

# **Standing Appropriations Bill House File 2797**

Last Action:

**House Floor**

May 2, 2006

**An Act relating to state and local finances by providing for funding of property tax credits and reimbursements, by making, increasing, reducing, and transferring appropriations, providing for salaries and compensation of State employees, providing for fees and penalties, providing tax exemptions, and providing for properly related matters, and including effective and retroactive applicability date provisions.**

**Fiscal Services Division  
Legislative Services Agency**

## **NOTES ON BILLS AND AMENDMENTS (NOBA)**

Available on line at <http://www3.legis.state.ia.us/noba/index.jsp>

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# EXECUTIVE SUMMARY NOTES ON BILLS AND AMENDMENTS

# HOUSE FILE 2797 STANDING APPROPRIATIONS BILL

## FUNDING SUMMARY

## DIVISION I – MENTAL HEALTH ALLOWED GROWTH DIVISION II – STANDING APPROPRIATIONS AND REVENUE ESTIMATE

- The Bill appropriates a total of \$147.6 million from the General Fund. This is an increase of \$26.1 million compared to the estimated FY 2006 appropriations for the affected budget units in this Bill. The Bill also appropriates \$171.0 million from other funds. This is an increase of \$8.1 million compared to the estimated FY 2006 appropriations for the affected budget units. In addition, the Bill adds 1.0 FTE position to the Department of Human Rights for the Asian and Pacific Islanders Division.
- Appropriates \$43.3 million from the General Fund for FY 2008 for Mental Health Allowed Growth, and specifies distribution of the funds. (Page 1, Line 3)
- Allows the Executive Branch to continue to use the budgeting-for-results process for FY 2008 in lieu of the information currently required by statute. (Page 2, Line 11)
- Reduces the FY 2007 General Fund standing appropriation to the General Assembly and Legislative Agencies by \$1.3 million. (Page 2, Line 31)
- Limits the following FY 2007 General Fund standing appropriations to the amounts specified to maintain the current level of funding:
  - Department of Education for Instructional Support - \$14.4 million. (Page 3, Line 12)
  - Department of Education for At-Risk Children Programs - \$11.3 million. (Page 3, Line 15)
  - Department of Education for Non-Public Transportation - \$8.6 million. (Page 3, Line 21)
  - Department of Education for the Educational Excellence Program - \$55.5 million. (Page 3, Line 28)
  - Department of Revenue for the Statewide Fire and Police Officer Retirement Fund - \$2.7 million. (Page 3, Line 31)
- Notwithstanding certain General Fund standing appropriations, as well as conflicting and voting provisions of Section 8.56, Code of Iowa, dealing with the Cash Reserve Fund, and deposits \$159.9 million from the FY 2006 ending surplus into the Property Tax Credit Fund, and then makes appropriations from the Property Tax Credit Fund for the following property tax credits and exemptions:
  - Appropriates \$102.9 million for the Homestead Property Tax Credit. (Page 4, Line 19)
  - Appropriates \$34.6 million for the Agricultural Land and Family Farm Tax Credit. (Page 4, Line 22)
  - Appropriates \$2.8 million for the Military Service Tax Credit. This is an increase of \$205,000 compared to FY 2006 increased veterans' exemptions in HF 2751 (Military Service Tax Credit). (Page 4, Line 25)
  - Appropriates \$19.5 million for the Elderly and Disabled Tax Credit. (Page 4, Line 28)
- Reduces the State aid allocation for Area Education Agencies (AEAs) by \$8.0 million for FY 2007 continuing the additional reduction from previous years. (Page 5, Line 20)

## EXECUTIVE SUMMARY NOTES ON BILLS AND AMENDMENTS

## HOUSE FILE 2797 STANDING APPROPRIATIONS BILL

### DIVISION II – STANDING APPROPRIATIONS AND REVENUE ESTIMATE (CONTINUED)

### DIVISION III – SALARIES, COMPENSATION, AND RELATED MATTERS

### DIVISION IV – OTHER APPROPRIATIONS

- Notwithstanding the requirement that an appropriation be made from the General Fund to the Cash Reserve Fund in the event that the Cash Reserve does not maintain a maximum balance equal to 7.5% of the Revenue Estimating Conference estimate for FY 2007 as established in December 2005. (Page 6, Line 6)
- Provides that the Revenue Estimating Conference (REC) revenue estimate of March 24, 2006, is to be used to determine the expenditure limitation for FY 2007, instead of the December 12, 2005, estimate. (Page 6, Line 10)
- Specifies that the Section of the Bill creating the Property Tax Credit Fund is effective on enactment. (Page 6, Line 28)
- Specifies that the Section of the Bill relating to the use of the March 24, 2006, revenue estimate is effective on enactment and applies retroactively to January 9, 2006. (Page 6, Line 31)
- Provides salary increases for justices, judges, and magistrates for FY 2007. Increases are effective July 1, 2006. (Page 7, Line 5)
- Provides salary range adjustments for appointed officials for FY 2007, effective June 30, 2006. (Page 8, Line 17)
- Appropriates \$29.0 million from the General Fund to the Salary Adjustment Fund for FY 2007 for the negotiated bargaining agreements for contract-covered employees and noncontract employees, excluding the State Board of Regents. (Page 11, Line 31)
- Provides a 2.0% increase to the pay range maximum effective June 30, 2006, and merit step increases for noncontract employees of the State for FY 2007. (Page 12, Line 33)
- Appropriates Road Use Tax Fund (RUTF) and Primary Road Fund (PRF) moneys to pay salary increases for employees supported from these Funds. (Page 13, Line 31 and Page 14, Line 4)
- Specifies that sworn peace officers in the Department of Public Safety, not covered by a collective bargaining agreement, receive the same per diem meal allowance as covered sworn peace officers. (Page 15, Line 2)
- Extends the American Federation of State, County, and Municipal Employees (AFSCME) Sick Leave Conversion Program to noncontract-covered Executive Branch employees, excluding the Board of Regents employees. (Page 15, Line 9)
- Specifies that the Public Broadcasting Board will set the salary for the Administrator of the Division of Public Broadcasting in the Department of Education. (Page 15, Line 20)
- Appropriates \$4.5 million from the General Fund to the Veterans Trust Fund for FY 2007. (Page 19, Line 1)
- Appropriates \$1.0 million from the General Fund to the Department of Veterans' Affairs for matching grants to counties for veterans' services. (Page 19, Line 6)

## EXECUTIVE SUMMARY NOTES ON BILLS AND AMENDMENTS

## HOUSE FILE 2797 STANDING APPROPRIATIONS BILL

### DIVISION IV – OTHER APPROPRIATIONS (CONTINUED)

- Appropriates \$200,000 from the General Fund to the Board of Regents for the Real Estate Education Program at the University of Northern Iowa for FY 2008. (Page 20, Line 31)
- Permits a transfer of up to \$2.8 million of the General Fund ending balance for FY 2006 to the Board of Regents. (Page 21, Line 11)
- Appropriates \$250,000 from the General Fund to the Department of Cultural Affairs for Historic Resource Development Program emergency grants. (Page 22, Line 13)
- Appropriates \$100,000 from the General Fund to the Department of Justice for farm mediation services. (Page 22, Line 19)
- Establishes the Sustainable Natural Resource Funding Study Advisory Committee to study sustainable sources of funding for natural resources in Iowa. (Page 22, Line 28)
- Requires the transfer of assets held in, and any funds received by, the Housing Improvement Fund to the State Housing Trust Fund. Approximately \$2.2 million currently in the Housing Improvement Fund will be transferred and an additional \$2.5 million will be available for transfer upon the repayment to the Housing Improvement Fund of outstanding loans. (Page 24, Line 21)
- Permits the Department of Inspections and Appeals (DIA) to conduct inspection of food establishments and hire additional staff to conduct the inspections if municipal corporations performing the inspections fail to renew the agreement and receives Department of Management (DOM) approval. (Page 24, Line 29)
- Extends the \$29.3 million Early Intervention Block Grant appropriation through FY 2007. (Page 25, Line 25)
- Requires the Iowa Finance Authority (IFA) to submit a report to the General Assembly by October 1, 2009, regarding the status of the Housing Trust Fund. (Page 26, Line 2)
- Specifies that it is the intent of the General Assembly to make the following appropriations from the General Fund to the Housing Trust Fund (Page 26, Line 9):
  - FY 2008: \$2.0 million
  - FY 2009: \$3.0 million
  - FY 2010: \$4.0 million
- Specifies that the Section of this Bill transferring up to \$2.8 million of the General Fund ending balance for FY 2006 to the Board of Regents takes effect on enactment. (Page 26, Line 33)
- Specifies that the section of this Bill permitting the DIA to receive an appropriation of food establishment inspection fees and hire addition staff to conduct them takes effect on enactment. (Page 27, Line 2)

## **EXECUTIVE SUMMARY NOTES ON BILLS AND AMENDMENTS**

## **HOUSE FILE 2797 STANDING APPROPRIATIONS BILL**

### **DIVISION V – MISCELLANEOUS STATUTORY CHANGES**

- Permits the Executive Council to approve and pay for expenses incurred by the Department of Public Health related to the purchase, storing, and distribution of antiviral treatment courses. (Page 27, Line 8)
- Forgives the principle loan and interest for a specific loan made by the Iowa Agricultural Finance Corporation. (Page 27, Line 19)
- Provides employment protection to the Civil Air Patrol members allowing them to participate in emergency operations, and increases the penalty for the false wearing of a military uniform. (Page 29, Line 1 through Page 31, Line 3)
- Makes school districts that are required to repay property taxes because of a Property Assessment Appeal Board or judicial action reducing a property tax assessment eligible for an adjustment in State Foundation Aid. (Page 40, Line 23)
- Adds canines that are produced at licensed facilities to the definition of farm products and agricultural production, and exempts licensed canine producers from paying sales tax on items related to the production of canines. (Page 42, Line 30 and Page 43, Line 26)
- Changes the definition of a Non-Profit Community Housing Development Organization that is exempt from property taxes. (Page 43, Line 34)
- The Section of the Bill amending the section relating to Nonprofit Housing Development Property Tax Exemption takes effect upon enactment and applies retroactively to January 1, 2005 for assessment years beginning on or after that date. (Page 46, Line 11)
- Creates a Risk Management Coordinator within the Department of Management. (Page 46, Line 21)
- Makes numerous statutory changes regarding claims against or by the State. (Page 47, Line 7 through Page 50, Line 16)
- Makes numerous statutory changes regarding State Tort Claims. (Page 50, Line 17 through Page 55, Line 15)

### **DIVISION VI – SETTLEMENT OF STATE FINANCIAL AND TORT CLAIMS**

House File 2797

House File 2797 provides for the following changes to the Code of Iowa.

Page #	Line #	Bill Section	Action	Code Section	Description
3	2	4	Nwthstnd	Sec. Various	Limits Various Standing Appropriations
3	9	4	Nwthstnd	Sec. 123.53(3)	Substance Abuse Treatment and Prevention Standing Appropriation Limitation
3	12	4	Nwthstnd	Sec. 257.20	Instruction Support Standing Appropriation Limitation
3	15	4	Nwthstnd	Sec. 279.51(1)	At-Risk Children Programs Standing Appropriation Limitation
3	21	4	Nwthstnd	Sec. 285.2	Nonpublic School Transportation Standing Appropriation Limitation
3	28	4	Nwthstnd	Sec. 294A.25(1)	Educational Excellence Program Standing Appropriation Limitation
3	31	4	Nwthstnd	Sec. 411.20	Peace Officers' Retirement Benefits Standing Appropriation Limitation
4	1	5	Nwthstnd	Sec. 8.57	General Fund Surplus Appropriation to Property Tax Credit Fund
4	10	5	Nwthstnd	Sec. 8.56	General Fund Standing Appropriation and Cash Reserve Fund Provisions Notwithstanding
4	19	5	Nwthstnd	Sec. 425.1	Homestead Property Tax Credit
4	22	5	Nwthstnd	Sec. 425A.1 and 426.1	Agriculture Land and Family Farm Tax Credits
4	25	5	Nwthstnd	Sec. 426A.1A	Military Services Tax Credit
4	28	5	Nwthstnd	Sec. 425.16 through 425.40	Elderly and Disabled Tax Credit
5	20	6	Nwthstnd	Sec. 257.35(4)	State Aid Reduction for Area Education Agencies
6	6	8	Nwthstnd	Sec. 8.57(1)(a)	Cash Reserve Appropriation
6	10	9	Nwthstnd	Sec. 8.22A(3)	Revenue Estimate
8	17	12	Nwthstnd	Sec. 20.5(3)	Public Employment Relations Board Member Salaries
15	20	22	Amends	Sec. 256.81(1)	Public Broadcasting Administrator's Salary
15	33	23	Amends	Sec. 256.82(1)	Public Broadcasting Technical Correction
16	6	24	Amends	Sec. 256.82(1)(a)(1)(2)	Public Broadcasting Technical Correction

Page #	Line #	Bill Section	Action	Code Section	Description
16	15	25	Amends	Sec. 256.82(1)(b)(4)	Public Broadcasting
16	22	26	Amends	Sec. 256.84(1)	Public Broadcasting
16	28	26	Amends	Sec. 256.84(2)	Public Broadcasting
16	31	27	Amends	Sec. 256.84(5)	Public Broadcasting
16	35	28	Adds	Sec. 256.84(11)	Public Broadcasting Contracting
17	14	28	Adds	Sec. 256.84(12)	Public Broadcasting Budget Requests
17	18	29	Amends	Sec. 256.85	Public Broadcasting Technical Correction
17	25	30	Amends	421.1A(6), Code Supplement 2005	Property Assessment Appeal Board
17	35	31	Repeals	Sec. 256.89	Public Broadcasting
21	11	39	Nwthstnd	Sec. 8.62	Transfer from the General Fund Ending Balance to the Board of Regents
22	13	41.2	Nwthstnd	Sec. 303.16(6)(d)	Emergency Grants for Historic Preservation Projects
24	4	44	Amends	Sec. 1.2, Chapter 174, 2001 Iowa Acts, as amended	Repeal of General Fund Appropriation to Endowment for Iowa's Health Account
24	21	45	Adds	Sec. 16.100(a)	Housing Improvement and Housing Trust Funds
24	29	46.1	Adds	Sec. 137F.3A	Municipal Corporation Inspections
25	16	46.2	Nwthstnd	Sec. All, Chapter 137D, Sec. 137C.9 and 137F.6	Inspections and Appeals - Contingent Appropriation
25	25	47	Amends	Sec. 256D.5(4)	Early Intervention Block Grant
25	30	48	Amends	Sec. 4.4, Chapter 175, as amended by HF 2080	Enduring Families Program
27	8	54	Adds	Sec. 7D.29, as amended by SF 2273	Executive Council
27	19	55	Adds	Sec. 15E.208(3)(b)(2)(e)	Loan Forgiveness
27	30	56	Amends	Sec. 15G.119(4)(c), as enacted by HF 2759	Renewable Fuel Infrastructure Fund
28	6	57	Amends	Sec. 22.7(52), as enacted by HF 2706	Confidential Records
28	18	58	Adds	Sec. 22.7(53 & 54), Code Supplement 2005	Confidential Records
29	1	59	Amends	Sec. 29A.28(1 and 3)	Civil Air Patrol
30	1	60	Amends	Sec. 29A.40	Civil Air Patrol

Page #	Line #	Bill Section	Action	Code Section	Description
30	8	61	Amends	Sec. 29A.43(1), Code Supplement 2005	Civil Air Patrol
31	4	62	Amends	Sec. 29C.8(3)(f), Code Supplement 2005	Emergency Management and Security
32	11	63	Amends	Sec. 29C.20(1)(a)(5), Code Supplement 2005	Emergency Management and Security
32	20	64	Amends	Sec. 29C.20(1)(b), Code Supplement 2005	Emergency Management and Security
33	8	65	Amends	Sec. 35A.5(9), Code Supplement 2005	Veterans Cemetery Land
34	9	66	Amends	Sec. 35A.13	Future Veterans Trust Fund Appropriations
34	19	67	Amends	35A.13(6)	Veterans Trust Fund
35	7	68	Adds	Sec. 35A.13(6A)	Use of Veterans Trust Fund
35	15	69	Amends	Sec. 68B.32A(2), Code Supplement 2005	Government Ethics and Lobbying
35	27	70	Adds	Sec. 70A.15A	Charitable Giving Payroll Deductions
37	2	71	Amends	Sec. 103A.10(2)	State Building Code
37	8	72	Adds	Sec. 103A.10A	Construction Plan Reviews and Inspections
38	17	73	Amends	Sec. 147.106 (1)(e), Code Supplement 2005	Anatomic Pathology Services Billing
38	26	74	Amends	Sec. 147.106(5), Code Supplement 2005	Anatomic Pathology Services Billing
38	35	75	Amends	Sec. 255C.48(1), if enacted	Family Support Council
39	27	76	Amends	Sec. 232.147(2)(b), if enacted by HF 2651	Juvenile Court Records
40	19	77	Amends	Sec. 232.149A(3), if enacted by HF 2651	Juvenile Court Records
40	23	78	Adds	Sec. 257.12	State Foundation Aid Adjustment
41	22	79	Amends	Sec. 275.15	Appeal of School District Reorganization
42	1	80	Amends	Sec. 314.1(2), as amended by HF 2713	Competitive Bidding
42	30	81	Amends	Sec. 352.2(7)	Definition of Farm Products
43	6	82	Amends	Sec. 421.17(27)(j), as enacted by HF 2521	Collection Enterprise Services



Page #	Line #	Bill Section	Action	Code Section	Description
43	26	83	Amends	Sec. 423.1(3), Code Supplement 2005	Definition of Agricultural Production
43	34	84	Amends	Sec. 427.1(21A), Code Supplement 2005	Nonprofit Housing Development Property Tax Exemption
44	14	85	Adds	Sec. 441.38A	School District Notice of Property Tax Assessment Appeal
44	23	86	Amends	Sec. 466A.3(1)(b), Code Supplement 2005	Ex Officio Members of the Watershed Improvement Review Board
45	2	87	Amends	Sec. 631.14	Small Claims for Residential Rental Property
45	35	88	Amends	Sec. 1.2(b), SF 2251, 2006 Iowa Acts	Healthy Children Task Force
46	21	90	Adds	Sec. 8.6(15)	Risk Manager Coordinator Position
47	7	91	Amends	Sec. 8A.512(1)(b)(3)	Claims Against the State Conforming Correction
47	11	92	Amends	Sec. 22.7(32), Code Supplement 2005	Confidential Records Conforming Correction
47	25	93	Amends	Sec. 25.1(1)	Claims Against the State
48	1	94	Repeals	Sec. 25.1(3)	Claims Filed Directly with State Agencies
48	3	95	Repeals	Sec. 25.1	Authority to Pay Certain Claims
48	5	96	Amends	Sec. 25.2(1)	Payment of Outdated Invoices
48	11	97	Amends	Sec. 25.2(1)(a)	Outdated Warrants
48	13	98	Adds	Sec. 25.2(1A)	Outstanding Claims
48	20	99	Amends	Sec. 25.2(2)	Payment and Reporting of Certain Outstanding Claims
49	6	100	Amends	Sec. 25.2(4)	Outdated Warrants
49	13	101	Amends	Sec. 25.2(5)	Outdated Warrants
49	15	102	Adds	Sec. 556.2C	Outdated Warrants
50	12	103	Amends	Sec. 556.18(2)	Outstanding Warrants
50	17	104	Amends	Sec. 669.2(2), Code Supplement 2005	State Tort Claims
50	23	105	Amends	Sec. 669.3	Adjustment and Settlement of Claims
51	9	106	Amends	Sec. 669.4	Lawsuits Against State Employees
51	11	107	Amends	Sec. 669.5	Lawsuits Against State Employees
52	17	108	Amends	Sec. 669.13	State Tort Claims
53	12	109	Amends	Sec. 669.15	State Tort Claims

Page #	Line #	Bill Section	Action	Code Section	Description
53	29	110	Amends	Sec. 669.18	State Tort Claims
54	9	111	Amends	Sec. 669.19	State Tort Claims
54	20	112	Amends	Sec. 669.20	State Tort Claims
54	29	113	Amends	Sec. 669.21	Employee Indemnification
55	18	114	Amends	Sec. 8A.204(3)(g), as enacted by HF 2705	Technology Governance Board Technical Correction
55	31	115	Amends	Sec. 35A.14(3), as enacted by SF 2312	Electronic Health Records Technical Correction
56	13	116	Amends	Sec. 70A.23(3)(a), as enacted by SF 2231	Sick Leave Conversion Technical Correction
56	25	117	Amends	Sec. 91.4(9), as amended by HF 2586	Debt Collection Technical Correction
57	2	118	Amends	Sec. 123.3(7), as amended by SF 2305	Wine Definition and Inspection Technical Correction
57	13	119	Amends	Sec. 124.506A(1), as enacted by HF 2696	Controlled Substances - Disposal Technical Correction
57	25	120	Amends	Sec. 266.27, as amended by SF 2253	Substantative Code Editor's Act Technical Correction
57	33	121	Amends	Sec. 331.756(44)	Duties of the County Attorney
57	35	122	Amends	Sec. 455G.31(2)(a), if enacted by HF 2754	Renewable Fuel Incentive Bill
58	8	123	Amends	Sec. 541A.3(1), as amended HF 2644	Individual Development Account
58	25	124	Amends	Sec. 602.8102(38), Code Supplement 2005	Clerk of Court Duties for Voluntary Civil Commitment Cases
58	27	125	Amends	Sec. 2.1(d), HF 2238	Technical Correction
59	16	126	Amends	Sec. 97B.1A(24)(c), as amended by HF 2245	IPERS - Contingent Repeal
59	21	127	Adds	Sec. 23A, HF 2713	Charter Schools

1 1 DIVISION I  
1 2 MH/MR/DD ALLOWED GROWTH FUNDING

1 3 Section 1. COUNTY MENTAL HEALTH, MENTAL RETARDATION, AND  
1 4 DEVELOPMENTAL DISABILITIES ALLOWED GROWTH FACTOR  
ALLOCATIONS

1 5 -- FISCAL YEAR 2007-2008.

1 6 1. There is appropriated from the general fund of the  
1 7 state to the department of human services for the fiscal year  
1 8 beginning July 1, 2007, and ending June 30, 2008, the  
1 9 following amount, or so much thereof as is necessary, to be  
1 10 used for the purpose designated:

1 11 For distribution to counties of the county mental health,  
1 12 mental retardation, and developmental disabilities allowed  
1 13 growth factor adjustment, as provided in this section in lieu  
1 14 of the provisions of section 331.438, subsection 2, and  
1 15 section 331.439, subsection 3, and chapter 426B:

1 16 ..... \$ 43,287,141

1 17 2. The funding appropriated in this section is the allowed  
1 18 growth factor adjustment for fiscal year 2007-2008, and is  
1 19 allocated as follows:

1 20 a. For distribution to counties for fiscal year 2007-2008  
1 21 in accordance with the formula in section 331.438, subsection  
1 22 2, paragraph "b":

1 23 ..... \$ 12,000,000

1 24 b. For deposit in the per capita expenditure target pool  
1 25 created in the property tax relief fund and for distribution  
1 26 in accordance with section 426B.5, subsection 1:

1 27 ..... \$ 24,360,548

1 28 c. For deposit in the risk pool created in the property  
1 29 tax relief fund and for distribution in accordance with  
1 30 section 426B.5, subsection 2:

1 31 ..... \$ 2,000,000

1 32 d. For expansion of services to persons with brain injury  
1 33 in accordance with the law enacted by the Eighty-first General  
1 34 Assembly, 2006 Session, as law providing for such expansion of

General Fund appropriation for the Mental Health, Mental Retardation, Developmental Disabilities, and Brain Injury (MH/MR/DD/BI) allowed growth for FY 2008.

DETAIL: This is an increase of \$7,499,041 compared to the estimated FY 2007 appropriation. This represents a 3.00% increase in the formula that generates this appropriation. Of that 3.00%, 2.00% is allocated for the MH/MR/DD services and 1.00% is allocated for the brain injury services.

1 35 services to commence in the fiscal year beginning July 1,  
2 1 2006:  
2 2 ..... \$ 4,926,593

2 3 If 2006 Iowa Acts, House File 2772, is enacted by the  
2 4 Eighty-first General Assembly, 2006 Session, the allocation  
2 5 made in this lettered paragraph shall be transferred to the  
2 6 Iowa department of public health to be used for the brain  
2 7 injury services program created pursuant to that Act.

Contingent transfer of the FY 2008 appropriation for brain injury services to the Department of Public Health.

2 8 DIVISION II  
2 9 STANDING APPROPRIATIONS  
2 10 AND REVENUE ESTIMATE

2 11 Sec. 2. BUDGET PROCESS FOR FISCAL YEAR 2007-2008.  
2 12 1. For the budget process applicable to the fiscal year  
2 13 beginning July 1, 2007, on or before October 1, 2006, in lieu  
2 14 of the information specified in section 8.23, subsection 1,  
2 15 unnumbered paragraph 1, and paragraph "a", all departments and  
2 16 establishments of the government shall transmit to the  
2 17 director of the department of management, on blanks to be  
2 18 furnished by the director, estimates of their expenditure  
2 19 requirements, including every proposed expenditure, for the  
2 20 ensuing fiscal year, together with supporting data and  
2 21 explanations as called for by the director of the department  
2 22 of management after consultation with the legislative services  
2 23 agency.  
2 24 2. The estimates of expenditure requirements shall be in a  
2 25 form specified by the director of the department of  
2 26 management, and the expenditure requirements shall include all  
2 27 proposed expenditures and shall be prioritized by program or  
2 28 the results to be achieved. The estimates shall be  
2 29 accompanied by performance measures for evaluating the  
2 30 effectiveness of the programs or results.

Allows the Executive Branch to continue to use the budgeting-for-results process for FY 2008, in lieu of the information currently required by statute. Requires all State departments and agencies to submit estimates of expenditure requirements, along with supporting data and explanations, to the Director of the Department of Management (DOM). Requires consultation with the Legislative Services Agency. Information submitted is also to include performance measure data.

2 31 Sec. 3. GENERAL ASSEMBLY. The appropriations made  
 2 32 pursuant to section 2.12 for the expenses of the general  
 2 33 assembly and legislative agencies for the fiscal year  
 2 34 beginning July 1, 2006, and ending June 30, 2007, are reduced  
 2 35 by the following amount:  
 3 1 ..... \$ 1,267,106

Reduces the FY 2007 General Fund standing appropriation to the General Assembly and legislative agencies from \$32,476,738 to \$31,209,632.

3 2 Sec. 4. LIMITATION OF STANDING APPROPRIATIONS.  
 3 3 Notwithstanding the standing appropriations in the following  
 3 4 designated sections for the fiscal year beginning July 1,  
 3 5 2006, and ending June 30, 2007, the amounts appropriated from  
 3 6 the general fund of the state pursuant to those sections for  
 3 7 the following designated purposes shall not exceed the  
 3 8 following amounts:

CODE: Limits various standing appropriations in the amounts specified.

3 9 1. For substance abuse treatment and prevention under  
 3 10 section 123.53, subsection 3:  
 3 11 ..... \$ 0

CODE: Eliminates the \$2,000,000 General Fund standing appropriation to the Department of Public Health for substance abuse treatment and prevention for FY 2007.

DETAIL: House File 2743 (FY 2007 Healthy Iowans Tobacco Trust Appropriations Bill) provides an increase of \$2,000,000 from the Healthy Iowans Tobacco Trust for substance abuse treatment for FY 2007.

3 12 2. For instructional support state aid under section  
 3 13 257.20:  
 3 14 ..... \$ 14,428,271

CODE: Limits the FY 2007 standing appropriation to the Department of Education for Instructional Support.

DETAIL: Maintains current level of funding.

3 15 3. For at-risk children programs under section 279.51,  
 3 16 subsection 1:  
 3 17 ..... \$ 11,271,000

CODE: Limits the FY 2007 standing appropriation to the Department of Education for At-Risk Children Programs (Child Development).

DETAIL: Maintains current level of funding.

3 18 The amount of any reduction in this subsection shall be

Requires reductions to be prorated among the following programs:

3 19 prorated among the programs specified in section 279.51,  
3 20 subsection 1, paragraphs "a", "b", and "c".

- Area Education Agency funding to assist schools in planning for early childhood education.
- Childhood Development Coordinating Council.
- Grants to schools with the greatest need for at-risk programming.

3 21 4. For payment for nonpublic school transportation under  
3 22 section 285.2:

3 23 ..... \$ 8,604,714

CODE: Limits the FY 2007 standing appropriation to the Department of Education for nonpublic school transportation.

DETAIL: This is an increase of \$330,951 compared to the estimated FY 2006 appropriation.

3 24 If total approved claims for reimbursement for nonpublic  
3 25 school pupil transportation claims exceed the amount  
3 26 appropriated in this section, the department of education  
3 27 shall prorate the amount of each claim.

Requires the Department of Education to prorate payment of claims for nonpublic school transportation reimbursement, if the claims exceed the appropriated amount.

3 28 5. For the educational excellence program under section  
3 29 294A.25, subsection 1:

3 30 ..... \$ 55,469,053

CODE: Limits the FY 2007 standing appropriation to the Department of Education for the Educational Excellence Program.

DETAIL: Maintains current level of funding.

3 31 6. For the state's share of the cost of the peace  
3 32 officers' retirement benefits under section 411.20:

3 33 ..... \$ 2,745,784

CODE: Limits the FY 2007 standing appropriation to the Statewide Fire and Police Retirement System for the State contribution to the Municipal Fire and Police Officer Retirement Fund.

DETAIL: Maintains current level of funding.

3 34 Sec. 5. PROPERTY TAX CREDIT FUND -- PAYMENTS IN LIEU OF  
3 35 GENERAL FUND REIMBURSEMENT.

4 1 1. Notwithstanding section 8.57, prior to the  
4 2 appropriation and distribution to the senior living trust fund

CODE: Appropriates \$159,868,964 to the Property Tax Credit Fund established in the Office of the Treasurer from the FY 2006 General

4 3 and the cash reserve fund of the surplus existing in the  
 4 4 general fund of the state at the conclusion of the fiscal year  
 4 5 beginning July 1, 2005, and ending June 30, 2006, pursuant to  
 4 6 section 8.57, subsections 1 and 2, of that surplus,  
 4 7 \$159,868,964 is appropriated to the property tax credit fund  
 4 8 which shall be created in the office of the treasurer of state  
 4 9 to be used for the purposes of this section.

Fund surplus, prior to the appropriation and distribution to the Cash Reserve Fund.

4 10 2. Notwithstanding the amount of the standing  
 4 11 appropriation from the general fund of the state in the  
 4 12 following designated sections and notwithstanding any  
 4 13 conflicting provisions or voting requirements of section 8.56,  
 4 14 there is appropriated from the property tax credit fund in  
 4 15 lieu of the appropriations in the following designated  
 4 16 sections for the fiscal year beginning July 1, 2006, and  
 4 17 ending June 30, 2007, the following amounts for the following  
 4 18 designated purposes:

CODE: Notwithstanding General Fund standing appropriations in the specified sections and the conflicting provisions and voting requirements of Section 8.56, Code of Iowa, relating to the Cash Reserve Fund, the following appropriations are made from the Property Tax Credit Fund.

4 19 a. For reimbursement for the homestead property tax credit  
 4 20 under section 425.1:

CODE: Property Tax Credit Fund appropriation for the Homestead Property Tax Credit.

4 21 ..... \$102,945,379

DETAIL: Maintains current level of funding. The appropriation is \$28,854,621 less than the projected amount of the FY 2007 credit claims.

4 22 b. For reimbursement for the agricultural land and family  
 4 23 farm tax credits under sections 425A.1 and 426.1:

CODE: Property Tax Credit Fund appropriation for the Agricultural Land and Family Farm Tax Credits.

4 24 ..... \$ 34,610,183

DETAIL: Maintains current level of funding. The appropriation is \$4,489,817 less than the projected amount of the FY 2007 credit claims.

4 25 c. For reimbursement for the military service tax credit  
 4 26 under section 426A.1A:

CODE: Property Tax Credit Fund appropriation for the Military Service Tax Credit.

4 27 ..... \$ 2,773,402

4 28 d. For implementing the elderly and disabled tax credit  
 4 29 and reimbursement pursuant to sections 425.16 through 425.40:  
 4 30 ..... \$ 19,540,000

DETAIL: This is an increase of \$205,000 compared to the estimated net FY 2006 appropriation for the increased veterans' exemptions provided in HF 2751 (FY 2006 Military Service Tax Credit Act).

CODE: Property Tax Credit Fund appropriation for the Elderly and Disabled Tax Credit.

DETAIL: Maintains the current level of funding. The appropriation is \$3,282,675 less than the projected amount of the FY 2007 credit claims.

4 31 If the director of revenue determines that the amount of  
 4 32 claims for credit for property taxes due plus the amount of  
 4 33 claims for reimbursement for rent constituting property taxes  
 4 34 paid which are to be paid during the fiscal year may exceed  
 4 35 the amount appropriated, the director shall estimate the  
 5 1 percentage of the credits and reimbursements which will be  
 5 2 funded by the appropriation. The county treasurer shall  
 5 3 notify the director of the amount of property tax credits  
 5 4 claimed by June 8, 2006. The director shall estimate the  
 5 5 percentage of the property tax credit and rent reimbursement  
 5 6 claims that will be funded by the appropriation and notify the  
 5 7 county treasurer of the percentage estimate by June 15, 2006.  
 5 8 The estimated percentage shall be used in computing for each  
 5 9 claim the amount of property tax credit and reimbursement for  
 5 10 rent constituting property taxes paid for that fiscal year.  
 5 11 If the director overestimates the percentage of funding,  
 5 12 claims for reimbursement for rent constituting property taxes  
 5 13 paid shall be paid until they can no longer be paid at the  
 5 14 estimated percentage of funding. Rent reimbursement claims  
 5 15 filed after that point in time shall receive priority and  
 5 16 shall be paid in the following fiscal year. If the director  
 5 17 underestimates the percentage of funding, the overage shall  
 5 18 remain in the fund established in section 425.39 for payments  
 5 19 to be made in the next fiscal year.

Requires the Department of Revenue to estimate the claims for property tax credits and reimbursement for rent constituting property taxes, using information the county treasurers are required to file by June 8, 2006, and identify the proration percentage if the claims are projected to exceed the appropriations. The Department is to notify the county treasurers of the proration percentage by June 15, 2006. If the Department's estimate is inadequate to pay the claims for rent reimbursement, the remaining claims are to receive priority and be paid in FY 2008. If there are excess funds after claims are paid, the remaining funds are carried forward to the next fiscal year.



5 20 Sec. 6. Section 257.35, subsection 4, Code Supplement  
 5 21 2005, is amended to read as follows:  
 5 22 4. Notwithstanding subsection 1, and in addition to the  
 5 23 reduction applicable pursuant to subsection 2, the state aid  
 5 24 for area education agencies and the portion of the combined  
 5 25 district cost calculated for these agencies for the fiscal  
 5 26 year beginning July 1, ~~2005~~ 2006, shall be reduced by the  
 5 27 department of management by ~~eleven eight million seven hundred~~  
 5 28 ~~ninety eight thousand seven hundred three~~ dollars. The  
 5 29 reduction for each area education agency shall be equal to  
 5 30 prorated based on the reduction that the agency received in  
 5 31 the fiscal year beginning July 1, 2003.

CODE: Continues the additional reduction in Area Education Agency (AEA) funding from previous years.

DETAIL: The FY 2007 reduction of \$8,000,000 is \$3,798,703 less than the FY 2006 reduction. This reduction is in addition to the previously existing statutory \$7,500,000 reduction.

5 32 Sec. 7. 2005 Iowa Acts, chapter 179, section 7, is amended  
 5 33 to read as follows:  
 5 34 SEC. 7. CASH RESERVE APPROPRIATION FOR FY 2005-2006. For  
 5 35 the fiscal year beginning July 1, 2005, and ending June 30,  
 6 1 2006, the appropriation to the cash reserve fund provided in  
 6 2 section 8.57, subsection 1, paragraph "a", shall not be made.  
 6 3 ~~However, any surplus in the general fund of the state for the~~  
 6 4 ~~fiscal year beginning July 1, 2005, and ending June 30, 2006,~~  
 6 5 ~~shall be transferred to the cash reserve fund.~~

CODE: Makes a technical change to HF 882 (FY 2006 Standing Appropriation Act) by repealing language referencing the deposit of the General Fund surplus to the Cash Reserve Fund at the close of FY 2006.

DETAIL: This section of HF 882 notwithstanding the requirement that an appropriation be made from the General Fund to the Cash Reserve Fund in the event that the Cash Reserve does not maintain a maximum balance equal to 7.50% of the Revenue Estimating Conference estimate for FY 2006 as established in December 2004.

6 6 Sec. 8. CASH RESERVE APPROPRIATION FOR FY 2006-2007. For  
 6 7 the fiscal year beginning July 1, 2006, and ending June 30,  
 6 8 2007, the appropriation to the cash reserve fund provided in  
 6 9 section 8.57, subsection 1, paragraph "a", shall not be made.

CODE: Notwithstanding the requirement that an appropriation be made from the General Fund to the Cash Reserve Fund in the event that the Cash Reserve does not maintain a maximum balance equal to 7.50% of the Revenue Estimating Conference estimate for FY 2007 as established in December 2005.

DETAIL: Under current law, if the Cash Reserve Fund balance is less than 6.50% of the adjusted revenue estimate, then an appropriation equal to 1.00% of the adjusted revenue estimate is required. An appropriation equal to 1.00% for FY 2007 is estimated at \$52,615,000. If the Cash Reserve Fund balance is more than 6.50% and less than 7.50% of the adjusted revenue estimate, the appropriation is the amount required to bring the Cash Reserve Fund

balance to 7.50% of the adjusted revenue estimate.

6 10 Sec. 9. MARCH 24, 2006, REVENUE ESTIMATE. For use by the  
6 11 general assembly in the budget process and the governor's  
6 12 approval or disapproval of the appropriations bills for the  
6 13 fiscal year beginning July 1, 2006, and for purposes of  
6 14 calculating the state general fund expenditure limitation  
6 15 pursuant to section 8.54 for the fiscal year beginning July 1,  
6 16 2006, the revenue estimate for the fiscal year beginning July  
6 17 1, 2006, that shall be used in the budget process and such  
6 18 calculation shall be the revenue estimate determined by the  
6 19 revenue estimating conference on March 24, 2006,  
6 20 notwithstanding the provision in section 8.22A, subsection 3,  
6 21 that disallows the use of a revenue estimate agreed to at a  
6 22 later meeting that projects a greater amount than the initial  
6 23 estimated amount agreed to in December 2005. This section  
6 24 also authorizes the use of the estimated revenue figures for  
6 25 the purposes or sources designated in section 8.22A,  
6 26 subsection 5.

CODE: Provides that the Revenue Estimating Conference (REC) revenue estimate of March 24, 2006, is to be used to determine the expenditure limitation for FY 2007, instead of the December 12, 2005, estimate.

FISCAL IMPACT: Using the March 24, 2006, estimate will permit an additional \$46,200,000 to be appropriated for FY 2007.

6 27 Sec. 10. EFFECTIVE AND APPLICABILITY DATES.

6 28 1. The section of this division of this Act creating the  
6 29 property tax credit fund, being deemed of immediate  
6 30 importance, takes effect upon enactment.

Specifies that the Section of this Bill creating the Property Tax Credit Fund is effective upon enactment.

6 31 2. The section of this division of this Act relating to  
6 32 the use of the March 24, 2006, revenue estimate, being deemed  
6 33 of immediate importance, takes effect upon enactment and  
6 34 applies retroactively to January 9, 2006.

Specifies that Section 9 of this Bill, relating to the use of the March 24, 2006, Revenue Estimating Conference (REC) revenue estimate is effective on enactment and retroactive to January 9, 2006.

6 35 3. The section of this division of this Act amending 2005

Provides that the technical correction to HF 882 (FY 2006 Standing Appropriation Act), that repeals language referencing the deposit of

7 1 Iowa Acts, chapter 179, section 7, being deemed of immediate  
7 2 importance, takes effect upon enactment.

the General Fund surplus to the Cash Reserve Fund at the close of  
FY 2006 is effective on enactment.

7 3 DIVISION III  
7 4 SALARIES, COMPENSATION, AND RELATED MATTERS

7 5 Sec. 11. STATE COURTS -- JUSTICES, JUDGES, AND  
7 6 MAGISTRATES.  
7 7 1. The salary rates specified in subsection 2 are for the  
7 8 fiscal year beginning July 1, 2006, effective for the pay  
7 9 period beginning June 30, 2006, and for subsequent fiscal  
7 10 years until otherwise provided by the general assembly. The  
7 11 salaries provided for in this section shall be paid from funds  
7 12 appropriated or otherwise made available to the judicial  
7 13 branch pursuant to other Acts of the general assembly.  
7 14 2. The following annual salary rates shall be paid to the  
7 15 persons holding the judicial positions indicated during the  
7 16 fiscal year beginning July 1, 2006, effective with the pay  
7 17 period beginning June 30, 2006, and for subsequent pay  
7 18 periods.  
7 19 a. Chief justice of the supreme court:  
7 20 ..... \$ 150,110  
7 21 b. Each justice of the supreme court:  
7 22 ..... \$ 144,000  
7 23 c. Chief judge of the court of appeals:  
7 24 ..... \$ 138,960  
7 25 d. Each associate judge of the court of appeals:  
7 26 ..... \$ 134,060  
7 27 e. Each chief judge of a judicial district:  
7 28 ..... \$ 131,000  
7 29 f. Each district judge except the chief judge of a  
7 30 judicial district:  
7 31 ..... \$ 126,020  
7 32 g. Each district associate judge:  
7 33 ..... \$ 111,000

Sets the FY 2007 salary rates for judicial positions and prohibits  
judicial positions from receiving additional salary adjustments under  
this Bill.

DETAIL: Provides salary increases for justices, judges, and  
magistrates, on June 30, 2006, ranging from 13.10% for the Chief  
Justice of the Supreme Court to 4.41% for a Senior Judge. Total cost  
of these salary increases is estimated at \$2,375,290 (8.88%) for FY  
2007. Salary increases for the Judicial Branch are provided for in HF  
2789 (Judicial Branch Fees and Costs Bill). House File 2789  
allocates \$7,000,000 for salary increase for the Judges, Magistrates  
and other employees.

7 34 h. Each associate juvenile judge:  
 7 35 ..... \$ 111,000  
 8 1 i. Each associate probate judge:  
 8 2 ..... \$ 111,000  
 8 3 j. Each judicial magistrate:  
 8 4 ..... \$ 34,200  
 8 5 k. Each senior judge:  
 8 6 ..... \$ 7,100  
 8 7 3. Persons receiving the salary rates established under  
 8 8 this section shall not receive any additional salary  
 8 9 adjustments provided by this division of this Act.  
 8 10 4. The collective bargaining agreements negotiated  
 8 11 pursuant to chapter 20 for employees in the judicial branch of  
 8 12 government bargaining units and the annual pay adjustments,  
 8 13 related benefits, and expense reimbursements of judicial  
 8 14 branch employees not covered by a collective bargaining  
 8 15 agreement shall be paid from funds appropriated or made  
 8 16 available to the judicial branch as provided in subsection 1.

8 17 Sec. 12. APPOINTED STATE OFFICERS. Notwithstanding  
 8 18 section 20.5, subsection 3, the governor shall establish a  
 8 19 salary for appointed nonelected persons in the executive  
 8 20 branch of state government holding a position enumerated in  
 8 21 the section of this division of this Act that addresses the  
 8 22 salary ranges of state officers within the range provided, by  
 8 23 considering, among other items, the experience of the  
 8 24 individual in the position, changes in the duties of the  
 8 25 position, the incumbent's performance of assigned duties, and  
 8 26 subordinates' salaries. However, the attorney general shall  
 8 27 establish the salary for the consumer advocate, the chief  
 8 28 justice of the supreme court shall establish the salary for  
 8 29 the state court administrator, the Iowa public broadcasting  
 8 30 board shall establish the salary for the administrator of the  
 8 31 public broadcasting division of the department of education,  
 8 32 the ethics and campaign disclosure board shall establish the  
 8 33 salary of the executive director, and the state fair board

CODE: Requires the Governor to set the salary for most nonelected State officials within the ranges authorized in Section 4. The salaries for the Consumer Advocate, State Court Administrator, Administrator of the Public Broadcasting Division of the Department of Education, Director of the Ethics and Campaign Disclosure Board, and Secretary of the State Fair Board are set by the appropriate directors or boards. Also requires the Governor to set the salaries of the Chairperson and the two members of the Public Employment Relations Board (PERB).

DETAIL: The Administrator of the Public Broadcasting Division of the Department of Education has been added to the list. These salary range adjustments will have an unknown fiscal impact for FY 2007. The cost will be determined by placement in the new salary ranges.

8 34 shall establish the salary of the secretary of the state fair  
8 35 board, each within the salary range provided in the section of  
9 1 this division of this Act that addresses the salary ranges of  
9 2 state officers.

9 3 The governor, in establishing salaries as provided in the  
9 4 section of this division of this Act that addresses the salary  
9 5 ranges of state officers, shall take into consideration other  
9 6 employee benefits which may be provided for an individual  
9 7 including but not limited to housing.

9 8 A person whose salary is established pursuant to the  
9 9 section of this division of this Act that addresses the salary  
9 10 ranges of state officers and who is a full-time, year-round  
9 11 employee of the state shall not receive any other remuneration  
9 12 from the state or from any other source for the performance of  
9 13 that person's duties unless the additional remuneration is  
9 14 first approved by the governor or authorized by law. However,  
9 15 this provision does not exclude the reimbursement for  
9 16 necessary travel and expenses incurred in the performance of  
9 17 duties or fringe benefits normally provided to employees of  
9 18 the state.

Prohibits appointed nonelected State officials from receiving other State remuneration unless authorized by the Governor or by law. This does not apply to travel or expense reimbursements or fringe benefits.

9 19 Sec. 13. SALARY RANGE -- STATE OFFICERS. The following  
9 20 annual salary ranges are effective for the positions specified  
9 21 in this section for the fiscal year beginning July 1, 2006,  
9 22 and for subsequent fiscal years until otherwise provided by  
9 23 the general assembly. The governor or other person designated  
9 24 in the section of this division of this Act relating to  
9 25 appointed state officers shall determine the salary to be paid  
9 26 to the person indicated at a rate within this salary range  
9 27 from funds appropriated by the general assembly for that  
9 28 purpose.

Provides that salary ranges for appointed nonelected officials are effective for FY 2007.

9 29 1. The following are salary ranges for state officers for  
9 30 the fiscal year beginning July 1, 2006, effective with the pay

Sets the salary rates and ranges for State officials and specifies that the ranges are effective with the pay period beginning June 30, 2006.

9	31	period beginning June 30, 2006:		
9	32	SALARY RANGE	<u>Minimum</u>	<u>Maximum</u>
9	33	a. Range 1 .....	\$ 8,800	\$ 34,430
9	34	b. Range 2 .....	\$ 45,395	\$ 69,460
9	35	c. Range 3 .....	\$ 52,210	\$ 79,880
10	1	d. Range 4 .....	\$ 60,040	\$ 91,860
10	2	e. Range 5 .....	\$ 69,045	\$105,640
10	3	f. Range 6 .....	\$ 79,405	\$121,490
10	4	g. Range 7 .....	\$ 95,055	\$145,430

DETAIL: The maximum salary for any State official is increased by \$2,852 (2.00%).

The following changes have been made to the salary range positions:

- The Administrator of the Division of Professional Licensing and Regulation of the Department of Commerce has been eliminated from the pay ranges. The position is currently vacant.
- The Administrator of the Division of Homeland Security and Emergency Management of the Department of Public Defense have been moved from range 3 to range 5.
- The Administrator of the Public Broadcasting Division (Department of Education) has been moved from range 6 to range 7.

10 5 2. The following are range 1 positions: There are no  
10 6 range 1 positions for the fiscal year beginning July 1, 2006.

Establishes no State officials in salary range 1 (\$8,800 - \$34,430).

DETAIL: This is no change.

10 7 3. The following are range 2 positions: administrator of  
10 8 the arts division of the department of cultural affairs,  
10 9 administrators of the division of persons with disabilities,  
10 10 the division on the status of women, the division on the  
10 11 status of lowans of Asian and Pacific islander heritage, the  
10 12 division on the status of African-Americans, the division of  
10 13 deaf services, and the division of Latino affairs of the  
10 14 department of human rights.

Establishes the following State officials in salary range 2 (\$45,395 - \$69,460).

DETAIL: The Administrator for the Division on the Status of Asian and Pacific Islander Heritage of the Department of Human Rights is added to this salary range. The position has not been established.

The current salaries are as follows:

- Administrator of the Arts Division of the Department of Cultural Affairs - Vacant.
- Administrator of the Division of Persons with Disabilities of the Department of Human Rights - \$54,600.
- Administrator of the Division on the Status of Women of the Department of Human Rights - \$60,995.
- Administrator of the Division on the Status of Asian and Pacific Islander Heritage of the Department of Human Rights - Position

10 15 4. The following are range 3 positions: administrator of  
 10 16 the division of criminal and juvenile justice planning of the  
 10 17 department of human rights, administrator of the division of  
 10 18 community action agencies of the department of human rights,  
 10 19 executive director of the department of veterans affairs, and  
 10 20 chairperson and members of the employment appeal board of the  
 10 21 department of inspections and appeals.

10 22 5. The following are range 4 positions: director of the  
 10 23 department of human rights, director of the Iowa state civil  
 10 24 rights commission, executive director of the college student  
 10 25 aid commission, director of the department for the blind,  
 10 26 executive director of the ethics and campaign disclosure  
 10 27 board, members of the public employment relations board, and  
 10 28 chairperson, vice chairperson, and members of the board of  
 10 29 parole.

has not been established.

- Administrator of the Division on the Status of African-Americans of the Department of Human Rights - \$52,000.
- Administrator of the Division of Deaf Services of the Department of Human Rights - \$60,985.
- Administrator of the Division of Latino Affairs of the Department of Human Rights - \$52,000.

Establishes six State officials in salary range 3 (\$52,210 - 79,880), including three members of the Employment Appeal Board of the Department of Inspections and Appeals.

DETAIL: The positions and current salaries are as follows:

- Administrator of the Division of Criminal and Juvenile Justice Planning of the Department of Human Rights - \$72,225.
- Administrator of the Division of Community Action Agencies of the Department of Human Rights - \$63,225.
- Executive Director of the Commission of Veterans Affairs - \$61,980.
- Chairperson and two members of the Employment Appeal Board of the Department of Inspections and Appeals - \$69,176.

Establishes the following State officials in salary range 4 (\$60,040 - \$91,860), including three members of the Public Employment Relations Board and five members of the Board of Parole.

DETAIL: The positions and their current salaries are as follows:

- Director of the Department of Human Rights - \$78,750.
- Director of the Iowa State Civil Rights Commission - \$84,250.
- Executive Director of the College Student Aid Commission - \$90,062.
- Director of the Department for the Blind - \$87,435.
- Executive Director of the Ethics and Campaign Disclosure Board

10 30 6. The following are range 5 positions: state public  
 10 31 defender, drug policy coordinator, labor commissioner,  
 10 32 administrator of the division of homeland security and  
 10 33 emergency management of the department of public defense,  
 10 34 workers' compensation commissioner, director of the department  
 10 35 of cultural affairs, director of the department of elder  
 11 1 affairs, director of the law enforcement academy, and  
 11 2 administrator of the historical division of the department of  
 11 3 cultural affairs.

- \$85,000.

- Three members of the Public Employment Relations Board were established outside of the salary ranges with a set salary of \$90,062 for the Chairperson and \$87,810 for each of the two members.
- Board of Parole - Chairperson \$83,262, Vice Chairperson \$71,951, and three members \$285 per day.

Establishes the following State officials in salary range 5 (\$69,045 - \$105,640).

DETAIL: The positions and their current salaries are as follows:

- State Public Defender - \$94,956.
- Drug Policy Coordinator - \$83,877.
- Labor Commissioner (Workforce Development) - \$96,500.
- Administrator of the Division of Homeland Security and Emergency Management of the Department of Public Defense - \$78,315.
- Workers' Compensation Commissioner (Workforce Development) - \$85,000.
- Director of the Department of Cultural Affairs - \$96,000.
- Director of the Department of Elder Affairs - \$95,550.
- Director of the Iowa Law Enforcement Academy - \$99,415.
- Administrator of the Historical Division of the Department of Cultural Affairs - Vacant.

11 4 7. The following are range 6 positions: administrator of  
 11 5 the alcoholic beverages division of the department of  
 11 6 commerce, director of the department of inspections and  
 11 7 appeals, commandant of the Iowa veterans home, commissioner of  
 11 8 public safety, commissioner of insurance, executive director  
 11 9 of the Iowa finance authority, director of the department of  
 11 10 natural resources, superintendent of banking, superintendent  
 11 11 of credit unions, director of the department of corrections,  
 11 12 consumer advocate, and chairperson of the utilities board. The

Establishes the following State officials in salary range 6 (\$79,405 - \$121,490).

DETAIL: The positions and their current salaries include:

- Superintendent of Banking (Department of Commerce) - \$89,872.
- Superintendent of Credit Unions (Department of Commerce) - \$103,000.



11 13 other members of the utilities board shall receive an annual  
 11 14 salary within a range of not less than 90 percent but not more  
 11 15 than 95 percent of the annual salary of the chairperson of the  
 11 16 utilities board.

- Administrator of the Alcoholic Beverages Division (Department of Commerce) - \$110,007.
- Director of the Department of Inspections and Appeals - \$108,066.
- Commandant of the Veterans Home - \$96,600.
- Commissioner of the Department of Public Safety - \$119,000.
- Commissioner of Insurance (Department of Commerce) - \$92,000.
- Executive Director of the Iowa Finance Authority - \$111,070.
- Director of the Department of Natural Resources - \$119,107.
- Director of the Department of Corrections - \$119,107.
- Consumer Advocate - \$119,107.
- Chairperson of the Utilities Board (Department of Commerce) - \$109,997.
- Two members of the Utilities Board receive not less than 90.0% and not more than 95.0% (\$104,497) of the annual salary of the Chairperson. The current salaries are \$104,497.

11 17 8. The following are range 7 positions: administrator of  
 11 18 the state racing and gaming commission of the department of  
 11 19 inspections and appeals, director of the department of  
 11 20 education, director of human services, director of the  
 11 21 department of economic development, executive director of the  
 11 22 Iowa telecommunications and technology commission,  
 11 23 administrator of the public broadcasting division of the  
 11 24 department of education, executive director of the state board  
 11 25 of regents, director of the state department of  
 11 26 transportation, director of the department of workforce  
 11 27 development, director of revenue, director of public health,  
 11 28 state court administrator, secretary of the state fair board,  
 11 29 director of the department of management, and director of the  
 11 30 department of administrative services.

Establishes the following State officials in salary range 7 (\$95,055 - \$145,430).

DETAIL: The positions and their current salaries include:

- The Administrator of the State Racing and Gaming Commission (Department of Inspections and Appeals) - \$142,578.
- Director of the Department of Education - \$123,900.
- Director of the Department of Human Services - \$132,484.
- Director of the Department of Economic Development - \$140,000.
- Executive Director of the Iowa Telecommunications and Technology Commission (ICN) - \$142,563.
- Administrator of the Public Broadcasting Division (Department of Education) - \$104,064.
- Executive Director of the State Board of Regents - \$135,000.
- Director of the State Department of Transportation - \$128,232.
- Director of the Department of Workforce Development - \$126,000.

11 31 Sec. 14. COLLECTIVE BARGAINING AGREEMENTS FUNDED --  
 11 32 GENERAL FUND. There is appropriated from the general fund of  
 11 33 the state to the salary adjustment fund for distribution by  
 11 34 the department of management to the various state departments,  
 11 35 boards, commissions, councils, and agencies, excluding the  
 12 1 state board of regents and the judicial branch, for the fiscal  
 12 2 year beginning July 1, 2006, and ending June 30, 2007, the  
 12 3 amount of \$29,000,000, or so much thereof as may be necessary,  
 12 4 to fully fund annual pay adjustments, expense reimbursements,  
 12 5 and related benefits implemented pursuant to the following:  
 12 6 1. The collective bargaining agreement negotiated pursuant  
 12 7 to chapter 20 for employees in the blue collar bargaining  
 12 8 unit.  
 12 9 2. The collective bargaining agreement negotiated pursuant  
 12 10 to chapter 20 for employees in the public safety bargaining  
 12 11 unit.  
 12 12 3. The collective bargaining agreement negotiated pursuant  
 12 13 to chapter 20 for employees in the security bargaining unit.  
 12 14 4. The collective bargaining agreement negotiated pursuant  
 12 15 to chapter 20 for employees in the technical bargaining unit.  
 12 16 5. The collective bargaining agreement negotiated pursuant  
 12 17 to chapter 20 for employees in the clerical bargaining unit.  
 12 18 6. The collective bargaining agreement negotiated pursuant  
 12 19 to chapter 20 for employees in the professional social  
 12 20 services bargaining unit.  
 12 21 7. The collective bargaining agreement negotiated pursuant  
 12 22 to chapter 20 for employees in the community-based corrections  
 12 23 bargaining unit.

- Director of the Department of Revenue - \$130,000.
- Director of the Department of Public Health - \$128,856.
- State Court Administrator - \$131,851.
- Secretary of the State Fair Board - \$130,270.
- Director of the Department of Management - \$127,630.
- Director of the Department of Administrative Services - \$129,205.

General Fund appropriation to the Salary Adjustment Fund of \$29,000,000 for FY 2007 to be distributed by the Department of Management (DOM) to the various State departments, boards, commissions, councils, and agencies, excluding the State Board of Regents and Judicial Branch to pay salary increases negotiated by the bargaining units as listed.

DETAIL: The appropriation funds the collective bargaining agreements for contract-covered employees in all collective bargaining units. These include:

American Federation of State, County, and Municipal Employees (AFSCME - Central and Community Based Corrections (CBCs)) -

- Increases pay across-the-board by 2.00% effective June 30, 2006.
- Step increases of 4.50% for eligible employees during FY 2007.

Iowa United Professionals (IUP) - Social Services and Science

- Increases pay across-the-board by 1.00% effective June 30, 2006.
- Increases pay across-the-board by 1.50% effective January 1, 2007.
- Step increases of 4.50% for eligible employees during FY 2007.
- Establishes a Sick Leave Conversion Program July 1, 2006.
- The State matches 50.00% of employee's contribution to Deferred Compensation Program up to a State share of \$50 per month (\$600 per year) effective January 1, 2007.

State Police Officer's Council (SPOC)

- Increases pay across-the-board by 1.00% effective June 30,

12 24 8. The collective bargaining agreement negotiated pursuant  
 12 25 to chapter 20 for employees in the patient care bargaining  
 12 26 unit.

12 27 9. The collective bargaining agreement negotiated pursuant  
 12 28 to chapter 20 for employees in the science bargaining unit.

12 29 10. The annual pay adjustments, related benefits, and  
 12 30 expense reimbursements referred to in the section of this  
 12 31 division of this Act addressing noncontract state employees  
 12 32 not covered by a collective bargaining agreement.

2006.

- Increases pay across-the-board by 1.50% effective January 1, 2007.
- Continuation of merit step increases for employees that are not at the top step of the pay range.
- Increases per diem to \$8.00 from \$7.50 effective January 1, 2007.

FISCAL IMPACT: The identified need for FY 2007 salary increases for employees, excluding the Board of Regents and Judicial Branch, is \$42,211,242.

The identified need for FY 2007 salary increases for employees of the Board of Regents is \$42,964,312, and for the Judicial Branch, excluding the Judges and Magistrates, is \$7,962,937.

12 33 Sec. 15. NONCONTRACT STATE EMPLOYEES -- GENERAL.

12 34 1. a. For the fiscal year beginning July 1, 2006, the  
 12 35 maximum salary levels of all pay plans provided for in section  
 13 1 8A.413, subsection 2, as they exist for the fiscal year ending  
 13 2 June 30, 2006, shall be increased by 2 percent for the pay  
 13 3 period beginning June 30, 2006, and any additional changes in  
 13 4 the pay plans shall be approved by the governor.

13 5 b. For the fiscal year beginning July 1, 2006, employees  
 13 6 may receive a step increase or the equivalent of a step  
 13 7 increase.

13 8 2. The pay plans for state employees who are exempt from  
 13 9 chapter 8A, subchapter IV, and who are included in the  
 13 10 department of administrative service's centralized payroll  
 13 11 system shall be increased in the same manner as provided in  
 13 12 subsection 1, and any additional changes in any executive  
 13 13 branch pay plans shall be approved by the governor.

13 14 3. This section does not apply to members of the general  
 13 15 assembly, board members, commission members, salaries of  
 13 16 persons set by the general assembly pursuant to this division  
 13 17 of this Act or set by the governor, other persons designated

Provides noncontract State employees with an increase of 2.00% on June 30, 2006, and continuation of merit step increases for employees that are not at the top of the pay range.

Specifies that noncontract State employee increases do not apply to:

- Members of the General Assembly.
- Board or commission members.
- Salaries set by the General Assembly.
- Salaries set by the Governor.
- Employees under Section 8A.412(5), Code of Iowa, (presidents, deans, directors, teachers, professional and scientific personnel, and student employees of the Board of Regents).
- Employees of the Board of Regents (except Board Office employees).
- Employees that exceed the pay for the top of the range.

DETAIL: The appropriation in the Section of this Bill providing funding for collective bargaining agreements provides funds for noncontract-covered employees including:

13 18 in the section of this division of this Act addressing  
 13 19 appointed state officers, employees designated under section  
 13 20 8A.412, subsection 5, and employees covered by 11 IAC 53.6(3).  
 13 21 4. The pay plans for the bargaining eligible employees of  
 13 22 the state shall be increased in the same manner as provided in  
 13 23 subsection 1, and any additional changes in such executive  
 13 24 branch pay plans shall be approved by the governor. As used  
 13 25 in this section, "bargaining eligible employee" means an  
 13 26 employee who is eligible to organize under chapter 20, but has  
 13 27 not done so.

## Judicial Exempt

- No step increases during FY 2007.
- Increases pay across-the-board by 3.50% effective June 30, 2006.

## Non-Contract

- Increases pay across-the-board by 2.00% effective June 30, 2006.
- Step increases of 4.00% for eligible employees during FY 2007.
- Establishes a Sick Leave Conversion Program effective July 1, 2006.

13 28 5. The policies for implementation of this section shall  
 13 29 be approved by the governor.

Requires the Governor to approve the policies for implementation of this Section.

# 13 30 Sec. 16. APPROPRIATIONS FROM ROAD FUNDS.

13 31 1. There is appropriated from the road use tax fund to the  
 13 32 salary adjustment fund for the fiscal year beginning July 1,  
 13 33 2006, and ending June 30, 2007, the following amount, or so  
 13 34 much thereof as may be necessary, to be used for the purpose  
 13 35 designated:

14 1 To supplement other funds appropriated by the general  
 14 2 assembly:  
 14 3 ..... \$ 1,416,695

Road Use Tax Fund appropriation to the Salary Adjustment Fund.

14 4 2. There is appropriated from the primary road fund to the  
 14 5 salary adjustment fund, for the fiscal year beginning July 1,  
 14 6 2006, and ending June 30, 2007, the following amount, or so  
 14 7 much thereof as may be necessary, to be used for the purpose  
 14 8 designated:

14 9 To supplement other funds appropriated by the general  
 14 10 assembly:  
 14 11 ..... \$ 9,593,363

Primary Road Fund appropriation to the Salary Adjustment Fund.

14 12 3. Except as otherwise provided in this division of this  
14 13 Act, the amounts appropriated in subsections 1 and 2 shall be  
14 14 used to fund the annual pay adjustments, expense  
14 15 reimbursements, and related benefits for public employees as  
14 16 provided in this division of this Act.

Requires appropriations from the Road Use Tax Fund and the Primary Road Fund to be used as provided in this Bill.

14 17 Sec. 17. SPECIAL FUNDS -- AUTHORIZATION. To departmental  
14 18 revolving, trust, or special funds, except for the primary  
14 19 road fund or the road use tax fund, for which the general  
14 20 assembly has established an operating budget, a supplemental  
14 21 expenditure authorization is provided, unless otherwise  
14 22 provided, in an amount necessary to fund salary adjustments as  
14 23 otherwise provided in this division of this Act.

Provides supplemental expenditure authorization for revolving trust funds or other special funds, except the Road Use Tax Fund and the Primary Road Fund, to be used to fund salary adjustments.

14 24 Sec. 18. GENERAL FUND SALARY MONEYS. Funds appropriated  
14 25 for distribution from the salary adjustment fund in the  
14 26 section of this division of this Act providing for funding of  
14 27 collective bargaining agreements relate only to salaries  
14 28 supported from general fund appropriations of the state except  
14 29 for employees of the state board of regents and the judicial  
14 30 branch.

Requires that the General Fund appropriation made in this Bill be used only to support salaries funded from the General Fund, excluding the Board of Regents and the Judicial Branch.

14 31 Sec. 19. FEDERAL FUNDS APPROPRIATED. All federal grants  
14 32 to and the federal receipts of the agencies affected by this  
14 33 division of this Act which are received and may be expended  
14 34 for purposes of this division of this Act are appropriated for  
14 35 those purposes and as set forth in the federal grants or  
15 1 receipts.

Requires eligible federal funds received to be expended for salary adjustments where appropriate.

15 2 Sec. 20. STATE TROOPER MEAL ALLOWANCE. The sworn peace  
15 3 officers in the department of public safety who are not  
15 4 covered by a collective bargaining agreement negotiated  
15 5 pursuant to chapter 20 shall receive the same per diem meal  
15 6 allowance as the sworn peace officers in the department of

Specifies that sworn peace officers in the Department of Public Safety, not covered by a collective bargaining agreement, receive the same per diem meal allowance as covered sworn peace officers.

15 7 public safety who are covered by a collective bargaining  
15 8 agreement negotiated pursuant to chapter 20.

15 9 Sec. 21. SICK LEAVE CONVERSION. It is the intent of the  
15 10 general assembly that the sick leave conversion program under  
15 11 the collective bargaining agreement that covers the greatest  
15 12 number of state employees and that affects sick leave accrual  
15 13 and allows sick leave conversion and use upon retirement for  
15 14 payment of certain health insurance premiums shall be extended  
15 15 to employees in the executive branch, excluding state board of  
15 16 regents employees, not covered by a collective bargaining  
15 17 agreement, consistent with any legislation enacted during the  
15 18 2006 Regular Session of the general assembly providing for  
15 19 such extension.

Extends the AFSCME Sick Leave Conversion Program to noncontract-covered Executive Branch employees, excluding the Board of Regent's employees, consistent with any legislation enacted during the 2006 Regular Session.

DETAIL: The AFSCME Program permits employees to use the value of accumulated and unused sick leave first for the receipt of up to \$2,000 and then for the payment of the employer's share of health insurance premiums upon retirement and until age 65, or the death of the retiree. Employees with 750 hours or less can convert 60.00%; over 750 hours and less than 1,500 hours can convert 80.00%; and 1,500 hours or more can convert 100.00%, of the value. Changes the accrual rate of sick leave based on the current balance of sick leave hours the employee has accrued.

The Bill places the Department of Public Safety and Department of Natural Resources peace office supervisors in the AFSCME Program and not the SPOC Program. The SPOC Program permits employees to use 100.00% of the value of accumulated and unused sick leave to pay for health, dental, or life insurance premiums until the converted value is exhausted. The surviving spouse is entitled to use the remaining value upon the death of the retiree. The accrual rate of sick leave is not the same as under the AFSCME Program.

15 20 Sec. 22. Section 256.81, subsection 1, Code 2005, is  
15 21 amended to read as follows:  
15 22 1. The public broadcasting division of the department of  
15 23 education is created. The chief administrative officer of the  
15 24 division is the administrator who shall be appointed by and  
15 25 serve at the pleasure of the Iowa public broadcasting board.  
15 26 The ~~governor board~~ shall set the division administrator's  
15 27 salary within the applicable salary range established by the  
15 28 general assembly unless otherwise provided by law. Educational  
15 29 programming shall be the highest priority of the division.

CODE: Specifies that the Public Broadcasting Board will set the salary for the Administrator of the Division of Public Broadcasting in the Department of Education.

15 30 The director of the department of education and the state  
15 31 board of education are not liable for the activities of the  
15 32 division of public broadcasting.

15 33 Sec. 23. Section 256.82, subsection 1, unnumbered  
15 34 paragraph 1, Code 2005, is amended to read as follows:  
15 35 The Iowa public broadcasting board is created to plan,  
16 1 establish, and operate educational radio and television  
16 2 facilities and other telecommunications services ~~including~~  
16 3 ~~narrowcast and broadcast systems~~ to serve the educational  
16 4 needs of the state. The board shall be composed of nine  
16 5 members selected in the following manner:

CODE: Technical correction.

16 6 Sec. 24. Section 256.82, subsection 1, paragraph a,  
16 7 subparagraphs (1) and (2), Code 2005, are amended to read as  
16 8 follows:  
16 9 (1) One member shall be appointed from the business  
16 10 community other than ~~the commercial broadcasting industry and~~  
16 11 ~~the television and telecommunications industry.~~  
16 12 (2) One member shall be appointed ~~from the commercial-~~  
16 13 ~~broadcast~~ with experience in or knowledge about the television  
16 14 industry.

CODE: Technical correction.

16 15 Sec. 25. Section 256.82, subsection 1, paragraph b,  
16 16 subparagraph (4), Code 2005, is amended to read as follows:  
16 17 (4) One member ~~who is knowledgeable about~~  
16 18 ~~telecommunications~~ shall be appointed by the state board of  
16 19 regents.

CODE: Strikes the requirement that the member of the Public  
Broadcasting Board must be knowledgeable about  
telecommunications.

16 20 Sec. 26. Section 256.84, subsections 1 and 2, Code 2005,  
16 21 are amended to read as follows:

16 22 1. The board may purchase, lease, and improve property,

CODE: Strikes language authorizing the Public Broadcasting Board  
and Administrator to arrange for joint use of services and facilities.

16 23 equipment, and services for educational telecommunications  
16 24 including the broadcast and narrowcast systems, and may  
16 25 dispose of property and equipment when not necessary for its  
16 26 purposes. ~~The board and division administrator may arrange~~  
16 27 ~~for joint use of available services and facilities.~~

16 28 2. The board shall apply for channels, frequencies,  
16 29 licenses, ~~and permits, and other authorizations~~ as necessary  
16 30 for the performance of the board's duties.

CODE: Permits the Public Broadcasting Board to apply for needed authority to perform the Board's duties.

16 31 Sec. 27. Section 256.84, subsection 5, Code 2005, is  
16 32 amended by striking the subsection.

CODE: Strikes a requirement that the Public Broadcasting Board adopt and update a design plan for educational telecommunications systems and services.

16 33 Sec. 28. Section 256.84, Code 2005, is amended by adding  
16 34 the following new subsections:

16 35 NEW SUBSECTION. 11. To preserve the integrity of its  
17 1 editorial processes, the board may select programming, content  
17 2 partners, and other authorized contractual services without  
17 3 using a competitive selection process or performance measures  
17 4 that may otherwise be required by law for such services. For  
17 5 purposes of this subsection, authorized contractual services  
17 6 are those services related, directly or indirectly, to the  
17 7 development of program production and instructional and  
17 8 educational media. Authorized contractual services include  
17 9 but are not limited to on-air performers, producers or  
17 10 directors, field producers, writers, production assistants,  
17 11 manual laborers, mobile unit services, closed captioning  
17 12 services, duplication of tape services, and satellite  
17 13 services.

CODE: Permits the Public Broadcasting Board to contract for programming, content, and other services without following a competitive selection process, or applying performance measures that may otherwise be required by law.

17 14 NEW SUBSECTION. 12. The board shall approve for  
17 15 submission the annual budget request and any supplementary

CODE: Requires the Public Broadcasting Board to approve annual and supplementary budget requests for the Public Broadcasting



17 16 budget request for the public broadcasting division of the  
17 17 department of education.

Division prior to submission.

17 18 Sec. 29. Section 256.85, Code 2005, is amended to read as  
17 19 follows:  
17 20 256.85 PURCHASE OF ENERGY EFFICIENCY PACKAGES.  
17 21 The public broadcasting division of the department of  
17 22 education may use the state of Iowa facilities improvement  
17 23 corporation to purchase energy efficiency packages for its  
17 24 ultrahigh frequency transmitters.

CODE: Technical correction.

17 25 Sec. 30. Section 421.1A, subsection 6, Code Supplement  
17 26 2005, is amended to read as follows:  
17 27 6. The members of the property assessment appeal board  
17 28 shall receive compensation from the state commensurate with  
17 29 the salary of a district judge. The members of the board  
17 30 shall not be considered state employees for purposes of salary  
17 31 and benefits. The members of the board and any employees of  
17 32 the board, when required to travel in the discharge of  
17 33 official duties, shall be paid their actual and necessary  
17 34 expenses incurred in the performance of duties.

CODE: Changes the status of members of the Property Assessment Appeal Board so they will be considered to be State employees for the purpose of salary and benefits.

17 35 Sec. 31. Section 256.89, Code 2005, is repealed.

CODE: Repeals the requirement that the Public Broadcasting Board develop and adopt an educational telecommunications design plan.

18 1 DIVISION IV  
18 2 OTHER APPROPRIATIONS  
18 3 AND RELATED MATTERS

18 4 Sec. 32. ARTS EDUCATION AND ENRICHMENT PROGRAMMING.  
18 5 1. There is appropriated from the general fund of the  
18 6 state to the department of cultural affairs for the fiscal  
18 7 year beginning July 1, 2006, and ending June 30, 2007, the

General Fund appropriation to the Department of Cultural Affairs for a study of arts education and enrichment programming for school-age children.

18 8 following amount, or so much thereof as is necessary, to be  
 18 9 used for the purposes designated:  
 18 10 For a study of arts education and enrichment programming  
 18 11 for school age children in accordance with this section:  
 18 12 ..... \$ 5,000

18 13 2. a. The department shall conduct a study of arts  
 18 14 education and enrichment programming for school age children  
 18 15 to evaluate the status of arts education and enrichment  
 18 16 programming available to school age children in this state;  
 18 17 develop a strategy for greatly expanding the availability of  
 18 18 arts education and enrichment programming outside of school  
 18 19 settings; and identify curricula, model programs, best  
 18 20 practices, and other resources that may be used by programs  
 18 21 and persons in this state that provide arts education and  
 18 22 enrichment programming outside of school settings.  
 18 23 b. The department shall utilize a resource committee in  
 18 24 conducting the study. The committee membership may include  
 18 25 representatives of the departments of economic development,  
 18 26 education, and human services, the Iowa after school alliance,  
 18 27 the Iowa community education association, the Iowa library  
 18 28 association, legislators, art educators, artists and  
 18 29 performers, and others with relevant expertise.  
 18 30 c. The study may utilize regional forums through the Iowa  
 18 31 communications network and other approaches for securing  
 18 32 public input and discussion of the study topics.  
 18 33 d. The department shall report to the governor and general  
 18 34 assembly concerning the study with findings and  
 18 35 recommendations in December 2006.

Requires the Department of Cultural Affairs to conduct a study of arts education and enrichment programming for school-age children. Specifies potential members of a resource committee to assist with the study and possible methods for obtaining public input. Requires a report of findings and recommendations to the Governor and General Assembly in December 2006.

19 1 Sec. 33. VETERANS TRUST FUND. There is appropriated from  
 19 2 the general fund of the state to the veterans trust fund for  
 19 3 the fiscal year beginning July 1, 2006, and ending June 30,  
 19 4 2007, the following amount:  
 19 5 ..... \$ 4,500,000

General Fund appropriation to the Veterans Trust Fund.

DETAIL: This is a new appropriation for FY 2007. For FY 2005, \$1,000,000 was appropriated from the Rebuild Iowa Infrastructure Fund (RIIF) to the Veterans Trust Fund.

19 6 Sec. 34. COUNTY GRANT PROGRAM FOR VETERANS --  
19 7 APPROPRIATION. There is appropriated from the general fund of  
19 8 the state to the department of veterans affairs, for the  
19 9 fiscal year beginning July 1, 2006, and ending June 30, 2007,  
19 10 the following amount, or so much thereof as is necessary, to  
19 11 be used for the purpose designated:

19 12 For providing matching grants to counties to provide  
19 13 improved services to veterans:

19 14 ..... \$ 1,000,000

19 15 The department shall establish a grant application process  
19 16 and shall require each county applying for a grant to submit a  
19 17 plan for utilizing the grant to improve services for veterans.  
19 18 The maximum matching grant to be awarded to a county shall be  
19 19 \$10,000 and the amount awarded shall be matched on a dollar-  
19 20 for-dollar basis by the county. Each county receiving a grant  
19 21 shall submit a report to the department identifying the impact  
19 22 of the grant on increasing services to veterans. The  
19 23 department shall submit a report to the general assembly by  
19 24 October 1, 2007, concerning the impact of the grant program on  
19 25 increasing services to veterans.

General Fund appropriation to the Department of Veterans Affairs for matching grants to counties for veterans' services.

DETAIL: This is a new appropriation for FY 2007. Limits the grants to \$10,000 and requires a one-to-one match from a county. Requires the Department of Veterans Affairs to issue a report by October 1, 2007.

19 26 Sec. 35. IOWA LAW ENFORCEMENT ACADEMY. There is  
19 27 appropriated from the general fund of the state to the Iowa  
19 28 law enforcement academy for the fiscal year beginning July 1,  
19 29 2006, and ending June 30, 2007, the following amount, or so  
19 30 much thereof as is necessary, to be used for the purpose  
19 31 designated:

19 32 For the purchase of equipment and furnishings:

19 33 ..... \$ 25,000

General Fund appropriation for the Iowa Law Enforcement Academy.

DETAIL: This is an increase of \$25,000 compared to the estimated FY 2006 appropriation for the purchase of equipment and furnishings for the Iowa Law Enforcement Academy.

19 34 Sec. 36. GOVERNOR AND LIEUTENANT GOVERNOR. If 2006 Iowa  
19 35 Acts, House File 2521, is enacted and provides for  
20 1 appropriations from the general fund of the state to the  
20 2 offices of the governor and lieutenant governor for the fiscal  
20 3 year beginning July 1, 2006, and ending June 30, 2007, for the

20 4 following indicated purposes, those appropriations are  
 20 5 increased by the following amounts:

20 6 1. TERRACE HILL QUARTERS  
 20 7 For salaries, support, maintenance and miscellaneous  
 20 8 purposes for the governor's quarters at Terrace Hill:  
 20 9 ..... \$ 22,676

Increases the FY 2007 appropriation for the Terrace Hill Quarters by \$22,676 due to increased expenses.

20 10 2. NATIONAL GOVERNORS ASSOCIATION  
 20 11 For payment of Iowa's membership in the national governors  
 20 12 association:  
 20 13 ..... \$ 16,207

Increases the FY 2007 appropriation for the National Governor's Association dues by \$16,207 for an increase in the annual membership fee.

20 14 Sec. 37. UPDATED MANURE MANAGEMENT PLANS. There is  
 20 15 appropriated from the manure storage indemnity fund created in  
 20 16 section 459.501 to the department of natural resources for the  
 20 17 fiscal year beginning July 1, 2006, and ending June 30, 2007,  
 20 18 the following amount, or so much thereof as is necessary, to  
 20 19 be used for the purpose designated:  
 20 20 For the department to modify its computer database in order  
 20 21 to provide documentation to persons required to submit updated  
 20 22 manure management plans and updated manure management plan  
 20 23 filing fees to the department pursuant to the schedules  
 20 24 provided in sections 459.312 and 459.400, if amended by the  
 20 25 Eighty-first General Assembly, 2006 Session:  
 20 26 ..... \$ 80,000

Manure Storage Indemnity Fund appropriation to the Department of Natural Resources (DNR) for the modification of the Manure Management Database.

DETAIL: The modification will allow animal confinement operations to submit the manure management plans and filing fees every four years, rather than once a year. Section 51 of this Bill makes the appropriation contingent upon the enactment of legislation requiring the DNR to modify the Manure Management Database.

FISCAL IMPACT: As of April 30, 2006, the unobligated balance of the Manure Storage Indemnity Fund was \$472,000.

20 27 As a condition of this appropriation, the department shall  
 20 28 repay the manure storage indemnity fund in four equal  
 20 29 installments by June 30 of each fiscal year for the fiscal  
 20 30 period beginning July 1, 2007, and ending June 30, 2011.

Requires the DNR to repay the appropriation from the Manure Storage Indemnity Fund by paying \$20,000 per year for four year, beginning July 1, 2007. The last payment is due by June 30, 2011.

20 31 Sec. 38. REAL ESTATE EDUCATION PROGRAM. There is  
 20 32 appropriated from the general fund of the state to the state

General Fund appropriation for FY 2008 to the Board of Regents for the Real Estate Education Program at the University of Northern Iowa

20 33 board of regents for the fiscal year beginning July 1, 2007,  
 20 34 and ending June 30, 2008, the following amount, or so much  
 20 35 thereof as is necessary, to be used for the purpose  
 21 1 designated:  
 21 2 For allocation to the university of northern Iowa for the  
 21 3 real estate education program:  
 21 4 ..... \$ 200,000  
 21 5 The appropriation made in this section is contingent upon  
 21 6 enactment of 2006 Iowa Acts, House File 2773, or other  
 21 7 enactment by the Eighty-first General Assembly, 2006 Session,  
 21 8 amending section 543B.54 to appropriate fees credited to the  
 21 9 Iowa real estate education fund to the real estate commission  
 21 10 in lieu of the state board of regents.

(UNI).

DETAIL: This is a future year (FY 2008) appropriation that is contingent on enactment of HF 2773 (Real Estate Education Fund). The Real Estate Education Program at UNI is currently funded from real estate license fees. House File 2773 expands the Real Estate Education Program to Iowa community colleges and private colleges and universities. House File 2773 has not been enacted as of April 30, 2006.

21 11 Sec. 39. STATE BOARD OF REGENTS -- GENERAL FUND ENDING  
 21 12 BALANCE.

21 13 1. Notwithstanding section 8.62, prior to the  
 21 14 appropriation of the surplus existing in the general fund of  
 21 15 the state at the conclusion of the fiscal year beginning July  
 21 16 1, 2005, pursuant to section 8.57, subsection 1, from  
 21 17 appropriations that remain unencumbered or unobligated and  
 21 18 would otherwise revert on August 31, 2006, pursuant to section  
 21 19 8.33, up to \$2,800,000 shall be transferred to the state board  
 21 20 of regents.

21 21 2. The transfer made in subsection 1 shall be distributed  
 21 22 to the state board of regents in the fiscal year beginning  
 21 23 July 1, 2006, to be used as additional funding for the fiscal  
 21 24 year beginning July 1, 2006, for the institutions under the  
 21 25 state board of regents.

CODE: Permits transfer of up to \$2,800,000 of the General Fund ending balance for FY 2006 to the State Board of Regents. The funds are to be distributed to the Board of Regents institutions as outlined in the Transformation Plan.

DETAIL: A transfer of \$2,800,000 from the General Fund ending balance for FY 2005 was made in SF 342 (FY 2005 Supplemental Appropriations Act) approved during the 2005 Legislative Session.

21 26 Sec. 40. STATUS OF IOWANS OF ASIAN AND PACIFIC ISLANDER  
 21 27 HERITAGE DIVISION. If 2006 Iowa Acts, House File 2521, is  
 21 28 enacted and provides for an appropriation from the general  
 21 29 fund of the state to the department of human rights for the  
 21 30 status of Iowans of Asian and Pacific islander heritage

General Fund appropriation to the Status of Iowans of Asian and Pacific Islanders Heritage Division.

DETAIL: This is an increase of \$74,000 and one FTE position for a Division Administrator for the Division for FY 2007.

21 31 division for the fiscal year beginning July 1, 2006, and  
 21 32 ending June 30, 2007, there is appropriated to supplement that  
 21 33 appropriation as follows:  
 21 34 For salaries, support, maintenance, and miscellaneous  
 21 35 purposes and for not more than the following full-time  
 22 1 equivalent position:  
 22 2 ..... \$ 80,000  
 22 3 ..... FTEs 1.00

22 4 Sec. 41. DEPARTMENT OF CULTURAL AFFAIRS. There is  
 22 5 appropriated from the general fund of the state to the  
 22 6 department of cultural affairs for the fiscal year beginning  
 22 7 July 1, 2006, and ending June 30, 2007, the following amounts,  
 22 8 or so much thereof as is necessary, to be used for the  
 22 9 purposes designated:

22 10 1. For the African-American historical museum and cultural  
 22 11 center of Iowa in Cedar Rapids:  
 22 12 ..... \$ 85,000

General Fund appropriation to the Department of Cultural Affairs for the African-American Historical Museum and Cultural Center in Cedar Rapids.

22 13 2. For historical resource development program emergency  
 22 14 grants for qualified historic preservation projects in  
 22 15 gubernatorially declared natural disaster emergency areas in  
 22 16 Johnson county, notwithstanding section 303.16, subsection 6,  
 22 17 paragraph "d":  
 22 18 ..... \$ 250,000

CODE: General Fund appropriation to the Department of Cultural Affairs for Historical Resource Development Program emergency grants.

DETAIL: These grants are for qualified historic preservation projects located in Iowa City that sustained tornado damage.

22 19 Sec. 42. DEPARTMENT OF JUSTICE. There is appropriated  
 22 20 from the general fund of the state to the department of  
 22 21 justice for the fiscal year beginning July 1, 2006, and ending  
 22 22 June 30, 2007, the following amount, or so much thereof as is  
 22 23 necessary, to be used for the purpose designated:  
 22 24 For the purpose of funding farm mediation services pursuant  
 22 25 to the farm assistance program created in sections 13.13

General Fund appropriation to the Attorney General for farm mediation services.

DETAIL: This is a new appropriation for FY 2007.

22 26 through 13.24:

22 27 ..... \$ 100,000

22 28 Sec. 43. SUSTAINABLE NATURAL RESOURCE FUNDING  
22 29 STUDY.

22 30 1. There is established a sustainable natural  
22 31 resource funding advisory committee for the purpose of  
22 32 studying how to provide a sustainable source or  
22 33 sources of funding for natural resources needs in  
22 34 Iowa. The department of natural resources shall  
22 35 provide staffing for the advisory committee. The  
23 1 following shall be members of the advisory committee:

23 2 a. One representative from the following  
23 3 organizations or entities to be appointed by the  
23 4 governor:

23 5 (1) Secretary of agriculture.

23 6 (2) Iowa natural heritage foundation.

23 7 (3) Ducks unlimited.

23 8 (4) Pheasants forever.

23 9 (5) Iowa association of county conservation  
23 10 boards.

23 11 (6) Iowa farm bureau.

23 12 (7) Farmers union.

23 13 (8) The nature conservancy.

23 14 (9) Iowa environmental council.

23 15 (10) Iowa renewable fuels association.

23 16 b. The director of the department of natural  
23 17 resources, who shall be the chairperson of the  
23 18 advisory committee.

23 19 c. Two members of the senate, one of which is  
23 20 appointed by the majority leader and one of which is  
23 21 appointed by the minority leader.

23 22 d. Two members of the house of representatives,  
23 23 one of which is appointed by the majority leader and  
23 24 one of which is appointed by the minority leader.

23 25 2. The advisory committee shall submit a report to

Establishes the Sustainable Natural Resource Funding Study Advisory Committee.

DETAIL: The Committee will conduct a study on how to provide a sustainable source or sources of funding for natural resource needs in Iowa. A final report will be compiled and submitted to the Governor and the General Assembly by January 10, 2007. Specifies the Department of Natural Resources (DNR) will provide staff to assist the Committee and specifies the membership will include representatives appointed by the Governor from:

- Secretary of Agriculture
- Iowa Natural Heritage Foundation
- Ducks Unlimited
- Pheasants Forever
- Iowa Association of County Conservation Boards
- Iowa Farm Bureau
- Farmers Union
- The Nature Conservancy
- The Iowa Environmental Council
- The Iowa Renewable Fuels Association
- Two members of the Senate-one member appointed by the Majority Leader and one member by the Minority Leader
- Two members of the House- one member appointed by the Majority Leader and one member by the Minority Leader

23 26 the governor and the general assembly by January 10,  
 23 27 2007. The report shall contain but is not limited to  
 23 28 the following:  
 23 29 a. Information on what surrounding states have  
 23 30 done to provide sustainable funding for natural  
 23 31 resource conservation.  
 23 32 b. Outline of a conservation funding initiative  
 23 33 agree upon by the advisory committee.  
 23 34 c. Outline of the amount of revenue needed and  
 23 35 what would be accomplished if the conservation funding  
 24 1 initiative is implemented.  
 24 2 d. Analysis of Iowa's citizens' willingness to pay  
 24 3 for identified conservation funding initiative.

24 4 Sec. 44. 2001 Iowa Acts, chapter 174, section 1,  
 24 5 subsection 2, as amended by 2002 Iowa Acts, chapter 1174,  
 24 6 section 8, 2003 Iowa Acts, chapter 179, section 38, 2004 Iowa  
 24 7 Acts, chapter 1175, section 270, and 2005 Iowa Acts, chapter  
 24 8 179, section 23, is amended to read as follows:  
 24 9 2. There is appropriated from the general fund of the  
 24 10 state to the endowment for Iowa's health account of the  
 24 11 tobacco settlement trust fund created in section 12E.12, for  
 24 12 the designated fiscal years, the following amounts, to be used  
 24 13 for the purposes specified in section 12E.12 for the endowment  
 24 14 for Iowa's health account:  
 24 15 FY 2001-2002 ..... \$ 7,248,000  
 24 16 FY 2003-2004 ..... \$ 0  
 24 17 FY 2004-2005 ..... \$ 0  
 24 18 FY 2005-2006 ..... \$ 0  
 24 19 FY 2006-2007 ..... \$ 17,773,000  
 24 20 0

24 21 Sec. 45. Section 16.100, Code 2005, is amended by adding  
 24 22 the following new subsection:  
 24 23 NEW SUBSECTION. 9. Notwithstanding any provision to the

CODE: Repeals the FY 2007 General Fund appropriation to the Endowment for Iowa's Health Account.

DETAIL: These funds were originally appropriated in SF 533 (FY 2002 Tobacco Settlement Trust Fund Appropriations Act) for the purpose of funding the Endowment for Iowa's Health Account. The Endowment also receives an annual allocation of \$70,000,000 from the State Wagering Tax, which sunsets at the end of FY 2007. The Endowment was established to provide a long-term funding source for the Healthy Iowans Tobacco Trust to be used for health care, substance abuse treatment and enforcement, tobacco use prevention and control, and other purposes related to the needs of children, adults, and facilities in the State.

CODE: Requires the transfer of assets held in, and any funds received by, the Housing Improvement Fund to the State Housing Trust Fund.



24 24 contrary, all assets held in the housing improvement fund  
 24 25 shall be transferred to the housing trust fund created in  
 24 26 section 16.181. On and after July 1, 2006, any moneys or  
 24 27 assets received for deposit in the housing improvement fund  
 24 28 shall be transferred to the housing trust fund.

FISCAL IMPACT: Approximately \$2.2 million currently in the Housing Improvement Fund will be transferred and an additional \$2.5 million will be available for transfer upon the repayment to the Housing Improvement Fund of outstanding loans.

24 29 Sec. 46. NEW SECTION. 137F.3A MUNICIPAL CORPORATION  
 24 30 INSPECTIONS -- CONTINGENT APPROPRIATION.

24 31 1. If a municipal corporation operating pursuant to a  
 24 32 chapter 28E agreement with the department of inspections and  
 24 33 appeals to enforce this chapter and chapters 137C and 137D  
 24 34 either fails to renew the agreement effective after July 1,  
 24 35 2005, but before July 1, 2007, or discontinues prior to July  
 25 1 1, 2007, enforcement activities in one or more jurisdictions  
 25 2 during the agreement time frame, or the department of  
 25 3 inspections and appeals cancels an agreement prior to July 1,  
 25 4 2007, due to noncompliance with the terms of the agreement,  
 25 5 the department of inspections and appeals may employ  
 25 6 additional full-time equivalent positions for the fiscal years  
 25 7 ending prior to July 1, 2007, to enforce the provisions of the  
 25 8 chapters, with the approval of the department of management.  
 25 9 Before approval is given, the director of the department of  
 25 10 management shall determine that the expenses exceed the funds  
 25 11 budgeted by the general assembly for food inspections to the  
 25 12 department of inspections and appeals. The department of  
 25 13 inspections and appeals may hire no more than one full-time  
 25 14 equivalent position for each six hundred inspections required  
 25 15 pursuant to this chapter and chapters 137C and 137D.

CODE: Permits the Department of Inspections and Appeals (DIA) to conduct inspection of food establishments and hire additional staff to conduct the inspections if municipal corporations performing the inspections fail to renew the agreement after July 1, 2005. The Department of Management is required to determine that the expenses exceed the budgeted amount appropriated for this purpose before approving the additional staff.

DETAIL: Currently Polk and Jasper Counties have not signed agreements for FY 2006 and existing DIA staff are performing the inspections. This results in less frequent inspections.

25 16 2. Notwithstanding chapter 137D, and sections 137C.9 and  
 25 17 137F.6, if the conditions described in this section are met,  
 25 18 fees imposed pursuant to that chapter and those sections shall  
 25 19 be retained by and are appropriated to the department of  
 25 20 inspections and appeals for the fiscal years ending prior to  
 25 21 July 1, 2007, to provide for salaries, support, maintenance,  
 25 22 and miscellaneous purposes associated with the additional

CODE: Contingent appropriation to the DIA of the fees imposed for food establishment inspections, if the conditions above are met.

DETAIL: The Polk and Jasper County fees are currently being deposited into the General Fund.

25 23 inspections.

25 24 3. This section is repealed July 1, 2007.

Repeals this Section on July 1, 2007.

25 25 Sec. 47. Section 256D.5, subsection 4, Code Supplement  
25 26 2005, is amended to read as follows:

CODE: Extends the Early Intervention Block Grant appropriation of \$29,250,000 through FY 2007.

25 27 4. For each fiscal year of the fiscal period beginning  
25 28 July 1, 2004, and ending June 30, ~~2006~~ 2007, the sum of  
25 29 twenty-nine million two hundred fifty thousand dollars.

DETAIL: Maintains current level of funding.

25 30 Sec. 48. 2005 Iowa Acts, chapter 175, section 4,  
25 31 subsection 4, as enacted by 2006 Iowa Acts, House File 2080,  
25 32 section 3, is amended by adding the following new paragraph:  
25 33 NEW PARAGRAPH. c. Of the amount transferred pursuant to  
25 34 this subsection, not more than \$50,000 shall be transferred to  
25 35 the department of public defense to be used for the enduring  
26 1 families program.

CODE: Transfers \$50,000 of the \$2,000,000 appropriation for the Veterans Home Ownership Program to the Department of Public Defense for the Enduring Families Program. The \$2,000,000 was enacted in HF 2080 (FY 2006 Veterans Appropriations Act).

DETAIL: House File 2080 was enacted by the General Assembly on January 18, 2006, and signed by the Governor on January 23, 2006.

26 2 Sec. 49. REPORT. By October 1, 2009, the Iowa finance  
26 3 authority shall submit a written report to the general  
26 4 assembly regarding the status of the housing trust fund. The  
26 5 report shall review the program and activities under the  
26 6 program during the existence of the fund, an update on the  
26 7 housing needs in the state, and any recommendations for  
26 8 changes.

Requires the Iowa Finance Authority (IFA) to submit a report to the General Assembly by October 1, 2009, including the following:

- History of the State Housing Trust Fund.
- State housing needs.
- Recommendations for change.

26 9 Sec. 50. HOUSING TRUST FUND. It is the intent of the  
26 10 general assembly to make appropriations from the general fund  
26 11 of the state to the housing trust fund created in section  
26 12 16.181 for the designated fiscal years in the following  
26 13 amounts:

Provides that it is the intent of the General Assembly that the following appropriations will be made to the State Housing Trust Fund:

26 14 1. FY 2007-2008 ..... \$ 2,000,000  
26 15 2. FY 2008-2009 ..... \$ 3,000,000  
26 16 3. FY 2009-2010 ..... \$ 4,000,000

- FY 2008 \$2,000,000
- FY 2009 \$3,000,000
- FY 2010 \$4,000,000

26 17 Sec. 51. WORLD FOOD PRIZE. It is the intent of the  
 26 18 general assembly to make appropriations from the general fund  
 26 19 of the state for purposes of the world food prize for the  
 26 20 designated fiscal years in the following amounts:

26 21 1. FY 2007-2008 ..... \$ 750,000  
 26 22 2. FY 2008-2009 ..... \$ 1,000,000

Provides that it is the intent of the General Assembly to make appropriations from the General Fund for purposes of the World Food Prize for FY 2008 and FY 2009.

DETAIL: HF 2459 (FY 2007 Economic Development Subcommittee Appropriations Bill) appropriates and authorizes a total of \$400,000 to the World Food Prize from the General Fund.

26 23 Sec. 52. CONTINGENT EFFECTIVE DATE. The section of this  
 26 24 division of this Act making an appropriation from the manure  
 26 25 storage indemnity fund to the department of natural resources  
 26 26 is contingent upon the enactment by the Eighty-first General  
 26 27 Assembly, 2006 Session of an Act which amends sections 459.312  
 26 28 and 459.400 making it necessary for the department to modify  
 26 29 its computer database in order to provide documentation to  
 26 30 persons required to submit updated manure management plans and  
 26 31 updated manure management plan filing fees to the department.

Specifies the \$80,000 appropriation from the Manure Storage Indemnity Fund to the DNR is contingent upon passage of HF 2755 (Manure Management Plans Bill).

DETAIL: The Bill allows animal confinement operations to submit their manure management plans and filing fees every four years rather than once a year. The Bill passed the House on March 29, 2006.

26 32 Sec. 53. EFFECTIVE AND APPLICABILITY DATES.

26 33 1. The section of this division of this Act transferring  
 26 34 moneys that would otherwise revert to the state board of  
 26 35 regents, being deemed of immediate importance, takes effect  
 27 1 upon enactment.

Specifies that the Section of this Bill transferring \$2,800,000 from the General Fund ending balance for FY 2006 to the State Board of Regents is effective on enactment.

27 2 2. The section of this division of this Act enacting  
 27 3 section 137F.3A, being deemed of immediate importance, takes  
 27 4 effect upon enactment and applies retroactively to July 1,  
 27 5 2005.

Specifies that the Section of this Bill permitting the DIA to receive an appropriation of food establishment inspection fees and hire additional staff to conduct them takes effect upon enactment, and is retroactive to July 1, 2005.

27 6 DIVISION V  
 27 7 MISCELLANEOUS STATUTORY CHANGES

27 8 Sec. 54. Section 7D.29, Code 2005, as amended by 2006 Iowa

CODE: Permits the Executive Council to approve and pay for

27 9 Acts, Senate File 2273, section 7, is amended by adding the  
 27 10 following new subsection:  
 27 11 NEW SUBSECTION. 4. The executive council shall receive  
 27 12 requests from the Iowa department of public health, relative  
 27 13 to the purchase, storing, and distribution of vaccines and  
 27 14 medication for prevention, prophylaxis, or treatment. Upon  
 27 15 review and after compliance with subsection 2, the executive  
 27 16 council may approve the request and may incur the necessary  
 27 17 expense and pay the same out of any money in the state  
 27 18 treasury not otherwise appropriated.

expenses incurred by the Department of Public Health related to the purchase, storing, and distribution of antiviral treatment courses.

27 19 Sec. 55. Section 15E.208, subsection 3, paragraph b,  
 27 20 subparagraph (2), Code 2005, is amended by adding the  
 27 21 following new subparagraph subdivision:  
 27 22 NEW SUBPARAGRAPH SUBDIVISION. (e) Notwithstanding any  
 27 23 provision of this division to the contrary, payments of  
 27 24 principal and interest of the loan granted by the corporation  
 27 25 to an eligible person and assigned to the department pursuant  
 27 26 to this subparagraph during calendar year 2003 which were  
 27 27 deferred pursuant to subparagraph subdivision (c) shall be  
 27 28 forgiven and the total debt, including interest, shall be  
 27 29 retired.

CODE: Specifies that the principle and interest on a loan to Iowa Quality Beef is forgiven.

DETAIL: The loan was made by the Iowa Agricultural Finance Corporation (IAFC). A loan of \$3,000,000 was made to Iowa Quality Beef (IQB) and the loan was assigned to the Department of Economic Development (DED). The assignment reduced the loan repayment amount the IAFC owed the State. The DED was to receive the payments from IQB to be used for Iowa agricultural industry finance loans. The loan forgiveness will reduce payments to the DED as follows:

- FY 2008 \$1,000,000
- FY 2009 \$1,000,000
- FY 2010 \$1,000,000
- FY 2011 \$482,761

27 30 Sec. 56. Section 15G.119, subsection 4, paragraph c, if  
 27 31 enacted by 2006 Iowa Acts, House File 2759, is amended to read  
 27 32 as follows:  
 27 33 c. Notwithstanding section 8.33, unencumbered and  
 27 34 unobligated moneys remaining in the infrastructure fund at the  
 27 35 close of each fiscal year shall not revert but shall remain  
 28 1 available in the infrastructure fund for expenditure for the  
 28 2 same purposes ~~in the succeeding fiscal year~~ until the end of

CODE: Pursuant to enactment of HF 2759 (Renewable Fuel Infrastructure Bill), provides that unencumbered and unobligated moneys remaining in the Renewable Fuel Infrastructure Fund are to remain available for expenditure until the end of FY 2012, at which time, the remaining moneys will revert to the funds from which appropriated.

28 3 the fiscal year that begins July 1, 2011, at which time the  
28 4 unencumbered and unobligated moneys remaining shall revert to  
28 5 the funds from which appropriated.

28 6 Sec. 57. Section 22.7, subsection 52, unnumbered paragraph  
28 7 1, as enacted by 2006 Iowa Acts, House File 2706, if enacted,  
28 8 is amended to read as follows:  
28 9 The following records relating to a charitable donation  
28 10 made to a foundation acting solely for the support of an  
28 11 institution governed by the state board of regents, to a  
28 12 foundation acting solely for the support of an institution  
28 13 governed by chapter 260C, to a private foundation as defined  
28 14 in section 509 of the Internal Revenue Code organized for the  
28 15 support of a government body, or to an endow Iowa qualified  
28 16 community foundation, as defined in section 15E.303, organized  
28 17 for the support of a government body:

CODE: Adds community colleges to the list of public organizations that may keep certain records relating to charitable donations made to a foundation confidential.

28 18 Sec. 58. Section 22.7, Code Supplement 2005, is amended by  
28 19 adding the following new subsections:  
28 20 NEW SUBSECTION. 53. Individually identifiable client  
28 21 information contained in the records of the state database  
28 22 created as a homeless management information system pursuant  
28 23 to standards developed by the United States department of  
28 24 housing and urban development and utilized by the Iowa  
28 25 department of economic development.  
28 26 NEW SUBSECTION. 54. The following information contained  
28 27 in the records of any governmental body relating to any form  
28 28 of housing assistance:  
28 29 a. An applicant's social security number.  
28 30 b. An applicant's personal financial history.  
28 31 c. An applicant's personal medical history or records.  
28 32 d. An applicant's current residential address when the  
28 33 applicant has been granted or has made application for a civil  
28 34 or criminal restraining order for the personal protection of  
28 35 the applicant or a member of the applicant's household.

CODE: Expands the list of criteria in the statute defining confidential public records.

29 1 Sec. 59. Section 29A.28, subsections 1 and 3, Code 2005,  
 29 2 are amended to read as follows:  
 29 3 1. All officers and employees of the state, or a  
 29 4 subdivision thereof, or a municipality other than employees  
 29 5 employed temporarily for six months or less, who are members  
 29 6 of the national guard, organized reserves or any component  
 29 7 part of the military, naval, or air forces or nurse corps of  
 29 8 this state or nation, or who are or may be otherwise inducted  
 29 9 into the military service of this state or of the United  
 29 10 States, or who are members of the civil air patrol, shall,  
 29 11 when ordered by proper authority to state active duty, state  
 29 12 military service, or federal service, or when performing a  
 29 13 civil air patrol mission pursuant to section 29A.3A, be  
 29 14 entitled to a leave of absence from such civil employment for  
 29 15 the period of state active duty, state military service, ~~or~~  
 29 16 federal service, or civil air patrol duty without loss of  
 29 17 status or efficiency rating, and without loss of pay during  
 29 18 the first thirty days of such leave of absence. Where state  
 29 19 active duty, state military service, ~~or federal service~~, or  
 29 20 civil air patrol duty is for a period of less than thirty  
 29 21 days, a leave of absence under this section shall only be  
 29 22 required for those days that the civil employee would normally  
 29 23 perform services for the state, subdivision of the state, or a  
 29 24 municipality.  
 29 25 3. Upon returning from a leave of absence under this  
 29 26 section, an employee shall be entitled to return to the same  
 29 27 position and classification held by the employee at the time  
 29 28 of entry into state active duty, state military service, ~~or~~  
 29 29 federal service, or civil air patrol duty, or to the position  
 29 30 and classification that the employee would have been entitled  
 29 31 to if the continuous civil service of the employee had not  
 29 32 been interrupted by state active duty, state military service,  
 29 33 ~~or federal service~~, or civil air patrol duty. Under this  
 29 34 subsection, "position" includes the geographical location of  
 29 35 the position.

CODE: Specifies that members of the Civil Air Patrol are treated similarly to members of the Iowa National Guard and Reserves and are granted leave of absence without penalty from their job for Civil Air Patrol duty and reinstatement upon return to employment. Also, provides employment protection to the Civil Air Patrol members allowing them to participate in emergency operations.

DETAIL: The change does not have a fiscal impact.

30 1 Sec. 60. Section 29A.40, unnumbered paragraph 2, Code

CODE: Increases the penalty for the false wearing of a military

30 2 2005, is amended to read as follows:

30 3 Any person who, without authority under the laws of the  
30 4 United States or of one of the states, wears the uniform of,  
30 5 or a distinctive part of the uniform of the armed forces of  
30 6 the United States, shall be guilty of a ~~simple~~ serious  
30 7 misdemeanor.

uniform from a simple misdemeanor to a serious misdemeanor.

CORRECTIONAL IMPACT: According to the Justice Data Warehouse, there have been no convictions in Iowa courts for violations of any of the provisions in Chapter 29A, Code of Iowa. Although adding the Civil Air Patrol to the list of covered services could increase the possibility for violations of some provisions protecting jobs, etc., it appears unlikely that violations will occur.

30 8 Sec. 61. Section 29A.43, subsection 1, Code Supplement  
30 9 2005, is amended to read as follows:

30 10 1. A person shall not discriminate against any officer or  
30 11 enlisted person of the national guard or organized reserves of  
30 12 the armed forces of the United States or any member of the  
30 13 civil air patrol because of that membership. An employer, or  
30 14 agent of an employer, shall not discharge a person from  
30 15 employment because of being an officer or enlisted person of  
30 16 the military forces of the state or member of the civil air  
30 17 patrol, or hinder or prevent the officer or enlisted person or  
30 18 member of the civil air patrol from performing any military  
30 19 service or civil air patrol duty the person is called upon to  
30 20 perform by proper authority. A member of the national guard  
30 21 or organized reserves of the armed forces of the United States  
30 22 ordered to temporary duty, as defined in section 29A.1,  
30 23 subsection 3, 11, or 12, or a member of the civil air patrol  
30 24 performing duty pursuant to section 29A.3A, for any purpose is  
30 25 entitled to a leave of absence during the period of the duty  
30 26 or service, from the member's private employment, other than  
30 27 employment of a temporary nature, and upon completion of the  
30 28 duty or service the employer shall restore the person to the  
30 29 position held prior to the leave of absence, or employ the  
30 30 person in a similar position. However, the person shall give  
30 31 evidence to the employer of satisfactory completion of the  
30 32 training or duty, and that the person is still qualified to  
30 33 perform the duties of the position. The period of absence  
30 34 shall be construed as an absence with leave, and shall in no  
30 35 way affect the employee's rights to vacation, sick leave,

CODE: Specifies that members of the Civil Air Patrol are treated similarly to members of the Iowa National Guard and Reserves and are granted leave of absence without penalty from their job for Civil Air Patrol duty and reinstatement upon return to employment. Also, provides employment protection to the Civil Air Patrol members allowing them to participate in emergency operations.

DETAIL: The change does not have a fiscal impact.

31 1 bonus, or other employment benefits relating to the employee's  
31 2 particular employment. A person violating a provision of this  
31 3 section is guilty of a simple misdemeanor.

31 4 Sec. 62. Section 29C.8, subsection 3, paragraph f, Code  
31 5 Supplement 2005, is amended to read as follows:  
31 6 f. ~~(4)~~ Approve and support the development and ongoing  
31 7 operations of ~~an urban search and rescue team~~ homeland  
31 8 security and emergency response teams to be deployed as a  
31 9 resource to supplement and enhance disrupted or overburdened  
31 10 local emergency and disaster operations and deployed as  
31 11 available to provide assistance to other states pursuant to  
31 12 the interstate emergency management assistance compact  
31 13 described in section 29C.21. The following shall apply to  
31 14 homeland security and emergency response teams:  
31 15 ~~(2)~~ (1) A member of ~~an urban search and rescue~~ a homeland  
31 16 security and emergency response team acting under ~~the~~  
31 17 ~~authority~~ this section upon the directive of the administrator  
31 18 or pursuant to a governor's disaster proclamation as provided  
31 19 in section 29C.6 shall be considered an employee of the state  
31 20 ~~under~~ for purposes of section 29C.21 and chapter 669 and shall  
31 21 be afforded protection as an employee of the state under  
31 22 section 669.21. Disability, workers' compensation, and death  
31 23 benefits for team members working under the authority of the  
31 24 administrator or pursuant to the provisions of section 29C.6  
31 25 shall be paid by the state in a manner consistent with the  
31 26 provisions of chapter 85, 410, or 411 as appropriate,  
31 27 depending on the status of the member, provided that the  
31 28 member is registered with the homeland security and emergency  
31 29 management division as a member of an approved team and is  
31 30 participating as a team member in a response or recovery  
31 31 operation initiated by the administrator or governor pursuant  
31 32 to this section or in a training or exercise activity approved  
31 33 by the administrator.  
31 34 (2) Each approved homeland security and emergency  
31 35 management response team shall establish standards for team

CODE: Defines Homeland Security and Emergency Response  
Teams.



32 1 membership, shall provide the division with a listing of all  
 32 2 team members, and shall update the list each time a member is  
 32 3 removed from or added to the team. Individuals so identified  
 32 4 as team members shall be considered to be registered as team  
 32 5 members for purposes of subparagraph (1).  
 32 6 (3) Upon notification of a compensable loss to a member of  
 32 7 a homeland security and emergency management response team,  
 32 8 the department of administrative services shall process the  
 32 9 claim and seek funding from the executive council for those  
 32 10 costs associated with covered benefits.

32 11 Sec. 63. Section 29C.20, subsection 1, paragraph a,  
 32 12 subparagraph (5), Code Supplement 2005, is amended to read as  
 32 13 follows:  
 32 14 (5) Paying the expenses incurred by and claims of ~~an urban~~  
 32 15 ~~search and rescue~~ a homeland security and emergency response  
 32 16 ~~team when acting under the authority of the administrator and~~  
 32 17 ~~the provisions of section 29C.6~~ 29C.8 and public health  
 32 18 response teams when acting under the provisions of section  
 32 19 135.143.

CODE: Defines Homeland Security and Emergency Response  
Teams.

32 20 Sec. 64. Section 29C.20, subsection 1, paragraph b, Code  
 32 21 Supplement 2005, is amended to read as follows:  
 32 22 b. When a state department or agency requests that moneys  
 32 23 from the contingent fund be expended to repair, rebuild, or  
 32 24 restore state property injured, destroyed, or lost by fire,  
 32 25 storm, theft, or unavoidable cause, or to repair, rebuild, or  
 32 26 restore state property that is fiberoptic cable and that is  
 32 27 injured or destroyed by a wild animal, or to purchase a police  
 32 28 service dog for the department of corrections when such a dog  
 32 29 is injured or destroyed, or for payment of the expenses  
 32 30 incurred by and claims of ~~an urban search and rescue a~~  
 32 31 homeland security and emergency response team when acting  
 32 32 under the authority of the administrator and the provisions of  
 32 33 ~~section 29C.6~~ 29C.8, the executive council shall consider the

CODE: Defines Homeland Security and Emergency Response  
Teams.

32 34 original source of the funds for acquisition of the property  
32 35 before authorizing the expenditure. If the original source  
33 1 was other than the general fund of the state, the department  
33 2 or agency shall be directed to utilize moneys from the  
33 3 original source if possible. The executive council shall not  
33 4 authorize the repairing, rebuilding, or restoring of the  
33 5 property from the disaster aid contingent fund if it  
33 6 determines that moneys from the original source are available  
33 7 to finance the project.

33 8 Sec. 65. Section 35A.5, subsection 9, Code Supplement  
33 9 2005, is amended to read as follows:  
33 10 9. Establish and operate a state veterans cemetery and  
33 11 make application to the government of the United States or any  
33 12 subdivision, agency, or instrumentality thereof, for funds for  
33 13 the purpose of establishing such a cemetery. The state may  
33 14 enter into agreements with any subdivision of the state for  
33 15 assistance in operating the cemetery. The state shall own the  
33 16 land on which the cemetery is located.  
33 17 PARAGRAPH DIVIDED. The department shall have the authority  
33 18 to accept federal grant funds, funding from state  
33 19 subdivisions, donations from private sources, and federal  
33 20 "plot allowance" payments. ~~All such funds shall be deposited~~  
33 21 ~~into an account dedicated to the establishment, operation, and~~  
33 22 ~~maintenance of a veterans cemetery and these funds shall be~~  
33 23 ~~expended only for those purposes.~~ The department through the  
33 24 director shall have the authority to accept suitable cemetery  
33 25 land, in accordance with federal veterans cemetery grant  
33 26 guidelines, from the federal government, state government,  
33 27 state subdivisions, private sources, and any other source  
33 28 wishing to transfer land for use as a veterans cemetery. The  
33 29 department may lease or use property received pursuant to this  
33 30 subsection for any purpose so long as such leasing or use does  
33 31 not interfere with the use of the property for cemetery  
33 32 purposes and is not contrary to federal or state guidelines.  
33 33 All funds received pursuant to this subsection, including

CODE: Permits the property donated for the Iowa Veterans Cemetery to be leased for purposes permitted by federal or State guidelines, with revenues received from the lease to be used for establishment, operation, and maintenance of the Cemetery.

33 34 lease payments or funds generated from any activity engaged in  
33 35 on any property accepted pursuant to this subsection, shall be  
34 1 deposited into an account dedicated to the establishment,  
34 2 operation, and maintenance of a veterans cemetery and these  
34 3 funds shall be expended only for those purposes.  
34 4 PARAGRAPH DIVIDED. Notwithstanding section 8.33, any  
34 5 moneys in the account for a state veterans cemetery shall not  
34 6 revert and, notwithstanding section 12C.7, subsection 2,  
34 7 interest or earnings on moneys deposited in the fund shall be  
34 8 credited to the account.

34 9 Sec. 66. Section 35A.13, Code 2005, is amended by adding  
34 10 the following new subsection:  
34 11 NEW SUBSECTION. 5A. It is the intent of the general  
34 12 assembly that beginning with the fiscal year beginning July 1,  
34 13 2007, appropriations be made annually to the veterans trust  
34 14 fund. Prior to any additional appropriations to this fund,  
34 15 the commission shall provide the general assembly with  
34 16 information identifying immediate and long-term veteran  
34 17 services throughout the state and a plan for delivering those  
34 18 services.

CODE: Provides legislative intent for future annual appropriations to the Veterans Trust Fund beginning in FY 2008. Requires the Commission of Veterans Affairs to provide the General Assembly immediate and long-term veterans service information prior to the appropriations.

34 19 Sec. 67. Section 35A.13, subsection 6, Code 2005, is  
34 20 amended by striking the subsection and inserting in lieu  
34 21 thereof the following:  
34 22 6. Moneys appropriated to the commission under this  
34 23 section shall not be used to supplant funding provided by  
34 24 other sources. The moneys may be expended upon a majority  
34 25 vote of the commission membership for the benefit of veterans  
34 26 and the spouses and dependents of veterans, for any of the  
34 27 following purposes:  
34 28 a. Travel expenses for wounded veterans directly related  
34 29 to follow-up medical care.  
34 30 b. Job training or college tuition assistance for job  
34 31 retraining.  
34 32 c. Unemployment assistance during a period of unemployment

CODE: Expands the use of moneys from the Veterans Trust Fund, including:

- Adds travel expenses for follow-up medical care.
- Adds job retraining tuition aid.
- Eliminates the requirement for a diagnosis of mental distress for unemployment assistance.
- Eliminates the requirement that other funding sources be utilized before payment of nursing facility care and adds at-home care services.
- Adds individual or family counseling programs.
- Adds family support group programs and programs for military children.
- Adds honor guard services.

34 33 due to prolonged physical or mental illness or disability  
34 34 resulting from military service.  
34 35 d. Expenses related to nursing facility or at-home care.  
35 1 e. Benefits provided to children of disabled or deceased  
35 2 veterans.  
35 3 f. Individual counseling or family counseling programs.  
35 4 g. Family support group programs or programs for children  
35 5 of members of the military.  
35 6 h. Honor guard services.

35 7 Sec. 68. Section 35A.13, Code 2005, is amended by adding  
35 8 the following new subsection:  
35 9 NEW SUBSECTION. 6A. If the commission identifies other  
35 10 purposes for which the moneys appropriated under this section  
35 11 may be used for the benefit of veterans and the spouses and  
35 12 dependents of veterans, the commission shall submit  
35 13 recommendations for the addition of such purposes to the  
35 14 general assembly for review.

CODE: Requires the Commission of Veteran Affairs to recommend to the General Assembly additional uses for the interest from the Veterans Trust Fund for review.

35 15 Sec. 69. Section 68B.32A, subsection 2, unnumbered  
35 16 paragraph 2, Code Supplement 2005, is amended to read as  
35 17 follows:  
35 18 The board may establish a process to assign signature codes  
35 19 to a person or committee for purposes of facilitating an  
35 20 electronic filing procedure. The assignment of signature  
35 21 codes shall be kept confidential, notwithstanding section  
35 22 22.2. The board and persons electronically filing reports and  
35 23 statements shall keep assigned signature codes or subsequently  
35 24 selected signature codes confidential. Signature codes shall  
35 25 not be subject to state security policies regarding frequency  
35 26 of change.

CODE: Requires the Ethics and Campaign Disclosure Board to assign confidential signature codes for persons who file reports and statements electronically and excludes signature codes from State information technology requirements concerning periodic changes of these codes.

35 27 Sec. 70. NEW SECTION. 70A.15A CHARITABLE GIVING PAYROLL  
35 28 DEDUCTION BY OTHER THAN STATE OFFICER OR EMPLOYEE.  
35 29 1. For purposes of this section, unless the context

CODE: Defines applicable public employer and eligible charitable organizations, and sets guidelines for payroll deductions for charitable giving.

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35 30 otherwise requires:

35 31     a. "Applicable public employer" means a board of directors

35 32 of a school district, a county board of supervisors, or a

35 33 governing body of a city.

35 34     b. "Eligible charitable organization" means a not-

35 35 for-profit federation of health and human services, social

36 1 welfare, or environmental agencies or associations that meets

36 2 all of the following conditions:

36 3     (1) The federation is tax exempt under section 501(c)(3)

36 4 of the Internal Revenue Code and contributions to the

36 5 federation are deductible under section 170 of the Internal

36 6 Revenue Code.

36 7     (2) The federation has had an office in this state for the

36 8 last five years.

36 9     (3) The federation represents at least ten health and

36 10 human services, social welfare, or environmental agencies or

36 11 associations that are located in this state.

36 12     (4) The federation is governed by an active, voluntary

36 13 board, which exercises administrative control over the

36 14 federation.

36 15     (5) The federation is not a charitable foundation.

36 16     (6) The federation is registered with the secretary of

36 17 state's office.

36 18     2. An applicable public employer may authorize deductions

36 19 from the salaries or wages of its employees of an amount

36 20 specified by an employee for payment to an eligible charitable

36 21 organization. The authorization by an employee for deductions

36 22 from the employee's salary or wages shall be evidenced by a

36 23 written request signed by the employee directed to and filed

36 24 with the treasurer, or official in charge of the payroll

36 25 system, of the applicable public employer and the treasurer or

36 26 responsible official shall deduct from the salary or wages of

36 27 the employee the amount specified for payment to the eligible

36 28 charitable organization. The request for the deduction may be

36 29 withdrawn by the employee at any time by filing a written

36 30 notification of withdrawal with the applicable treasurer or

36 31 responsible official in charge of the payroll system.

36 32 3. If an applicable public employer authorizes deductions  
36 33 from the salaries or wages of its employees for payment to any  
36 34 eligible charitable organization, the applicable public  
36 35 employer shall ensure that an employee shall be permitted to  
37 1 authorize a deduction to any eligible charitable organization.

37 2 Sec. 71. Section 103A.10, subsection 2, Code 2005, is  
37 3 amended by adding the following new paragraph:  
37 4 NEW PARAGRAPH. c. To all newly constructed buildings and  
37 5 structures the construction of which is paid for in whole or  
37 6 in part with moneys appropriated by the state but not wholly  
37 7 owned by the state.

CODE: Requires the State Building Code be applicable to all newly constructed buildings and structures, which were paid for in whole or part with State funds.

37 8 Sec. 72. NEW SECTION. 103A.10A PLAN REVIEWS AND  
37 9 INSPECTIONS.

CODE: Adds statutory language to add requirements for construction plan reviews and inspections. Specifies the following:

37 10 1. Beginning on January 1, 2007, all newly constructed  
37 11 buildings or structures, excluding any addition, renovation,  
37 12 or repair of a building or structure whether existing prior to  
37 13 January 1, 2007, or thereafter, that are owned by the state or  
37 14 an agency of the state, except as provided in subsection 2,  
37 15 shall be subject to a plan review and inspection by the  
37 16 commissioner or an independent building inspector appointed by  
37 17 the commissioner. A fee shall be assessed for the cost of  
37 18 plan review and the cost of inspection.

37 19 2. Beginning on July 1, 2007, all newly constructed  
37 20 buildings, excluding any addition, renovation, or repair of a  
37 21 building whether existing prior to July 1, 2007, or  
37 22 thereafter, that are owned by the state board of regents shall  
37 23 be subject to a plan review and inspection by the commissioner  
37 24 or the commissioner's staff or assistant. The commissioner  
37 25 and the state board of regents shall develop a plan to  
37 26 implement the requirements of this subsection, including  
37 27 funding recommendations related to plan review and inspection,  
37 28 by March 1, 2007.

37 29 3. All newly constructed buildings and structures the  
37 30 construction of which is paid for in whole or in part with

- Beginning January 1, 2007, all newly constructed buildings and structures that are owned by the State will be subject to plan review and inspection by the State Building Code Commissioner or his appointee and a fee will be assessed for the cost of the review and inspection.
- Beginning January 1, 2007, all newly constructed buildings and structures that are owned by the State Board of Regents will be subject to plan review and inspection by the State Building Code Commissioner or his staff. The Commissioner and the Board of Regents will develop a plan to implement the requirements and include funding recommendations related to plan review and inspection by March 1, 2007.
- All newly constructed buildings and structures which are paid for in whole or part with State funds will be subject to plan review and inspection. Any new construction that has not already adopted a building code, electrical code, mechanical code, and plumbing code will be built to comply with the State Building Code. A fee will be assessed for the cost of the plan review and the cost of the inspection.
- Requires the State Building Code Commissioner to administer this Section. The Commissioner will establish through

37 31 moneys appropriated by the state but not wholly owned by the  
 37 32 state are subject to the plan review and inspection  
 37 33 requirements as provided in this subsection. If a  
 37 34 governmental subdivision has adopted a building code,  
 37 35 electrical code, mechanical code, and plumbing code and  
 38 1 performs inspections pursuant to such codes, such buildings or  
 38 2 structures shall be built to comply with such codes. However,  
 38 3 if a governmental subdivision has not adopted a building code,  
 38 4 electrical code, mechanical code, and plumbing code, or does  
 38 5 not perform inspections pursuant to such codes, such buildings  
 38 6 or structures shall be built to comply with the state building  
 38 7 code and shall be subject to a plan review and inspection by  
 38 8 the commissioner or an independent building inspector  
 38 9 appointed by the commissioner. A fee shall be assessed for  
 38 10 the cost of plan review and the cost of inspection.  
 38 11 4. The commissioner shall administer this section  
 38 12 notwithstanding section 103A.19. The commissioner shall  
 38 13 establish by rule proper qualifications for an independent  
 38 14 building inspector and for the commissioner's staff or  
 38 15 assistant who performs inspections, and fees for plan reviews  
 38 16 and inspections.

Administrative Rules the qualifications for an independent building inspector or the commissioner's staff to perform building inspections. The Commissioner will also establish fees for the plan reviews and inspections through Administrative Rules.

38 17 Sec. 73. Section 147.106, subsection 1, paragraph e, Code  
 38 18 Supplement 2005, is amended to read as follows:  
 38 19 e. The referring clinical laboratory, other than the  
 38 20 laboratory of a physician's office or group practice, that  
 38 21 ordered the services. A laboratory of a physician's office or  
 38 22 group practice that ordered the services may be presented a  
 38 23 claim, bill, or demand for payment if a physician in the  
 38 24 physician's office or group practice is performing the  
 38 25 professional component of the anatomic pathology services.

CODE: Provides for changes to billing procedures for anatomic pathology services.

38 26 Sec. 74. Section 147.106, subsection 5, Code Supplement  
 38 27 2005, is amended to read as follows:  
 38 28 5. This section does not prohibit claims or charges  
 38 29 presented ~~by~~ to a referring clinical laboratory, other than a

CODE: Provides for changes to billing procedures for anatomic pathology services.

38 30 laboratory of a physician's office or group practice, ~~to~~  
38 31 unless in accordance with subsection 1, paragraph "e", by  
38 32 another clinical laboratory when samples are transferred  
38 33 between laboratories for the provision of anatomic pathology  
38 34 services.

38 35 Sec. 75. Section 225C.48, subsection 1, Code 2005, if  
39 1 amended by both 2006 Iowa Acts, House File 845, if enacted,  
39 2 and by 2006 Iowa Acts, Senate File 2217, section 22, if  
39 3 enacted, is amended by striking the subsection and inserting  
39 4 in lieu thereof the following:  
39 5 1. a. An eleven-member comprehensive family support  
39 6 council is created in the department. The members of the  
39 7 council shall be appointed by the governor. At least five of  
39 8 the members shall be family members of individuals with a  
39 9 disability as defined in section 225C.47. At least five of  
39 10 the members shall be current or former service consumers or  
39 11 family members of such service consumers. Members shall serve  
39 12 for three-year staggered terms. A vacancy on the council  
39 13 shall be filled in the same manner as the original  
39 14 appointment.  
39 15 b. The members of the council are entitled to  
39 16 reimbursement of actual and necessary expenses incurred in the  
39 17 performance of their official duties. In addition, the  
39 18 members who are family members of individuals with a  
39 19 disability or current or former service consumers or family  
39 20 members of such service consumers are entitled to a stipend of  
39 21 fifty dollars for each council meeting attended, subject to a  
39 22 limit of one meeting per month. The expenses and stipend  
39 23 shall be paid from the appropriation made for purposes of the  
39 24 comprehensive family support program.  
39 25 c. The council shall elect officers from among the  
39 26 council's members.

CODE: Requires the Governor to appoint the members of the Comprehensive Family Support Council, in lieu of a combination of the Governor, Senate Majority Leader, and Speaker of the House of Representatives. Requires at least five members to be family members of individuals with a disability. Permits these five members to receive the same \$50.00 stipend as the service consumer representation receives.

39 27 Sec. 76. Section 232.147, subsection 2, paragraph b, if  
39 28 enacted by 2006 Iowa Acts, House File 2651, section 1, is

CODE: Amends HF 2651 (Juvenile Court Records and Restitution Orders Bill) to grant access to certain juvenile court records on a



39 29 amended to read as follows:  
 39 30 b. Official juvenile court records containing a petition  
 39 31 or complaint alleging delinquency filed on or after January 1,  
 39 32 2007, shall be public records subject to a confidentiality  
 39 33 order under section 232.149A or sealing under section 232.150.  
 39 34 ~~However, the~~ The official records shall not be available to  
 39 35 the public or any governmental agency through the internet or  
 40 1 in an electronic customized data report unless the child has  
 40 2 been adjudicated delinquent. However, the following shall  
 40 3 have access to official juvenile court records through the  
 40 4 internet or in an electronic customized data report prior to  
 40 5 the child being adjudicated delinquent:  
 40 6 (1) The judge and professional court staff, including  
 40 7 juvenile court officers.  
 40 8 (2) The child's counsel or guardian ad litem.  
 40 9 (3) The county attorney and the county attorney's  
 40 10 assistants.  
 40 11 (4) A court, court professional staff, and adult probation  
 40 12 officers in connection with the preparation of a presentence  
 40 13 report concerning a person who prior thereto had been the  
 40 14 subject of a juvenile court proceeding.  
 40 15 (5) A state or local law enforcement agency.  
 40 16 (6) The state public defender.  
 40 17 (7) The division of criminal and juvenile justice planning  
 40 18 of the department of human rights.

40 19 Sec. 77. Section 232.149A, subsection 3, if enacted by  
 40 20 2006 Iowa Acts, House File 2651, section 2, is amended by  
 40 21 adding the following new paragraph:  
 40 22 NEW PARAGRAPH. i. The state public defender.

40 23 Sec. 78. NEW SECTION. 257.12 ADJUSTMENT IN STATE  
 40 24 FOUNDATION AID.  
 40 25 1. If a school district is required to repay property  
 40 26 taxes paid for school taxes levied on property originally

limited basis.

DETAIL: House File 2651 was enacted by the General Assembly on April 18, 2006, but has not yet been sent to the Governor for signature.

CODE: Amends HF 2651 (Juvenile Court Records and Restitution Orders Bill) to include State Public Defender in the list of officials that may access juvenile court records without a court order.

CODE: Makes school districts that are required to repay property taxes because of a Property Assessment Appeal Board or judicial action reducing a property tax assessment eligible for an adjustment in State Foundation Aid. The original assessment must have been \$5,000,000 or more, and the assessment reduction must be at least

40 27 assessed at five million dollars or more because the  
40 28 assessment was subsequently reduced by the action of the  
40 29 property assessment appeal board or judicial action and the  
40 30 amount of the reduction in the assessment equals at least one  
40 31 hundred thousand dollars or two percent of the assessed value  
40 32 of all taxable property in the district prior to the  
40 33 reduction, whichever is less, the school district is eligible  
40 34 for an adjustment in state foundation aid. To receive the  
40 35 adjustment in state foundation aid, the school district shall  
41 1 apply to the department of management prior to the beginning  
41 2 of the budget year following the budget year in which the  
41 3 repayment of the property taxes occurred. The department of  
41 4 management shall determine the amount of adjustment in state  
41 5 foundation aid pursuant to subsection 2.  
41 6 2. The department of management shall determine the amount  
41 7 of state foundation aid which the school district would have  
41 8 received under section 257.1 if the amount of the school  
41 9 district's foundation property tax was determined using the  
41 10 reduced assessment of the applicable property. The difference  
41 11 between the amount of the state foundation aid using the  
41 12 reduced assessment and the amount of state foundation aid  
41 13 actually received under section 257.1 equals the amount of the  
41 14 adjustment in state foundation aid to be paid to the school  
41 15 district.  
41 16 3. The adjustment in state foundation aid under this  
41 17 section shall be paid as provided in section 257.16. If the  
41 18 application to receive an adjustment in state aid was filed  
41 19 prior to April 15, the adjustment shall be paid in the budget  
41 20 year. If the application is made after April 15, the  
41 21 adjustment shall be paid in the following budget year.

\$100,000 or 2.00% of the assessed value of all property in the school district, which ever is less. The district must apply to the Department of Management for the adjustment by specified deadlines.

The Department of Management is to calculate what the school district would have received from the State Foundation Formula with the reduced assessment compared to what it actually received. The difference is the adjustment. If the school district applies for the adjustment before April 15, the adjustment is to be paid during the current school year. If the application is made after April 15, the adjustment is paid in the following budget year.

41 22 Sec. 79. Section 275.15, unnumbered paragraph 4, Code  
41 23 2005, is amended to read as follows:  
41 24 The administrator shall at once publish the decision in the  
41 25 same newspaper in which the original notice was published.  
41 26 Within twenty days after the publication, the decision

CODE: Specifies that decisions of Area Education Agency (AEA) Boards regarding school district reorganization may be appealed to the State Board of Education.

41 27 rendered by the area education agency board may be appealed to  
41 28 the district court in the county involved by any school  
41 29 district affected. For purposes of appeal, only those school  
41 30 districts who filed reorganization petitions are school  
41 31 districts affected. An appeal from a decision of an area  
41 32 education agency board or joint area education agency boards  
41 33 under section 275.4, 275.16, or this section is subject to  
41 34 appeal procedures under this chapter and is ~~not~~ subject to  
41 35 appeal under procedures set forth in chapter 290.

42 1 Sec. 80. Section 314.1, subsection 2, Code 2005, as  
42 2 amended by 2006 Iowa Acts, House File 2713, section 27, is  
42 3 amended to read as follows:  
42 4 2. Notwithstanding any other provision of law to the  
42 5 contrary, a public improvement that involves the construction,  
42 6 reconstruction, or improvement of a highway, bridge, or  
42 7 culvert and that has a cost in excess of the applicable  
42 8 threshold in section 73A.18, 262.34, 297.7, 309.40, 310.14, or  
42 9 313.10, as modified by the bid threshold subcommittee pursuant  
42 10 to section 314.1B, shall be advertised and let for bid, except  
42 11 such public improvements that involve emergency work pursuant  
42 12 to section 309.40A, 313.10, or 384.103, subsection 2. For a  
42 13 city having a population of fifty thousand or less, a public  
42 14 improvement that involves the construction, reconstruction, or  
42 15 improvement of a highway, bridge, or culvert that has a cost  
42 16 in excess of twenty-five thousand dollars, as modified by the  
42 17 bid threshold subcommittee pursuant to section 314.1B, shall  
42 18 be advertised and let for bid, excluding emergency work.  
42 19 However, a public improvement that has an estimated total cost  
42 20 to a city in excess of a threshold of fifty thousand dollars,  
42 21 as modified by the bid threshold subcommittee pursuant to  
42 22 section 314.1B, and that involves the construction,  
42 23 reconstruction, or improvement of a highway, bridge, or  
42 24 culvert that is under the jurisdiction of a city with a  
42 25 population of more than fifty thousand, shall be advertised  
42 26 and let for bid. Cities required to competitively bid

CODE: Amends HF 2713 (FY 2007 Competitive Bidding, Government Projects Act) to require cities with a population of 50,000 or less to advertise for bid a public improvement when the estimated cost of the improvement exceeds \$25,000. Cities that are required to competitively bid highway, bridge, or culvert work are required to do so in compliance with the contract letting procedures set forth in the Act.

42 27 highway, bridge, or culvert work shall do so in compliance  
42 28 with the contract letting procedures of sections 38.3 through  
42 29 38.13.

42 30 Sec. 81. Section 352.2, subsection 7, Code 2005, is  
42 31 amended to read as follows:  
42 32 7. "Farm products" means those plants and animals and  
42 33 their products which are useful to people and includes but is  
42 34 not limited to forages and sod crops, grains and feed crops,  
42 35 dairy and dairy products, poultry and poultry products,  
43 1 livestock, canines from licensed facilities, fruits,  
43 2 vegetables, flowers, seeds, grasses, trees, fish, honey, and  
43 3 other similar products, or any other plant, animal, or plant  
43 4 or animal product which supplies people with food, feed,  
43 5 fiber, or fur.

CODE: Adds canines that are produced at licensed facilities to the definition of farm products and exempts licensed canine producers from paying sales tax on items related to the production of canines.

DETAIL: The number of licensed facilities in Iowa include:

- 449 federal Class A wholesale breeders and it estimated 404 are dog breeders.
- 69 federal Class B wholesale brokers and it is estimated 62 are dog brokers.
- 184 State-licensed commercial breeders and it is estimated 163 are dog breeders.
- 47 State-licenses greyhound dog breeders.
- It is estimated there are a total of 676 licensed canine facilities in Iowa.

FISCAL IMPACT: The estimated fiscal impact is a minimum reduction of \$206,000 in State sales tax and \$41,000 in local option sales tax each year. This is based on the assumptions that there are 27,500 breeding dogs in Iowa and the average annual cost to maintain a breeding dog is \$150 per year. The estimated maximum reduction is \$413,000 in State sales tax and \$83,000 in local option sales tax each year.

43 6 Sec. 82. Section 421.17, subsection 27, paragraph j, if  
43 7 enacted by 2006 Iowa Acts, House File 2521, is amended by  
43 8 striking the paragraph and inserting in lieu thereof the  
43 9 following:  
43 10 j. Of the amount of debt actually collected pursuant to  
43 11 this subsection an amount, not to exceed the amount collected,  
43 12 which is sufficient to pay for salaries, support, maintenance,  
43 13 services, and other costs incurred by the department related  
43 14 to the administration of this subsection shall be retained by  
43 15 the department. Revenues retained by the department pursuant

CODE: Changes the Department of Revenues funding for the new Collection Enterprise Services from a standing appropriation to net budgeting.

43 16 to this section shall be considered repayment receipts as  
43 17 defined in section 8.2. The director shall, in the annual  
43 18 budget request pursuant to section 8.23, make an estimate as  
43 19 to the amount of receipts to be retained and the estimated  
43 20 amount of additional receipts to be collected. The director  
43 21 shall report annually to the department of management, the  
43 22 legislative fiscal committee, and the legislative services  
43 23 agency on any additional positions added and the costs  
43 24 incurred during the previous fiscal year pursuant to this  
43 25 subsection.

43 26 Sec. 83. Section 423.1, subsection 3, Code Supplement  
43 27 2005, is amended to read as follows:  
43 28 3. "Agricultural production" includes the production of  
43 29 flowering, ornamental, or vegetable plants in commercial  
43 30 greenhouses or otherwise, and production from aquaculture or  
43 31 canines from licensed facilities. "Agricultural products"  
43 32 includes flowering, ornamental, or vegetable plants and those  
43 33 products of aquaculture or canines from licensed facilities.

CODE: Adds canines that are produced at licensed facilities to the definition of agricultural production and exempts licensed canine producers from paying sales tax on items related to the production of canines.

DETAIL: The number of licensed facilities in Iowa include:

- 449 federal Class A wholesale breeders and it estimated 404 are dog breeders.
- 69 federal Class B wholesale brokers and it is estimated 62 are dog brokers.
- 184 State-licensed commercial breeders and it is estimated 163 are dog breeders.
- 47 State-licenses greyhound dog breeders.
- It is estimated there are a total of 676 licensed canine facilities in Iowa.

FISCAL IMPACT: The estimated fiscal impact is a minimum reduction of \$206,000 in State sales tax and \$41,000 in local option sales tax each year. This is based on the assumptions that there are 27,500 breeding dogs in Iowa and the average annual cost to maintain a breeding dog is \$150 per year. The estimated maximum reduction is \$413,000 in State sales tax and \$83,000 in local option sales tax each year.

43 34 Sec. 84. Section 427.1, subsection 21A, Code Supplement  
43 35 2005, is amended by striking the subsection and inserting in

CODE: Changes the definition of a non-profit community housing development organization that is exempt from property taxes. The

44 1 lieu thereof the following:  
 44 2 21A. DWELLING UNIT PROPERTY OWNED BY COMMUNITY HOUSING  
 44 3 DEVELOPMENT ORGANIZATION. Dwelling unit property owned and  
 44 4 managed by a community housing development organization, as  
 44 5 recognized by the state of Iowa and the federal government  
 44 6 pursuant to criteria for community housing development  
 44 7 organization designation contained in the HOME program of the  
 44 8 federal National Affordable Housing Act of 1990, if the  
 44 9 organization is also a nonprofit organization exempt from  
 44 10 federal income tax under section 501(c)(3) of the Internal  
 44 11 Revenue Code and owns and manages more than one hundred and  
 44 12 fifty dwelling units that are located in a city with a  
 44 13 population of more than one hundred ten thousand.

organization must be a nonprofit organization according to 501(c)(3) of the Internal Revenue Service Code and be recognized by the State and federal HOME Program criteria. The organization must manage or own more than 150 dwelling units and be located in a city with a population of more than 110,000.

44 14 Sec. 85. NEW SECTION. 441.38A NOTICE TO SCHOOL DISTRICT.  
 44 15 In addition to any other requirement for providing of  
 44 16 notice, if a property owner or aggrieved taxpayer files a  
 44 17 protest against the assessment of property valued at five  
 44 18 million dollars or more or files an appeal to the property  
 44 19 assessment appeal board or the district court with regard to  
 44 20 such property, the assessor shall provide notice to the school  
 44 21 district in which such property is located within ten days of  
 44 22 the filing of the protest or the appeal, as applicable.

CODE: Requires the county assessor to notify the school district within ten days if a property tax assessment protest or appeal is filed for which the school district could become eligible for an adjustment in State Foundation Aid.

44 23 Sec. 86. Section 466A.3, subsection 1, paragraph b, Code  
 44 24 Supplement 2005, is amended to read as follows:  
 44 25 b. The board shall consist of four members of the general  
 44 26 assembly who shall serve as not voting ex officio, nonvoting  
 44 27 members. Not more than one member from each house shall be  
 44 28 from the same political party. Two state senators shall be  
 44 29 appointed, one by the majority leader of the senate and one by  
 44 30 the minority leader of the senate. Two state representatives  
 44 31 shall be appointed, one by the speaker of the house of  
 44 32 representatives and one by the minority leader of the house of  
 44 33 representatives. A member may designate another person to

CODE: Specifies that the legislative members of the Watershed Improvement Review Board are ex officio, nonvoting members. Currently there are two Senators and two Representatives appointed to the Board that have voting privileges.

44 34 attend a board meeting if the member is unavailable. Only the  
44 35 member is eligible for per diem and expenses as provided in  
45 1 section 2.10.

45 2 Sec. 87. Section 631.14, Code 2005, is amended to read as  
45 3 follows:

45 4 631.14 REPRESENTATION IN SMALL CLAIMS ACTIONS.

45 5 1. Actions constituting small claims may be brought or  
45 6 defended by an individual, partnership, association,  
45 7 corporation, or other entity. In actions in which a person  
45 8 other than an individual is a party, that person may be  
45 9 represented by an officer or an employee.

45 10 2. In actions concerning residential rental property that  
45 11 is titled in the name of one or more individuals, an employee  
45 12 of one or more of the titled owners, or an officer or employee  
45 13 of a property management entity acting on behalf of one or  
45 14 more of the titled owners, may bring or defend an action in  
45 15 the name of the titled owners, the property management entity,  
45 16 or the name by which the property is commonly known.

45 17 Notwithstanding any other provision to the contrary, if the  
45 18 defendant or plaintiff has been improperly named in the  
45 19 petition in an action concerning residential rental property,  
45 20 the real party in interest shall be substituted at the time  
45 21 the error is identified and the action shall not be dismissed  
45 22 or delayed except to the extent necessary to identify and  
45 23 serve the real parties in interest.

45 24 3. A person who in the regular course of business takes  
45 25 assignments of instruments or accounts pursuant to chapter  
45 26 539, which assignments constitute small claims, may bring an  
45 27 action on an assigned instrument or account in the person's  
45 28 own name and need not be represented by an attorney, provided  
45 29 that in an action brought to recover payment on a dishonored  
45 30 check or draft, as defined in section 554.3104, the action is  
45 31 brought in the county of residence of the maker of the check  
45 32 or draft or in the county where the draft or check was first  
45 33 presented. Any person, however, may be represented in a small

CODE: Defines the representation of small claims actions for  
residential rental property.

45 34 claims action by an attorney.

45 35 Sec. 88. 2006 Iowa Acts, Senate File 2251, section 1,  
46 1 subsection 2, paragraph b, is amended by adding the following  
46 2 new subparagraphs:  
46 3 NEW SUBPARAGRAPH. (35) The Iowa podiatric medical  
46 4 society.  
46 5 NEW SUBPARAGRAPH. (36) The Iowa speech-language hearing  
46 6 association.

CODE: Adds the Iowa Podiatric Medical Society to the Healthy Children Task Force and the Iowa Speech-Language Hearing Association in SF 2251 (Healthy Kids in Schools Program Act).

DETAIL: Senate File 2251 was signed by the Governor on April 26, 2006.

46 7 Sec. 89. EFFECTIVE AND APPLICABILITY DATE PROVISIONS.

46 8 1. The section of this division of this Act amending  
46 9 section 7D.29, being deemed of immediate importance, takes  
46 10 effect upon enactment.

Specifies that the Section relating to the Executive Council approving and paying for expenses related to antiviral treatment courses take effect upon enactment.

46 11 2. The section of this division of this Act amending  
46 12 section 427.1, subsection 21A, being deemed of immediate  
46 13 importance, takes effect upon enactment and applies  
46 14 retroactively to January 1, 2005, for assessment years  
46 15 beginning on or after that date.

The Section of the Bill relating to the Nonprofit Housing Development Property Tax Exemption takes effect on enactment and applies retroactively to January 1, 2005, for assessment years beginning on or after that date.

46 16 3. The section of this division of this Act enacting  
46 17 section 441.38A takes effect January 1, 2007, and applies to  
46 18 assessment years beginning on or after that date.

The Section of the Bill relating to the School District Notice of Property Tax Assessment Appeal takes effect January 1, 2007, for assessment years beginning on or after that date.

46 19 DIVISION VI  
46 20 SETTLEMENT OF STATE FINANCIAL AND TORT CLAIMS

46 21 Sec. 90. Section 8.6, Code 2005, is amended by adding the  
46 22 following new subsection:  
46 23 NEW SUBSECTION. 15. STATE TORT CLAIMS -- RISK MANAGEMENT

CODE: Creates a Risk Management Coordinator within the Department of Management. Specifies the duties of the Coordinator. Provides that the salary and support for the newly created position is funded from the State Appeal Board standing appropriation.



46 24 COORDINATOR. Designate a position within the department to  
46 25 serve as the executive branch's risk management coordinator.  
46 26 The risk management coordinator shall have all of the  
46 27 following responsibilities:  
46 28     a. Coordinating and monitoring risk control policies and  
46 29 programs in the executive branch, including but not limited to  
46 30 coordination with the employees of departments who are  
46 31 responsible for the workers' compensation for state employees  
46 32 and management of state property.  
46 33     b. Consulting with the attorney general with respect to  
46 34 the risk control policies and programs and trends in claims  
46 35 and liability of the state under chapter 669.  
47 1     c. Coordinating the state's central data repository for  
47 2 claims and risk information.  
47 3 The costs of salary, benefits, and support for the risk  
47 4 management coordinator shall be authorized by the state appeal  
47 5 board established in chapter 73A and shall be paid as claims  
47 6 for services furnished to the state under section 25.2.

47 7 Sec. 91. Section 8A.512, subsection 1, paragraph b,  
47 8 subparagraph (3), Code 2005, is amended to read as follows:  
47 9 (3) Claims approved by an agency according to the  
47 10 provisions of ~~sections 25.1 and~~ section 25.2.

CODE: Conforming amendment.

47 11 Sec. 92. Section 22.7, subsection 32, Code Supplement  
47 12 2005, is amended to read as follows:  
47 13     32. Social security numbers of the owners of unclaimed  
47 14 property reported to the treasurer of state pursuant to  
47 15 section 556.11, subsection 2, included on claim forms filed  
47 16 with the treasurer of state pursuant to section 556.19,  
47 17 included in outdated warrant reports received by the treasurer  
47 18 of state pursuant to section ~~25.2~~ 556.2C, or stored in record  
47 19 systems maintained by the treasurer of state for purposes of  
47 20 administering chapter 556, or social security numbers of  
47 21 payees included on state warrants included in records systems

CODE: Conforming amendment.

47 22 maintained by the department of administrative services for  
47 23 the purpose of documenting and tracking outdated warrants  
47 24 pursuant to section ~~25.2~~ 556.2C.

47 25 Sec. 93. Section 25.1, subsection 1, Code 2005, is amended  
47 26 to read as follows:

47 27 1. ~~When~~ Except for those claims that are addressed as  
47 28 provided in section 25.2, subsection 2, when a claim is filed  
47 29 or made against the state, on which in the judgment of the  
47 30 director of the department of management the state would be  
47 31 liable except for the fact of its sovereignty or that it has  
47 32 no appropriation available for its payment, the director of  
47 33 the department of management shall deliver that claim to the  
47 34 state appeal board. However, this chapter does not apply to a  
47 35 claim as defined in section 669.2.

CODE: Makes a distinction between certain claims against the State.

48 1 Sec. 94. Section 25.1, subsection 3, Code 2005, is amended  
48 2 by striking the subsection.

CODE: Repeals the subsection that permits claims to be filed directly with State agencies.

48 3 Sec. 95. Section 25.1, unnumbered paragraph 1, Code 2005,  
48 4 is amended by striking the unnumbered paragraph.

CODE: Repeals the authority to pay certain claims.

48 5 Sec. 96. Section 25.2, subsection 1, unnumbered paragraph  
48 6 1, Code 2005, is amended to read as follows:  
48 7 The state appeal board with the recommendation of the  
48 8 special assistant attorney general for claims may approve or  
48 9 reject claims against the state of less than ~~ten~~ five years  
48 10 involving the following:

CODE: Changes the length of time a claim may be eligible for payment from 10 years to five years.

48 11 Sec. 97. Section 25.2, subsection 1, paragraph a, Code  
48 12 2005, is amended by striking the paragraph.

CODE: Repeals the State Appeal Board's authority regarding outdated warrants.

48 13 Sec. 98. Section 25.2, Code 2005, is amended by adding the

CODE: Permits the State Appeal Board may approve certain claims

48 14 following new subsection:  
48 15 NEW SUBSECTION. 1A. Notwithstanding the time period  
48 16 specified in subsection 1, the state appeal board may approve  
48 17 or reject a claim against the state of five years or more,  
48 18 provided an error was made by the state or the claim involves  
48 19 a dispute that commenced five years or more prior.

greater than five years old in certain circumstances.

48 20 Sec. 99. Section 25.2, subsection 2, Code 2005, is amended  
48 21 to read as follows:

48 22 2. a. Notwithstanding subsection 1, an agency that  
48 23 receives a claim that is charged to a funding source other  
48 24 than the general fund of the state that does not revert and is  
48 25 based on an outdated invoice, outdated division for  
48 26 merchandise, or for services furnished to the state pursuant  
48 27 to section 25.1, subsection 3, may on its own approve or deny  
48 28 the claim. The agency shall provide the state appeal board  
48 29 with notification of receipt of the claim and action taken on  
48 30 the claim by the agency. The state appeal board shall adopt  
48 31 rules setting forth the procedures and standards for  
48 32 resolution of such claims by state agencies. Claims denied by  
48 33 an agency shall be forwarded to the state appeal board by the  
48 34 agency for further consideration, in accordance with this  
48 35 chapter.

CODE: Permits State agencies to pay certain outdated invoices if certain conditions are met. Requires the Department of Administrative Services staff to establish reporting requirements for payment of these claims.

49 1 b. The department of administrative services staff  
49 2 performing financial administration duties under chapter 8A,  
49 3 subchapter V, shall establish reporting requirements for  
49 4 dealing with claims under this subsection as necessary to  
49 5 conform with generally accepted accounting principles.

49 6 Sec. 100. Section 25.2, subsection 4, Code 2005, is  
49 7 amended by striking the subsection and inserting in lieu  
49 8 thereof the following:  
49 9 4. Outstanding state warrants that have been canceled  
49 10 pursuant to section 8A.519 and were charged to the general  
49 11 fund of the state or another state funding source shall be

CODE: Repeals the authority of the Director of the Department of Administrative Services to reissue outdated warrants. Requires outdated warrants to be addressed as provided in Section 556.2C, Code of Iowa.

49 12 addressed as provided in section 556.2C.

49 13 Sec. 101. Section 25.2, subsection 5, Code 2005, is  
49 14 amended by striking the subsection.

CODE: Repeals certain reporting requirements of the Department of Administrative Services regarding outdated warrants.

49 15 Sec. 102. NEW SECTION. 556.2C OUTSTANDING STATE  
49 16 WARRANTS.

CODE: Provides for the administration and payment of certain outdated warrants.

49 17 1. a. An unpaid, outdated warrant that is canceled  
49 18 pursuant to section 8A.519 shall be included in a list of  
49 19 outstanding state warrants maintained by the director of the  
49 20 department of administrative services. On or before July 1 of  
49 21 each year, the director of the department of administrative  
49 22 services shall provide the office of the treasurer of state  
49 23 with a consolidated list of such outstanding warrants that  
49 24 have not been previously reported to the office.

49 25 b. The consolidated list shall be accompanied by  
49 26 supporting information as specified by the treasurer of state.  
49 27 The treasurer of state may include information regarding the  
49 28 outstanding warrants in the notice published pursuant to  
49 29 section 556.12 and on the treasurer of state's official  
49 30 internet website.

49 31 c. The reporting requirements of this section do not apply  
49 32 to outdated warrants charged to federal grants or other  
49 33 nonstate funds for which funding is no longer available as  
49 34 described in section 25.2.

49 35 2. An agreement to pay compensation to recover or assist  
50 1 in the recovery of an outstanding warrant made within twenty-  
50 2 four months after the date the warrant is canceled is  
50 3 unenforceable. However, an agreement made after twenty-four  
50 4 months from the date the warrant is canceled is valid if the  
50 5 fee or compensation agreed upon is not more than fifteen  
50 6 percent of the recoverable property, the agreement is in  
50 7 writing and signed by the payee, and the writing discloses the  
50 8 nature and value of the property and the name and address of  
50 9 the person in possession. This subsection does not apply to a  
50 10 payee who has a bona fide fee contract with a practicing

50 11 attorney regulated under chapter 602, article 10.

50 12 Sec. 103. Section 556.18, subsection 2, Code 2005, is  
50 13 amended by adding the following new paragraph:  
50 14 NEW PARAGRAPH. d. Any costs in connection with  
50 15 information on outstanding state warrants addressed pursuant  
50 16 to section 556.2C.

CODE: Permits the State Treasurer to recoup collection costs associated with certain outstanding warrants.

50 17 Sec. 104. Section 669.2, subsection 2, Code Supplement  
50 18 2005, is amended to read as follows:  
50 19 2. "Award" means any amount determined by the ~~state appeal-~~  
50 20 ~~board~~ attorney general to be payable to a claimant under  
50 21 section 669.3, and the amount of any compromise or settlement  
50 22 under section 669.9.

CODE: Specifies that an award is determined by the Attorney General rather than the State Appeal Board in State Tort Claim matters.

50 23 Sec. 105. Section 669.3, Code 2005, is amended to read as  
50 24 follows:

50 25 669.3 ADJUSTMENT AND SETTLEMENT OF CLAIMS.  
50 26 ~~1. Authority is hereby conferred upon the state appeal-~~  
50 27 ~~board, acting~~ The attorney general, on behalf of the state of  
50 28 Iowa, ~~subject to the advice and approval of the attorney~~  
50 29 ~~general, to~~ shall consider, ascertain, adjust, compromise,  
50 30 settle, determine, and allow any claim ~~as defined in that is~~  
50 31 subject to this chapter. ~~If any claim is compromised,~~  
50 32 ~~settled, or allowed in an amount of more than five thousand~~  
50 33 ~~dollars, the unanimous approval of all members of the state~~  
50 34 ~~appeal board and the attorney general shall be required and~~  
50 35 ~~the approval of the district court of the state of Iowa for~~  
51 1 ~~Polk county shall also be required.~~

51 2 2. Claims ~~A claim~~ made under this chapter shall be filed  
51 3 with the director of the department of management, who shall  
51 4 acknowledge receipt on behalf of the state ~~appeal board~~.

51 5 3. The state appeal board shall adopt rules and procedures  
51 6 for the handling, processing, and investigation of claims,  
51 7 ~~according to the provisions of the Iowa administrative~~

CODE: Specifies that the Attorney General's Office, on behalf of the State of Iowa, is responsible for allowing, adjusting, compromising, or settling a tort claim rather than the State Board of Appeals.

51 8 ~~procedure Act~~, in accordance with chapter 17A.

51 9 Sec. 106. Section 669.4, unnumbered paragraph 5, Code  
51 10 2005, is amended by striking the unnumbered paragraph.

CODE: Eliminates provisions related to lawsuits against State employees.

51 11 Sec. 107. Section 669.5, Code 2005, is amended to read as  
51 12 follows:

51 13 669.5 WHEN SUIT PERMITTED -- EMPLOYEES OF THE STATE.

51 14 1. ~~No A~~ suit shall ~~not~~ be permitted for a claim under this  
51 15 chapter unless the ~~state appeal board~~ attorney general has  
51 16 made final disposition of the claim; ~~except that if.~~ However,  
51 17 ~~if the state appeal board~~ attorney general does not make final  
51 18 disposition of a claim within six months after the claim is  
51 19 made in writing to the ~~state appeal board~~ director of the  
51 20 department of management, the claimant may, by notice in  
51 21 writing, withdraw the claim from consideration of the ~~state~~  
51 22 ~~appeal board~~ and begin suit under this chapter. Disposition  
51 23 of or offer to settle any claim made under this chapter shall  
51 24 not be competent evidence of liability or amount of damages in  
51 25 any suit under this chapter.

51 26 2. a. Upon certification by the attorney general that a  
51 27 defendant in a suit was an employee of the state acting within  
51 28 the scope of the employee's office or employment at the time  
51 29 of the incident upon which the claim is based, the suit  
51 30 commenced upon the claim shall be deemed to be an action  
51 31 against the state under the provisions of this chapter, and if  
51 32 the state is not already a defendant, the state shall be  
51 33 substituted as the defendant in place of the employee.

51 34 b. If the attorney general refuses to certify that a  
51 35 defendant was acting within the scope of the defendant's  
52 1 office or employment as described in paragraph "a" at the time  
52 2 of the incident out of which the claim arose, the defendant  
52 3 may petition the court, with notice to the attorney general,  
52 4 for the court to find and certify that the defendant was an  
52 5 employee of the state and was acting within the scope of the  
52 6 defendant's office or employment. The defendant must file the

CODE: Specifies when suits involving State employees are permitted.

52 7 petition within ninety days of the date the attorney general  
52 8 serves notice of the attorney general's refusal to provide  
52 9 certification as provided in paragraph "a". If the court  
52 10 issues the finding and certification, the suit shall be deemed  
52 11 to be brought against the state and subject to the provisions  
52 12 of this chapter and the state shall be substituted as the  
52 13 defendant party unless the state is already a defendant. If  
52 14 the court denies the petition for certification, the order  
52 15 shall not be a final order and is not subject to interlocutory  
52 16 appeal by the defendant.

52 17 Sec. 108. Section 669.13, Code 2005, is amended to read as  
52 18 follows:

52 19 669.13 LIMITATION OF ACTIONS.

52 20 1. ~~Every A claim and or suit otherwise~~ permitted under  
52 21 this chapter shall be forever barred, unless within two years  
52 22 after ~~such the~~ claim accrued, the claim is made in writing to  
52 23 ~~and filed with the state appeal board~~ director of the  
52 24 ~~department of management~~ under this chapter. The time to  
52 25 begin a suit under this chapter shall be extended for a period  
52 26 of six months from the date of mailing of notice to the  
52 27 claimant by the ~~state appeal board~~ attorney general as to the  
52 28 final disposition of the claim or from the date of withdrawal  
52 29 of the claim from the ~~state appeal board~~ under section 669.5,  
52 30 if the time to begin suit would otherwise expire before the  
52 31 end of ~~such the~~ period.

52 32 2. If a claim is made or filed under any other law of this  
52 33 state and a determination is made by a state agency or court  
52 34 that this chapter provides the exclusive remedy for the claim,  
52 35 ~~the time two-year period authorized in subsection 1~~ to make a  
53 1 claim and to begin a suit under this chapter shall be extended  
53 2 for a period of six months from the date of the court order  
53 3 making such determination or the date of mailing of notice to  
53 4 the claimant of such determination by a state agency, if the  
53 5 time to make the claim and to begin the suit under this  
53 6 chapter would otherwise expire before the end of ~~such the two-~~

CODE: Defines the statute of limitations for a tort claim suit.

53 7 year period. The time to begin a suit under this chapter may  
53 8 be further extended as provided in ~~the preceding paragraph~~  
53 9 subsection 1.  
53 10 3. This section is the only statute of limitations  
53 11 applicable to claims as defined in this chapter.

53 12 Sec. 109. Section 669.15, Code 2005, is amended to read as  
53 13 follows:

53 14 669.15 ~~ATTORNEY'S ATTORNEY FEES AND EXPENSES.~~  
53 15 The court rendering a judgment for ~~the a~~ claimant under  
53 16 this chapter, ~~or the state appeal board, with the advice and~~  
53 17 ~~approval of the attorney general, making an award under~~  
53 18 ~~section 669.3, or the attorney general making an award under~~  
53 19 ~~section 669.9, as the case may be,~~ shall, as a part of the  
53 20 judgment or award, determine and allow reasonable ~~attorney's~~  
53 21 attorney fees and expenses, to. The attorney fees and  
53 22 expenses shall be paid out of but not in addition to the  
53 23 amount of judgment or award recovered, to the attorneys  
53 24 representing the claimant. Any attorney who charges, demands,  
53 25 receives, or collects for services rendered in connection with  
53 26 such claim any amount in excess of that allowed under this  
53 27 section, if recovery be had, shall be guilty of a serious  
53 28 misdemeanor.

CODE: Permits the Attorney General to award attorney fees in State tort claim cases.

53 29 Sec. 110. Section 669.18, Code 2005, is amended to read as  
53 30 follows:

53 31 669.18 EXTENSION OF TIME.  
53 32 If a claim is made or a suit is begun under this chapter,  
53 33 and if a determination is made by the ~~state appeal board~~  
53 34 attorney general or by the court that the claim or suit is not  
53 35 permitted under this chapter for any reason other than lapse  
54 1 of time, the time to make a claim or to begin a suit under any  
54 2 other applicable law of this state shall be extended for a  
54 3 period of six months from the date of the court order making  
54 4 such determination or the date of mailing of notice to the  
54 5 claimant of such determination by the ~~state appeal board~~

CODE: Updates the extension of time language to reflect that the Attorney General rather than the State Board of Appeals will be making this determination in addition to the Court.



54 6 attorney general, if the time to make the claim or begin the  
54 7 suit under such other law would otherwise expire before the  
54 8 end of such period.

54 9 Sec. 111. Section 669.19, Code 2005, is amended to read as  
54 10 follows:  
54 11 669.19 INVESTIGATION OF CLAIMS BEFORE APPEAL BOARD.  
54 12 ~~Chapter 25 does not apply to claims as defined in this~~  
54 13 ~~chapter. However, any or all of the provisions of sections~~  
54 14 ~~25.1, 25.4, and 25.5 may be made applicable to claims as~~  
54 15 ~~defined in this chapter by agreement between the attorney~~  
54 16 ~~general and the state appeal board from time to time. The~~  
54 17 attorney general shall fully investigate each claim under this  
54 18 chapter and may exercise the authority provided in section  
54 19 25.5 in performing the investigation.

CODE: Transfers the authority for investigating claims from the State Appeal Board to the Attorney General's Office.

54 20 Sec. 112. Section 669.20, Code 2005, is amended to read as  
54 21 follows:  
54 22 669.20 LIABILITY INSURANCE.  
54 23 ~~Whenever~~ If a claim or suit against the state is covered by  
54 24 liability insurance, the provisions of the liability insurance  
54 25 policy on defense and settlement shall be applicable  
54 26 notwithstanding any inconsistent provisions of this chapter.  
54 27 The attorney general ~~and the state appeal board~~ shall ~~co-~~  
54 28 ~~operate~~ cooperate with the insurance company.

CODE: Specifies that the Attorney General is responsible for cooperating with insurance companies regarding liability insurance.

54 29 Sec. 113. Section 669.21, Code 2005, is amended to read as  
54 30 follows:  
54 31 669.21 EMPLOYEES DEFENDED AND INDEMNIFIED.  
54 32 1. The ~~Except as otherwise provided in subsection 2, the~~  
54 33 state shall defend any employee, and shall indemnify and hold  
54 34 harmless an employee against any claim as defined in section  
54 35 669.2, subsection 3, paragraph "b", including claims arising  
55 1 under the Constitution, statutes, or rules of the United  
55 2 States or of any state.

CODE: Specifies that the duty to indemnify and hold harmless does not apply if the State is entitled to restitution from an employee or in a suit commenced against an employee in which the State has been substituted as the defendant.

55 3 2. a. The duty to indemnify and hold harmless shall not  
55 4 apply and the state shall be entitled to restitution from an  
55 5 employee if the employee fails to cooperate in the  
55 6 investigation or defense of the claim, as defined in this  
55 7 section, or if, in an action commenced by the state against  
55 8 the employee, it is determined that the conduct of the  
55 9 employee upon which a tort claim or demand was based  
55 10 constituted a willful and wanton act or omission or  
55 11 malfeasance in office.  
55 12 b. The duty to indemnify and hold harmless shall not apply  
55 13 if, in a suit commenced against the employee, the state has  
55 14 been substituted as the defendant in place of the employee, as  
55 15 provided in section 669.5.

55 16 DIVISION VII  
55 17 CORRECTIVE PROVISIONS

55 18 Sec. 114. Section 8A.204, subsection 3, paragraph g,  
55 19 subparagraph (4), unnumbered paragraph 2, as enacted by 2006  
55 20 Iowa Acts, House File 2705, section 1, is amended to read as  
55 21 follows:  
55 22 The board shall keep detailed minutes of all discussion,  
55 23 persons present, and action occurring at a closed session, and  
55 24 shall also tape record all of the closed session. The minutes  
55 25 and the tape recording of a session closed under this  
55 26 subparagraph shall be made available for public examination  
55 27 when a final decision is made regarding whether to issue the  
55 28 request for proposals. All board actions and decisions  
55 29 regarding this information shall be made in open ~~meetings~~  
55 30 session and appropriately recorded.

CODE: Technical correction.

55 31 Sec. 115. Section 35A.14, subsection 3, if enacted by 2006  
55 32 Iowa Acts, Senate File 2312, section 1, is amended to read as  
55 33 follows:  
55 34 3. The department may receive and accept donations,

CODE: Technical correction.

55 35 grants, gifts, and contributions from any public or private  
56 1 source for the purpose of providing grants under this section.  
56 2 Moneys received by the department pursuant to this subsection  
56 3 shall be deposited in an injured veterans trust fund which  
56 4 shall be created in the state treasury under the control of  
56 5 the department. Moneys credited to the trust fund ~~shall be~~  
56 6 are appropriated to the department for the purpose of  
56 7 providing injured veterans grants under this section and shall  
56 8 not be transferred, used, obligated, appropriated, or  
56 9 otherwise encumbered, except as provided in this section.  
56 10 Notwithstanding section 12C.7, subsection 2, interest or  
56 11 earnings on moneys in the trust fund shall be credited to the  
56 12 trust fund.

56 13 Sec. 116. Section 70A.23, subsection 3, paragraph a, as  
56 14 enacted by 2006 Iowa Acts, Senate File 2231, is amended to  
56 15 read as follows:  
56 16 a. An eligible state employee, excluding an employee  
56 17 covered under a collective bargaining agreement which provides  
56 18 otherwise or an employee of the state board of regents, who  
56 19 retires and receives a payment as provided in subsection 2  
56 20 shall be entitled to elect to have the employee's available  
56 21 remaining value of sick leave ~~to be~~ used to pay the state  
56 22 share for the employee's continuation of state group health  
56 23 insurance coverage pursuant to the requirements of this  
56 24 subsection.

CODE: Technical correction to SF 2231 (FY 2007 Sick Leave Conversion Act).

DETAIL: Senate File 2231 was enacted by the General Assembly on March 29, 2006, and was signed by the Governor on April 6, 2006.

56 25 Sec. 117. Section 91.4, subsection 9, Code 2005, as  
56 26 amended by 2006 Iowa Acts, House File 2586, section 1, if  
56 27 enacted, is amended to read as follows:  
56 28 9. The commissioner may establish rules pursuant to  
56 29 chapter 17A to assess and collect interest on fees, penalties,  
56 30 and other amounts due the division. The commissioner may  
56 31 delay, or, following written notice, deny the issuance of a  
56 32 license, commission, registration, certificate, or permit

CODE: Technical correction to HF 2586 (FY 2007 Debt Collection and Labor Division Licensing Act).

DETAIL: House File 2586 was enacted by the General Assembly on March 29, 2006, and signed by the Governor on April 12, 2006.

56 33 authorized under chapter 88A, 89, 89A, 90A, 91C, or 94A if the  
56 34 applicant for the license, commission, registration,  
56 35 certificate, or permit owes a liquidated debt to the  
57 1 commissioner.

57 2 Sec. 118. Section 123.3, subsection 37, as amended by 2006  
57 3 Iowa Acts, Senate File 2305, section 1, is amended to read as  
57 4 follows:  
57 5 37. "Wine" means any beverage containing more than five  
57 6 percent of alcohol by weight but not more than seventeen  
57 7 percent of alcohol by weight or twenty-one and twenty-five  
57 8 hundredths percent of alcohol by volume obtained by the  
57 9 fermentation of the natural sugar contents of fruits or other  
57 10 agricultural products but excluding any product containing  
57 11 alcohol derived from malt or by the distillation process from  
57 12 grain, cereal, molasses, or cactus.

57 13 Sec. 119. Section 124.506A, subsection 1, as enacted by  
57 14 2006 Iowa Acts, House File 2696, section 1, is amended to read  
57 15 as follows:  
57 16 1. Notwithstanding the provisions of section 124.506, if  
57 17 more than ten pounds of marijuana or more than one pound of  
57 18 any other controlled substance is seized in as a result of a  
57 19 violation of this chapter, the law enforcement agency  
57 20 responsible for retaining the seized controlled substance may  
57 21 destroy the seized controlled substance if the law enforcement  
57 22 agency retains at least ten pounds of the marijuana seized or  
57 23 at least one pound of any other controlled substance seized  
57 24 for evidence purposes.

57 25 Sec. 120. Section 266.27, Code 2005, as amended by 2006  
57 26 Iowa Acts, Senate File 2253, section 34, is amended to read as  
57 27 follows:  
57 28 266.27 ACT ACCEPTED.  
57 29 The assent of the general assembly of the state of Iowa is

CODE: Technical correction.

DETAIL: Senate File 2305 (Wine Definition and Inspection Act) was enacted by the General Assembly on March 29, 2006, and was signed by the Governor on April 10, 2006.

CODE: Technical correction to HF 2696 (Seized Drugs, Destruction Act).

DETAIL: House File 2696 was enacted by the General Assembly on March 28, 2006, and was signed by the Governor on April 6, 2006.

CODE: Technical correction.

DETAIL: Senate File 2253 (Substantive Code Editor's Act) was enacted by the General Assembly on March 28, 2006, and was signed by the Governor on April 7, 2006.

57 30 hereby given to the provisions and requirements of the Smith-  
57 31 Lever Act, 38 Stat. 372-374, approved May 48 8, 1914, and any  
57 32 amendments to that Act, codified at 7 U.S.C. § 341 -- 349.

57 33 Sec. 121. Section 331.756, subsection 44, Code Supplement  
57 34 2005, is amended by striking the subsection.

CODE: Eliminates the requirement that county attorneys investigate the financial condition of a person under commitment proceedings to the State psychiatric hospital or those legally responsible for the person.

57 35 Sec. 122. Section 455G.31, subsection 2, paragraph a, if  
58 1 enacted by 2006 Iowa Acts, House File 2754, section 25, is  
58 2 amended to read as follows:  
58 3 a. For gasoline storage and dispensing infrastructure  
58 4 other than the dispenser, the department of natural resources  
58 5 under this chapter or the state fire marshal under chapter  
58 6 101, ~~division II~~ must determine that it is compatible with E-  
58 7 85 gasoline.

CODE: Technical correction to HF 2754 (Renewable Fuel Incentive Bill).

DETAIL: House File 2754 was enacted by the General Assembly on April 12, 2006.

58 8 Sec. 123. Section 541A.3, subsection 1, unnumbered  
58 9 paragraph 1, Code 2005, as amended by 2006 Iowa Acts, House  
58 10 File 2644, section 5, is amended to read as follows:  
58 11 Payment by the state of a savings refund on amounts of up  
58 12 to two thousand dollars per calendar year that an account  
58 13 holder deposits in the account holder's account. Moneys  
58 14 transferred to an individual development account from another  
58 15 individual development account and a savings refund received  
58 16 by the account holder in accordance with this section ~~541A.3~~  
58 17 shall not be considered an account holder deposit for purposes  
58 18 of determining a savings refund. Payment of a savings refund  
58 19 either shall be made directly to the account holder or to an  
58 20 operating organization's central reserve account for later  
58 21 distribution to the account holder in the most appropriate  
58 22 manner as determined by the administrator. The state savings  
58 23 refund shall be the indicated percentage of the amount  
58 24 deposited:

CODE: Technical correction to the Department of Human Services Development Accounts.

DETAIL: House File 2644 (Human Services Technical Amendments Act) was enacted by the General Assembly on March 14, 2006, and was signed by the Governor on March 29, 2006.

58 25 Sec. 124. Section 602.8102, subsection 38, Code Supplement  
58 26 2005, is amended by striking the subsection.

CODE: Conforming amendment relating to the enactment of SF 2341 (Voluntary Civil Commitment Act).

DETAIL: Senate File 2341 was enacted by the General Assembly on April 10, 2006, and was signed by the Governor on April 20, 2006.

58 27 Sec. 125. 2006 Iowa Acts, House File 2238, section 2,  
58 28 subsection 1, paragraph d, is amended to read as follows:  
58 29 d. Of the amount allocated to eligible services providers  
58 30 under paragraph "c", 70 percent shall be distributed to the  
58 31 state's accredited community mental health centers established  
58 32 or designated by counties in accordance with law or  
58 33 administrative rule. If a county has not established or  
58 34 designated a community mental health center and has received a  
58 35 waiver from the mental health ~~and, mental retardation,~~  
59 1 ~~developmental disabilities, and brain injury~~ commission, the  
59 2 mental health services provider designated by that county is  
59 3 eligible to receive funding distributed pursuant to this  
59 4 paragraph in lieu of a community mental health center. The  
59 5 funding distributed shall be used by recipients of the funding  
59 6 for the purpose of developing and providing evidence-based  
59 7 practices and emergency services to adults with a serious  
59 8 mental illness and children with a serious emotional  
59 9 disturbance. The distribution amounts shall be announced at  
59 10 the beginning of the federal fiscal year and distributed on a  
59 11 quarterly basis according to the formulas used in previous  
59 12 fiscal years. Recipients shall submit quarterly reports  
59 13 containing data consistent with the performance measures  
59 14 approved by the federal substance abuse and mental health  
59 15 services administration.

CODE: Technical correction to reflect the name of the Mental Health, Mental Retardation, Developmental Disabilities, and Brain Injury Commission.

DETAIL: House File 2238 (Block Grant Appropriations Act) was enacted by the General Assembly on February 22, 2006, and was signed by the Governor on March 2, 2006.

59 16 Sec. 126. CONTINGENT REPEAL -- IPERS. The section of 2006  
59 17 Iowa Acts, House File 2245, amending section 97B.1A,  
59 18 subsection 24, paragraph "c", is repealed if the section of  
59 19 2006 Iowa Acts, House File 729, amending section 97B.1A,  
59 20 subsection 24, paragraph "c", is enacted.

CODE: Specifies that the Section of House File 2245 (Retirement Technical Corrections Bill) is repealed contingent upon the enactment of House File 729 (Public Pension Omnibus Bill) regarding IPERS.

DETAIL: The Bill passed the House on April 6, 2006.

59 21 Sec. 127. 2006 Iowa Acts, House File 2713, as enacted, is  
59 22 amended by adding the following new section:  
59 23 SEC. 23A. Section 256F.4, subsection 8, Code 2005, is  
59 24 amended to read as follows:  
59 25 8. A charter school may enter into contracts in accordance  
59 26 with chapter ~~73A~~ 38.

CODE: Amends HF 2713 (FY 2006 Competitive Bidding, Governments Projects Act) to add a new section that provides that a charter school may enter into contracts in accordance with new Chapter 38, Code of Iowa, which is the Iowa Construction Bidding Procedures Act.

DETAIL: House File 2713 was enacted by the General Assembly on March 21, 2006, and was signed by the Governor on March 29, 2006.

59 27 Sec. 128. COLLABORATIVE EDUCATIONAL FACILITY -- CODE  
59 28 EDITOR DIRECTIVE. The Code editor shall codify the provisions  
59 29 of 2006 Iowa Acts, House File 864, notwithstanding that the  
59 30 Act was drafted to the Code 2005 rather than to the Code  
59 31 Supplement 2005. The provisional numbering in that Act in  
59 32 section 423.3 of new subsection 85 and in section 423.4 of new  
59 33 subsection 4 used subsection numbers that were not assigned in  
59 34 the Code 2005 and their use in that Act does not imply that  
59 35 the subsections in sections 423.3 and 423.4, Code Supplement  
60 1 2005, with those same subsection numbers, are in any way  
60 2 affected. In addition, the Code editor, under the authority  
60 3 of section 2B.13 relating to the correction of internal  
60 4 references to sections which have been repealed, shall insert  
60 5 before the references to chapter 504A in sections 2 and 3 of  
60 6 that Act the words "former chapter".

Directs the Code Editor to codify HF 864 (Collaborative Educational Facility Act) and make internal corrections as necessary.

# Summary Data

## General Fund

H.F. 2797	Actual FY 2005 (1)	Estimated FY 2006 (2)	Gov Recomm FY 2007 (3)	House Action FY 2007 (4)	House Action vs Est FY 2006 (5)	Page & Line Number (6)
Administration and Regulation	\$ 0	\$ 6,000	\$ 86,000	\$ 118,883	\$ 112,883	
Education	\$ 0	\$ 0	\$ 0	\$ 340,000	\$ 340,000	
Justice System	\$ 0	\$ 0	\$ 0	\$ 125,000	\$ 125,000	
Unassigned Standing	\$ 121,119,625	\$ 121,437,871	\$ 121,897,827	\$ 147,001,716	\$ 25,563,845	
Grand Total	\$ 121,119,625	\$ 121,443,871	\$ 121,983,827	\$ 147,585,599	\$ 26,141,728	



# Administration and Regulation

## General Fund

H.F. 2797	Actual FY 2005 (1)	Estimated FY 2006 (2)	Gov Recomm FY 2007 (3)	House Action FY 2007 (4)	House Action vs Est FY 2006 (5)	Page & Line Number (6)
<b><u>Governor</u></b>						
Natl Governors Assoc. Increase				\$ 16,207	\$ 16,207	PG 20 LN 10
Terrace Hill Quarters Increase				22,676	22,676	PG 20 LN 6
<b>Total Governor</b>	<b>\$ 0</b>	<b>\$ 0</b>	<b>\$ 0</b>	<b>\$ 38,883</b>	<b>\$ 38,883</b>	
<b><u>Human Rights, Department of</u></b>						
Asian & Pacific Islanders		\$ 6,000	\$ 86,000	\$ 80,000	\$ 74,000	PG 21 LN 26
<b>Total Administration and Regulation</b>	<b>\$ 0</b>	<b>\$ 6,000</b>	<b>\$ 86,000</b>	<b>\$ 118,883</b>	<b>\$ 112,883</b>	

# Education

## General Fund

H.F. 2797	Actual FY 2005 (1)	Estimated FY 2006 (2)	Gov Recomm FY 2007 (3)	House Action FY 2007 (4)	House Action vs Est FY 2006 (5)	Page & Line Number (6)
<b>Cultural Affairs, Dept. of</b>						
Iowa City Historic Districts				\$ 250,000	\$ 250,000	PG 22 LN 13
African American Museum				85,000	85,000	PG 22 LN 10
Art Education Study				5,000	5,000	PG 18 LN 4
<b>Total Cultural Affairs, Dept. of</b>	\$ 0	\$ 0	\$ 0	\$ 340,000	\$ 340,000	
<b>Total Education</b>	\$ 0	\$ 0	\$ 0	\$ 340,000	\$ 340,000	

# Justice System

## General Fund

H.F. 2797	Actual FY 2005 (1)	Estimated FY 2006 (2)	Gov Recomm FY 2007 (3)	House Action FY 2007 (4)	House Action vs Est FY 2006 (5)	Page & Line Number (6)
<u>Justice, Department of</u>						
Farm Mediation				\$ 100,000	\$ 100,000	PG 22 LN 19
<u>Law Enforcement Academy</u>						
Equipment & Furnishings				\$ 25,000	\$ 25,000	PG 19 LN 26
<b>Total Justice System</b>	<b>\$ 0</b>	<b>\$ 0</b>	<b>\$ 0</b>	<b>\$ 125,000</b>	<b>\$ 125,000</b>	

# Unassigned Standing

## General Fund

H.F. 2797	Actual FY 2005 (1)	Estimated FY 2006 (2)	Gov Recomm FY 2007 (3)	House Action FY 2007 (4)	House Action vs Est FY 2006 (5)	Page & Line Number (6)
<b><u>Administrative Services, Dept. of</u></b>						
Mun. Fire & Police Retirement	\$ 2,745,784	\$ 2,745,784	\$ 2,745,784	\$ 2,745,784	\$ 0	PG 3 LN 31
<b><u>Education, Department of</u></b>						
Area Ed. Assoc. Reduction				\$ -8,000,000	\$ -8,000,000	PG 5 LN 20
Instructional Support	14,428,247	14,428,271	14,798,227	14,428,271	0	PG 3 LN 12
Child Development	11,271,000	11,271,000	11,271,000	11,271,000	0	PG 3 LN 15
Transportation - Nonpublic	7,955,541	8,273,763	8,363,763	8,604,714	330,951	PG 3 LN 21
Educational Excellence	55,469,053	55,469,053	55,469,053	55,469,053	0	PG 3 LN 28
Early Intervention Block Grant	29,250,000	29,250,000	29,250,000	29,250,000	0	PG 25 LN 25
<b>Total Education, Department of</b>	<b>\$ 118,373,841</b>	<b>\$ 118,692,087</b>	<b>\$ 119,152,043</b>	<b>\$ 111,023,038</b>	<b>\$ -7,669,049</b>	
<b><u>Legislative Branch</u></b>						
General Assembly Reduction				\$ -1,267,106	\$ -1,267,106	PG 2 LN 31
<b><u>Management, Department of</u></b>						
State Employee Salaries				\$ 29,000,000	\$ 29,000,000	PG 11 LN 31
<b><u>Veterans Affairs, Comm. of</u></b>						
Veterans Trust Fund				\$ 4,500,000	\$ 4,500,000	PG 19 LN 1
Veterans County Grants				1,000,000	1,000,000	PG 19 LN 6
<b>Total Veterans Affairs, Comm. of</b>	<b>\$ 0</b>	<b>\$ 0</b>	<b>\$ 0</b>	<b>\$ 5,500,000</b>	<b>\$ 5,500,000</b>	
<b>Total Unassigned Standing</b>	<b>\$ 121,119,625</b>	<b>\$ 121,437,871</b>	<b>\$ 121,897,827</b>	<b>\$ 147,001,716</b>	<b>\$ 25,563,845</b>	

# Summary Data

## Non General Fund

H.F. 2797	Actual FY 2005 (1)	Estimated FY 2006 (2)	Gov Recomm FY 2007 (3)	House Action FY 2007 (4)	House Action vs Est FY 2006 (5)	Page & Line Number (6)
Administration and Regulation	\$ 2,257,448	\$ 3,152,832	\$ 15,000,000	\$ 11,010,058	\$ 7,857,226	
Ag. and Natural Resources	\$ 0	\$ 0	\$ 0	\$ 80,000	\$ 80,000	
Unassigned Standing	\$ 0	\$ 159,663,964	\$ 159,663,964	\$ 159,868,964	\$ 205,000	
Grand Total	\$ 2,257,448	\$ 162,816,796	\$ 174,663,964	\$ 170,959,022	\$ 8,142,226	

# Administration and Regulation

## Non General Fund

H.F. 2797	Actual FY 2005 (1)	Estimated FY 2006 (2)	Gov Recomm FY 2007 (3)	House Action FY 2007 (4)	House Action vs Est FY 2006 (5)	Page & Line Number (6)
<b>Management, Department of</b>						
Road Use Tax Salary Adjustment	\$ 1,542,010	\$ 386,895	\$ 3,000,000	\$ 1,416,695	\$ 1,029,800	PG 13 LN 31
Primary Road Salary Adjustment	715,438	2,765,937	12,000,000	9,593,363	6,827,426	PG 14 LN 4
<b>Total Management, Department of</b>	<b>\$ 2,257,448</b>	<b>\$ 3,152,832</b>	<b>\$ 15,000,000</b>	<b>\$ 11,010,058</b>	<b>\$ 7,857,226</b>	
<b>Total Administration and Regulation</b>	<b>\$ 2,257,448</b>	<b>\$ 3,152,832</b>	<b>\$ 15,000,000</b>	<b>\$ 11,010,058</b>	<b>\$ 7,857,226</b>	

# Ag. and Natural Resources

## Non General Fund

H.F. 2797

Actual FY 2005	Estimated FY 2006	Gov Recomm FY 2007	House Action FY 2007	House Action vs Est FY 2006	Page & Line Number
(1)	(2)	(3)	(4)	(5)	(6)

### Natural Resources, Department of

Manure Mgmt Database

\$ 80,000 \$ 80,000

# Unassigned Standing

## Non General Fund

H.F. 2797	Actual FY 2005 (1)	Estimated FY 2006 (2)	Gov Recomm FY 2007 (3)	House Action FY 2007 (4)	House Action vs Est FY 2006 (5)	Page & Line Number (6)
<b>Revenue, Dept. of</b>						
Homestead Tax Credit-PCF		\$ 102,945,379	\$ 99,662,704	\$ 102,945,379	\$ 0	PG 4 LN 19
Ag Land Tax Credit-PCF		34,610,183	34,610,183	34,610,183	0	PG 4 LN 22
Military Service Tax Credit-PC		2,568,402	2,568,402	2,773,402	205,000	PG 4 LN 25
Elderly & Dis.Tax Credit-PCF		19,540,000	22,822,675	19,540,000	0	PG 4 LN 28
<b>Total Revenue, Dept. of</b>	<b>\$ 0</b>	<b>\$ 159,663,964</b>	<b>\$ 159,663,964</b>	<b>\$ 159,868,964</b>	<b>\$ 205,000</b>	
<b>Total Unassigned Standing</b>	<b>\$ 0</b>	<b>\$ 159,663,964</b>	<b>\$ 159,663,964</b>	<b>\$ 159,868,964</b>	<b>\$ 205,000</b>	



# Administration and Regulation

FTE

H.F. 2797	Actual FY 2005	Estimated FY 2006	Gov Recomm FY 2007	House Action FY 2007	House Action vs Est FY 2006	Page & Line Number
	(1)	(2)	(3)	(4)	(5)	(6)
<u>Human Rights, Department of</u>						
Asian & Pacific Islanders			1.00	1.00	1.00	PG 21 LN 26