. There is appropriated from the revenue bonds  
33 capitals fund created in section 12.88, to the department of  
34 corrections for the fiscal year beginning July 1, 2011, and  
35 ending June 30, 2012, the following amount, or so much thereof

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

2 For the construction project and one-time equipment costs at  
3 the Iowa correctional facility for women at Mitchellville:

4 ..... \$ 4,130,952

5 For purposes of section 8.33, unless specifically provided  
6 otherwise, unencumbered or unobligated moneys made from an  
7 appropriation in this section shall not revert but shall remain  
8 available for expenditure for the purposes designated until the  
9 close of the fiscal year that ends three years after the end of  
10 the fiscal year for which the appropriation was made. However,  
11 if the project or projects for which such appropriation was  
12 made are completed in an earlier fiscal year, unencumbered  
13 or unobligated moneys shall revert at the close of that same  
14 fiscal year.

15 DIVISION IV

16 GROW IOWA VALUES FUND

17 Sec. 6. GROW IOWA VALUES FUND APPROPRIATION REDUCTION. In  
18 lieu of the \$50,000,000 appropriated for the fiscal year  
19 beginning July 1, 2011, and ending June 30, 2012, from  
20 the grow Iowa values fund to the department of economic  
21 development pursuant to section 15G.111, subsection 3, there is  
22 appropriated from the grow Iowa values fund to the department  
23 of economic development for the fiscal year beginning July 1,  
24 2011, and ending June 30, 2012, \$11,120,000 for the purposes of  
25 making expenditures pursuant to chapter 15G.

26 Sec. 7. GROW IOWA VALUES FUND ALLOCATIONS. In lieu of the  
27 amounts allocated pursuant to section 15G.111, subsections 4  
28 through 11, for the fiscal year beginning July 1, 2011, and  
29 ending June 30, 2012, of the \$11,120,000 appropriated to the  
30 department of economic development pursuant to this division of  
31 this Act, the department shall allocate the following amounts  
32 for the following purposes as described in section 15G.111,  
33 subsections 4 through 11:

34 1. For departmental purposes, \$4,620,000. Of the moneys  
35 allocated in this subsection, the department may use up to

1 \$400,000 for administrative costs.

2 2. For the state board of regents institutions, \$2,500,000.

3 3. For state parks, \$0.

4 4. For deposit in the Iowa cultural trust fund, \$0.

5 5. For community colleges, \$4,000,000.

6 6. For regional financial assistance, \$0.

7 7. For commercialization services, \$0.

8 8. For targeted small business, \$0.

9 Sec. 8. NEW SECTION. 15G.107 Subchapter repealed — new  
10 program proposal.

11 1. This subchapter of this chapter is repealed on June 30,  
12 2012.

13 2. On or before November 30, 2011, the department of  
14 economic development shall propose to the general assembly a  
15 new business development financial assistance program.

16 3. On or before November 30, 2011, the department of  
17 economic development shall propose to the general assembly  
18 any changes in law necessary to implement the repeal of this  
19 subchapter.

20 Sec. 9. Section 15G.110, Code 2011, is amended by striking  
21 the section and inserting in lieu thereof the following:

22 **15G.110 Appropriation.**

23 For the fiscal year beginning July 1, 2011, and ending June  
24 30, 2012, there is appropriated to the department of economic  
25 development eleven million one hundred twenty thousand dollars  
26 from the rebuild Iowa infrastructure fund for deposit in the  
27 grow Iowa values fund, notwithstanding section 8.57, subsection  
28 6, paragraph "c".

29 Sec. 10. Section 15G.111, subsection 2, Code 2011, is  
30 amended by adding the following new paragraph:

31 NEW PARAGRAPH. d. Of the moneys transferred to the fund  
32 pursuant to 2009 Iowa Acts, chapter 123, section 9, the  
33 department, with the approval of the board, may allocate  
34 an amount necessary to fund administrative and operations  
35 costs. An allocation pursuant to this paragraph may be made

1 in addition to any allocations made pursuant to subsection 4,  
2 paragraph "a".

3 DIVISION V

4 GAMBLING REVENUES — CONTINGENT APPROPRIATION

5 Sec. 11. GAMBLING REVENUES — APPROPRIATION. For the fiscal  
6 year beginning July 1, 2011, and ending June 30, 2012, there  
7 is appropriated from the rebuild Iowa infrastructure fund an  
8 amount equal to the gambling revenues in excess of the revenue  
9 estimate determined by the revenue estimating conference on  
10 March 25, 2011, for the fiscal year ending June 30, 2011,  
11 pursuant to section 8.22A, subsection 5, paragraph "b", to  
12 the department of transportation for deposit in the passenger  
13 rail service revolving fund created in section 327J.2,  
14 notwithstanding section 8.57, subsection 6, paragraph "c".

15 DIVISION VI

16 MISCELLANEOUS CODE CHANGES

17 Sec. 12. Section 8.57, subsection 6, paragraph f, Code 2011,  
18 is amended to read as follows:

19 *f.* There is appropriated from the rebuild Iowa  
20 infrastructure fund to the secure an advanced vision for  
21 education fund created in section 423F.2, for each fiscal  
22 year of the fiscal period beginning July 1, 2008, and ending  
23 June 30, 2010, and ~~for each fiscal year of the fiscal period~~  
24 ~~beginning July 1, 2011, and ending June 30, 2014,~~ the amount of  
25 the moneys in excess of the first forty-seven million dollars  
26 credited to the rebuild Iowa infrastructure fund during the  
27 fiscal year, not to exceed ten million dollars.

28 Sec. 13. Section 8.57A, subsection 4, Code 2011, is amended  
29 to read as follows:

30 4. *a.* There is appropriated from the rebuild Iowa  
31 infrastructure fund for the fiscal ~~years~~ year beginning July  
32 ~~1, 2008, July 1, 2009, and July 1, 2011~~ 2012, and for each  
33 fiscal year thereafter, the sum of forty-two million dollars  
34 to the environment first fund, notwithstanding section 8.57,  
35 subsection 6, paragraph "c".

1     *b.* There is appropriated from the rebuild Iowa  
2 infrastructure fund each fiscal year for the ~~fiscal-year period~~  
3 beginning July 1, 2010, and ending June 30, ~~2011~~ 2012, the sum  
4 of thirty-three million dollars to the environment first fund,  
5 notwithstanding section 8.57, subsection 6, paragraph "c".

6     Sec. 14. Section 8.57C, subsection 3, paragraphs a and c,  
7 Code 2011, are amended to read as follows:

8     *a.* There is appropriated from the general fund of the state  
9 for the ~~fiscal years~~ year beginning ~~July 1, 2006, July 1,~~  
10 ~~2007,~~ July 1, ~~2011~~ 2012, and for each subsequent fiscal year  
11 thereafter, the sum of seventeen million five hundred thousand  
12 dollars to the technology reinvestment fund.

13     *c.* There is appropriated from the rebuild Iowa  
14 infrastructure fund for ~~the~~ each fiscal year of the period  
15 beginning July 1, 2010, and ending June 30, 2012, the sum  
16 of ten million dollars to the technology reinvestment fund,  
17 notwithstanding section 8.57, subsection 6, paragraph "c".

18     Sec. 15. Section 8A.321, subsection 6, Code 2011, is amended  
19 by adding the following new paragraph:

20     NEW PARAGRAPH. *d.* (1) The department shall annually issue  
21 a request for proposals for leasing privately owned office  
22 space for state employees in the downtown area of the city  
23 of Des Moines. Prior to replacing or renovating publicly  
24 owned buildings or relocating any state agencies to any space  
25 in publicly owned buildings, the department shall use such  
26 proposals to compare the costs of privately owned space to  
27 publicly owned space. The department shall locate state  
28 employees in office space in the most cost-efficient manner  
29 possible. In determining cost efficiency, the department shall  
30 consider all costs of the publicly owned space, the costs of  
31 the original acquisition of the publicly owned space, the costs  
32 of tenant improvements to the publicly owned space, and the  
33 anticipated economic and useful life of the publicly owned  
34 building space.

35     (2) Subparagraph (1) shall not apply when emergency

1 circumstances exist. Actions taken during an emergency which  
2 would otherwise violate subparagraph (1) shall be limited  
3 in scope and duration to meet the emergency. An emergency  
4 includes but is not limited to a condition that does any of the  
5 following:

6 (a) Threatens public health, welfare, or safety.

7 (b) In which there is a need to protect the health, welfare,  
8 or safety of persons occupying or visiting a public improvement  
9 or property located adjacent to the public improvement.

10 (c) In which the department or agency must act to preserve  
11 critical services or programs.

12 (d) In which the need is a result of events or circumstances  
13 not reasonably foreseeable.

14 Sec. 16. Section 12.82, subsection 1, Code 2011, is amended  
15 to read as follows:

16 1. A school infrastructure fund is created and established  
17 as a separate and distinct fund in the state treasury under the  
18 control of the department of education. ~~The~~ Notwithstanding  
19 any other provision of this chapter, the fund shall be used for  
20 purposes of the school infrastructure program established in  
21 section 292.2.

22 Sec. 17. Section 12.82, Code 2011, is amended by adding the  
23 following new subsection:

24 NEW SUBSECTION. 3A. Any amounts remaining in the school  
25 infrastructure fund at the end of the fiscal year beginning  
26 July 1, 2010, and for each fiscal year thereafter, which are  
27 determined by the treasurer of state to be unencumbered and  
28 unobligated and otherwise unnecessary to make the payments for  
29 such fiscal year, shall be transferred to the rebuild Iowa  
30 infrastructure fund.

31 Sec. 18. Section 15F.204, subsection 8, paragraph a,  
32 subparagraph (6), Code 2011, is amended to read as follows:

33 (6) For the fiscal year beginning July 1, 2011, and ending  
34 June 30, 2012, the sum of five million three hundred thousand  
35 dollars.



1 Sec. 19. Section 15F.204, subsection 8, paragraph b, Code  
2 2011, is amended by striking the paragraph.

3 Sec. 20. Section 16.193, subsection 2, Code 2011, is amended  
4 to read as follows:

5 ~~2. During the term of the Iowa jobs program established~~  
6 ~~in section 16.194 and the Iowa jobs II program established~~  
7 ~~in section 16.194A~~ For the period beginning July 1, 2009,  
8 and ending June 30, 2011, two hundred thousand dollars of  
9 the moneys deposited in the rebuild Iowa infrastructure  
10 fund shall be allocated each fiscal year to the Iowa finance  
11 authority for purposes of administering the Iowa jobs program,  
12 notwithstanding section 8.57, subsection 6, paragraph "c".

13 Sec. 21. EFFECTIVE UPON ENACTMENT. The sections of this  
14 division amending section 12.82, being deemed of immediate  
15 importance, takes effect upon enactment.

16 DIVISION VII

17 CHANGES TO PRIOR APPROPRIATIONS

18 Sec. 22. 2004 Iowa Acts, chapter 1175, section 288,  
19 subsection 7, paragraph d, as amended by 2010 Iowa Acts,  
20 chapter 1184, section 51, is amended to read as follows:

21 *d.* For allocation to the public broadcasting division for  
22 costs of installation of digital and analog television for Iowa  
23 public television facilities, notwithstanding section 8.57,  
24 subsection 5, paragraph "c":

25	FY 2004-2005.....	\$ 8,000,000
26	FY 2005-2006.....	\$ 8,000,000
27	FY 2006-2007.....	\$ 2,300,000

28 Of the amounts appropriated in this lettered paragraph, up  
29 to \$1,000,000 may be used for operational costs of the division  
30 for the fiscal years beginning July 1, 2011, and July 1, 2012.

31 Notwithstanding section 8.33, 2004 Iowa Acts, chapter 1175,  
32 section 290, or any other provision of law, moneys allocated in  
33 this lettered paragraph that remain unencumbered or unobligated  
34 at the close of a fiscal year shall not revert but shall  
35 remain available for expenditure for the purposes designated

1 until the close of the fiscal year that begins July 1, 2012.  
2 ~~However, if the projects for which the moneys are appropriated~~  
3 ~~are completed in an earlier fiscal year, unencumbered or~~  
4 ~~unobligated moneys shall revert at the close of that fiscal~~  
5 ~~year.~~

6 Sec. 23. 2006 Iowa Acts, chapter 1179, section 18, is  
7 amended by adding the following new subsection:

8 NEW SUBSECTION. 5. Except for the allocation to Des Moines  
9 area community college and notwithstanding section 8.33, moneys  
10 appropriated from the endowment for Iowa's health restricted  
11 capitals fund for the fiscal year beginning July 1, 2006, and  
12 ending June 30, 2007, in this division of this Act to the  
13 department of public safety for allocation to the division of  
14 fire protection that remain unencumbered or unobligated at the  
15 close of the fiscal year shall not revert but shall remain  
16 available for expenditure for the purposes designated until  
17 the close of the fiscal year beginning July 1, 2011, or until  
18 the project for which appropriated is completed, whichever is  
19 earlier. This subsection shall apply in lieu of subsection 1  
20 of this section.

21 Sec. 24. 2007 Iowa Acts, chapter 219, section 2, is amended  
22 to read as follows:

23 SEC. 2. REVERSION.

24 1. Notwithstanding Except as provided in subsection 2 and  
25 notwithstanding section 8.33, moneys appropriated for the  
26 fiscal year beginning July 1, 2007, in this division of this  
27 Act that remain unencumbered or unobligated at the close of  
28 the fiscal year shall not revert but shall remain available  
29 for the purposes designated until the close of the fiscal year  
30 that begins July 1, 2010, or until the project for which the  
31 appropriation was made is completed, whichever is earlier.

32 2. a. Notwithstanding section 8.33, moneys appropriated  
33 in section 1, subsection 1, paragraphs "a" and "f" of this  
34 division of this Act that remain unencumbered or unobligated at  
35 the close of the fiscal year for which they were appropriated

1 shall not revert but shall remain available for the purposes  
2 designated until the close of the fiscal year that begins July  
3 1, 2011, or until the project for which the appropriation was  
4 made is completed, whichever is earlier.

5 b. The department of administrative services is authorized  
6 to provide for the disposition and relocation of structures  
7 located at 707 east locust and 709 east locust, Des Moines,  
8 Iowa, in a manner as deemed appropriate by the department.  
9 The disposition of the structures, if possible, shall be  
10 completed in a manner that reduces or eliminates the costs  
11 of the state associated with the removal of the structures  
12 from their current locations. Any amount received from the  
13 disposition of the structures as permitted under this section  
14 shall be retained by the department to pay for improvement  
15 costs associated with the restoration of the west capitol  
16 terrace. The department, if unable to otherwise dispose of the  
17 structures, is authorized to demolish the structure using other  
18 appropriate funding available to the department.

19 Sec. 25. 2008 Iowa Acts, chapter 1179, section 7, as amended  
20 by 2009 Iowa Acts, chapter 173, section 21, and 2010 Iowa Acts,  
21 chapter 1184, section 58, is amended to read as follows:

22 SEC. 7. DEPARTMENT OF ECONOMIC DEVELOPMENT. There is  
23 appropriated from the rebuild Iowa infrastructure fund to  
24 the department of economic development for the designated  
25 fiscal years the following amounts, or so much thereof as is  
26 necessary, to be used for the purposes designated:

27 For deposit into the river enhancement community attraction  
28 and tourism fund created in 2008 Iowa Acts, Senate File 2430,  
29 if enacted:

30	FY 2009-2010.....	\$	0
31	FY 2010-2011.....	\$	0
32	FY 2011-2012.....	\$	<del>10,000,000</del>
33			<u>3,000,000</u>
34	FY 2012-2013.....	\$	10,000,000

35 Notwithstanding section 8.33, moneys appropriated in this

1 section for the fiscal year beginning July 1, 2011, and ending  
2 June 30, 2012, shall not revert at the close of the fiscal year  
3 for which they are appropriated but shall remain available  
4 for the purpose designated until the close of the fiscal year  
5 that begins July 1, 2014, or until the project for which the  
6 appropriation was made is completed, whichever is earlier.

7 Notwithstanding section 8.33, moneys appropriated in this  
8 section for the fiscal year beginning July 1, 2012, and ending  
9 June 30, 2013, shall not revert at the close of the fiscal year  
10 for which they are appropriated but shall remain available  
11 for the purpose designated until the close of the fiscal year  
12 that begins July 1, 2015, or until the project for which the  
13 appropriation was made is completed, whichever is earlier.

14 Sec. 26. 2010 Iowa Acts, chapter 1184, section 2, subsection  
15 3, is amended to read as follows:

16 3. DEPARTMENT OF TRANSPORTATION

17 For deposit into the passenger rail service revolving  
18 fund created in section 327J.2 for matching federal funding  
19 available through the federal Passenger Rail Investment  
20 and Improvement Act of 2008 for passenger rail service,  
21 notwithstanding section 8.57, subsection 6, paragraph "c":

22 FY 2011-2012.....	\$ 6,500,000
23	<u>0</u>
24 <u>FY 2012-2013.....</u>	<u>\$ 6,500,000</u>

25 It is the intent of the general assembly to fund up to  
26 \$20 million over a four-year period to fully fund the state  
27 commitment for matching federal funding available through the  
28 federal Passenger Rail Investment and Improvement Act of 2008.

29 Sec. 27. 2010 Iowa Acts, chapter 1184, section 10,  
30 subsection 8, is amended to read as follows:

31 8. TREASURER OF STATE

32 For transfer to the watershed improvement review board  
33 created in section 466A.3 for grants associated with the  
34 ~~construction and restoration of wetland easements and flood~~  
35 prevention watershed improvement projects:

1 ..... \$ 2,000,000

2 Notwithstanding section 466A.5, moneys from the  
3 appropriation in this subsection shall not be used for  
4 administrative purposes.

5 Sec. 28. 2010 Iowa Acts, chapter 1184, section 14, is  
6 amended to read as follows:

7 SEC. 14. There is appropriated from the ~~FY 2009 prison~~  
8 ~~bonding fund created pursuant to section 12.79~~ rebuild Iowa  
9 infrastructure fund to the department of corrections for the  
10 fiscal year beginning July 1, 2010, and ending June 30, 2011,  
11 the following amount, or so much thereof as is necessary, to be  
12 used for the purpose designated, notwithstanding section 8.57,  
13 subsection 6, paragraph "c":

14 ~~For costs associated with the building of a new Iowa State~~  
15 ~~penitentiary at Fort Madison~~ project management costs at Fort  
16 Madison and Mitchellville prisons, associated with construction  
17 projects at the department:

18 ..... \$ 322,500

19 ~~The appropriation made in this section constitutes approval~~  
20 ~~by the general assembly for the issuance of bonds by the~~  
21 ~~treasurer of state pursuant to section 12.80.~~

22 Sec. 29. 2010 Iowa Acts, chapter 1184, section 37, is  
23 amended to read as follows:

24 SEC. 37. SITE DEVELOPMENT CONSULTATIONS

25 APPROPRIATION. There is appropriated from the school  
26 infrastructure fund created in section 12.82 to the department  
27 of economic development for the fiscal year beginning July  
28 1, 2010, and ending June 30, 2011, the following amount, or  
29 so much thereof as is necessary, to be used for the purposes  
30 designated:

31 For providing site development consultations pursuant to  
32 section 15E.18, including salaries, support, maintenance,  
33 miscellaneous purposes, and for not more than the following  
34 full-time equivalent positions, notwithstanding section 12.82,  
35 subsection 1:

1 .....	\$	175,000
2 .....	FTEs	1.00

3 Of the moneys appropriated to the department pursuant to  
 4 this section, the department may allocate up to \$75,000 for  
 5 purposes of contracting with third parties to provide site  
 6 development consultations.

7 Sec. 30. 2010 Iowa Acts, chapter 1184, section 39, is  
 8 amended to read as follows:

9 SEC. 39. BUSINESS ASSISTANCE INTERNET SITE

10 APPROPRIATION. There is appropriated from the school  
 11 infrastructure fund created in section 12.82 to the department  
 12 of economic development for the fiscal year beginning July  
 13 1, 2010, and ending June 30, 2011, the following amount, or  
 14 so much thereof as is necessary, to be used for the purposes  
 15 designated:

16 For purposes of creating a business assistance internet  
 17 site, notwithstanding section 12.82, subsection 1:

18 .....	\$	20,000
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19 Sec. 31. 2010 Iowa Acts, chapter 1184, section 43, is  
 20 amended to read as follows:

21 SEC. 43. SAVE OUR SMALL BUSINESSES FUND

22 APPROPRIATION. There is appropriated from the school  
 23 infrastructure fund created in section 12.82 to the department  
 24 of economic development for deposit in the save our small  
 25 businesses fund for the fiscal year beginning July 1, 2010, and  
 26 ending June 30, 2011, the following amount, or so much thereof  
 27 as is necessary, to be used for the purposes designated,  
 28 notwithstanding section 12.82, subsection 1:

29 For purposes of providing financial assistance under the  
 30 save our small businesses program under section 15.301:

31 .....	\$	5,000,000
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32 Of the moneys appropriated pursuant to this section, the  
 33 department may allocate an amount not to exceed two percent of  
 34 the moneys appropriated for purposes of retaining the services  
 35 of an organization designated pursuant to section 15.301,

1 subsection 2, paragraph "b".

2 Sec. 32. 2010 Iowa Acts, chapter 1193, section 6, is amended  
3 to read as follows:

4 SEC. 6. INSTRUCTIONAL SUPPORT STATE AID —  
5 APPROPRIATION. In lieu of the appropriation provided  
6 in section 257.20, there is appropriated from the school  
7 infrastructure fund created in section 12.82, subsection 1,  
8 to the department of education for the fiscal year beginning  
9 July 1, 2010, and ending June 30, 2011, the following amount,  
10 or so much thereof as is necessary, to be used for the purposes  
11 designated:

12 For paying instructional support state aid for fiscal year  
13 2010-2011, notwithstanding section 12.82, subsection 1:  
14 ..... \$ 7,500,000

15 Notwithstanding section 257.20, subsection 3, the  
16 appropriation made in this lettered paragraph shall be  
17 allocated in the same manner as the allocation of the  
18 appropriation was made for the same purpose in the previous  
19 fiscal year.

20 Sec. 33. 2011 Iowa Acts, House File 45, section 2,  
21 subsection 2, is amended by adding the following new paragraph:

22 c. This subsection shall not apply to any appropriations  
23 for the fiscal year beginning July 1, 2010, receiving a  
24 supplemental appropriation under 2011 Iowa Acts, Senate File  
25 209, or any multiyear appropriation that includes the fiscal  
26 year beginning July 1, 2009, for equipment as determined by the  
27 department of management.

28 Sec. 34. EFFECTIVE UPON ENACTMENT. This division of this  
29 Act, being deemed of immediate importance, takes effect upon  
30 enactment.

31 Sec. 35. RETROACTIVE APPLICABILITY. The provision of this  
32 division of this Act amending 2011 Iowa Acts, House File 45,  
33 section 2, subsection 2, applies retroactively to March 7,  
34 2011.

35 DIVISION VIII

1 MISCELLANEOUS

2 Sec. 36. WELCOME CENTER DESIGNATION.

3 Notwithstanding any provision of section 15.272 to the  
4 contrary, the department of economic development shall by  
5 January 1, 2012, select a site in or near the city of Nashua for  
6 designation as a statewide welcome center under the statewide  
7 welcome center program.

8 Sec. 37. IOWA BUILDING LEASES. The department of  
9 administrative services may utilize space in the Iowa building  
10 for purposes of entering into short term leases with persons  
11 associated with the media who request space for the purpose  
12 of providing media coverage of the 2012 Iowa presidential  
13 caucuses. Moneys received pursuant to any such lease  
14 agreements shall be retained by and are appropriated to the  
15 department for purposes of operational costs of the Iowa  
16 building.

17 Sec. 38. STATE EMPLOYEE WORK ENVIRONMENT ANALYSIS AND  
18 REPORT. By October 30, 2011, the department of administrative  
19 services shall conduct a high level needs analysis of state  
20 employee work stations and office standards, focusing on  
21 reducing square footage needs and creating healthy, productive,  
22 and efficient work environments. Overall objectives of the  
23 analysis shall include improving employee density; properly  
24 allocating space for individual and group work; improving  
25 worker health and safety; improving technology integration;  
26 and improving energy efficiency and sustainability in  
27 state offices. The department shall submit findings and  
28 recommendations to the capitol planning commission and to the  
29 legislative government oversight committee by November 30,  
30 2011.

31 DIVISION IX  
32 CONDITIONAL EFFECTIVE DATE  
33 AND RETROACTIVE APPLICABILITY

34 Sec. 39. EFFECTIVE DATE AND RETROACTIVE  
35 APPLICABILITY. Unless otherwise provided, this Act, if



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1 approved by the governor on or after July 1, 2011, takes effect  
2 upon enactment and applies retroactively to July 1, 2011.