

Standing Appropriations Bill Senate File 601

*AS AMENDED BY HOUSE APPROPRIATIONS
COMMITTEE AMENDMENT H-2004*

Last Action:

**House Appropriations
Committee**

April 24, 2007

An Act relating to state and local finances by providing for funding of property tax credits and reimbursements, by making, increasing and reducing appropriations, providing for salaries and compensation of state employees, providing for tax credits, providing for fees and penalties, and providing for properly related matters, and including effective 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>

LSA Contacts: Deb Kozel (16767) Dwayne Ferguson (16561) Mary Shipman (14617)

**EXECUTIVE SUMMARY
NOTES ON BILLS AND AMENDMENTS**

**SENATE FILE 601 AS AMENDED BY H-2004
STANDING APPROPRIATIONS BILL**

**HOUSE APPROPRIATIONS
COMMITTEE AMENDMENT H-2004**

**BILL AS PASSED BY THE SENATE
FUNDING SUMMARY**

**DIVISION I – MENTAL HEALTH
ALLOWED GROWTH**

**DIVISION II – STANDING
APPROPRIATIONS AND RELATED
MATTERS**

BUDGET FORMAT

CAPITOL SECURITY

**LIMITED STANDING
APPROPRIATIONS**

Page and line numbers refer to the location where the amendment action is inserted into the Bill.

- Requires the Board of Regents, in cooperation with the Department of Education and the community colleges, to develop, maintain, and promote a college credit transfer and articulation website by July 1, 2008. (Page 27, Line 31)
- Eliminates language that strikes the requirement that the Statistical Analysis Center in the Department of Human Rights maintain sex offender registry information. (Page 44, Line 25)
- Eliminates language that repeals the confidentiality of Presentence Investigation reports. (Page 57, Line 7 and Page 59, Line 9)

- Appropriates a total of \$239.1 million from the General Fund for FY 2008. This is an increase of \$89.3 million compared to the estimated FY 2007 appropriations for the affected budget units in this Bill. This Bill also appropriates \$179.4 million from other funds for FY 2008. This is an increase of \$8.5 million compared to the estimated FY 2007 appropriations for the affected budget units. In addition, this Bill adds 1.0 FTE position to the Department of Transportation.
- Appropriates \$64.6 million for Mental Health Allowed Growth for FY 2009. This is an increase of \$8.1 million compared to the FY 2008 estimated appropriation that includes the \$5.6 million increase for FY 2008 in HF 909 (FY 2008 Health and Human Services Appropriations Bill) and the \$12.0 million additional mental health growth in HF 909. (Page 1, Line 4)

- Allows the Executive Branch to continue to use the budgeting-for-results process for FY 2009 in lieu of the information currently required by statute. (Page 1, Line 24)
- Requires \$775,000 for expenses associated with Capitol Building and Judicial Building security to be funded within the Legislative Branch budget for FY 2008. (Page 2, Line 9)
- Limits the following FY 2008 General Fund standing appropriations to the amounts specified to maintain the current level of funding:
 - \$14.4 million to the Department of Education for Instructional Support. (Page 2, Line 22)
 - \$8.6 million to the Department of Education for Non-Public Transportation. (Page 2, Line 25)
 - \$55.5 million to the Department of Education for the Educational Excellence Program. (Page 2, Line 32)
 - \$2.7 million to the Department of Revenue for the Statewide Fire and Police Officer Retirement Fund. (Page 2, Line 35)

**EXECUTIVE SUMMARY
NOTES ON BILLS AND AMENDMENTS**

**SENATE FILE 601 AS AMENDED BY H-2004
STANDING APPROPRIATIONS BILL**

PROPERTY TAX CREDIT FUND

- Appropriates \$157.9 million from the FY 2007 General Fund ending surplus into the Property Tax Credit Fund. (Page 3, Line 5)
- Appropriates \$2.0 million from the General Fund to the Property Tax Credit Fund. (Page 3, Line 21)
- Appropriates funds from the Property Tax Credit Fund for the following property tax credits and exemptions:
 - \$102.7 million for the Homestead Property Tax Credit. (Page 3, Line 34)
 - \$34.6 million for the Agricultural Land and Family Farm Tax Credit. (Page 4, Line 2)
 - \$2.8 million for the Military Service Tax Credit. (Page 4, Line 5)
 - \$19.8 million for the Elderly and Disabled Tax Credit. (Page 4, Line 8)

CASH RESERVE FUND

- Eliminates the requirement that an appropriation be made from the General Fund to the Cash Reserve Fund to maintain a maximum balance equal to 7.5% of the Revenue Estimating Conference estimate for FY 2008 as established in December 2006. (Page 5, Line 6)

ENVIRONMENT FIRST FUND

- Increases the Environment First Fund standing appropriation from the Rebuild Iowa Infrastructure Fund from \$35.0 million to \$40.0 million. (Page 5, Line 10)

AREA EDUCATION AGENCIES

- Reduces the State aid allocation for Area Education Agencies (AEAs) by \$5.3 million for FY 2008. This reduction is \$2.8 million less than the FY 2007 reduction. (Page 5, Line 18)
- States that it is the intent of the General Assembly that any additional reduction for the AEAs in FY 2009 not exceed \$2.5 million and that no reduction will occur in FY 2010. (Page 5, Line 29)

***DIVISION III – SALARIES,
COMPENSATION***

Makes the following salary and compensation provisions:

- Increases the salaries for the justices, judges and magistrates by \$2.4 million. (Page 6, Line 7)
- Increases the salary ranges for State officers by 3.0%. (Page 8, Line 25)
- Appropriates \$108.6 million from the General Fund for the Salary Adjustment Fund and allocates \$8.2 million for the Judicial Branch. (Page 10, Line 24)
- Appropriates \$2.3 million from Road Use Tax Fund and \$11.8 million from the Primary Road Fund to the Salary Adjustment Fund. (Page 13, Line 35 and Page 14, Line 8)
- 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. (Page 14, Line 21)
- Allocates \$750,000 from the Salary Adjustment Fund for State Patrol overtime pay. (Page 15, Line 17)
- Reduces the General Fund contribution to the Judicial Retirement Fund by \$400,000 making the General Fund increase \$1,011,299 compared to the estimated FY 2007 General Fund appropriation. (Page 16, Line 15)

**EXECUTIVE SUMMARY
NOTES ON BILLS AND AMENDMENTS**

**SENATE FILE 601 AS AMENDED BY H-2004
STANDING APPROPRIATIONS BILL**

***DIVISION IV – OTHER
APPROPRIATIONS AND RELATED
MATTERS***

DEPARTMENT OF ADMINISTRATIVE
SERVICES

MID-AMERICA PORT COMMISSION

INTERPRETERS FOR THE DEAF

COMMUNITY COLLEGE SALARIES

DEPARTMENT OF ELDER AFFAIRS
DEPARTMENT OF PUBLIC DEFENSE
READY RESERVE

COLLEGE STUDENT AID
COMMISSION

BEFORE AND AFTER SCHOOL
GRANT PROGRAM

DEPARTMENT OF JUSTICE – FARM
MEDIATION

DEPARTMENT OF PUBLIC HEALTH

JUDICIAL RECEIPTS

JUNIOR ANGUS ASSOCIATION

Makes the following FY 2008 General Fund appropriations (unless otherwise noted):

- \$120,000 for the State’s share of support for the shuttle service provided by the Des Moines Area Transit Authority. (Page 18, Line 22)
- \$40,000 to the Department of Economic Development for administrative costs associated with membership in the Mid-America Port Commission. (Page 19, Line 4)
- \$200,000 to the Department of Education for allocation to Iowa Western Community College for salaries and support for interpreters for the deaf. (Page 19, Line 13)
- \$2.0 million to the Department of Education for allocation to the community colleges to supplement faculty salaries. Provides a formula for allocation between colleges and specifies that colleges must allocate the funds to instructors based on negotiated agreements or, in lieu of such an agreement, equally among instructors, with part-time instructors receiving a pro-rated share. (Page 19, Line 24)
- \$75,000 to the Department of Elder Affairs for a Livable Community Initiative. (Page 20, Line 26)
- \$75,000 to the Department of Public Defense for the initial implementation of the Disaster Behavioral Health Responder Ready Reserve by the Homeland Security and Emergency Management Division. (Page 21, Line 21)
- \$2.0 million to the College Student Aid Commission for the All Iowa Opportunity Assistance Program. This appropriation is to supplement the General Fund appropriation of \$1.0 million for this Program in SF 588 (FY 2008 Education Appropriations Bill). These funds are to be allocated to the All Iowa Opportunity Scholarship Program. This level of funding will permit private college and university students to receive scholarship funds. (Page 21, Line 32)
- \$295,000 to the Department of Education for the Before and After School Grant Program, subject to enactment of the Program in SF 588 (FY 2008 Education Appropriations Bill). This appropriation is to supplement the \$400,000 General Fund appropriation in SF 588. (Page 22, Line 14)
- \$150,000 to the Office of the Attorney General for the Farm Mediation Services Program. (Page 22, Line 25)
- \$500,000 to the Department of Public Health for a grant to operate the 211 Program Call Centers. (Page 22, Line 35)
- Repeals allocations of \$18.0 million in judicial receipts, resulting in the receipts being deposited into the General Fund. Makes appropriations from the General Fund to the Judicial Branch (\$14.0 million), Indigent Defense (\$3.0 million), Department of Corrections (\$560,000), and Office of the Attorney General (\$450,000) to offset the repeal of the allocations. (Page 23, Line 29 through Page 24, Line 35; Page 33, Line 27 through Page 34, Line 30)
- \$10,000 for the 2008 National Junior Angus Show. (Page 25, Line 1)

**EXECUTIVE SUMMARY
NOTES ON BILLS AND AMENDMENTS**

**SENATE FILE 601 AS AMENDED BY H-2004
STANDING APPROPRIATIONS BILL**

PLASMA ARC TECHNOLOGY

- \$150,000 FY 2007 supplemental appropriation to the Department of Natural Resources (DNR) for a feasibility study on the use of plasma arc technology for the disposal of solid waste. (Page 25, Line 10)

CENTER FOR CITIZEN DIPLOMACY

- \$100,000 to the Secretary of State to support a United States Center for Citizen Diplomacy that will be headquartered in Des Moines. (Page 25, Line 29)

DEPARTMENT OF
TRANSPORTATION

- Increases the FY 2008 Road Use Tax Fund appropriations by \$17,000 and the 2008 Primary Road Tax Fund appropriations by \$103,000 and 1.0 FTE position the for the Operations budget in the Department of Transportation. (Page 26, Line 35 and Page 27, Line 6)

DEPARTMENT OF TRANSPORTATION
PAYMENT TO THE DEPARTMENT
OF ADMINISTRATIVE SERVICES

- An increase of \$43,207 from the Road Use Tax Fund for payment to the Department of Administrative Services (DAS) for personnel and utility services. (Page 27, Line 14)
- An increase of \$265,417 from the Primary Road Fund for payment to the DAS for personnel and utility services. This increase, combined with the Road Use Tax Fund increase, represents a total increase of \$308,624 compared to the amount appropriated in HF 752 (FY 2008 Transportation Appropriations Bill). (Page 27, Line 20)

TIM SHIELDS CENTER

- Specifies money appropriated to the Local Government Innovation Commission will be used to fund the Tim Shields Center for Governing Excellence. (Page 27, Line 26)

WORLD FOOD PRIZE

- \$1.0 million for the World Food Prize Award beginning in FY 2009. This is a new standing appropriation. (Page 27, Line 32)
- Establishes a World Food Prize Youth Institute as a condition of receiving State funding. (Page 28, Line 6)

COMMUNITY ATTRACTION AND
TOURISM PROGRAM

- Extends the Community Attraction and Tourism Program to FY 2013 and increases the multi-year program funding from \$4.0 million to \$6.0 million. (Page 29, Line 11)

EARLY INTERVENTION BLOCK
GRANT

- Extends the \$29.3 million General Fund appropriation and the sunset date for the Early Intervention Block Grant Program through FY 2012. (Page 31, Line 18 and Page 31, Line 23)

CHILD DEVELOPMENT STANDING

- Increases the General Fund standing appropriation to the Department of Education for programs for at-risk children to \$12.6 million, an increase of \$46,000 compared to the current statutory amount and an increase of \$1.3 million compared to the FY 2007 appropriation. (Page 31, Line 27)

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

WAGE-BENEFIT PROGRAM TAX
CREDITS

- Decreases the total amount of Wage-Benefit Program tax credits that may be awarded each fiscal year from the current \$10.0 million to \$4.0 million. The change is effective in FY 2008. The credit limit for FY 2007 remains at \$10.0 million. (Page 37, Line 20)

FISCAL IMPACT: Decreasing the maximum allowed credits under the Wage-Benefit Program will increase net General Fund revenue by \$6.0 million per year, beginning in FY 2008.

OFFICE OF ATTORNEY GENERAL

- Requires the Office of the Attorney General to be reimbursed \$150,000 from the Second Injury Fund. (Page 38, Line 5)

**EXECUTIVE SUMMARY
NOTES ON BILLS AND AMENDMENTS**

**SENATE FILE 601 AS AMENDED BY H-2004
STANDING APPROPRIATIONS BILL**

**INSURANCE COVERAGE FOR
CHILDREN WITH MENTAL ILLNESS**

**AGRICULTURAL DEVELOPMENT
AUTHORITY**

FARM-TO-SCHOOL PROGRAM

MOTOR/BIOFUEL LABORATORY

**DEPARTMENT OF HUMAN
SERVICES (DHS)**

**STUDENT ACHIEVEMENT AND
TEACHER QUALITY PROGRAM
CULTURAL AFFAIRS**

HIGHWAY PATROL SIGNS

**SELF-INSURANCE BY AN
ASSOCIATION**

**MEDAL OF HONOR LICENSE
PLATES**

**SELF-PROPELLED IMPLEMENT
CIVIL PENALTY**

**SCHOOL TUITION ORGANIZATION
TAX CREDIT**

- Requires children that require treatment for biologically-based mental illness that meet the criteria for admission to a Psychiatric Medical Institution for Children under Medicaid, to receive benefits under a group health insurance policy or plan providing third-party payment or prepayment of health, medial, or surgical coverage. (Page 40, Line 4)
- Removes the Agricultural Development Authority from the Office of the Treasurer of State. Permits the Governor to appoint the Executive Director of the Authority and require the State Auditor to audit the Authority. (Page 40, Line 17)
- Creates a Farm-to-School Program and a Farm-to-School Council to promote the purchase of locally-grown or regionally-produced food for Iowa school children. Requires the Departments of Agriculture and Land Stewardship and Education to publish information about the Council on their websites. (Page 41, Line 15 through Page 42, Line 22)
- Establishes a laboratory for motor fuel and biofuels at Iowa Central Community College. (Page 42, Line 28)
- Requires the DHS to allow providers to choose between biweekly or monthly billing and payment.
FISCAL IMPACT: The estimated fiscal impact is an increase in General Fund expenditures of \$358,000 and 9.0 FTE positions for FY 2008. The cost may be reduced and eliminated in subsequent fiscal years after the automated computer system is fully implemented. (Page 44, Line 27)
- Specifies a formula for allocating professional development dollars to Area Education Agency (AEA) staff included in the Student Achievement and Teacher Quality Program. (Page 46, Line 8)
- Permits the Department of Cultural Affairs to develop and implement fee-based educational programming. (Page 47, Line 13)
- Permits the Department of Transportation, with consultation from the State Patrol, to post signs along designated highway sections as a memorial to State Patrol Officers killed in the line of duty. (Page 48, Line 3)
- Requires members of a self-insured association to carry a financial liability card in the member's vehicle and permits the association to act as a legal entity. Permits the Department of Transportation to issue certificates of self-insurance. (Page 48, Line 13)
- Exempts a person issued a Medal of Honor plate from paying a special plate fee and annual vehicle registration fee and makes other rule changes. (Page 49, Line 2)
- Reduces the civil penalty for operating an overweight self-propelled implement of husbandry that is operated on a non-interstate highway without an annual permit from \$10,000 to \$300. (Page 52, Line 5)
- Increases the amount of the School Tuition Organization Tax Credit from \$5.0 million to \$7.5 million beginning in calendar year 2008. (Page 52, Line 34)

**EXECUTIVE SUMMARY
NOTES ON BILLS AND AMENDMENTS**

**SENATE FILE 601 AS AMENDED BY H-2004
STANDING APPROPRIATIONS BILL**

SALES TAX EXEMPTION

MOTOR FUEL VEHICLE TAX

SANITARY LANDFILL EXEMPTION

WILD AND DANGEROUS ANIMALS

WINE GALLONAGE TAX

**DEVELOPMENT SCHOOL TASK
FORCE**

**COMMUNITY COLLEGE SALES OF
BUILDINGS**

- Provides a sales tax exemption for items used in the construction of a regional academy in the fulfillment of a written construction contract for the original construction, modifications, or additions of a building to be used as a collaborative facility. (Page 53, Line 7 and Page 57, Line 19)
- Extends the current motor vehicle fuel tax schedule from June 30, 2007, to June 30, 2012. Under current law, the tax rates for unleaded gasoline and E-10 are adjusted annually based on the number of gallons of ethanol-blended gasoline sold in the State. The tax rates are subject to change each July 1, depending on the percentage of ethanol-blended gasoline sold during the previous calendar year. The tax schedule that the tax rates are based on was implemented on July 1, 2002, and is effective through June 30, 2007. After that date, the excise tax on gasoline will revert to 20.0 cents per gallon, and E-10 will increase from 19.0 to 20.0 cents per gallon. (Page 54, Line 14)
- **FISCAL IMPACT:** The estimated fiscal impact of extending the current motor fuel tax schedule five years is a decrease in fuel tax receipts to the Road Use Tax Fund for FY 2008 through FY 2012 as follows:
 - FY 2008: \$ - 7.9 million
 - FY 2009: \$ - 8.0 million
 - FY 2010: \$ - 8.5 million
 - FY 2011: \$ - 5.9 million
 - FY 2012: \$ - 6.2 million
- The fiscal impact is based on the 69.3% market share of ethanol-blended gasoline in CY 2006, increasing by 1.0% each year, until it reaches an estimated 77.0% in CY 2010.
- Exempts a sanitary landfill used for coal disposal that is owned by an electric generating facility from filing a comprehensive plan with the DNR. (Page 54, Line 28)
- Adds Russian and European Boars to the definition for agricultural animals. Requires owners of a Russian or European Boar to pay the Department of Agriculture and Land Stewardship an annual \$10.00 registration fee. (Page 55, Line 23 and Page 56, Line 13)
- Amends SF 564 (Wild and Dangerous Animal Bill) to allow circuses to have and use restricted animals and to permit persons with a falconry license to keep falcons. (Page 55, Line 31 and Page 56, Line 20)
- Exempts wine imported from outside the State prior to June 1, 2007, and used for manufacturing native wine from the Wine Gallonage Tax. (Page 57, Line 30)
- Requires the Department of Education and the University of Northern Iowa (UNI) to convene a task force to study the feasibility of creating a research and development school for grades Prekindergarten through 12, consider locating the school at the existing Price Laboratory School at UNI, and report its findings and recommendations to the General Assembly by January 14, 2008. (Page 58, Line 1)
- Repeals the requirement that community colleges are required to receive approval from the General Assembly and the Governor prior to the sale of student-constructed buildings and the underlying property if the fair market value is at least \$5.0 million. (Page 59, Line 7)

**EXECUTIVE SUMMARY
NOTES ON BILLS AND AMENDMENTS**

**SENATE FILE 601 AS AMENDED BY H-2004
STANDING APPROPRIATIONS BILL**

DIVISION VI – ELDER SERVICES

- Transfers regulatory control of elder group homes, assisted living programs, and adult day services for licensing and monitoring purposes from the Department of Elder Affairs to the Department of Inspections and Appeals. Also provides transitional provisions for administrative rules. (Page 59, Line 13 through Page 85, Line 30)

DIVISION VII – FOOD INSPECTIONS

- Sections 201 through 211 make changes regarding the licensing and inspection of hotels, home food establishments, and food establishments. This Division also increases the license fees by various amounts for these businesses. (Page 85, Line 33 through Page 95, Line 14)

EGG HANDLER FEES

***DIVISION VIII – CORRECTIVE
PROVISIONS***

- Increases the fees for egg handlers based on the volume of eggs handled. (Page 95, Line 15)
- Sections 216 through 238 of this Bill are technical corrective provisions. No specific explanation is provided for these Sections. (Page 96, Line 34 through Page 105, Line 21)

PG LN	SF601 as amended by H-2004	Explanation
1 1 1 2 1 3	DIVISION I MH/MR/DD/BI SERVICES ALLOWED GROWTH FUNDING -- FY 2008-2009	
1 4 1 5 1 6 1 7 1 8 1 9 1 10 1 11 1 12 1 13 1 14 1 15 1 16 1 17 1 18 1 19 1 20	<p>Section 1. COUNTY MENTAL HEALTH, MENTAL RETARDATION, DEVELOPMENTAL DISABILITIES, AND BRAIN INJURY ALLOWED GROWTH APPROPRIATION AND ALLOCATIONS -- FISCAL YEAR 2008-2009.</p> <p>1. There is appropriated from the general fund of the state to the department of human services for the fiscal year beginning July 1, 2008, and ending June 30, 2009, the following amount, or so much thereof as is necessary, to be used for the purpose designated:</p> <p>For distribution to counties of the county mental health, mental retardation, and developmental disabilities allowed growth factor adjustment for fiscal year 2008-2009, and for the brain injury services program in the department of public health:</p> <p>..... \$ 64,600,002</p> <p>2. The amount appropriated in this section shall be allocated as provided in a later enactment of the general assembly.</p>	<p>General Fund appropriation for FY 2009 for Mental Health Allowed Growth.</p> <p>DETAIL: Analysis of this appropriation includes:</p> <ul style="list-style-type: none"> • An increase of \$8,119,862 compared to the FY 2008 appropriations from the General Fund and the Health Care Trust Fund in HF 909 (FY 2008 Health and Human Services Appropriations Bill). • An increase of \$25,711,961 from the General Fund compared to the FY 2007 General Fund appropriation for Mental Health Allowed Growth. • An increase of \$21,312,861 compared to the original FY 2008 General Fund appropriation made in HF 2797 (FY 2008 Standings Appropriations Act).
1 21 1 22 1 23	DIVISION II STANDING APPROPRIATIONS AND RELATED MATTERS	
1 24 1 25 1 26 1 27 1 28 1 29 1 30 1 31 1 32	<p>Sec. 2. BUDGET PROCESS FOR FISCAL YEAR 2008-2009.</p> <p>1. For the budget process applicable to the fiscal year beginning July 1, 2008, on or before October 1, 2007, in lieu of the information specified in section 8.23, subsection 1, unnumbered paragraph 1, and paragraph "a", all departments and establishments of the government shall transmit to the director of the department of management, on blanks to be furnished by the director, estimates of their expenditure requirements, including every proposed expenditure, for the</p>	<p>Allows the Executive Branch to continue to use the budgeting-for-results process for FY 2009. This is in lieu of the information currently required by statute. Also, requires all State departments and agencies to submit estimated expenditure requirements with supporting data and explanations to the Director of the Department of Management (DOM). Consultation with the Legislative Services Agency is required. Information submitted is also to include performance measures data.</p>

1 33 ensuing fiscal year, together with supporting data and
1 34 explanations as called for by the director of the department
1 35 of management after consultation with the legislative services
2 1 agency.

2 2 2. The estimates of expenditure requirements shall be in a
2 3 form specified by the director of the department of
2 4 management, and the expenditure requirements shall include all
2 5 proposed expenditures and shall be prioritized by program or
2 6 the results to be achieved. The estimates shall be
2 7 accompanied by performance measures for evaluating the
2 8 effectiveness of the programs or results.

2 9 Sec. 3. GENERAL ASSEMBLY -- BUILDING SECURITY. Of the
2 10 appropriations made pursuant to section 2.12 for the expenses
2 11 of the general assembly and legislative agencies for the
2 12 fiscal year beginning July 1, 2007, and ending June 30, 2008,
2 13 \$775,000 shall be used for capitol building and judicial
2 14 building security.

Requires \$775,000 for expenses associated with Capitol Building and
Judicial Building security to be funded within the Legislative Branch
budget for FY 2008.

2 15 Sec. 4. LIMITATION OF STANDING APPROPRIATIONS.
2 16 Notwithstanding the standing appropriations in the following
2 17 designated sections for the fiscal year beginning July 1,
2 18 2007, and ending June 30, 2008, the amounts appropriated from
2 19 the general fund of the state pursuant to these sections for
2 20 the following designated purposes shall not exceed the
2 21 following amounts:

2 22 1. For instructional support state aid under section
2 23 257.20:
2 24 \$ 14,428,271

CODE: Limits the FY 2008 standing appropriation to the Department
of Education for Instructional Support.

DETAIL: Maintains current level of funding.

2 25 2. For payment for nonpublic school transportation under

CODE: Limits the FY 2008 standing appropriation to the Department

PG LN	SF601 as amended by H-2004	Explanation
2 26	section 285.2:	of Education for nonpublic school transportation.
2 27 \$ 8,604,714	DETAIL: Maintains current level of funding.
2 28	If total approved claims for reimbursement for nonpublic	Requires the Department of Education to pro-rate payment of claims for nonpublic school transportation reimbursement, if the claims exceed the appropriated amount.
2 29	school pupil transportation claims exceed the amount	
2 30	appropriated in this section, the department of education	
2 31	shall prorate the amount of each claim.	
2 32	3. For the educational excellence program under section	CODE: Limits the FY 2008 standing appropriation to the Department of Education for the Educational Excellence Program.
2 33	294A.25, subsection 1:	
2 34 \$ 55,469,053	DETAIL: Maintains current level of funding.
2 35	4. For the state's share of the cost of the peace	CODE: Limits the FY 2008 standing appropriation for the Peace Officers' Retirement System.
3 1	officers' retirement benefits under section 411.20:	
3 2 \$ 2,745,784	
3 3	Sec. 5. PROPERTY TAX CREDIT FUND -- PAYMENTS IN LIEU OF	
3 4	GENERAL FUND REIMBURSEMENT.	
3 5	1. a. Notwithstanding section 8.57, prior to the	CODE: General Fund appropriation of \$157,868,964 to the Property Tax Credit Fund established in the Office of the Treasurer from the FY 2007 General Fund surplus, prior to the appropriation and distribution to the Senior Living Trust Fund and the Cash Reserve Fund.
3 6	appropriation and distribution to the senior living trust fund	
3 7	and the cash reserve fund of the surplus existing in the	DETAIL: This notwithstanding current law.
3 8	general fund of the state at the conclusion of the fiscal year	
3 9	beginning July 1, 2006, and ending June 30, 2007, pursuant to	
3 10	section 8.57, subsections 1 and 2, of that surplus,	
3 11	\$157,868,964 is appropriated to the property tax credit fund	
3 12	which shall be created in the office of the treasurer of state	
3 13	to be used for the purposes of this section.	
3 14	b. Notwithstanding any provision in section 8.57 to the	

3 15 contrary in determining the amount of the appropriation to the
 3 16 senior living trust fund pursuant to section 8.57, subsection
 3 17 2, paragraph "a", the surplus for the fiscal year beginning
 3 18 July 1, 2006, shall not include the amount appropriated to the
 3 19 property tax credit fund pursuant to paragraph "a" of this
 3 20 subsection.

3 21 c. There is appropriated from the general fund of the
 3 22 state to the property tax credit fund created in paragraph "a"
 3 23 for the fiscal year beginning July 1, 2007, and ending June
 3 24 30, 2008, the sum of \$2,000,000.

General Fund appropriation of \$2,000,000 to the Property Tax Credit Fund.

DETAIL: This is the first year for a phase-in of General Fund support for the property tax credits that have been funded from General Fund year-end surpluses in recent years.

3 25 2. Notwithstanding the amount of the standing
 3 26 appropriation from the general fund of the state in the
 3 27 following designated sections and notwithstanding any
 3 28 conflicting provisions or voting requirements of section 8.56,
 3 29 there is appropriated from the property tax credit fund in
 3 30 lieu of the appropriations in the following designated
 3 31 sections for the fiscal year beginning July 1, 2007, and
 3 32 ending June 30, 2008, the following amounts for the following
 3 33 designated purposes:

CODE: Permits the following appropriations from the Property Tax Credit Fund.

DETAIL: This notwithstands current law.

3 34 a. For reimbursement for the homestead property tax credit
 3 35 under section 425.1:

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

4 1 \$102,658,781

DETAIL: This is a decrease of \$286,598 compared to estimated FY 2007. The appropriation is \$30,954,621 less than the projected amount of the FY 2008 credit claims.

4 2 b. For reimbursement for the agricultural land and family
 4 3 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 4 \$ 34,610,183

DETAIL: Maintains current level of funding. The appropriation is \$4,489,817 less than the projected amount of the FY 2008 credit

claims.

4 5 c. For reimbursement for the military service tax credit
 4 6 under section 426A.1A:
 4 7 \$ 2,800,000

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

DETAIL: This is an increase of \$26,598 and funds the projected amount of the FY 2008 credit claims.

4 8 d. For implementing the elderly and disabled tax credit
 4 9 and reimbursement pursuant to sections 425.16 through 425.40:
 4 10 \$ 19,800,000

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

DETAIL: This is an increase of \$260,000 and funds the projected amount of the FY 2008 credit claims.

4 11 If the director of revenue determines that the amount of
 4 12 claims for credit for property taxes due pursuant to
 4 13 paragraphs "a", "b", "c", and "d" plus the amount of claims
 4 14 for reimbursement for rent constituting property taxes paid
 4 15 which are to be paid during the fiscal year may exceed the
 4 16 total amount appropriated, the director shall estimate the
 4 17 percentage of the credits and reimbursements which will be
 4 18 funded by the appropriation. The county treasurer shall
 4 19 notify the director of the amount of property tax credits
 4 20 claimed by June 8, 2007. The director shall estimate the
 4 21 percentage of the property tax credits and rent reimbursement
 4 22 claims that will be funded by the appropriation and notify the
 4 23 county treasurer of the percentage estimate by June 15, 2007.
 4 24 The estimated percentage shall be used in computing for each
 4 25 claim the amount of property tax credit and reimbursement for
 4 26 rent constituting property taxes paid for that fiscal year.
 4 27 If the director overestimates the percentage of funding,
 4 28 claims for reimbursement for rent constituting property taxes
 4 29 paid shall be paid until they can no longer be paid at the
 4 30 estimated percentage of funding. Rent reimbursement claims

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, 2007, 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, 2007. 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 2009. If there are excess funds after claims are paid, the remaining funds are carried forward to the next fiscal year.

4 31 filed after that point in time shall receive priority and
4 32 shall be paid in the following fiscal year.

4 33 3. Notwithstanding any other provision, if the
4 34 Eighty-second General Assembly, 2007 Session, enacts
4 35 legislation that also provides for the appropriation of the
5 1 surplus or any part of the surplus existing in the general
5 2 fund of the state at the conclusion of the fiscal year
5 3 beginning July 1, 2006, and ending June 30, 2007, the moneys
5 4 appropriated from such surplus pursuant to subsection 1 shall
5 5 have priority over all other such appropriations.

CODE: Requires the appropriation to the Property Tax Credit Fund to have priority over any other appropriations made from the FY 2007 General Fund surplus.

5 6 Sec. 6. CASH RESERVE APPROPRIATION FOR FY 2007-2008. For
5 7 the fiscal year beginning July 1, 2007, and ending June 30,
5 8 2008, the appropriation to the cash reserve fund provided in
5 9 section 8.57, subsection 1, paragraph "a", shall not be made.

CODE: Eliminates the requirement for a General Fund appropriation to the Cash Reserve Fund in the event the Fund does not maintain a maximum balance equal to 7.50% of the Revenue Estimating Conference (REC) estimate for FY 2008 as established in December 2006.

DETAIL: This notwithstanding current law. Under current law, if the Cash Reserve Fund balance is less than 6.50% of the adjusted revenue estimate, an appropriation equal to 1.00% of the adjusted revenue estimate is required. An appropriation equal to 1.00% for FY 2008 is estimated at \$59,055,000. 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.

5 10 Sec. 7. Section 8.57A, subsection 4, Code 2007, is amended
5 11 to read as follows:

5 12 4. There is appropriated from the rebuild Iowa
5 13 infrastructure fund for the fiscal year beginning July 1, ~~2000~~
5 14 2007, and for each fiscal year thereafter, the sum of
5 15 ~~thirty-five~~ forty million dollars to the environment first
5 16 fund, notwithstanding section 8.57, subsection 6, paragraph
5 17 "c".

CODE: Increases the Environment First Fund standing appropriation from the Rebuild Iowa Infrastructure Fund (RIIF) from \$35,000,000 to \$40,000,000.

5 18 Sec. 8. Section 257.35, subsection 4, Code 2007, is

CODE: Continues the additional reduction in Area Education Agency

<p>5 19 amended to read as follows: 5 20 4. Notwithstanding subsection 1, and in addition to the 5 21 reduction applicable pursuant to subsection 2, the state aid 5 22 for area education agencies and the portion of the combined 5 23 district cost calculated for these agencies for the fiscal 5 24 year beginning July 1, 2006 <u>2007</u>, shall be reduced by the 5 25 department of management by eight <u>five</u> million <u>two hundred</u> 5 26 <u>fifty thousand</u> dollars. The reduction for each area education 5 27 agency shall be prorated based on the reduction that the 5 28 agency received in the fiscal year beginning July 1, 2003.</p>	<p>(AEA) funding from previous years.</p> <p>DETAIL: The FY 2008 reduction of \$5,250,000 is \$2,750,000 less than the FY 2007 reduction. This reduction is in addition to the previously existing statutory \$7,500,000 reduction. The reduction for each AEA will be pro-rated based on the FY 2004 reductions.</p>
<p>5 29 Sec. 9. AREA EDUCATION AGENCY PAYMENTS. It is the intent 5 30 of the general assembly that for the fiscal year beginning 5 31 July 1, 2008, any reduction in state aid to area education 5 32 agencies and the combined district cost calculated for those 5 33 agencies over the reduction applicable pursuant to section 5 34 257.35, subsection 2, shall not exceed \$2.5 million and that 5 35 for the fiscal year beginning July 1, 2009, there shall be no 6 1 such additional reduction.</p>	<p>States that it is the intent of the General Assembly that any additional reduction for Area Education Agency (AEA) funding in FY 2009 will not exceed \$2,500,000, and in FY 2010 there will be no additional AEA funding reduction.</p>
<p>6 2 Sec. 10. EFFECTIVE DATE. The section of this division of 6 3 this Act creating the property tax credit fund, being deemed 6 4 of immediate importance, takes effect upon enactment.</p>	<p>The Section of this Bill relating to the Property Tax Credit Fund takes effect upon enactment.</p>
<p>6 5 DIVISION III 6 6 SALARIES, COMPENSATION, AND RELATED MATTERS</p>	
<p>6 7 Sec. 11. STATE COURTS -- JUSTICES, JUDGES, AND 6 8 MAGISTRATES. 6 9 1. The salary rates specified in subsection 2 are for the 6 10 fiscal year beginning July 1, 2007, effective for the pay 6 11 period beginning June 29, 2007, and for subsequent fiscal 6 12 years until otherwise provided by the general assembly. The 6 13 salaries provided for in this section shall be paid from funds</p>	<p>Sets the FY 2008 salary rates for judicial positions and prohibits judicial positions from receiving additional salary adjustments under this Bill.</p> <p>DETAIL: Provides salary increases for justices, judges, and magistrates, ranging from 11.58% for the Chief Justice of the Supreme Court to 6.87% for a Chief Judge. The salary increases are effective June 29, 2007. Total cost of these salary increases is</p>

6 14 appropriated to the judicial branch from the salary adjustment
 6 15 fund or if the appropriation is not sufficient, from funds
 6 16 appropriated to the judicial branch pursuant to any Act of the
 6 17 general assembly.
 6 18 2. The following annual salary rates shall be paid to the
 6 19 persons holding the judicial positions indicated during the
 6 20 fiscal year beginning July 1, 2007, effective with the pay
 6 21 period beginning June 29, 2007, and for subsequent pay
 6 22 periods.
 6 23 a. Chief justice of the supreme court:
 6 24 \$ 167,500
 6 25 b. Each justice of the supreme court:
 6 26 \$ 160,000
 6 27 c. Chief judge of the court of appeals:
 6 28 \$ 150,000
 6 29 d. Each associate judge of the court of appeals:
 6 30 \$ 145,000
 6 31 e. Each chief judge of a judicial district:
 6 32 \$ 140,000
 6 33 f. Each district judge except the chief judge of a
 6 34 judicial district:
 6 35 \$ 135,000
 7 1 g. Each district associate judge:
 7 2 \$ 120,000
 7 3 h. Each associate juvenile judge:
 7 4 \$ 120,000
 7 5 i. Each associate probate judge:
 7 6 \$ 120,000
 7 7 j. Each judicial magistrate:
 7 8 \$ 37,000
 7 9 k. Each senior judge:
 7 10 \$ 8,000
 7 11 3. Persons receiving the salary rates established under
 7 12 this section shall not receive any additional salary
 7 13 adjustments provided by this division of this Act.

estimated at \$2,430,643 (8.06%) for FY 2008.

7 14 Sec. 12. APPOINTED STATE OFFICERS. The governor shall

Requires the Governor to set the salary for most nonelected State

7 15 establish a salary for appointed nonelected persons in the
 7 16 executive branch of state government holding a position
 7 17 enumerated in the section of this division of this Act that
 7 18 addresses the salary ranges of state officers within the range
 7 19 provided, by considering, among other items, the experience of
 7 20 the individual in the position, changes in the duties of the
 7 21 position, the incumbent's performance of assigned duties, and
 7 22 subordinates' salaries. However, the attorney general shall
 7 23 establish the salary for the consumer advocate, the chief
 7 24 justice of the supreme court shall establish the salary for
 7 25 the state court administrator, the ethics and campaign
 7 26 disclosure board shall establish the salary of the executive
 7 27 director, the Iowa public broadcasting board shall establish
 7 28 the salary of the administrator of the public broadcasting
 7 29 division of the department of education, and the state fair
 7 30 board shall establish the salary of the secretary of the state
 7 31 fair board, each within the salary range provided in the
 7 32 section of this division of this Act that addresses the salary
 7 33 ranges of state officers.
 7 34 The governor, in establishing salaries as provided in the
 7 35 section of this division of this Act that addresses the salary
 8 1 ranges of state officers, shall take into consideration other
 8 2 employee benefits which may be provided for an individual
 8 3 including but not limited to housing.

8 4 A person whose salary is established pursuant to the
 8 5 section of this division of this Act that addresses the salary
 8 6 ranges of state officers and who is a full-time, year-round
 8 7 employee of the state shall not receive any other remuneration
 8 8 from the state or from any other source for the performance of
 8 9 that person's duties unless the additional remuneration is
 8 10 first approved by the governor or authorized by law. However,
 8 11 this provision does not exclude the reimbursement for
 8 12 necessary travel and expenses incurred in the performance of
 8 13 duties or fringe benefits normally provided to employees of
 8 14 the state.

officials within the ranges authorized in Section 13. 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: These salary range adjustments will have an unknown fiscal impact for FY 2008. The cost will be determined by placement in the new salary ranges.

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.

8 15 Sec. 13. STATE OFFICERS -- SALARY RANGE. The following
 8 16 annual salary ranges are effective for the positions specified
 8 17 in this section for the fiscal year beginning July 1, 2007,
 8 18 and for subsequent fiscal years until otherwise provided by
 8 19 the general assembly. The governor or other person designated
 8 20 in the section of this division of this Act relating to
 8 21 appointed state officers shall determine the salary to be paid
 8 22 to the person indicated at a rate within this salary range
 8 23 from funds appropriated by the general assembly for that
 8 24 purpose.

Provides that salary ranges for appointed nonelected officials are effective for FY 2008.

8 25 1. The following are salary ranges for appointed state
 8 26 officers for the fiscal year beginning July 1, 2007, effective
 8 27 with the pay period beginning June 29, 2007:

Sets the salary rates and ranges for State officials and specifies that the ranges are effective with the pay period beginning June 29, 2007.

8 28 SALARY RANGE	<u>Minimum</u>	<u>Maximum</u>
8 29 a. Range 1	\$ 9,069	\$ 35,464
8 30 b. Range 2	\$46,758	\$ 71,552
8 31 c. Range 3	\$53,768	\$ 82,285
8 32 d. Range 4	\$61,838	\$ 94,619
8 33 e. Range 5	\$71,115	\$108,805
8 34 f. Range 6	\$81,786	\$125,133
8 35 g. Range 7	\$97,906	\$149,802

DETAIL: The maximum salary for any State official is increased by \$4,372 (3.01%).

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

- The Director of the Office of Energy Independence has been added to range 6.
- The Director of the Department of Corrections is moved from range 6 to range 7.

9 1 2. The following are range 1 positions: there are no
 9 2 range 1 positions for the fiscal year beginning July 1, 2007.

Establishes no State officials in salary range 1 (\$9,069 - \$35,464).

DETAIL: This is no change.

9 3 3. The following are range 2 positions: administrator of
 9 4 the arts division of the department of cultural affairs,
 9 5 administrators of the division of persons with disabilities,
 9 6 the division on the status of women, the division on the
 9 7 status of lowans of Asian and Pacific Islander heritage, the
 9 8 division on the status of African-Americans, the division of
 9 9 deaf services, and the division of Latino affairs of the
 9 10 department of human rights.

Establishes the following State officials in salary range 2 (\$46,758 - \$71,552).

DETAIL: The positions are as follows:

- Administrator of the Arts Division of the Department of Cultural Affairs.
- Administrator of the Division of Persons with Disabilities of the Department of Human Rights.

PG LN	SF601 as amended by H-2004	Explanation
<p>9 11 4. The following are range 3 positions: administrator of 9 12 the division of criminal and juvenile justice planning of the 9 13 department of human rights, administrator of the division of 9 14 community action agencies of the department of human rights, 9 15 executive director of the department of veterans affairs, and 9 16 chairperson and members of the employment appeal board of the 9 17 department of inspections and appeals.</p>	<ul style="list-style-type: none"> • Administrator of the Division on the Status of Women of the Department of Human Rights. • Administrator of the Division on the Status of Asian and Pacific Islander Heritage of the Department of Human Rights. • Administrator of the Division on the Status of African-Americans of the Department of Human Rights. • Administrator of the Division of Deaf Services of the Department of Human Rights. • Administrator of the Division of Latino Affairs of the Department of Human Rights. 	
	<p>Establishes the following State officials in salary range 3 (\$53,768 - 82,285).</p>	<p>DETAIL: The Administrator of the Division of Homeland Security and Emergency Management of the Department of Public Defense has been moved from salary range 5. The positions are as follows:</p>
<p>9 18 5. The following are range 4 positions: director of the 9 19 department of human rights, director of the Iowa state civil 9 20 rights commission, executive director of the college student 9 21 aid commission, director of the department for the blind, 9 22 executive director of the ethics and campaign disclosure 9 23 board, members of the public employment relations board, and 9 24 chairperson, vice chairperson, and members of the board of 9 25 parole.</p>	<ul style="list-style-type: none"> • Administrator of the Division of Criminal and Juvenile Justice Planning of the Department of Human Rights. • Administrator of the Division of Community Action Agencies of the Department of Human Rights. • Executive Director of the Commission of Veterans Affairs. • Chairperson and two members of the Employment Appeal Board of the Department of Inspections and Appeals. 	
	<p>Establishes the following State officials in salary range 4 (\$61,838 - \$94,619), including three members of the Public Employment Relations Board and five members of the Board of Parole.</p>	<p>DETAIL: The positions are as follows:</p>
	<ul style="list-style-type: none"> • Director of the Department of Human Rights. • Director of the Iowa State Civil Rights Commission. • Executive Director of the College Student Aid Commission. • Director of the Department for the Blind. • Executive Director of the Ethics and Campaign Disclosure Board. 	

9 26 6. The following are range 5 positions: administrator of
 9 27 the division of homeland security and emergency management of
 9 28 the department of public defense, state public defender, drug
 9 29 policy coordinator, labor commissioner, workers' compensation
 9 30 commissioner, director of the department of cultural affairs,
 9 31 director of the department of elder affairs, director of the
 9 32 law enforcement academy, and administrator of the historical
 9 33 division of the department of cultural affairs.

- Three members of the Public Employment Relations Board.
- Board of Parole - Chairperson, Vice Chairperson, and three members.

Establishes the following State officials in salary range 5 (\$71,115 - \$108,805).

DETAIL: The positions are as follows:

- Administrator of the Division of Homeland Security and Emergency Management of the Department of Public Defense.
- State Public Defender.
- Drug Policy Coordinator.
- Labor Commissioner (Workforce Development).
- Workers' Compensation Commissioner (Workforce Development).
- Director of the Department of Cultural Affairs.
- Director of the Department of Elder Affairs.
- Director of the Iowa Law Enforcement Academy.
- Administrator of the Historical Division of the Department of Cultural Affairs.

9 34 7. The following are range 6 positions: director of the
 9 35 Iowa energy independence office, superintendent of banking,
 10 1 superintendent of credit unions, administrator of the
 10 2 alcoholic beverages division of the department of commerce,
 10 3 director of the department of inspections and appeals,
 10 4 commandant of the Iowa veterans home, commissioner of public
 10 5 safety, commissioner of insurance, executive director of the
 10 6 Iowa finance authority, director of the department of natural
 10 7 resources, consumer advocate, and chairperson of the utilities
 10 8 board. The other members of the utilities board shall receive
 10 9 an annual salary within a range of not less than 90 percent
 10 10 but not more than 95 percent of the annual salary of the
 10 11 chairperson of the utilities board.

Establishes the following State officials in salary range 6 (\$81,786 - \$125,133).

DETAIL: The Director of the Office of Energy Independence has been added to range 6. The positions include:

- Director of the Office of Energy Independence.
- Superintendent of Banking (Department of Commerce).
- Superintendent of Credit Unions (Department of Commerce).
- Administrator of the Alcoholic Beverages Division (Department of Commerce).
- Director of the Department of Inspections and Appeals.
- Commandant of the Veterans Home.
- Commissioner of the Department of Public Safety.

PG LN	SF601 as amended by H-2004	Explanation
10 12 10 13 10 14 10 15 10 16 10 17 10 18 10 19 10 20 10 21 10 22 10 23	8. The following are range 7 positions: administrator of the public broadcasting division of the department of education, director of the department of corrections, director of the department of education, director of human services, director of the department of economic development, executive director of the Iowa telecommunications and technology commission, executive director of the state board of regents, director of transportation, director of the department of workforce development, director of revenue, director of public health, state court administrator, secretary of the Iowa state fair board, director of the department of management, and director of the department of administrative services.	<ul style="list-style-type: none"> • Commissioner of Insurance (Department of Commerce). • Executive Director of the Iowa Finance Authority. • Director of the Department of Natural Resources. • Consumer Advocate. • Chairperson of the Utilities Board (Department of Commerce). • Two members of the Utilities Board receive not less than 90.0% and not more than 95.0% of the annual salary of the Chairperson. <p>Establishes the following State officials in salary range 7 (\$97,906 - \$149,802).</p> <p>DETAIL: The Director of the Department of Corrections is moved from range 6 to this range. The positions include:</p> <ul style="list-style-type: none"> • Administrator of the Public Broadcasting Division (Department of Education). • Director of the Department of Corrections. • Director of the Department of Education. • Three members of the Property Assessment Appeal Board. • Director of the Department of Human Services. • Director of the Department of Economic Development. • Executive Director of the Iowa Telecommunications and Technology Commission (ICN). • Executive Director of the State Board of Regents. • Director of the State Department of Transportation. • Director of the Department of Workforce Development. • Director of the Department of Revenue. • Director of the Department of Public Health. • State Court Administrator. • Secretary of the State Fair Board. • Director of the Department of Management. • Director of the Department of Administrative Services.
10 24 10 25 10 26	Sec. 14. COLLECTIVE BARGAINING AGREEMENTS FUNDED -- GENERAL FUND. There is appropriated from the general fund of the state to the salary adjustment fund for distribution by	General Fund appropriation to the Salary Adjustment Fund of \$108,598,094 for FY 2008 to be distributed by the Department of Management (DOM) to the various State departments, boards,

10 27 the department of management to the various state departments,
 10 28 boards, commissions, councils, and agencies, including the
 10 29 state board of regents and the judicial branch, for the fiscal
 10 30 year beginning July 1, 2007, and ending June 30, 2008, the
 10 31 amount of \$108,598,094, or so much thereof as may be
 10 32 necessary, to fully fund annual pay adjustments, expense
 10 33 reimbursements, and related benefits implemented pursuant to
 10 34 the following:

10 35 1. The collective bargaining agreement negotiated pursuant
 11 1 to chapter 20 for employees in the blue collar bargaining
 11 2 unit.

11 3 2. The collective bargaining agreement negotiated pursuant
 11 4 to chapter 20 for employees in the public safety bargaining
 11 5 unit.

11 6 3. The collective bargaining agreement negotiated pursuant
 11 7 to chapter 20 for employees in the security bargaining unit.

11 8 4. The collective bargaining agreement negotiated pursuant
 11 9 to chapter 20 for employees in the technical bargaining unit.

11 10 5. The collective bargaining agreement negotiated pursuant
 11 11 to chapter 20 for employees in the professional fiscal and
 11 12 staff bargaining unit.

11 13 6. The collective bargaining agreement negotiated pursuant
 11 14 to chapter 20 for employees in the clerical bargaining unit.

11 15 7. The collective bargaining agreement negotiated pursuant
 11 16 to chapter 20 for employees in the professional social
 11 17 services bargaining unit.

11 18 8. The collective bargaining agreement negotiated pursuant
 11 19 to chapter 20 for employees in the community-based corrections
 11 20 bargaining unit.

11 21 9. The collective bargaining agreements negotiated
 11 22 pursuant to chapter 20 for employees in the judicial branch of
 11 23 government bargaining units.

11 24 10. The collective bargaining agreement negotiated
 11 25 pursuant to chapter 20 for employees in the patient care
 11 26 bargaining unit.

11 27 11. The collective bargaining agreement negotiated
 11 28 pursuant to chapter 20 for employees in the science bargaining
 11 29 unit.

commissions, councils, and agencies, to pay salary increases negotiated by the bargaining units as listed, with an allocation of \$8,171,248 for Judicial Branch employees.

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) -

- 3.00% across-the-board pay increase on June 29, 2007.
- Step increases of 4.50% for eligible employees during FY 2008.
- The State matches 50.00% of an employee's contribution to the Deferred Compensation Program up to a maximum State share of \$75 per month (\$900 per year) effective July 1, 2007.
- Increases the covered wage for Long-Term Disability by \$10,000 to a covered total wage of \$60,000.

Iowa United Professionals (IUP) - Social Services and Science

- Adds 1.45% to the pay-plan maximums before the across-the-board increase.
- 1.00% across-the-board pay increase on June 29, 2007.
- Step increases of 4.50% for eligible employees during FY 2008.
- The State matches 50.00% of an employee's contribution to the Deferred Compensation Program up to a maximum State share of \$75 per month (\$900 per year) effective July 1, 2007.
- Increases the covered wage for Long-Term Disability by \$10,000 to a covered total wage of \$60,000.

State Police Officer's Council (SPOC)

- Adds 6.50% to the pay-plan maximums.
- 2.00% across-the-board pay increase on June 29, 2007.
- Continuation of 3.50% merit step increases for employees that are not at the top step of the pay range.
- The State matches 50.00% of an employee's contribution to the Deferred Compensation Program up to a maximum State share of \$75 per month (\$900 per year) effective July 1, 2007.

11 30 12. The collective bargaining agreement negotiated
 11 31 pursuant to chapter 20 for employees in the university of
 11 32 northern Iowa faculty bargaining unit.
 11 33 13. The collective bargaining agreement negotiated
 11 34 pursuant to chapter 20 for employees in the state university
 11 35 of Iowa graduate student bargaining unit.
 12 1 14. The collective bargaining agreement negotiated
 12 2 pursuant to chapter 20 for employees in the state university
 12 3 of Iowa hospital and clinics tertiary health care bargaining
 12 4 unit.
 12 5 15. The annual pay adjustments, related benefits, and
 12 6 expense reimbursements referred to in the sections of this
 12 7 division of this Act addressing noncontract state and board of
 12 8 regents employees who are not covered by a collective
 12 9 bargaining agreement.
 12 10 Of the amount appropriated in this section, \$8,171,248
 12 11 shall be allocated to the judicial branch for the purposes of
 12 12 funding annual pay adjustments, expense reimbursements, and
 12 13 related benefits implemented for judicial branch employees.

12 14 Sec. 15. NONCONTRACT STATE EMPLOYEES -- GENERAL.

12 15 1. a. For the fiscal year beginning July 1, 2007, the
 12 16 maximum and minimum salary levels of all pay plans provided
 12 17 for in section 8A.413, subsection 2, as they exist for the
 12 18 fiscal year ending June 30, 2007, shall be increased by 3
 12 19 percent for the pay period beginning June 29, 2007, and any
 12 20 additional changes in the pay plans shall be approved by the
 12 21 governor.

12 22 b. For the fiscal year beginning July 1, 2007, employees
 12 23 may receive a step increase or the equivalent of a step
 12 24 increase.

12 25 c. Notwithstanding the increase in paragraph "a",
 12 26 noncontract judicial branch employees shall receive increases

- Increases the covered wage for Long-Term Disability by \$10,000 to a covered total wage of \$60,000.

Judicial Public, Professional, and Maintenance Employees (PPME)

- Step increases of 4.50% for eligible employees during FY 2008.
- 2.00% across-the-board pay increase on June 29, 2007.
- The State matches 50.00% of an employee's contribution to the Deferred Compensation Program up to a maximum State share of \$75 per month (\$900 per year) effective July 1, 2007.
- Increases the covered wage for Long-Term Disability by \$10,000 to a covered total wage of \$60,000.

Judicial AFSCME

- Step increases of 4.50% for eligible employees during FY 2008.
- 2.00% across-the-board pay increase on June 29, 2007.
- The State matches 50.00% of an employee's contribution to the Deferred Compensation Program up to a maximum State share of \$75 per month (\$900 per year) effective July 1, 2007.
- Increases the covered wage for Long-Term Disability by \$10,000 to a covered total wage of \$60,000.

Provides noncontract State employees, excluding Judicial noncontract employees, with an increase of 3.00% on June 29, 2007, 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).

12 27 similar to those employees covered by collective bargaining
 12 28 agreements negotiated by the judicial branch.
 12 29 2. The pay plans for state employees who are exempt from
 12 30 chapter 8A, subchapter IV, and who are included in the
 12 31 department of administrative service's centralized payroll
 12 32 system shall be increased in the same manner as provided in
 12 33 subsection 1, and any additional changes in any executive
 12 34 branch pay plans shall be approved by the governor.
 12 35 3. This section does not apply to members of the general
 13 1 assembly, board members, commission members, salaries of
 13 2 persons set by the general assembly pursuant to this division
 13 3 of this Act or set by the governor, or other persons
 13 4 designated in the section of this division of this Act
 13 5 addressing appointed state officers, employees designated
 13 6 under section 8A.412, subsection 5, and employees covered by
 13 7 11 IAC 53.6(3).
 13 8 4. The pay plans for the bargaining eligible employees of
 13 9 the state shall be increased in the same manner as provided in
 13 10 subsection 1, and any additional changes in such executive
 13 11 branch pay plans shall be approved by the governor. As used
 13 12 in this section, "bargaining eligible employee" means an
 13 13 employee who is eligible to organize under chapter 20, but has
 13 14 not done so.

13 15 5. The policies for implementation of this section shall
 13 16 be approved by the governor.

13 17 Sec. 16. STATE EMPLOYEES -- STATE BOARD OF REGENTS. Funds
 13 18 from the appropriation made from the general fund of the state
 13 19 in the section of this division of this Act providing for
 13 20 funding of collective bargaining agreements shall be allocated
 13 21 to the state board of regents for the purposes of providing

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

Judicial Exempt

- Step increases of 4.50% for eligible employees during FY 2008.
- 2.00% across-the-board pay increase on June 29, 2007.
- The State matches 50.00% of an employee's contribution to the Deferred Compensation Program up to a maximum State share of \$75 per month (\$900 per year) effective July 1, 2007.
- Increases the covered wage for Long-Term Disability by \$10,000 to a covered total wage of \$60,000.

Non-Contract

- Step increases of 4.50% for eligible employees during FY 2008.
- 3.00% across-the-board pay increase on June 29, 2007.
- The State matches 50.00% of an employee's contribution to the Deferred Compensation Program up to a maximum State share of \$75 per month (\$900 per year) effective July 1, 2007.
- Increases the covered wage for Long-Term Disability by \$10,000 to a covered total wage of \$60,000.

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

Allocates a portion of the \$108,598,094 appropriated in Section 14 of this Bill to the Board of Regents for contract and noncontract employee salary increases.

DETAIL: Board of Regents merit system employees receive an increase comparable to other contract-covered employees.

13 22 increases for state board of regents employees covered by such
 13 23 section of this division of this Act and for state board of
 13 24 regents employees not covered by a collective bargaining
 13 25 agreement as follows:
 13 26 1. For regents merit system employees and merit
 13 27 supervisory employees to fund for the fiscal year increases
 13 28 comparable to those provided for similar contract-covered
 13 29 employees in this division of this Act.
 13 30 2. For faculty members and professional and scientific
 13 31 employees to fund for the fiscal year percentage increases
 13 32 comparable to those provided for contract-covered employees in
 13 33 the university of northern iowa faculty bargaining unit.

AFSCME Regents

- Step increases of 4.50% for eligible employees during FY 2008.
- 3.00% across-the-board pay increase on June 29, 2007.
- Increases the covered wage for Long-Term Disability by \$10,000 to a covered total wage of \$60,000.

FISCAL IMPACT: The identified need for FY 2008 salary increases for Board of Regents employees is \$40,978,221.

13 34 Sec. 17. APPROPRIATIONS FROM ROAD FUNDS.

13 35 1. There is appropriated from the road use tax fund to the
 14 1 salary adjustment fund for the fiscal year beginning July 1,
 14 2 2007, and ending June 30, 2008, the following amount, or so
 14 3 much thereof as may be necessary, to be used for the purpose
 14 4 designated:
 14 5 To supplement other funds appropriated by the general
 14 6 assembly:
 14 7 \$ 2,294,814

Road Use Tax Fund appropriation to the Salary Adjustment Fund.

DETAIL: This is an increase of \$878,119 compared to the estimated FY 2007 appropriation.

14 8 2. There is appropriated from the primary road fund to the
 14 9 salary adjustment fund, for the fiscal year beginning July 1,
 14 10 2007, and ending June 30, 2008, the following amount, or so
 14 11 much thereof as may be necessary, to be used for the purpose
 14 12 designated:
 14 13 To supplement other funds appropriated by the general
 14 14 assembly:
 14 15 \$ 11,788,266

Primary Road Fund appropriation to the Salary Adjustment Fund.

DETAIL: This is an increase of \$2,194,903 compared to the estimated FY 2007 appropriation.

14 16 3. Except as otherwise provided in this division of this
 14 17 Act, the amounts appropriated in subsections 1 and 2 shall be

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

14 18 used to fund the annual pay adjustments, expense
14 19 reimbursements, and related benefits for public employees as
14 20 provided in this division of this Act.

14 21 Sec. 18. SPECIAL FUNDS -- AUTHORIZATION. To departmental
14 22 revolving, trust, or special funds, except for the primary
14 23 road fund or the road use tax fund, for which the general
14 24 assembly has established an operating budget, a supplemental
14 25 expenditure authorization is provided, unless otherwise
14 26 provided, in an amount necessary to fund salary adjustments as
14 27 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 28 Sec. 19. GENERAL FUND SALARY MONEYS. Funds appropriated
14 29 from the general fund of the state for distribution from the
14 30 salary adjustment fund in the section of this division of this
14 31 Act providing for funding of collective bargaining agreements
14 32 relate only to salaries supported from general fund
14 33 appropriations of the state. Funds appropriated from the
14 34 general fund of the state for employees of the state board of
14 35 regents relate only to salaries supported from general fund
15 1 appropriations of the state and shall exclude general
15 2 university indirect costs and general university federal
15 3 funds.

Requires that the General Fund appropriation made in this Bill be used only to support salaries funded from the General Fund.

15 4 Sec. 20. FEDERAL FUNDS APPROPRIATED. All federal grants
15 5 to and the federal receipts of the agencies affected by this
15 6 division of this Act which are received and may be expended
15 7 for purposes of this division of this Act are appropriated for
15 8 those purposes and as set forth in the federal grants or
15 9 receipts.

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

15 10 Sec. 21. STATE TROOPER MEAL ALLOWANCE. The sworn peace
15 11 officers in the department of public safety who are not
15 12 covered by a collective bargaining agreement negotiated
15 13 pursuant to chapter 20 shall receive the same per diem meal

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 14 allowance as the sworn peace officers in the department of
 15 15 public safety who are covered by a collective bargaining
 15 16 agreement negotiated pursuant to chapter 20.

15 17 Sec. 22. STATE POLICE OFFICER COUNCIL BARGAINING UNIT --
 15 18 OVERTIME. Of the funds appropriated from the general fund of
 15 19 the state in the section of this division of this Act
 15 20 providing for funding of collective bargaining agreements, the
 15 21 following amount, or so much thereof as is necessary, shall be
 15 22 allocated to the department of public safety, division of
 15 23 state patrol, to be used for the purpose designated:
 15 24 To provide for expenditures related to the payment of
 15 25 overtime for uniformed peace officers covered by a collective
 15 26 bargaining agreement:
 15 27 \$ 750,000

Allocates \$750,000 of the \$108,598,094 appropriated in Section 14 of this Bill to the State Patrol Division of the Department of Public Safety for overtime pay for uniformed peace officers.

15 28 Sec. 23. SALARY MODEL ADMINISTRATOR. The salary model
 15 29 administrator shall work in conjunction with the legislative
 15 30 services agency to maintain the state's salary model used for
 15 31 analyzing, comparing, and projecting state employee salary and
 15 32 benefit information, including information relating to
 15 33 employees of the state board of regents. The department of
 15 34 revenue, the department of administrative services, the five
 15 35 institutions under the jurisdiction of the state board of
 16 1 regents, the judicial district departments of correctional
 16 2 services, and the state department of transportation shall
 16 3 provide salary data to the department of management and the
 16 4 legislative services agency to operate the state's salary
 16 5 model. The format and frequency of provision of the salary
 16 6 data shall be determined by the department of management and
 16 7 the legislative services agency. The information shall be
 16 8 used in collective bargaining processes under chapter 20 and
 16 9 in calculating the funding needs contained within the annual
 16 10 salary adjustment legislation. A state employee organization
 16 11 as defined in section 20.3, subsection 4, may request
 16 12 information produced by the model, but the information

Requires the Department of Management (DOM) salary model administrator to work in conjunction with the Legislative Services Agency (LSA) in maintaining the State's salary model.

Requires the following departments or entities to provide salary data to the DOM and the LSA:

- Revenue
- Administrative Services
- Five institutions of the Board of Regents
- Eight judicial district departments of community based corrections
- Department of Transportation

Specifies that a State employee organization may request information produced by the model, however, the information provided can not be individually identifiable.

16 13 provided shall not contain information attributable to
 16 14 individual employees.

16 15 Sec. 24. 2007 Iowa Acts, Senate File 563, section 2,
 16 16 subsection 1, unnumbered paragraph 2, if enacted, is amended
 16 17 to read as follows:

16 18 Notwithstanding section 602.9104, for the state's
 16 19 contribution to the judicial retirement fund in the amount of
 16 20 ~~22.5~~ 20.86 percent of the basic salaries of the judges covered
 16 21 under chapter 602, article 9:

16 22 \$ ~~3,450,963~~
 16 23 3,050,963

Reduces the General Fund appropriation to the Judicial Branch for the
 Judicial Retirement Fund by \$400,000.

DETAIL: Reduces the FY 2008 General Fund increase for the
 Judicial Retirement Fund to \$1,011,299 compared to the estimated
 FY 2007 General Fund appropriation.

NOTE: In addition to the General Fund appropriation, \$2,000,000 in
 one-time carry forward money from the Jury Witness Fee Revolving
 Fund is being directed to the Judicial Retirement Fund in this Bill.

CODE: This level of funding effectively reduces the State's statutorily
 required contribution to the Judicial Retirement Fund from 23.70% to
 20.86% of the base salaries of judges for a total State contribution of
 \$5,050,963. Based on HF 729 (Public Pension Omnibus Act), the
 Judges' required contribution is reduced from 6.00% to 5.28% for a
 total employee contribution of \$1,278,273.

16 24 Sec. 25. Section 20.5, subsection 3, Code 2007, is amended
 16 25 to read as follows:

16 26 3. In selecting the members of the board, consideration
 16 27 shall be given to their knowledge, ability, and experience in
 16 28 the field of labor-management relations. The chairperson and
 16 29 the remaining two members shall ~~each receive an annual salary~~
 16 30 ~~as set by the general assembly~~ be compensated as provided in
 16 31 section 7E.6, subsection 5.

CODE: Changes how the compensation is established for the Public
 Employment Relations Board to "as otherwise provided in law."

16 32 Sec. 26. Section 99D.6, Code 2007, is amended to read as
 16 33 follows:
 16 34 99D.6 CHAIRPERSON -- ADMINISTRATOR -- EMPLOYEES -- DUTIES
 16 35 -- BOND.

17 1 The commission shall elect in July of each year one of its
 17 2 members as chairperson for the succeeding year. The
 17 3 commission shall appoint an administrator of the commission

CODE: Provides that the Governor will set the compensation for the
 Administrator of the State Racing and Gaming Commission
 (Department of Inspections and Appeals), taking into consideration
 the level of knowledge and experience of the administrator.

17 4 subject to confirmation by the senate. The administrator
 17 5 shall serve a four-year term. The term shall begin and end in
 17 6 the same manner as set forth in section 69.19. A vacancy
 17 7 shall be filled for the unexpired portion of the term in the
 17 8 same manner as a full-term appointment is made. The
 17 9 administrator may hire other assistants and employees as
 17 10 necessary to carry out the commission's duties. Employees in
 17 11 the positions of equine veterinarian, canine veterinarian, and
 17 12 equine steward shall be exempt from the merit system
 17 13 provisions of chapter 8A, subchapter IV, and shall not be
 17 14 covered by a collective bargaining agreement. Some or all of
 17 15 the information required of applicants in section 99D.8A,
 17 16 subsections 1 and 2, may also be required of employees of the
 17 17 commission if the commission deems it necessary. The
 17 18 administrator shall keep a record of the proceedings of the
 17 19 commission and preserve the books, records, and documents
 17 20 entrusted to the administrator's care. The administrator
 17 21 shall be covered by the blanket surety bond of the state
 17 22 purchased pursuant to section 8A.321, subsection 13. ~~Subject~~
 17 23 ~~to the approval of the governor, the commission shall fix the~~
 17 24 ~~compensation of the administrator within the salary range as~~
 17 25 ~~set by the general assembly. The compensation and employment~~
 17 26 terms of the administrator shall be set by the governor,
 17 27 taking into consideration the level of knowledge and
 17 28 experience of the administrator. The commission shall have
 17 29 its headquarters in the city of Des Moines and shall meet in
 17 30 July of each year and at other times and places as it finds
 17 31 necessary for the discharge of its duties.

17 32 Sec. 27. Section 421.1A, subsection 6, Code 2007, is
 17 33 amended to read as follows:
 17 34 6. The members of the property assessment appeal board
 17 35 shall receive compensation from the state commensurate with
 18 1 the salary of a district judge through December 31, 2013. The
 18 2 members of the board shall be considered state employees for
 18 3 purposes of salary and benefits. The members of the board and
 18 4 any employees of the board, when required to travel in the

CODE: Establishes the compensation for a member of the Property Assessment Appeal Board at the same amount as that of a district court judge through December 31, 2013.

DETAIL: The compensation is currently that of a district court judge.

18 5 discharge of official duties, shall be paid their actual and
18 6 necessary expenses incurred in the performance of duties.

18 7 Sec. 28. Section 602.1301, subsection 2, paragraph b, Code
18 8 2007, is amended to read as follows:
18 9 b. Before December 1, the supreme court shall submit to
18 10 the director of management an estimate of the total
18 11 expenditure requirements of the judicial branch including a
18 12 detailed listing of requested increases in salaries of all
18 13 judges and magistrates for the succeeding fiscal year. The
18 14 director of management shall submit this estimate received
18 15 from the supreme court to the governor for inclusion without
18 16 change in the governor's proposed budget for the succeeding
18 17 fiscal year. The estimate shall also be submitted to the
18 18 chairpersons of the committees on appropriations.

CODE: Requires the Supreme Court to submit a detailed listing of requested increases in salaries of all judges and magistrates for the succeeding fiscal year annually before December 1.

18 19 DIVISION IV
18 20 OTHER APPROPRIATIONS
18 21 AND RELATED MATTERS

18 22 Sec. 29. CAPITOL COMPLEX SHUTTLE. There is appropriated
18 23 from the general fund of the state to the department of
18 24 administrative services for the fiscal year beginning July 1,
18 25 2007, and ending June 30, 2008, the following amount, or so
18 26 much thereof as is necessary, to be used for the purpose
18 27 designated:

General Fund appropriation to the Department of Administrative Services.

18 28 For the state's share of support in conjunction with the
18 29 city of Des Moines and local area businesses to provide a free
18 30 shuttle service to the citizens of Iowa visiting the capitol
18 31 complex that includes transportation between the capitol
18 32 complex and the downtown Des Moines area:

DETAIL: This is a new appropriation to fund the State share of support for the shuttle service provided by the Des Moines Area Regional Transit (DART) Authority.

18 33 \$ 120,000

18 34 Details for the shuttle service, including the route to be
18 35 served, shall be determined pursuant to an agreement to be
19 1 entered into by the department with the Des Moines area

19 2 regional transit authority (DART) and any other participating
19 3 entities.

19 4 Sec. 30. MID-AMERICA PORT COMMISSION. There is
19 5 appropriated from the general fund of the state to the
19 6 department of economic development for the fiscal year
19 7 beginning July 1, 2007, and ending June 30, 2008, the
19 8 following amount, or so much thereof as is necessary, to be
19 9 used for the purpose designated:
19 10 For support for the mid-America port commission to defray
19 11 administrative costs:
19 12 \$ 40,000

General Fund appropriation to the Department of Economic Development for administrative costs associated with membership in the Mid-America Port Commission.

DETAIL: This is a new appropriation for FY 2008. The Mid-America Port Commission includes nine members from Iowa, Illinois, and Missouri. The Commission's primary function is to develop and establish modern intermodal port facilities in areas of the Upper Mississippi and Illinois Rivers to attract commerce to the regions in order to promote job creation and foster economic development.

19 13 Sec. 31. INTERPRETERS FOR THE DEAF. There is appropriated
19 14 from the general fund of the state to the department of
19 15 education for the fiscal year beginning July 1, 2007, and
19 16 ending June 30, 2008, the following amount, or so much thereof
19 17 as is necessary, to be used for the purpose designated:
19 18 Due to the high numbers of articulation agreements between
19 19 the state school for the deaf and Iowa western community
19 20 college, for allocation for arrangements made between the
19 21 state school for the deaf and Iowa western community college
19 22 for deaf interpreters:
19 23 \$ 200,000

General Fund appropriation to the Department of Education for allocation to Iowa Western Community College for interpreters for the deaf.

DETAIL: Prior to FY 2007, Iowa Vocational Rehabilitation Services (IVRS) provided interpreters for deaf students enrolled at the community colleges and Regents institutions. Upon receiving clarification of federal regulations, IVRS has determined that the colleges are responsible for providing interpreters for students that are not clients of IVRS.

19 24 Sec. 32. COMMUNITY COLLEGE SALARIES. There is
19 25 appropriated from the general fund of the state to the
19 26 department of education for the fiscal year beginning July 1,
19 27 2007, and ending June 30, 2008, the following amount, or so
19 28 much thereof as is necessary, to be used for the purpose
19 29 designated:
19 30 For distribution to community colleges to supplement
19 31 faculty salaries:
19 32 \$ 2,000,000

General Fund appropriation to the Department of Education for distribution to the community colleges to supplement faculty salaries.

DETAIL: The last year that a salary adjustment appropriation was made to the community colleges was in FY 1993 in the amount of \$2,000,000. Senate File 588 (FY 2008 Education Appropriations Bill) appropriates \$171,962,414 in general aid to the community colleges, an increase of 7.76% compared to FY 2007.

19 33 1. Moneys appropriated in this section shall be
19 34 distributed among each community college based on the
19 35 proportional share of that community college's total salary
20 1 expenditures in the instructional and instructional part-time
20 2 categories in the education functions of liberal arts and
20 3 sciences and vocational-technical bears to the total salary
20 4 expenditures for all community colleges in the education
20 5 functions of liberal arts and sciences and
20 6 vocational-technical in the fiscal year prior to the base
20 7 year, as determined by the department of education.
20 8 2. Moneys distributed to each community college under this
20 9 section shall then be rolled into that base funding allocation
20 10 for all future years. The use of the funds shall remain as
20 11 described in this section for all future years.
20 12 3. Moneys appropriated and distributed to community
20 13 colleges under this section shall be used to supplement and
20 14 not supplant any approved faculty salary increases or
20 15 negotiated agreements, excluding the distribution of the funds
20 16 in this section.
20 17 4. Moneys distributed to a community college under this
20 18 section shall be allocated to all full-time, nonadministrative
20 19 instructors and part-time instructors covered by a collective
20 20 bargaining agreement. The moneys shall be allocated by
20 21 negotiated agreements according to chapter 20. If no language
20 22 exists, the moneys shall be allocated equally to all
20 23 full-time, nonadministrative instructors with part-time
20 24 instructors covered by a collective bargaining agreement
20 25 receiving a prorated share of the fund.

Specifies the formula for the allocation of the salary funding for the community colleges. The salary funding is to be considered part of the base funding in subsequent years. The funding must be used to supplement and not supplant any approved salary increases or negotiated agreements. Each college must allocate the salary funds received among all full-time, non-administrative instructors and part-time instructors covered by a collective bargaining agreement. The funds must be allocated to staff in accordance with negotiated agreements or, in the absence of such an agreement, the funds must be allocated equally, with part-time instructors receiving a prorated share.

20 26 Sec. 33. DEPARTMENT OF ELDER AFFAIRS.
20 27 1. There is appropriated from the general fund of the
20 28 state to the department of elder affairs for the fiscal year
20 29 beginning July 1, 2007, and ending June 30, 2008, the

General Fund appropriation to the Department of Elder Affairs for a Livable Community Initiative. Also, specifies eligibility guidelines that must be met for the county selected to receive the funds.

20 30 following amount, or so much thereof as is necessary, to be
 20 31 used for the purposes designated:
 20 32 To join in a partnership with a county described in
 20 33 subsection 2 to be used to fund a livable community initiative
 20 34 and hire a full-time professional aging specialist for the
 20 35 initiative:

21 1 \$ 75,000

21 2 2. The county eligible for the appropriation in subsection
 21 3 1 shall meet all of the following qualifications:

21 4 a. Have a livable community initiative, supported by the
 21 5 county board of supervisors, the area agency on aging, the
 21 6 united way, the county public health department and others.

21 7 b. Have completed a market analysis on successful aging
 21 8 and issued reports containing future directions for housing,
 21 9 transportation, health and supportive services, and successful
 21 10 aging.

21 11 c. Have organized action teams who are developing action
 21 12 plans to implement the priorities established at a countywide
 21 13 planning session with national leadership.

21 14 3. The purpose of the professional aging specialist hired
 21 15 under this section is to help in the implementation of the
 21 16 action plans being developed and to work with the
 21 17 governmental, business, educational, health, religious,
 21 18 social, leisure, and service segments of the urban-rural
 21 19 county to create a replicable and portable model of a livable
 21 20 community where persons can age successfully.

DETAIL: This is a new appropriation for FY 2008.

21 21 Sec. 34. READY RESERVE -- APPROPRIATION. There is
 21 22 appropriated from the general fund of the state to the
 21 23 department of public defense for the fiscal year beginning
 21 24 July 1, 2007, and ending June 30, 2008, the following amount,
 21 25 or so much thereof as is necessary, to be used for the
 21 26 purposes designated:

21 27 For initial implementation of the disaster behavioral
 21 28 health responder ready reserve by the homeland security and
 21 29 emergency management division in accordance with section
 21 30 29C.23, as enacted by this division of this Act:

General Fund appropriation of \$75,000 to the Department of Public Defense.

DETAIL: This appropriation is for the initial implementation of the Disaster Behavioral Health Responder Ready Reserve by the Homeland Security and Emergency Management Division.

21 31 \$ 75,000

21 32 Sec. 35. ALL IOWA OPPORTUNITY ASSISTANCE PROGRAM. If 2007
 21 33 Iowa Acts, Senate File 588, is enacted and provides for an
 21 34 appropriation from the general fund of the state to the
 21 35 college student aid commission for the fiscal year beginning
 22 1 July 1, 2007, and ending June 30, 2008, for the all Iowa
 22 2 opportunity assistance program, there is appropriated to
 22 3 supplement that appropriation as follows:
 22 4 For purposes of the all Iowa opportunity assistance
 22 5 program, which includes the all Iowa opportunity foster care
 22 6 grant program established pursuant to section 261.6 and the
 22 7 all Iowa opportunity scholarship program established pursuant
 22 8 to section 261.88, if sections 261.6 and 261.88 are enacted by
 22 9 2007 Iowa Acts, Senate File 588:

22 10 \$ 2,000,000

22 11 The moneys appropriated in this section shall be used for
 22 12 the all Iowa opportunity scholarship program established
 22 13 pursuant to section 261.88, if enacted.

22 14 Sec. 36. BEFORE AND AFTER SCHOOL GRANT PROGRAM. If 2007
 22 15 Iowa Acts, Senate File 588, is enacted and provides for an
 22 16 appropriation from the general fund of the state to the
 22 17 department of education for the fiscal year beginning July 1,
 22 18 2007, and ending June 30, 2008, for the before and after
 22 19 school grant program, there is appropriated to supplement that
 22 20 appropriation as follows:

22 21 For the before and after school grant program established
 22 22 pursuant to section 256.26, if enacted by 2007 Iowa Acts,
 22 23 Senate File 588:

22 24 \$ 295,000

22 25 Sec. 37. FARM MEDIATION. If 2007 Iowa Acts, Senate File
 22 26 575, is enacted and provides for an appropriation from the
 22 27 general fund of the state to the department of justice for the
 22 28 fiscal year beginning July 1, 2007, and ending June 30, 2008,

General Fund appropriation to the College Student Aid Commission for the All Iowa Opportunity Assistance Program.

DETAIL: This appropriation is to supplement the General Fund appropriation of \$1,000,000 for this Program in SF 588 (FY 2008 Education Appropriations Bill). The appropriation in SF 588 is allocated to two new Programs as follows: \$500,000 to the All Iowa Opportunity Scholarship Program and \$500,000 to the All Iowa Opportunity Foster Grant Program. This appropriation of \$2,000,000 is to be allocated to the All Iowa Opportunity Scholarship Program. This level of funding will allow private college and university students to receive assistance under the Program.

General Fund appropriation to the Department of Education.

DETAIL: This appropriation is for the Before and After School Grant Program, subject to enactment of the Program in SF 588 (FY 2008 Education Appropriations Bill). These funds will supplement the \$400,000 General Fund appropriation in SF 588.

General Fund appropriation to the Department of Justice for the Farm Mediation Program.

DETAIL: This is an increase of \$150,000 compared to the estimated

22 29 for the purpose of funding farm mediation services, there is
 22 30 appropriated to supplement that appropriation as follows:
 22 31 For the purpose of funding farm mediation services and
 22 32 other farm assistance program provisions in accordance with
 22 33 sections 13.13 through 13.24:
 22 34 \$ 150,000

FY 2007 appropriation. This appropriation is in addition to the appropriation of \$150,000 in SF 575 (FY 2008 Justice System Appropriations Bill). The FY 2007 General Fund appropriation is \$100,000.

22 35 Sec. 38. DEPARTMENT OF PUBLIC HEALTH -- 211 PROGRAM.

General Fund appropriation to the Department of Public Health.

23 1 There is appropriated from the general fund of the state to
 23 2 the department of public health for the fiscal year beginning
 23 3 July 1, 2007, and ending June 30, 2008, the following amount,
 23 4 or so much thereof as is necessary, to be used for the
 23 5 purposes designated:
 23 6 For award to 211 nonprofit call centers providing human
 23 7 services information for citizens of this state, in accordance
 23 8 with this section:
 23 9 \$ 500,000

DETAIL: This is a new appropriation for FY 2008 for a grant to operate the 211 Program Call Centers. Requires a report on the activities and accomplishments to be submitted to the General Assembly by January 15, 2008.

23 10 1. The amount appropriated in this section shall be
 23 11 awarded to 211 call centers that apply for funding under this
 23 12 section and meet the criteria for the funding established by
 23 13 the department in consultation with an industry advisory
 23 14 committee. The committee shall consist of two members who are
 23 15 executive officers from a statewide organization that provided
 23 16 funding to 211 call centers during calendar year 2006, one
 23 17 member representing the department of elder affairs, one
 23 18 member representing the board of directors of a nonprofit call
 23 19 center in this state, and an Iowa member representing the
 23 20 alliance of information and referral systems. The committee
 23 21 shall assist the department in reviewing funding applications
 23 22 and awarding the funds.

23 23 2. The department shall submit a report to the governor
 23 24 and general assembly providing detailed information concerning
 23 25 the funding distributed to call centers under this section,
 23 26 addressing the purposes for which the funding was used, the
 23 27 call volume for each call center, and the subject addressed by
 23 28 the calls.

<p>23 29 Sec. 39. JUDICIAL BRANCH. There is appropriated from the 23 30 general fund of the state to the judicial branch for the 23 31 fiscal year beginning July 1, 2007, and ending June 30, 2008, 23 32 the following amount, or so much thereof as is necessary, for 23 33 the purposes designated: 23 34 For salaries, support, and miscellaneous purposes: 23 35 \$ 14,000,000 24 1 The amount appropriated in this section is a supplement to 24 2 the appropriations made for these purposes in 2007 Iowa Acts, 24 3 Senate File 563, if enacted.</p>	<p>General Fund appropriation to the Judicial Branch. DETAIL: This appropriation replaces an allocation from judicial receipts that is eliminated in Section 63.</p>
<p>24 4 Sec. 40. INDIGENT DEFENSE PROGRAM. There is appropriated 24 5 from the general fund of the state to the office of state 24 6 public defender of the department of inspections and appeals 24 7 for the fiscal year beginning July 1, 2007, and ending June 24 8 30, 2008, the following amount, or so much thereof as is 24 9 necessary, for the purposes designated: 24 10 For the indigent defense program: 24 11 \$ 3,000,000 24 12 The amount appropriated in this section is a supplement to 24 13 the appropriations made for these purposes in 2007 Iowa Acts, 24 14 Senate File 575, if enacted.</p>	<p>General Fund appropriation to the Office of the State Public Defender for the Indigent Defense Program. DETAIL: This appropriation replaces an allocation from judicial receipts that is eliminated in Section 63.</p>
<p>24 15 Sec. 41. NEWTON CORRECTIONAL FACILITY. There is 24 16 appropriated from the general fund of the state to the 24 17 department of corrections for the fiscal year beginning July 24 18 1, 2007, and ending June 30, 2008, the following amount, or so 24 19 much thereof as is necessary, for the purposes designated: 24 20 For the Newton correctional facility: 24 21 \$ 560,000 24 22 The amount appropriated in this section is a supplement to 24 23 the appropriations made for these purposes in 2007 Iowa Acts, 24 24 Senate File 575, if enacted.</p>	<p>General Fund appropriation to the Department of Corrections for the Newton Correctional Facility. DETAIL: This appropriation replaces an allocation from judicial receipts that is eliminated in Section 63.</p>
<p>24 25 Sec. 42. LEGAL SERVICES POVERTY GRANTS. There is</p>	<p>General Fund appropriation to the Office of the Attorney General for</p>

24 26 appropriated from the general fund of the state to the office
 24 27 of attorney general for the fiscal year beginning July 1,
 24 28 2007, and ending June 30, 2008, the following amount, or so
 24 29 much thereof as is necessary, for the purposes designated:
 24 30 For legal services for persons in poverty grants as
 24 31 provided in section 13.34:
 24 32 \$ 450,000
 24 33 The amount appropriated in this section is a supplement to
 24 34 the appropriations made for these purposes in 2007 Iowa Acts,
 24 35 Senate File 575, if enacted.

Legal Services Poverty Grants.

DETAIL: This appropriation replaces an allocation from judicial receipts that is eliminated in Section 63.

25 1 Sec. 43. IOWA JUNIOR ANGUS ASSOCIATION. There is
 25 2 appropriated from the general fund of the state to the
 25 3 department of agriculture and land stewardship for the fiscal
 25 4 year beginning July 1, 2007, and ending June 30, 2008, the
 25 5 following amount, or so much thereof as is necessary, to be
 25 6 used for the purpose designated:
 25 7 For allocation to the Iowa junior angus association in
 25 8 connection with the 2008 national junior angus show:
 25 9 \$ 10,000

General Fund appropriation to the Iowa Junior Angus Association.

DETAIL: This is a new appropriation for the 2008 National Junior Angus Show.

25 10 Sec. 44. PLASMA ARC TECHNOLOGY. There is appropriated
 25 11 from the general fund of the state to the department of
 25 12 natural resources for the fiscal year beginning July 1, 2006,
 25 13 and ending June 30, 2007, the following amount, or so much
 25 14 thereof as is necessary, to be used for the purposes
 25 15 designated:
 25 16 For a grant to a county with a population of more than
 25 17 190,000 but less than 200,000, according to the 2005 estimate
 25 18 issued by the United States bureau of the census:
 25 19 \$ 150,000
 25 20 The grant shall be used to conduct a study of the
 25 21 feasibility of the use of plasma arc and other related energy
 25 22 technology for disposal of solid waste while generating
 25 23 energy.
 25 24 Notwithstanding section 8.33, moneys appropriated in this

General Fund FY 2007 supplemental appropriation to the Department of Natural Resources (DNR).

DETAIL: Appropriates \$150,000 the DNR for a feasibility study on the use of plasma arc technology for the disposal of solid waste. Plasma arc gasification is a method of waste management that uses high electrical temperatures created by an electrical arc to break down waste into elemental gas. The process can generate electricity and reduces waste to landfills.

25 25 section that remain unencumbered or unobligated at the close
25 26 of the fiscal year shall not revert but shall remain available
25 27 for expenditure for the purposes designated until the close of
25 28 the succeeding fiscal year.

25 29 Sec. 45. UNITED STATES CENTER FOR CITIZEN DIPLOMACY.
25 30 There is appropriated from the general fund of the state to
25 31 the office of the secretary of state for the fiscal year
25 32 beginning July 1, 2007, and ending June 30, 2008, the
25 33 following amount, or so much thereof as is necessary, to be
25 34 used for the purpose designated:
25 35 For a grant to support the United States center for citizen
26 1 diplomacy:
26 2 \$ 100,000

General Fund appropriation to the Secretary of State to support the United States Center for Citizen Diplomacy.

DETAIL: Headquartered in Des Moines, the U.S. Center for Citizen Diplomacy was established to serve many purposes, including recognition of the outstanding achievements of the many organizations active in citizen diplomacy, development of resources that will enable the establishment of best-practices in citizen diplomacy, and the recruitment of persons to serve as U.S. citizen ambassadors to the world.

26 3 Sec. 46. STATE EMPLOYEE TELECOMMUTING -- POLICY. Any
26 4 director of a department or state agency who is subject to a
26 5 requirement to develop a telecommuter employment policy and
26 6 plans shall develop the policy and plans in consultation with
26 7 representatives of the collective bargaining units of the
26 8 employees affected by the policy and plans.

Requires State department and agency Directors to consult with representatives of the collective bargaining units of the affected employees when developing a telecommuting policy.

26 9 Sec. 47. 2006 Iowa Acts, chapter 1177, section 16,
26 10 subsection 4, is amended by adding the following new
26 11 unnumbered paragraph:
26 12 NEW UNNUMBERED PARAGRAPH. Notwithstanding section 8.33,
26 13 moneys appropriated in this subsection that remain
26 14 unencumbered or unobligated at the close of the fiscal year
26 15 shall not revert but shall remain available for expenditure
26 16 for the purposes designated during the succeeding fiscal year.

CODE: Requires nonreversion of funds appropriated in FY 2007 to the Department of Management for performance audits.

26 17 Sec. 48. 2006 Iowa Acts, chapter 1180, section 5,
26 18 subsection 6, is amended by adding the following new
26 19 unnumbered paragraph:

CODE: Requires nonreversion of funds appropriated in FY 2007 to the Department of Cultural Affairs for the Great Places initiative.

26 20 NEW UNNUMBERED PARAGRAPH. Notwithstanding section 8.33,
 26 21 moneys appropriated in this subsection that remain
 26 22 unencumbered or unobligated at the close of the fiscal year
 26 23 shall not revert but shall remain available for expenditure
 26 24 for the purposes designated until the close of the succeeding
 26 25 fiscal year.

26 26 Sec. 49. 2007 Iowa Acts, Senate File 562, section 1,
 26 27 subsection 6, if enacted, is amended by adding the following
 26 28 new unnumbered paragraph:
 26 29 NEW UNNUMBERED PARAGRAPH. Notwithstanding section 8.33,
 26 30 moneys appropriated in this subsection that remain
 26 31 unencumbered or unobligated at the close of the fiscal year
 26 32 shall not revert but shall remain available for expenditure
 26 33 for the purposes designated until the close of the succeeding
 26 34 fiscal year.

CODE: Requires nonreversion of funds appropriated for FY 2008 in SF 562 (FY 2008 Economic Development Appropriations Subcommittee Act) to the Department of Cultural Affairs for the Great Places initiative.

26 35 Sec. 50. 2007 Iowa Acts, House File 752, section 1,
 27 1 subsection 2, paragraph a, if enacted, is amended to read as
 27 2 follows:
 27 3 a. Operations:
 27 4 \$ ~~6,237,000~~
 27 5 6,253,800

CODE: Increases the FY 2008 Road Use Tax Fund appropriation for the Operations budget unit within the Department of Transportation.

DETAIL: This is an increase of \$16,800 compared to the amount appropriated in HF 752 (FY 2008 Transportation Appropriations Bill). The Operations budget unit also receives an increase from the Primary Road Fund and 1.00 additional FTE position. This combined funding represents an increase of \$120,000 and 1.00 FTE position compared to the amount appropriated in HF 752 for the Operations budget unit.

27 6 Sec. 51. 2007 Iowa Acts, House File 752, section 2,
 27 7 subsection 1, paragraph a, if enacted, is amended to read as
 27 8 follows:
 27 9 a. Operations:
 27 10 \$ ~~38,311,652~~
 27 11 38,414,852
 27 12 FTEs ~~305.00~~

CODE: Increases the FY 2008 Primary Road Fund appropriation for the Operations budget unit within the Department of Transportation.

DETAIL: This is an increase of \$103,200 and 1.00 FTE position compared to the amount appropriated in HF 752 (FY 2008 Transportation Appropriations Bill) to restore the FTE position eliminated due to reorganization. The Operations budget unit also receives an increase from the Road Use Tax Fund.

27 13 306.00

27 14 Sec. 52. 2007 Iowa Acts, House File 752, section 1,
27 15 subsection 3, if enacted, is amended to read as follows:

27 16 3. For payments to the department of administrative
27 17 services for utility services:

27 18 \$ 145,000

27 19 188,207

CODE: An increase of \$43,207 from the Road Use Tax Fund for payment to the Department of Administrative Services (DAS) for personnel and utility services.

27 20 Sec. 53. 2007 Iowa Acts, House File 752, section 2,
27 21 subsection 2, if enacted, is amended to read as follows:

27 22 2. For payments to the department of administrative
27 23 services for utility services:

27 24 \$ ~~888,000~~

27 25 1,153,417

CODE: An increase of \$265,417 from the Primary Road Fund for payment to the DAS for personnel and utility services. This increase, combined with the Road Use Tax Fund increase, represents a total increase of \$308,624 compared to the amount appropriated in HF 752.

27 26 Sec. 54. TIM SHIELDS CENTER. It is the intent of the
27 27 general assembly that appropriations be made from moneys in
27 28 the state treasury to assist the local government innovation
27 29 commission in funding the Tim Shields center for governing
27 30 excellence in Iowa established in section 8.68 if enacted by
27 31 2007 Iowa Acts, Senate File 155.

States that it is the intent of the General Assembly that appropriations be made from moneys in the State Treasury to assist the Local Government Innovation Commission in funding the Tim Shields Center, contingent upon enactment of SF 155 (Local Government Innovation Commission Bill). Senate File 155 creates a Local Government Innovation Commission under the purview of the Department of Management. The Commission is to establish, oversee, and direct activities of a Tim Shields Center for Governing Excellence in Iowa, also established in SF 155.

*H-2004

* 1 3 #1. Page 27, by inserting after line 31 the
* 1 4 following:
* 1 5 "Sec. __. STATE BOARD OF REGENTS -- ARTICULATION
* 1 6 WEBSITE. The general assembly finds that as college
* 1 7 costs increase, Iowa's community college students need
* 1 8 access to resources that allow the students to make
* 1 9 informed, cost-effective decisions regarding their
* 1 10 postsecondary education plans. It is the intent of

HOUSE APPROPRIATIONS COMMITTEE AMENDMENT:

Requires the Board of Regents, in cooperation with the Department of Education and the community colleges, to develop, maintain, and promote a college credit transfer and articulation website by July 1, 2008.

* 1 11 the general assembly to provide for a seamless
 * 1 12 transition for students transferring from Iowa's
 * 1 13 community colleges to Iowa's state universities.
 * 1 14 Therefore, the state board of regents shall, in
 * 1 15 cooperation with the department of education and the
 * 1 16 community colleges, develop, maintain, and promote a
 * 1 17 user-friendly credit transfer and articulation
 * 1 18 internet website that allows Iowans to know at the
 * 1 19 time of enrollment in a community college course
 * 1 20 whether the credit will be accepted by the state
 * 1 21 university of the student's choice, the category in
 * 1 22 which the university will apply the credit, and to
 * 1 23 which degree program or programs the university will
 * 1 24 apply the credit. The board and the community
 * 1 25 colleges shall continuously strive to improve upon the
 * 1 26 coordinating efforts between the state universities
 * 1 27 and the community colleges to map and articulate
 * 1 28 community college courses for college credit with the
 * 1 29 degree programs offered at the state universities.
 * 1 30 The website shall be operational not later than July
 * 1 31 1, 2008."

27 32 Sec. 55. NEW SECTION. 15.391 WORLD FOOD PRIZE AWARD AND
 27 33 SUPPORT.

27 34 1. Commencing with the fiscal year beginning July 1, 2008,
 27 35 there is annually appropriated from the general fund of the
 28 1 state to the department one million dollars for the support of
 28 2 the world food prize award.
 28 3 2. The Iowa state capitol is designated as the primary
 28 4 location for the annual ceremony to award the world food
 28 5 prize.

CODE: Creates a standing General Fund appropriation of \$1,000,000 for support of the World Food Prize beginning in FY 2009.

28 6 Sec. 56. NEW SECTION. 15.392 WORLD FOOD PRIZE YOUTH
 28 7 INSTITUTE.

28 8 1. As a condition of receiving state funding, the entity
 28 9 awarding the world food prize shall establish a world food

CODE: Creates the World Food Prize Youth Institute.

28 10 prize youth institute program in honor of Nobel peace prize
28 11 laureate Dr. Norman E. Borlaug. The purpose of the program
28 12 shall be to provide an educational opportunity and forum for
28 13 high school students in this state who have an interest in
28 14 food, agriculture, or natural resources disciplines.
28 15 2. State funding for the world food prize youth institute
28 16 for a fiscal year shall be allocated from the appropriation
28 17 made for the support of the world food prize award.
28 18 3. A world food prize youth institute advisory committee
28 19 is established to advise and support the institute. The
28 20 advisory committee shall receive regular updates concerning
28 21 the status of the institute. The membership of the advisory
28 22 committee shall include two members of the senate, one each
28 23 appointed by the majority and minority party leaders, and two
28 24 members of the house of representatives appointed by the
28 25 speaker and minority leader of the house of representatives.
28 26 In addition, the governor shall appoint two members. The
28 27 terms of the legislative and executive branch appointments
28 28 shall coincide with each legislative biennium. A vacancy in a
28 29 legislative or executive branch appointment shall be filled
28 30 for the balance of the unexpired term by the original
28 31 appointing authority.
28 32 4. Staff support for the advisory committee shall be
28 33 provided by the department of economic development.

28 34 Sec. 57. Section 15F.203, subsection 3, paragraph e, Code
28 35 2007, is amended to read as follows:
29 1 e. The project is primarily a vertical infrastructure
29 2 project with demonstrated substantial regional or statewide
29 3 economic impact. For purposes of the program, "vertical
29 4 infrastructure" means land acquisition and construction, major
29 5 renovation and major repair of buildings, all appurtenant
29 6 structures, utilities, site development, and recreational
29 7 trails and water trails. "Vertical infrastructure" does not
29 8 include routine, recurring maintenance or operational expenses
29 9 or leasing of a building, appurtenant structure, or utility
29 10 without a lease-purchase agreement.

CODE: Adds "water trails" to the definition of "vertical infrastructure"
for the purposes of the Community Attractions and Tourism (CAT)
Program.

29 11 Sec. 58. Section 15F.204, subsection 8, Code 2007, is
29 12 amended to read as follows:

29 13 8. a. There is appropriated from the rebuild Iowa
29 14 infrastructure fund to the community attraction and tourism
29 15 fund, the following amounts:

29 16 (1) For the fiscal year beginning July 1, 2004, and ending
29 17 June 30, 2005, the sum of twelve million dollars.

29 18 (2) For the fiscal year beginning July 1, 2005, and ending
29 19 June 30, 2006, the sum of five million dollars.

29 20 (3) For the fiscal year beginning July 1, 2006, and ending
29 21 June 30, 2007, the sum of five million dollars.

29 22 (4) For the fiscal year beginning July 1, 2007, and ending
29 23 June 30, 2008, the sum of five million dollars.

29 24 (5) For the fiscal year beginning July 1, 2008, and ending
29 25 June 30, 2009, the sum of five million dollars.

29 26 (6) For the fiscal year beginning July 1, 2009, and ending
29 27 June 30, 2010, the sum of five million dollars.

29 28 (7) For the fiscal year beginning July 1, 2010, and ending
29 29 June 30, 2011, the sum of five million dollars.

29 30 (8) For the fiscal year beginning July 1, 2011, and ending
29 31 June 30, 2012, the sum of five million dollars.

29 32 (9) For the fiscal year beginning July 1, 2012, and ending
29 33 June 30, 2013, the sum of five million dollars.

29 34 b. There is appropriated from the franchise tax revenues
29 35 deposited in the general fund of the state to the community
30 1 attraction and tourism fund, the following amounts:

30 2 (1) For the fiscal year beginning July 1, 2005, and ending
30 3 June 30, 2006, the sum of seven million dollars.

30 4 (2) For the fiscal year beginning July 1, 2006, and ending
30 5 June 30, 2007, the sum of seven million dollars.

30 6 (3) For the fiscal year beginning July 1, 2007, and ending
30 7 June 30, 2008, the sum of seven million dollars.

30 8 (4) For the fiscal year beginning July 1, 2008, and ending
30 9 June 30, 2009, the sum of seven million dollars.

30 10 (5) For the fiscal year beginning July 1, 2009, and ending
30 11 June 30, 2010, the sum of seven million dollars.

30 12 (6) For the fiscal year beginning July 1, 2010, and ending

CODE: Extends the \$5,000,000 annual Rebuild Iowa Infrastructure Fund (RIIF) appropriation and the \$7,000,000 annual General Fund appropriation to the CAT Program for an additional three years (FY 2011 through FY 2013). Increases the maximum multi-year commitment to an applicant from \$4,000,000 to \$6,000,000.

30 13 June 30, 2011, the sum of seven million dollars.
 30 14 (7) For the fiscal year beginning July 1, 2011, and ending
 30 15 June 30, 2012, the sum of seven million dollars.
 30 16 (8) For the fiscal year beginning July 1, 2012, and ending
 30 17 June 30, 2013, the sum of seven million dollars.
 30 18 Notwithstanding the allocation requirements in subsection
 30 19 5, the board may make a multiyear commitment to an applicant
 30 20 of up to ~~four~~ six million dollars in any one fiscal year.

30 21 Sec. 59. NEW SECTION. 29C.23 DISASTER BEHAVIORAL HEALTH
 30 22 RESPONDER READY RESERVE.

30 23 1. The administrator of the homeland security and
 30 24 emergency management division shall provide for the ongoing
 30 25 existence of a disaster behavioral health responder ready
 30 26 reserve in accordance with this section. The purpose of the
 30 27 reserve is to maintain a group of trained individuals to work
 30 28 with state and local officials and others in providing crisis
 30 29 counseling assistance in response to crises, disasters, and
 30 30 public disorder emergencies.

30 31 2. The ready reserve shall be considered to be a homeland
 30 32 security and emergency response team for purposes of section
 30 33 29C.8, and the members of the ready reserve shall be subject
 30 34 to section 29C.8 when the ready reserve is acting as a
 30 35 homeland security and emergency response team upon the
 31 1 directive of the administrator or pursuant to a governor's
 31 2 disaster emergency proclamation as provided in section 29C.6.

31 3 3. The membership of the ready reserve may include but is
 31 4 not limited to nurses, social workers, teachers, farmers,
 31 5 mental health professionals, college students, and other
 31 6 persons trained to serve as a disaster behavioral health
 31 7 responder.

31 8 4. Functions associated with maintaining the existence of
 31 9 the ready reserve shall include administration, project
 31 10 activities, provision of information through the internet,
 31 11 initial and ongoing training of ready reserve members, and
 31 12 other related activities. The administrator may contract for
 31 13 the performance of all or a part of the functions described in

CODE: Requires the Homeland Security and Emergency Management Division Administrator to continue to maintain a Disaster Behavioral Health Responder Ready Reserve. This is a group of trained individuals that work with State and local officials and others in providing crisis counseling assistance in response to crises, disasters, and public disorder emergencies. The Ready Reserve will be considered a Homeland Security and Emergency Response Team.

<p>31 14 this subsection. 31 15 5. Implementation of the ready reserve is subject to the 31 16 funding appropriated or made available for purposes of the 31 17 ready reserve.</p>	
<p>31 18 Sec. 60. Section 256D.5, subsection 4, Code 2007, is 31 19 amended to read as follows: 31 20 4. For each fiscal year of the fiscal period beginning 31 21 July 1, 2004, and ending June 30, 2007 <u>2012</u>, the sum of 31 22 twenty-nine million two hundred fifty thousand dollars.</p>	<p>CODE: Extends the \$29,250,000 General Fund appropriation and the sunset date for the Early Intervention Block Grant Program through FY 2012.</p>
<p>31 23 Sec. 61. Section 256D.9, Code 2007, is amended to read as 31 24 follows: 31 25 256D.9 FUTURE REPEAL. 31 26 This chapter is repealed effective July 1, 2007 <u>2012</u>.</p>	<p>CODE: Changes the repeal date for the Early Intervention Block Grant Program from July 1, 2007, to July 1, 2012.</p>
<p>31 27 Sec. 62. Section 279.51, subsection 1, Code 2007, is 31 28 amended to read as follows: 31 29 1. There is appropriated from the general fund of the 31 30 state to the department of education for the fiscal year 31 31 beginning July 1, 2000 <u>2007</u>, and each succeeding fiscal year, 31 32 the sum of twelve million five six hundred sixty six thousand 31 33 <u>one hundred ninety-six</u> dollars.</p>	<p>CODE: Increases the General Fund standing appropriation to the Department of Education for programs for at-risk children to \$12,606,196 annually beginning in FY 2008.</p> <p>DETAIL: This is an increase of \$46,196 compared to the current statutory amount and an increase of \$1,335,196 compared to the FY 2007 appropriation. Since FY 2002, the General Assembly has notwithstanding the standing appropriation and appropriated a reduced amount. Since FY 2005, the appropriation has been reduced annually to \$11,271,000.</p>
<p>31 34 The moneys shall be allocated as follows: 31 35 a. Two hundred seventy-five thousand <u>eight hundred</u> 32 1 <u>sixty-four</u> dollars of the funds appropriated shall be 32 2 allocated to the area education agencies to assist school 32 3 districts in developing program plans and budgets under this 32 4 section and to assist school districts in meeting other 32 5 responsibilities in early childhood education.</p>	<p>CODE: Allocates the appropriation for programs for at-risk children as follows:</p> <ul style="list-style-type: none"> • \$275,864 to the Area Education Agencies (AEAs) to assist school districts in developing program plans and budgets and in other responsibilities in early childhood education. This is an increase of \$864 compared to the current statutory allocation and an increase of \$29,087 compared to the FY 2007 allocation.

32 6 b. For the fiscal year beginning July 1, ~~1998~~ 2007, and
 32 7 for each succeeding fiscal year, eight million five hundred
 32 8 ~~ten thirty-six~~ thousand seven hundred forty dollars of the
 32 9 funds appropriated shall be allocated to the child development
 32 10 coordinating council established in chapter 256A for the
 32 11 purposes set out in subsection 2 of this section and section
 32 12 256A.3.

32 13 c. For the fiscal year beginning July 1, ~~1996~~ 2007, and
 32 14 for each fiscal year thereafter, three million five hundred
 32 15 ten thousand nine hundred ninety-two dollars of the funds
 32 16 appropriated shall be allocated as grants to school districts
 32 17 that have elementary schools that demonstrate the greatest
 32 18 need for programs for at-risk students with preference given
 32 19 to innovative programs for the early elementary school years.
 32 20 School districts receiving grants under this paragraph shall
 32 21 at a minimum provide activities and materials designed to
 32 22 encourage children's self-esteem, provide role modeling and
 32 23 mentoring techniques in social competence and social skills,
 32 24 and discourage inappropriate drug use. The grant allocations
 32 25 made in this paragraph may be renewed for additional periods
 32 26 of time. Of the amount allocated under this paragraph for
 32 27 each fiscal year, seventy-five thousand dollars shall be
 32 28 allocated to school districts which have an actual student
 32 29 population of ten thousand or less and have an actual
 32 30 non-English speaking student population which represents
 32 31 greater than five percent of the total actual student
 32 32 population for grants to elementary schools in those
 32 33 districts.

32 34 d. Notwithstanding section 256A.3, subsection 6, of the
 32 35 amount appropriated in this subsection for the fiscal year
 33 1 beginning July 1, ~~1996~~ 2007, and for each succeeding fiscal
 33 2 year, ~~two and one-fourth percent up to two hundred eighty-two~~
 33 3 thousand six hundred dollars may be used for administrative
 33 4 costs. ~~Any reduction of an allocation under this subsection~~
 33 5 ~~as necessary to fund the provisions of this paragraph shall be~~
 33 6 ~~made from the allocation in paragraph "b".~~

- \$8,536,740 to the Child Development Coordinating Council (CDCC) for grants to support early childhood programming. In FY 2007, 90.27% of the funding allocated to the CDCC is being used to fund the Shared Visions Preschool Programs that serve children ages 3 to 5. Another \$727,106 has been designated for Parent Support Grants for families with children from birth to age 3. The new allocation amount is an increase of \$26,740 compared to the current statutory allocation and an increase of \$906,919 compared to the FY 2007 allocation.
- \$3,510,992 for grants to school districts that have elementary schools demonstrating the greatest need for at-risk programs, with preference given to innovative programs for the early elementary years. Of this amount, \$75,000 is allocated to districts of 10,000 students or less where more than 5.0% of the students are non-English speaking. The new allocation amount is an increase of \$10,992 compared to the current statutory allocation and an increase of \$370,188 compared to the FY 2007 allocation.
- Up to \$282,600 to the Department of Education for administrative purposes. This is no change compared to the current statutory allocation and an increase of \$29,002 compared to the FY 2007 allocation. The allocation is fully funded. Under the current statute, a reduction in the allocation to the CDCC is necessary to fully fund the administrative allocation.

33 8 2007, is amended to read as follows:
 33 9 b. For each fiscal year, a judicial collection estimate
 33 10 for that fiscal year shall be equally and proportionally
 33 11 divided into a quarterly amount. The judicial collection
 33 12 estimate shall be calculated by using the state revenue
 33 13 estimating conference estimate made by December 15 pursuant to
 33 14 section 8.22A, subsection 3, of the total amount of fines,
 33 15 fees, civil penalties, costs, surcharges, and other revenues
 33 16 collected by judicial officers and court employees for deposit
 33 17 into the general fund of the state. The revenue estimating
 33 18 conference estimate shall be reduced by the maximum amounts
 33 19 allocated to the Iowa prison infrastructure fund pursuant to
 33 20 section 602.8108A, the court technology and modernization fund
 33 21 pursuant to section 602.8108, subsection 7, ~~the judicial-~~
 33 22 ~~branch pursuant to section 602.8108, subsection 8, the~~
 33 23 ~~department of inspections and appeals pursuant to section~~
 33 24 ~~602.8108, subsection 9, the office of attorney general~~
 33 25 ~~pursuant to section 602.8108, subsection 10, the department of~~
 33 26 ~~corrections pursuant to section 602.8108, subsection 11, and~~
 33 27 the road use tax fund pursuant to section 602.8108, subsection
 33 28 12, and the remainder shall be the judicial collection
 33 29 estimate. In each quarter of a fiscal year, after revenues
 33 30 collected by judicial officers and court employees equal to
 33 31 that quarterly amount are deposited into the general fund of
 33 32 the state, after the required amount is deposited during the
 33 33 quarter into the Iowa prison infrastructure fund pursuant to
 33 34 section 602.8108A, into the court technology and modernization
 33 35 fund pursuant to section 602.8108, subsection 7, and into the
 34 1 road use tax fund pursuant to section 602.8108, subsection 12,
 34 2 ~~after the required amount is allocated to the judicial branch~~
 34 3 ~~pursuant to section 602.8108, subsection 8, and after the~~
 34 4 ~~required amount is allocated to the department of inspections-~~
 34 5 ~~and appeals pursuant to section 602.8108, subsection 9, the~~
 34 6 ~~office of attorney general pursuant to section 602.8108,~~
 34 7 ~~subsection 10, and the department of corrections pursuant to~~
 34 8 ~~section 602.8108, subsection 11, the director of the~~
 34 9 department of administrative services shall deposit the
 34 10 remaining revenues for that quarter into the enhanced court

of the receipts into the General Fund.

DETAIL: Under current law, the following agencies receive allocations from judicial receipts:

- \$450,000 to the Office of the Attorney General for Legal Services Poverty Grants.
- \$560,000 to the Department of Corrections for the Newton Correctional Facility.
- \$3,000,000 to the Office of the State Public Defender for the Indigent Defense Program.
- \$14,000,000 to the Judicial Branch for its operating budget.

NOTE: Sections 39 through 42 of the Bill replace the allocations of judicial receipts with General Fund appropriations to the agencies listed above.

34 11 collections fund in lieu of the general fund. However, after
34 12 total deposits into the collections fund for the fiscal year
34 13 are equal to the maximum deposit amount established for the
34 14 collections fund, remaining revenues for that fiscal year
34 15 shall be deposited into the general fund. If the revenue
34 16 estimating conference agrees to a different estimate at a
34 17 later meeting which projects a lesser amount of revenue than
34 18 the initial estimate amount used to calculate the judicial
34 19 collection estimate, the director of the department of
34 20 administrative services shall recalculate the judicial
34 21 collection estimate accordingly. If the revenue estimating
34 22 conference agrees to a different estimate at a later meeting
34 23 which projects a greater amount of revenue than the initial
34 24 estimate amount used to calculate the judicial collection
34 25 estimate, the director of the department of administrative
34 26 services shall recalculate the judicial collection estimate
34 27 accordingly but only to the extent that the greater amount is
34 28 due to an increase in the fines, fees, civil penalties, costs,
34 29 surcharges, or other revenues allowed by law to be collected
34 30 by judicial officers and court employees.

34 31 Sec. 64. Section 602.8108, subsections 8, 9, 10, and 11,
34 32 Code 2007, are amended by striking the subsections.

CODE: Repeals the allocation language for judicial receipts.

34 33 Sec. 65. EFFECTIVE DATE. The section of this division of
34 34 this Act making an appropriation to the department of natural
34 35 resources for a plasma arc technology grant, being deemed of
35 1 immediate importance, takes effect upon enactment.

Specifies that Section 44 related to the FY 2007 supplemental appropriation to the DNR for the plasma arc feasibility study takes effect upon enactment.

35 2 Sec. 66. EFFECTIVE DATE. The section of this division of
35 3 this Act amending section 256D.9, being deemed of immediate
35 4 importance, takes effect upon enactment.

Specifies that Sections 60 and 61 related to the Early Intervention Block Grant take effect upon enactment.

35 5 Sec. 67. EFFECTIVE DATE. The section of this division of
35 6 this Act amending 2006 Iowa Acts, chapter 1177, being deemed

Specifies that Section 47 related to the nonreversion of funds to the Department of Management takes effect upon enactment.

35 7 of immediate importance, takes effect upon enactment.

35 8 Sec. 68. EFFECTIVE DATE. The section of this division of
35 9 this Act amending 2006 Iowa Acts, chapter 1180, section 5,
35 10 being deemed of immediate importance, takes effect upon
35 11 enactment.

Specifies that Section 48 related to the nonreversion of funds to the Department of Cultural Affairs takes effect upon enactment.

35 12 DIVISION V
35 13 MISCELLANEOUS STATUTORY CHANGES

35 14 Sec. 69. Section 7E.7, subsection 1, Code 2007, is amended
35 15 to read as follows:

CODE: Removes the Iowa Finance Authority from the Department of Economic Development.

35 16 1. The ~~Iowa finance authority and the Iowa economic~~
35 17 ~~protective and investment authority shall be considered parts~~
35 18 ~~part~~ of the Iowa department of economic development. The Iowa
35 19 department of economic development may provide staff
35 20 assistance and administrative support to the ~~authorities~~
35 21 authority.

35 22 Sec. 70. Section 7E.7, subsection 2, Code 2007, is amended
35 23 by striking the subsection.

CODE: Strikes the subsection that establishes the Agricultural Development Authority as part of the Treasurer of State.

35 24 Sec. 71. Section 8A.311, Code 2007, is amended by adding
35 25 the following new subsection:

35 26 NEW SUBSECTION. 21. a. The director may authorize the
35 27 procurement of goods and services in which a limitation of
35 28 vendor liability is provided for and set forth in the
35 29 documents initiating the procurement. The director, in
35 30 consultation with the department of management, shall adopt
35 31 rules setting forth the circumstances in which such
35 32 procurement will be permitted and what types of limitations of
35 33 liability are permitted. Rules adopted by the director shall
35 34 establish criteria to be considered in making a determination
35 35 of whether to permit a limitation of vendor liability with

CODE: Permits the Director of Administrative Services to purchase goods and services when a limitation of vendor liability is provided. Requires the Department of Administrative Services to consult with the Department of Management to adopt rules establishing criteria for circumstances that would permit certain purchases and the types of liability limitations permitted. Specifies the criteria to be considered in the development of rules.

36 1 regard to any procurement of goods and services. The
36 2 criteria, at a minimum, shall include all of the following:
36 3 (1) Whether authorizing a limitation of vendor liability
36 4 is necessary to prevent harm to the state from a failure to
36 5 obtain the goods or services sought, or from obtaining the
36 6 goods or services at a higher price if the state refuses to
36 7 allow a limitation of vendor liability.
36 8 (2) Whether the limitation of vendor liability is
36 9 commercially reasonable when taking into account any risk to
36 10 the state created by the goods or services to be procured and
36 11 the purpose for which they will be used.
36 12 b. Notwithstanding paragraph "a", a limitation of vendor
36 13 liability shall not include any limitation on the liability of
36 14 any vendor for intentional torts, criminal acts, or fraudulent
36 15 conduct.
36 16 c. The rules shall provide for the negotiation of a
36 17 limitation of vendor liability consistent with the
36 18 requirements of this section and any other requirements of the
36 19 department as provided in any related documents associated
36 20 with a procurement of goods and services.

36 21 Sec. 72. Section 8A.363, subsection 1, Code 2007, is
36 22 amended to read as follows:
36 23 1. A state officer or employee shall not use a state-owned
36 24 motor vehicle for personal private use. A state officer or
36 25 employee shall not be compensated for driving a privately
36 26 owned motor vehicle unless it is done on state business with
36 27 the approval of the director. In that case the state officer
36 28 or employee shall receive an amount to be determined by the
36 29 director. The amount shall ~~not exceed~~ be not less than ninety
36 30 percent of the maximum or not more than one hundred ten
36 31 percent of the maximum allowable under the federal internal
36 32 revenue service rules per mile, notwithstanding established
36 33 mileage requirements or depreciation allowances. However, the
36 34 director may authorize private motor vehicle rates in excess
36 35 of one hundred ten percent of the rate allowed under the
37 1 federal internal revenue service rules for state business use

CODE: Specifies the reimbursement for use of personal vehicles while on State business must fall within a range of not less than 90.00% or more than 110.00% of the maximum allowable under the federal Internal Revenue Service rules.

37 2 of substantially modified or specially equipped privately
37 3 owned vehicles required by persons with disabilities. A
37 4 statutory provision establishing reimbursement for necessary
37 5 mileage, travel, or actual expenses to a state officer falls
37 6 under the private motor vehicle mileage rate limitation
37 7 provided in this section unless specifically provided
37 8 otherwise. Any peace officer employed by the state as defined
37 9 in section 801.4 who is required to use a private motor
37 10 vehicle in the performance of official duties shall receive
37 11 the private vehicle mileage rate at the rate provided in this
37 12 section. However, the director may delegate authority to
37 13 officials of the state, and department heads, for the use of
37 14 private vehicles on state business up to a yearly mileage
37 15 figure established by the director. If a state motor vehicle
37 16 has been assigned to a state officer or employee, the officer
37 17 or employee shall not collect mileage for the use of a
37 18 privately owned motor vehicle unless the state motor vehicle
37 19 assigned is not useable.

37 20 Sec. 73. Section 15I.3, subsection 4, Code 2007, is
37 21 amended to read as follows:
37 22 4. The total amount of tax credit certificates that may be
37 23 issued for a fiscal year under this chapter shall not exceed
37 24 ten million dollars for the fiscal years beginning before July
37 25 1, 2007, and shall not exceed four million dollars for fiscal
37 26 years beginning on or after July 1, 2007. The department
37 27 shall establish by rule the procedures for the application,
37 28 review, selection, awarding of certificates, and the method to
37 29 be used to determine for which fiscal year the tax credits are
37 30 available. If the approved tax credits exceed the maximum
37 31 amount for a fiscal year, tax credit certificates shall be
37 32 issued on an earliest date applied basis.

37 33 Sec. 74. Section 28D.3, subsection 4, Code 2007, is
37 34 amended to read as follows:
37 35 4. Persons employed by the department of natural

CODE: Decreases the total amount of Wage-Benefit Program tax credits that may be awarded each fiscal year from the current \$10,000,000 to \$4,000,000. The change is effective in FY 2008. The credit limit for FY 2007 remains at \$10,000,000.

FISCAL IMPACT: Decreasing the maximum allowed credits under the Wage-Benefit Program will increase net General Fund revenue by \$6,000,000 million per year, beginning in FY 2008.

CODE: Specifies that persons employed by the Department of Administrative Services and the Iowa Communications Network are not subject to the twenty-four month time limitation as interchange

38 1 resources, department of administrative services, and the Iowa
38 2 communications network under this chapter are not subject to
38 3 the twenty-four-month time limitation specified in subsection
38 4 2.

employees.

38 5 Sec. 75. Section 85.66, Code 2007, is amended to read as
38 6 follows:
38 7 85.66 SECOND INJURY FUND -- CREATION -- CUSTODIAN.
38 8 The "Second Injury Fund" is hereby established under the
38 9 custody of the treasurer of state and shall consist of
38 10 payments to the fund as provided by this division and any
38 11 accumulated interest and earnings on moneys in the second
38 12 injury fund. The treasurer of state is charged with the
38 13 conservation of the assets of the second injury fund. Moneys
38 14 collected in the "Second Injury Fund" shall be disbursed only
38 15 for the purposes stated in this division, and shall not at any
38 16 time be appropriated or diverted to any other use or purpose.
38 17 The treasurer of state shall invest any surplus moneys of the
38 18 fund in securities which constitute legal investments for
38 19 state funds under the laws of this state, and may sell any of
38 20 the securities in which the fund is invested, if necessary,
38 21 for the proper administration or in the best interests of the
38 22 fund. Disbursements from the fund shall be paid by the
38 23 treasurer of state only upon the written order of the workers'
38 24 compensation commissioner. The attorney general shall be
38 25 reimbursed up to one hundred fifty thousand dollars annually
38 26 from the fund for services provided related to the fund. The
38 27 treasurer of state shall quarterly prepare a statement of the
38 28 fund, setting forth the balance of moneys in the fund, the
38 29 income of the fund, specifying the source of all income, the
38 30 payments out of the fund, specifying the various items of
38 31 payments, and setting forth the balance of the fund remaining
38 32 to its credit. The statement shall be open to public
38 33 inspection in the office of the treasurer of state.

CODE: Requires the Office of the Attorney General to be reimbursed up to \$150,000 annually from the Second Injury Fund.

DETAIL: This is an increase of \$100,000 compared to the estimated FY 2007 reimbursement.

38 34 Sec. 76. Section 85.67, Code 2007, is amended to read as

CODE: Conforming amendment to the statutory change in Section 75

38 35 follows:	of this Bill, that requires the Office of the Attorney General to be
39 1 85.67 ADMINISTRATION OF FUND -- SPECIAL COUNSEL -- PAYMENT	reimbursed up to \$150,000 from the Second Injury Fund.
39 2 OF AWARD.	
39 3 The attorney general shall appoint a staff member to	
39 4 represent the treasurer of state and the fund in all	
39 5 proceedings and matters arising under this division. The	
39 6 attorney general shall be reimbursed up to <u>one hundred</u> fifty	
39 7 thousand dollars annually from the fund for services provided	
39 8 related to the fund. The commissioner of insurance shall	
39 9 consider the reimbursement to the attorney general as an	
39 10 outstanding liability when making a determination of funding	
39 11 availability under section 85.65A, subsection 2. In making an	
39 12 award under this division, the workers' compensation	
39 13 commissioner shall specifically find the amount the injured	
39 14 employee shall be paid weekly, the number of weeks of	
39 15 compensation which shall be paid by the employer, the date	
39 16 upon which payments out of the fund shall begin, and, if	
39 17 possible, the length of time the payments shall continue.	
39 18 Sec. 77. <u>NEW SECTION</u> . 90A.13 UNARMED COMBAT FIGHTING	CODE: Excludes unarmed combat fighting from boxing and wrestling
39 19 EXCLUDED FROM CHAPTER.	regulations.
39 20 This chapter does not apply to unarmed combat fighting.	
39 21 For purposes of this section, "unarmed combat fighting" means	
39 22 mixed martial arts fighting, extreme fighting, ultimate	
39 23 fighting, and shoot fighting.	
39 24 Sec. 78. Section 99F.4, subsection 24, Code 2007, is	CODE: Delays the next socioeconomic study of the impact of
39 25 amended to read as follows:	gambling on lowans to be conducted by the State Racing and Gaming
39 26 24. To conduct a socioeconomic study on the impact of	Commission from calendar year 2008 to 2013.
39 27 gambling on lowans, every eight years beginning in calendar	
39 28 year 2008 <u>2013</u> , and issue a report on that study. The	
39 29 commission shall ensure that the results of each study are	
39 30 readily accessible to the public.	
39 31 Sec. 79. Section 99F.11, subsection 3, paragraph e,	CODE: Provides for quarterly transfers of certain wagering tax
	receipts to reimburse the State General Fund for Endow Iowa Tax

39 32 subparagraph (3), as enacted by 2006 Iowa Acts, chapter 1151,
 39 33 subsection 6, is amended to read as follows:
 39 34 (3) One-half of the moneys remaining after the
 39 35 appropriation in subparagraph (1) shall be credited, on a
 40 1 quarterly basis, to the general fund of the state for the
 40 2 purpose of funding the endow Iowa tax credit provided in
 40 3 section 15E.305.

Credits. This change conforms the transfer provisions to similar changes made in SF 302 (Regional Tourism Marketing Act of 2007).

40 4 Sec. 80. Section 135H.3, Code 2007, is amended by adding
 40 5 the following new unnumbered paragraph:
 40 6 NEW UNNUMBERED PARAGRAPH. A child who requires treatment
 40 7 for a biologically based mental illness as defined in section
 40 8 514C.22, and meets the medical assistance program criteria for
 40 9 admission to a psychiatric medical institution for children
 40 10 shall be deemed to meet the acuity criteria for inpatient
 40 11 benefits under a group policy, contract, or plan providing for
 40 12 third-party payment or prepayment of health, medical, and
 40 13 surgical coverage benefits issued by a carrier, as defined in
 40 14 section 513B.2, or by an organized delivery system authorized
 40 15 under 1993 Iowa Acts, ch. 158, that is subject to section
 40 16 514C.22.

CODE: Requires children that require treatment for biologically based mental illness and meet criteria for admission to a Psychiatric Medical Institution for Children under Medicaid, to receive benefits under a group health insurance policy or plan providing third-party payment or prepayment of health, medical, or surgical coverage.

40 17 Sec. 81. Section 175.3, subsection 1, paragraph a, Code
 40 18 2007, is amended to read as follows:
 40 19 a. The agricultural development authority is ~~established~~
 40 20 ~~within the office of treasurer of state.~~ The authority is
 40 21 constituted as a public instrumentality and agency of the
 40 22 state exercising public and essential governmental functions.
 40 23 Sec. 82. Section 175.3, subsection 7, Code 2007, is
 40 24 amended to read as follows:
 40 25 7. The appointed members shall elect a chairperson and
 40 26 vice chairperson annually, and other officers as they
 40 27 determine, but the executive director shall serve as secretary
 40 28 to the authority. ~~The chairperson and vice chairperson shall~~
 40 29 ~~serve on the selection and tenure committee as provided in~~
 40 30 ~~section 175.7.~~

CODE: Removes the Agricultural Development Authority from the Office of the Treasurer of State. Removes the Chairperson and the Vice-Chairperson from the selection and tenure committee of the Authority. Permits the Governor to appoint the Executive Director of the Authority based on administrative skills without regard to political affiliation. Requires the Auditor of State to conduct annual audits of the Authority beginning with FY 2008 to be paid from resources of the Authority.

40 31 Sec. 83. Section 175.7, subsection 1, Code 2007, is
40 32 amended by striking the subsection and inserting in lieu
40 33 thereof the following:
40 34 1. The governor, subject to confirmation by the senate,
40 35 shall appoint an executive director of the authority, who
41 1 shall serve at the pleasure of the governor. The executive
41 2 director shall be selected primarily for administrative
41 3 ability and knowledge in the field, without regard to
41 4 political affiliation.
41 5 Sec. 84. Section 175.8, Code 2007, is amended by adding
41 6 the following new subsection:
41 7 NEW SUBSECTION. 3. For fiscal years beginning on or after
41 8 July 1, 2007, the auditor of state shall conduct an annual
41 9 audit of the agricultural development authority to be paid
41 10 from resources of the authority notwithstanding any other
41 11 audit conducted on behalf of the authority's board of
41 12 directors. The auditor of state may acquire the services of
41 13 an outside audit firm, if necessary, to conduct the audit as
41 14 required in this subsection.

41 15 Sec. 85. NEW SECTION. 190A.1 FARM-TO-SCHOOL PROGRAM.
41 16 A farm-to-school program is established to encourage and
41 17 promote the purchase of locally and regionally produced or
41 18 processed food in order to improve child nutrition and
41 19 strengthen local and regional farm economies.

41 20 Sec. 86. NEW SECTION. 190A.2 FARM-TO-SCHOOL COUNCIL.
41 21 1. A farm-to-school council is established and made up of
41 22 seven members representing the following associations or state
41 23 departments:
41 24 a. One member representing the Iowa school nutrition
41 25 association.
41 26 b. One member representing the Iowa association for
41 27 health, physical education, recreation and dance with
41 28 expertise in health.
41 29 c. One Iowa fruit or vegetable producer.

CODE: Creates a Farm-to-School Program that encourages and promotes the purchase of locally-grown or regionally-produced food for Iowa school children.

CODE: Creates a Farm-to-School Council and specifies the membership.

41 30 d. One Iowa organic meat producer.
41 31 e. The director of the Leopold center or the director's
41 32 designee.
41 33 f. The director of the department of agriculture and land
41 34 stewardship or the director's designee.
41 35 g. The director of the department of education or the
42 1 director's designee.
42 2 2. The members listed under subsection 1, paragraphs "a"
42 3 through "d", shall be selected by the governor without senate
42 4 confirmation and shall serve at the pleasure of the governor.

42 5 Sec. 87. NEW SECTION. 190A.3 GOALS AND STRATEGIES.
42 6 1. The program seeks to link elementary and secondary
42 7 public and nonpublic schools in this state with Iowa farms to
42 8 provide schools with fresh and minimally processed food for
42 9 inclusion in school meals and snacks, encourages children to
42 10 develop healthy eating habits, and provide Iowa farmers access
42 11 to consumer markets.
42 12 2. The farm-to-school program may include activities that
42 13 provide students with hands-on learning opportunities, such as
42 14 farm visits, cooking demonstrations, and school gardening and
42 15 composting programs.
42 16 3. The farm-to-school council shall seek to establish
42 17 partnerships with public agencies and nonprofit organizations
42 18 to implement a structure to facilitate communication between
42 19 farmers and schools.
42 20 4. The farm-to-school council shall actively seek
42 21 financial or in-kind contributions from organizations or
42 22 persons to support the program.

42 23 Sec. 88. NEW SECTION. 190A.4 AGENCY COOPERATION.
42 24 The department of agriculture and land stewardship and the
42 25 department of education shall provide information regarding
42 26 the Iowa farm-to-school program in an electronic format on the
42 27 department's internet website.

CODE: Specifies the goals of the Farm-to-School Council.

CODE: Requires the Department of Agriculture and Land Stewardship and the Department of Education to publish information related to the Farm-to-School Council on their web sites.

42 28 Sec. 89. NEW SECTION. 214A.2B LABORATORY FOR MOTOR FUEL
42 29 AND BIOFUELS.

42 30 A laboratory for motor fuel and biofuels is established at
42 31 a merged area school which is engaged in biofuels testing on
42 32 July 1, 2007, and which testing includes but is not limited to
42 33 B20 biodiesel testing for motor trucks and the ability of
42 34 biofuels to meet A.S.T.M. international standards. The
42 35 laboratory shall conduct testing of motor fuel sold in this
43 1 state and biofuel which is blended in motor fuel in this state
43 2 to ensure that the motor fuel or biofuels meet the
43 3 requirements in section 214A.2.

CODE: Establishes a laboratory for motor fuel and biofuels at Iowa Central Community College.

43 4 Sec. 90. Section 216A.121, subsection 3, if enacted by
43 5 2007 Iowa Acts, House File 826, section 1, is amended to read
43 6 as follows:

43 7 3. MEMBERSHIP.

43 8 a. The commission shall consist of ~~twenty-one~~ twenty-two
43 9 members, including ~~seventeen~~ eighteen voting members and four
43 10 nonvoting members.

43 11 (1) The voting members shall be as follows:

43 12 (a) The governor or the governor's designee.

43 13 (b) One member, appointed by the governor, who is an Iowa
43 14 designated representative to the federal Abraham Lincoln
43 15 bicentennial commission governors' council.

43 16 (c) One member appointed by the president of Humanities
43 17 Iowa.

43 18 (d) One member appointed by the director of the department
43 19 of economic development.

43 20 (e) One member appointed by the administrator of the state
43 21 historical society of Iowa.

43 22 (f) One member appointed by the executive director of the
43 23 Iowa arts council.

43 24 (g) One member appointed by the executive director of the
43 25 Iowa museum society.

43 26 (h) One member appointed by the president of the league of
43 27 Iowa human rights agencies.

43 28 (i) One member appointed by the president of the Iowa

CODE: Increases the membership of the Abraham Lincoln Bicentennial Commission from twenty-one members to twenty-two members by adding one member appointed by the Executive Director of the Iowa State Association of Counties as a voting member of the Commission.

DETAIL: This provision is contingent on enactment of the Commission in HF 826.

43 29 league of cities.
 43 30 (ii) One member appointed by the executive director of the
 43 31 Iowa state association of counties.
 43 32 (j) One member appointed by the director of the department
 43 33 of education.
 43 34 (k) One member appointed by the chairperson of the state
 43 35 board of regents.
 44 1 (l) One member appointed by the president of the Iowa
 44 2 library board.
 44 3 (m) One member appointed by the chairperson of the Iowa
 44 4 state chapter of the national association for the advancement
 44 5 of colored people.
 44 6 (n) Four public members, appointed by the governor, with a
 44 7 demonstrated interest in history and substantial knowledge and
 44 8 appreciation of Abraham Lincoln.
 44 9 (2) The nonvoting members shall be two state
 44 10 representatives, one appointed by the speaker of the house of
 44 11 representatives and one by the minority leader of the house,
 44 12 and two state senators, one appointed by the majority leader
 44 13 of the senate and one by the minority leader of the senate.
 44 14 b. ~~Nine~~ Ten voting members of the board shall constitute a
 44 15 quorum. Persons making appointments shall consult with one
 44 16 another to ensure that the commission is balanced by gender,
 44 17 political affiliation, and geographic location, and to ensure
 44 18 selection of members representing diverse interest groups.
 44 19 The provisions of chapters 21 and 22 shall apply to meetings
 44 20 and records of the commission.
 44 21 c. The commission shall elect a chairperson and vice
 44 22 chairperson from the members of the commission. Commission
 44 23 members shall serve without compensation, but shall be
 44 24 reimbursed for actual and necessary expenses.

44 25 Sec. 91. Section 216A.136, subsection 5, Code 2007, is
 44 26 amended by striking the subsection.

CODE: Eliminates the requirement that the Statistical Analysis Center
 in the Department of Human Rights maintain data related to the Sex
 Offender Registry.

* 1 32 #2. Page 44, by striking lines 25 and 26.

Strikes certain repeals to the Criminal Code.

44 27 Sec. 92. Section 237A.13, Code 2007, is amended by adding
44 28 the following new subsection:
44 29 NEW SUBSECTION. 3A. The department's billing and payment
44 30 provisions for the program shall allow providers to elect
44 31 either biweekly or monthly billing and payment for child care
44 32 provided under the program. The department shall remit
44 33 payment to a provider within ten business days of receiving a
44 34 bill or claim for services provided. However, if the
44 35 department determines that a bill has an error or omission,
45 1 the department shall notify the provider of the error or
45 2 omission and identify any correction needed before issuance of
45 3 payment to the provider. The department shall provide the
45 4 notice within five business days of receiving the billing from
45 5 the provider and shall remit payment to the provider within
45 6 ten business days of receiving the corrected billing.

CODE: Requires the Department of Human Services (DHS) to allow providers to choose between biweekly or monthly billing and payment. Also, requires the DHS to ensure child care providers receive payment within 10 business days of submitting an invoice for providing care, and sets forth requirements for handling billing omissions or errors.

FISCAL IMPACT: The estimated fiscal impact is an increase in General Fund expenditures of \$358,000 and 9.00 FTE positions for the DHS in FY 2008. The cost may be reduced or eliminated in subsequent fiscal years after the automated computer system is fully implemented.

45 7 Sec. 93. Section 256C.3, subsection 5, if enacted by 2007
45 8 Iowa Acts, House File 877, is amended by adding the following
45 9 new paragraph:
45 10 NEW PARAGRAPH. d. The state board, in collaboration with
45 11 the department, shall ensure that the administrative rules
45 12 adopted to support the preschool program emphasize that
45 13 children's access to the program is voluntary, that the
45 14 preschool foundation aid provided to a school district is
45 15 provided based upon the enrollment of eligible students in the
45 16 school district's local program regardless of whether an
45 17 eligible student is a resident of the school district, and
45 18 that agreements entered into by a school district for the
45 19 provision of programming in settings other than the school
45 20 district's facilities are between the school district and the
45 21 private provider.

CODE: Requires the State Board of Education, in collaboration with the Department of Education, to ensure that the administrative rules for the Voluntary Four-Year-Old Preschool Program emphasize children's participation is voluntary, that the Preschool Foundation Aid is based upon where the child is enrolled in preschool regardless of the child's school district of residence, and that the agreements for preschool programming outside the school district's facilities are between the school district and the private provider.

45 22 Sec. 94. Section 272.27, Code 2007, is amended to read as
 45 23 follows:

45 24 ~~272.27 STUDENT TEACHING EDUCATOR LICENSURE EXPERIENCES.~~

45 25 If the rules adopted by the board of educational examiners
 45 26 for issuance of any type or class of license require an
 45 27 applicant to complete work in student teaching, prestudent
 45 28 teaching experiences, field experiences, practicums, clinics,
 45 29 or internships, an accredited college or university located
 45 30 within the state of Iowa and states conterminous with Iowa may
 45 31 offer a program or programs of teacher education approved by
 45 32 the director of the department of education or the appropriate
 45 33 authority in states conterminous with Iowa by entering into a
 45 34 written contract with any ~~accredited school district or~~
 45 35 ~~private school, or any accredited or licensed private school~~
 46 1 or education agency under terms and conditions as agreed upon
 46 2 by the contracting parties. Students actually ~~teaching~~
 46 3 engaged in preservice licensure activities in a school
 46 4 district under the terms of such a contract are entitled to
 46 5 the same protection, under section 670.8, as is afforded by
 46 6 that section to officers and employees of the school district,
 46 7 during the time they are so assigned.

CODE: Permits teacher preparation institutions to contract with school districts, accredited or licensed private schools, and education agencies to offer pre-service licensure experiences, including student teaching, pre-student teaching experiences, field experiences, practicums, clinics, and internships.

46 8 Sec. 95. Section 284.13, subsection 1, paragraph d, as
 46 9 amended by 2007 Iowa Acts, Senate File 277, section 37, if
 46 10 enacted, is amended to read as follows:

46 11 d. (1) For the fiscal year beginning July 1, 2007, and
 46 12 ending June 30, 2008, up to twenty million dollars to the
 46 13 department for use by school districts for professional
 46 14 development as provided in section 284.6. The department
 46 15 shall distribute funds allocated for the purpose of this
 46 16 paragraph based on the average per diem contract salary for
 46 17 each district as reported to the department for the school
 46 18 year beginning July 1, 2006, multiplied by the total number of
 46 19 full-time equivalent teachers in the base year. The
 46 20 department shall adjust each district's average per diem
 46 21 salary by the allowable growth rate established under section
 46 22 257.8 for the fiscal year beginning July 1, 2007. The

CODE: Specifies a formula for allocating professional development dollars to Area Education Agency (AEA) staff included in the Student Achievement and Teacher Quality Program.

46 23 contract salary amount shall be the amount paid for their
 46 24 regular responsibilities but shall not include pay for
 46 25 extracurricular activities. These funds shall not supplant
 46 26 existing funding for professional development activities.
 46 27 Notwithstanding any provision to the contrary, moneys received
 46 28 by a school district under this paragraph shall not revert but
 46 29 shall remain available for the same purpose in the succeeding
 46 30 fiscal year. A school district shall submit a report to the
 46 31 department in a manner determined by the department describing
 46 32 its use of the funds received under this paragraph. The
 46 33 department shall submit a report on school district use of the
 46 34 moneys distributed pursuant to this paragraph to the general
 46 35 assembly and the legislative services agency not later than
 47 1 January 15 of the fiscal year for which moneys are allocated
 47 2 for purposes of this paragraph.
 47 3 (2) From moneys available under subparagraph (1) for the
 47 4 fiscal year beginning July 1, 2007, and ending June 30, 2008,
 47 5 the department shall allocate to area education agencies an
 47 6 amount per teacher employed by an area education agency that
 47 7 is approximately equivalent to the average per teacher amount
 47 8 allocated to the districts. The average per teacher amount
 47 9 shall be calculated by dividing the total number of teachers
 47 10 employed by school districts and the teachers employed by area
 47 11 education agencies into the total amount of moneys available
 47 12 under subparagraph (1).

47 13 Sec. 96. Section 303.1, Code 2007, is amended by adding
 47 14 the following new subsection:
 47 15 NEW SUBSECTION. 7. The department may develop and
 47 16 implement fee-based educational programming opportunities,
 47 17 including preschool programs, related to arts, history, and
 47 18 other cultural matters for lowans of all ages.

47 19 Sec. 97. Section 313.2, unnumbered paragraph 5, Code 2007,
 47 20 as amended by 2007 Iowa Acts, Senate File 403, section 36, if
 47 21 enacted, is amended to read as follows:

CODE: Permits the Department of Cultural Affairs to develop and implement fee-based educational programming.

CODE: Exempts transactions to transfer the jurisdiction of streets or highways from the restrictions specified in SF 403 (FY 2007 Supplemental Appropriations Act). Senate File 403 restricts the sale, exchange, or other means of disposal of certain State real estate

47 22 The department, either alone or in cooperation with any
 47 23 county, may utilize any land acquired incidental to the
 47 24 acquisition of land for highway right of way and to also
 47 25 accept by gift, lands not exceeding two acres in area for
 47 26 roadside parks and parking areas. The department may furnish
 47 27 necessary maintenance. The department also may accept by
 47 28 gift, equipment or other installations incidental to the use
 47 29 of such parks and parking areas. Such parks and parking areas
 47 30 shall be a part of the primary road system and the department
 47 31 may at its discretion sell or otherwise dispose of such lands.
 47 32 ~~The~~ Except for transactions to transfer the jurisdiction of
 47 33 streets or highways, the sale, exchange, or other means of
 47 34 disposal of any real property with a fair market value of five
 47 35 million dollars or more requires the prior authorization of a
 48 1 constitutional majority of each house of the general assembly
 48 2 and approval by the governor.

property with a fair market value threshold of \$5,000,000 or more
 without prior approval of the General Assembly and Governor.

48 3 Sec. 98. NEW SECTION. 314.29 SIGNAGE HONORING HIGHWAY
 48 4 PATROL MEMBERS.
 48 5 The department, in consultation with the state patrol,
 48 6 shall erect and maintain appropriate signs along primary
 48 7 highways designating certain segments as memorials to
 48 8 individual members of the state patrol killed in the line of
 48 9 duty, provided that sufficient funds are available for the
 48 10 purpose. The department may use any combination of public or
 48 11 private moneys available and not otherwise restricted to pay
 48 12 the costs of providing the memorial designations.

CODE: Requires the Department of Transportation, in consultation
 with the State Patrol, to erect and maintain appropriate signs along
 primary highways designating segments as memorials to individual
 highway patrol officers killed in the line of duty. The Department is to
 use available funds and contributions to fund this activity.

48 13 Sec. 99. Section 321.20B, subsection 2, paragraph b, Code
 48 14 2007, is amended to read as follows:
 48 15 b. ~~The insurance division and the department, as~~
 48 16 ~~appropriate,~~ shall adopt rules regarding the contents of a
 48 17 financial liability coverage card to be issued pursuant to
 48 18 this section.
 48 19 (1) Notwithstanding the provisions of this section, a
 48 20 fleet owner who is issued a certificate of self-insurance

CODE: Requires members of a self-insured association to carry a
 financial liability card in the member's vehicle and permits the
 association to act as a legal entity. Permits the Department of
 Transportation to issue certificates of self-insurance.

48 21 pursuant to section 321A.34, subsection 1, is not required to
48 22 maintain in each vehicle a financial liability coverage card
48 23 with the individual registration number or the vehicle
48 24 identification number of the vehicle included on the card.
48 25 Such fleet owner shall be required to maintain a financial
48 26 liability coverage card in each vehicle in the fleet including
48 27 information deemed appropriate by the ~~commissioner of~~
48 28 ~~insurance or the director,~~ as applicable.
48 29 (2) An association of individual members that is issued a
48 30 certificate of self-insurance pursuant to section 321A.34,
48 31 subsection 2, is required to maintain in each vehicle of an
48 32 individual member a financial liability coverage card that
48 33 complies with the provisions of this section and in addition
48 34 contains information relating to the association and the
48 35 association's certificate of self-insurance as is deemed
49 1 appropriate by the director.

49 2 Sec. 100. Section 321.34, subsection 8, Code 2007, as
49 3 amended by 2007 Iowa Acts, House File 749, if enacted, is
49 4 amended to read as follows:
49 5 8. MEDAL OF HONOR PLATES. The owner of a motor vehicle
49 6 subject to registration under section 321.109, subsection 1,
49 7 motorcycle, trailer, or motor truck who has been awarded the
49 8 medal of honor may, upon written application to the
49 9 department, order special registration plates which shall be
49 10 red, white, and blue in color and shall bear an emblem of the
49 11 medal of honor and an identifying number. Each applicant
49 12 applying for special registration plates under this subsection
49 13 may ~~purchase order~~ only one set of registration plates under
49 14 this subsection. The application is subject to approval by
49 15 the department and the special registration plates shall be
49 16 issued at no charge to the applicant in exchange for the
49 17 registration plates previously issued to the person. ~~The~~
49 18 ~~special plates are subject to an annual registration fee of~~
49 19 ~~fifteen dollars.~~ A person who is issued special plates under
49 20 this subsection is exempt from payment of any annual
49 21 registration fee for the motor vehicle bearing the special

CODE: Exempts a person issued a Medal of Honor plate from paying a special plate fee and annual vehicle registration fee.

DETAIL: Under current law and HF 749 (Military License Plates), persons are issued a Medal of Honor plate at no charge but are required to pay an annual vehicle registration fee of \$15. This Section exempts these persons from paying the \$15 annual fee.

49 22 plates. The department shall validate the special plates in
49 23 the same manner as regular registration plates are validated
49 24 under this section. The department shall not issue special
49 25 registration plates until service organizations in the state
49 26 have furnished the department either the special dies or the
49 27 cost of the special dies necessary for the manufacture of the
49 28 special registration plate.

49 29 The surviving spouse of a person who was issued special
49 30 plates under this subsection may continue to use the special
49 31 plates subject to registration of the special plates in the
49 32 surviving spouse's name ~~and upon payment of the fifteen dollar~~
49 33 ~~annual registration fee.~~ If the surviving spouse remarries,
49 34 the surviving spouse shall return the special plates to the
49 35 department and the department shall issue regular registration
50 1 plates to the surviving spouse.

CODE: Permits the surviving spouse of a person issued a Medal of Honor plate to continue to use the plate in the surviving spouse's name and remain exempt from the \$15 annual vehicle registration fee.

50 2 Sec. 101. Section 321.34, subsection 12A, Code 2007, as
50 3 amended by 2007 Iowa Acts, House File 749, if enacted, is
50 4 amended by striking the subsection and inserting in lieu
50 5 thereof the following:
50 6 12A. SPECIAL REGISTRATION PLATES -- ARMED FORCES SERVICES.
50 7 a. An owner of a vehicle referred to in subsection 12 who
50 8 applies for any type of special registration plates associated
50 9 with service in the United States armed forces shall be issued
50 10 one set of the special registration plates at no charge, but
50 11 shall be subject to the annual registration fee of fifteen
50 12 dollars, if the owner is eligible for, but has relinquished to
50 13 the department or the county treasurer or has not been issued,
50 14 ex-prisoner of war or legion of merit special registration
50 15 plates under this section.

CODE: Permits a person that has been issued an Ex-Prisoner of War or Legion of Merit plate to exchange the plate for any U.S. Armed Forces plate at no charge, with the exception of payment of the \$15 annual vehicle registration fee.

DETAIL: This Section is amended to simplify existing language and, therefore, does not reflect a change regarding issuance or fees compared to current law and HF 749 (Military License Plates).

50 16 b. An owner of a vehicle referred to in subsection 12 who
50 17 applies for any type of special registration plates associated
50 18 with service in the United States armed forces shall be issued

CODE: Permits a person that has been issued a Medal of Honor or Disabled Veteran plate to exchange the plate for any U.S. Armed Forces plate at no charge and is exempt from the annual \$15 vehicle registration fee.

50 19 one set of the special registration plates at no charge and
 50 20 subject to no annual registration fee if the owner is eligible
 50 21 for, but has relinquished to the department or the county
 50 22 treasurer or has not been issued, medal of honor registration
 50 23 plates under subsection 8 or disabled veteran registration
 50 24 plates under section 321.105.

DETAIL: This Section is amended to combine Medal of Honor and Disabled Veteran plates. Under current law, Disabled Veterans are already exempt from paying the \$15 annual fee.

50 25 c. The owner shall provide the appropriate information
 50 26 regarding the owner's eligibility for any of the special
 50 27 registration plates described in paragraph "a" or "b", and
 50 28 regarding the owner's eligibility for the special registration
 50 29 plates for which the owner has applied, as required by the
 50 30 department.

CODE: Requires persons applying for a Medal of Honor, Ex-Prisoner of War, Legion of Merit, or Disabled Veteran plate to provide proof of eligibility.

DETAIL: This Section is amended to simplify existing language and, therefore, does not reflect a change regarding proof of eligibility compared to current law and HF 749 (Military License Plates).

50 31 d. The surviving spouse of a person who was issued special
 50 32 plates under this subsection may continue to use the special
 50 33 plates subject to registration of the special plates in the
 50 34 surviving spouse's name and upon payment of the same annual
 50 35 registration fee, if applicable. If the surviving spouse
 51 1 remarries, the surviving spouse shall return the special
 51 2 plates to the department and the department shall issue
 51 3 regular registration plates to the surviving spouse.

CODE: Permits the surviving spouse of a person issued a Medal of Honor, Ex-Prisoner or War, Legion of Merit, or Disabled Veteran plate to continue to use the plate in the surviving spouse's name and upon payment of the same annual registration fee, if applicable. If the surviving spouse remarries, the surviving spouse is to return the special plates to the DOT.

51 4 Sec. 102. Section 321A.34, subsections 1 and 2, Code 2007,
 51 5 are amended to read as follows:

51 6 1. a. Any person in whose name more than twenty-five
 51 7 motor vehicles are registered may qualify as a self-insurer by
 51 8 obtaining a certificate of self-insurance issued by the
 51 9 department as provided in ~~subsection 2 of this section~~
 51 10 paragraph "b".

51 11 ~~2. b.~~ The department may, upon the application of such a
 51 12 person, issue a certificate of self-insurance if the
 51 13 department is satisfied that the person has and will continue
 51 14 to have the ability to pay judgments obtained against the
 51 15 person for damages arising out of the ownership, maintenance,

CODE: Permits an association of individual members that is a legal entity the power to sue and be sued in its own name. The association must have twenty-five or more vehicles registered to qualify as a self-insurer.

Permits the Department of Transportation to issue certificates of self-insurance if satisfied that the association is able to pay judgments for damages against the association or against individual members of the association.

51 16 or use of any vehicle owned by the person. A person issued a
 51 17 certificate of self-insurance pursuant to this ~~section~~
 51 18 subsection shall maintain a financial liability coverage card
 51 19 as provided in section 321.20B, subsection 2, paragraph "b",
 51 20 subparagraph (1).
 51 21 2. a. Any association of individual members that is a
 51 22 legal entity with the power to sue and be sued in its own name
 51 23 and which is composed of individual members in whose names a
 51 24 total of more than twenty-five motor vehicles are registered,
 51 25 may qualify as a self-insurer by obtaining a certificate of
 51 26 insurance issued by the department as provided in paragraph
 51 27 "b".
 51 28 b. The department may, upon the application of such an
 51 29 association, issue a certificate of self-insurance if the
 51 30 department is satisfied that the association has and will
 51 31 continue to have the ability to pay judgments obtained against
 51 32 the association or against an individual member of the
 51 33 association for damages arising out of the ownership,
 51 34 maintenance, or use of any vehicle owned by an individual
 51 35 member of the association. An association issued a
 52 1 certificate of self-insurance pursuant to this paragraph shall
 52 2 maintain a financial liability coverage card as provided in
 52 3 section 321.20B, subsection 2, paragraph "b", subparagraph
 52 4 (2).

52 5 Sec. 103. Section 321E.8A, subsection 2, if enacted by
 52 6 2007 Iowa Acts, House File 793, is amended to read as follows:
 52 7 2. A vehicle described in subsection 1 shall not be
 52 8 operated on a highway without a permit issued under this
 52 9 section. The owner of a vehicle that is operated in violation
 52 10 of section 321E.7, subsection 4, or this section is subject to
 52 11 a civil penalty of ~~ten thousand~~ three hundred dollars, in
 52 12 addition to any other penalties that may apply.

52 13 Sec. 104. Section 388.2, unnumbered paragraph 2, Code
 52 14 2007, is amended to read as follows:

CODE: Reduces the civil penalty from \$10,000 to \$300 for operating a self-propelled implement of husbandry equipped with flotation tires that is designed to be loaded and operated in the field and used exclusively for the application of organic or inorganic plant food materials, agricultural limestone, or agricultural chemicals that is operated on a noninterstate highway without an annual permit.

CODE: Permits a proposal (submitted to the voters by the city council's own motion and not by petition) to establish, acquire, lease,

52 15 ~~The~~ Upon the council's own motion, the proposal may be
 52 16 submitted to the voters at ~~any~~ the general election, the
 52 17 regular city election ~~by the council on its own motion, or at~~
 52 18 a special election called for that purpose. Upon receipt of a
 52 19 valid petition as defined in section 362.4, requesting that a
 52 20 proposal be submitted to the voters, the council shall submit
 52 21 the proposal at the next regular city election.

dispose of, undertake, or discontinue operation of a city utility; to establish or dissolve a combined utility system; or to establish or discontinue a utility board, to be submitted at either the regular city or general election, or at a special election.

52 22 Sec. 105. Section 388.2, Code 2007, is amended by adding
 52 23 the following new unnumbered paragraph after unnumbered
 52 24 paragraph 2:
 52 25 NEW UNNUMBERED PARAGRAPH. If the special election is to
 52 26 establish a gas or electric utility pursuant to this section,
 52 27 or if such a proposal is to be included on the ballot at the
 52 28 regular city or general election, the mayor or council shall
 52 29 give notice as required by section 376.1 to the county
 52 30 commissioner of elections and to any utility whose property
 52 31 would be affected by such election not less than sixty days
 52 32 before the proposed date of the special, regular city, or
 52 33 general election.

CODE: Specifies that if a special election is held to establish a gas or electric utility pursuant to this Section, or if such a proposal is to be included on the ballot at the regular city or general election, the mayor or city council is required to give notice to the county commissioner of elections and to any utility whose property would be affected by such election, at least 60 days before the proposed date of the regular city or general election, or special election.

52 34 Sec. 106. Section 422.11S, subsection 7, paragraph a,
 52 35 subparagraph (2), Code 2007, is amended to read as follows:
 53 1 (2) "Total approved tax credits" means for the tax year
 53 2 beginning in the 2006 calendar year, two million five hundred
 53 3 thousand dollars, ~~and for the tax years year~~ beginning ~~on or~~
 53 4 ~~after January 1, in the 2007 calendar year,~~ five million
 53 5 dollars, ~~and for tax years beginning on or after January 1,~~
 53 6 2008, seven million five hundred thousand dollars.

CODE: Increases the amount of the School Tuition Organization Tax Credits from \$5,000,000 to \$7,500,000 beginning in calendar year 2008.

53 7 Sec. 107. Section 423.3, subsection 89, Code 2007, is
 53 8 amended to read as follows:
 53 9 89. a. The sales price of all goods, wares, or
 53 10 merchandise sold, or of services furnished, which are used in
 53 11 the fulfillment of a written construction contract for the

CODE: Provides a sales tax exemption for items used in the construction of a regional academy in the fulfillment of a written construction contract for the original construction, modifications, or additions of a building to be used as a collaborative facility.

53 12 original construction of a building or structure to be used as
53 13 a collaborative educational facility.

53 14 b. The sales price of all goods, wares, or merchandise
53 15 sold, or of services furnished, which are used in the
53 16 fulfillment of a written construction contract for the
53 17 construction of additions or modifications to a building or
53 18 structure used as part of a collaborative educational
53 19 facility.

53 20 c. To receive the exemption provided in paragraph "a" or
53 21 "b", a collaborative educational facility must meet all of the
53 22 following criteria in paragraph "d" or "e":

53 23 d. (1) The contract for construction of the building or
53 24 structure is entered into on or after April 1, 2003.

53 25 (2) The building or structure is located within the
53 26 corporate limits of a city in the state with a population in
53 27 excess of one hundred ninety-five thousand residents.

53 28 (3) The sole purpose of the building or structure is to
53 29 provide facilities for a collaborative of public and private
53 30 educational institutions that provide education to students.

53 31 (4) The owner of the building or structure is a nonprofit
53 32 corporation governed by chapter 504 or former chapter 504A
53 33 which is exempt from federal income tax pursuant to section
53 34 501(a) of the Internal Revenue Code.

53 35 e. (1) The contract for construction of the building or
54 1 structure is entered into on or after May 15, 2007.

54 2 (2) The sole purpose of the building or structure is to
54 3 provide facilities for a regional academy under a
54 4 collaborative of public and private educational institutions
54 5 that includes a community college established under chapter
54 6 260C that provide education to students.

54 7 (3) The owner of the building or structure is a qualified
54 8 charitable nonprofit corporation governed by chapter 504 or
54 9 former chapter 504A which is exempt from federal income tax
54 10 pursuant to section 501(c)(3) of the Internal Revenue Code.

54 11 f. References to "building" or "structure" in
54 12 ~~subparagraphs (1) through (4) paragraphs "d" and "e"~~ include
54 13 any additions or modifications to the building or structure.

54 14 Sec. 108. Section 452A.3, subsection 1, unnumbered
54 15 paragraph 1, Code 2007, is amended to read as follows:
54 16 Except as otherwise provided in this section and in this
54 17 division, until June 30, ~~2007~~ 2012, this subsection shall
54 18 apply to the excise tax imposed on each gallon of motor fuel
54 19 used for any purpose for the privilege of operating motor
54 20 vehicles in this state.
54 21 Sec. 109. Section 452A.3, subsection 1A, Code 2007, is
54 22 amended to read as follows:
54 23 1A. Except as otherwise provided in this section and in
54 24 this division, after June 30, ~~2007~~ 2012, an excise tax of
54 25 twenty cents is imposed on each gallon of motor fuel used for
54 26 any purpose for the privilege of operating motor vehicles in
54 27 this state.

CODE: Extends the current motor vehicle fuel tax schedule from June 30, 2007 to June 30, 2012.

DETAIL: Under current law, the tax rates for unleaded gasoline and E-10 are adjusted annually based on the number of gallons of ethanol-blended gasoline sold in the State. The tax rates are subject to change each July 1, depending on the percentage of ethanol-blended gasoline sold during the previous calendar year. The tax schedule on which the tax rates are based was implemented on July 1, 2002, and is effective through June 30, 2007. After that date, the excise tax on gasoline will revert to 20.0 cents per gallon, and E-10 will increase from 19.0 to 20.0 cents per gallon.

FISCAL IMPACT: The estimated fiscal impact of extending the current motor fuel tax schedule five years is a decrease to the Road Use Tax Fund for FY 2008 through FY 2012 due to a decrease in fuel taxes of the same amount as follows:

- FY 2008: \$ - 7,900,000
- FY 2009: \$ - 8,000,000
- FY 2010: \$ - 8,500,000
- FY 2011: \$ - 5,900,000
- FY 2012: \$ - 6,200,000

The fiscal impact is based on the 69.30% market share of ethanol-blended gasoline in CY 2006, increasing by 1.00% each year, until it reaches an estimated 77.00% in CY 2010.

54 28 Sec. 110. Section 455B.306, Code 2007, is amended by
54 29 adding the following new subsection:
54 30 NEW SUBSECTION. 12. This section shall not apply to a
54 31 sanitary landfill project owned by an electric generating
54 32 facility and used exclusively for the disposal of coal
54 33 combustion residue. Notwithstanding section 455B.301,
54 34 subsection 8, a utility under this subsection may demonstrate
54 35 financial assurance through the use of a secured trust fund, a
55 1 cash or surety bond, a corporate financial test as provided by

CODE: Exempts a sanitary landfill used for coal disposal that is owned by an electric generating facility from filing a comprehensive plan with the DNR.

55 2 the department, the obtaining of an irrevocable letter of
55 3 credit, or an alternative method as provided by the
55 4 department. The financial assurance instrument submitted must
55 5 ensure the facility's financial capability to provide
55 6 reasonable and necessary response during the lifetime of the
55 7 project and for a specified period of time following closure
55 8 as required by rules adopted by the commission.

55 9 Sec. 111. Section 463C.17, Code 2007, is amended to read
55 10 as follows:
55 11 463C.17 EXEMPTION FROM COMPETITIVE BID LAWS.
55 12 The authority, the department, and their agents and
55 13 contracts entered into by the authority, the department, and
55 14 their agents, in carrying out its public and essential
55 15 governmental functions are exempt from the laws of the state
55 16 which provide for competitive bids, term-length, and hearings
55 17 in connection with contracts, except as provided in section
55 18 12.30. However, the exemption from competitive bid laws in
55 19 this section shall not be construed to apply to contracts for
55 20 ~~the development of the park or~~ the development or construction
55 21 of facilities in the park, including, but not limited to,
55 22 lodges, campgrounds, cabins, and golf courses.

CODE: Adds the Department of Natural Resources to the list of exemptions related to competitive bid laws.

55 23 Sec. 112. Section 717F.1, subsection 1, if enacted by 2007
55 24 Iowa Acts, Senate File 564, section 1, is amended to read as
55 25 follows:
55 26 1. "Agricultural animal" means ~~the same~~ an agricultural
55 27 animal as defined in section 717A.1 other than swine which is
55 28 a member of the species sus scrofa linnaeus, including but not
55 29 limited to swine commonly known as Russian boar or European
55 30 boar of either sex.

CODE: Adds Russian boar or European boar to the definition of agricultural animals in SF 564 (Wild and Dangerous Animals Bill).

55 31 Sec. 113. Section 717F.1, subsection 3, paragraph b, if
55 32 enacted by 2007 Iowa Acts, Senate File 564, section 1, is
55 33 amended to read as follows:

CODE: Amends SF 564 (Wild and Dangerous Animals Bill) and defines the events where a circus is allowed to use a dangerous animal.

55 34 b. "Circus" does not include a person, regardless of
 55 35 whether the person is a holder of a class "C" license as
 56 1 provided in paragraph "a", who ~~does any of the following:~~
 56 2 ~~(1) Keeps a dangerous wild animal which is a member of the~~
 56 3 ~~order carnivora within the family felidae or the family~~
 56 4 ~~ursidae, as described in this section.~~
 56 5 ~~(2) Uses the~~ uses a dangerous wild animal for any of the
 56 6 following purposes:
 56 7 ~~(a)~~ (1) A presentation to children at a public or
 56 8 nonpublic school as defined in section 280.2.
 56 9 ~~(b)~~ (2) Entertainment that involves an activity in which
 56 10 a member of the public is in close proximity to the dangerous
 56 11 wild animal, including but not limited to a contest or a
 56 12 photographic opportunity.

56 13 Sec. 114. Section 717F.1, subsection 5, paragraph a, if
 56 14 enacted by 2007 Iowa Acts, Senate File 564, section 1, is
 56 15 amended by adding the following new subparagraph:
 56 16 NEW SUBPARAGRAPH. () Swine which is a member of the
 56 17 species *sus scrofa linnaeus*, including but not limited to
 56 18 swine commonly known as Russian boar or European boar of
 56 19 either sex.

CODE: Adds a reference to Russian boar or European boar.

56 20 Sec. 115. Section 717F.7, subsection 3, if enacted by 2007
 56 21 Iowa Acts, Senate File 564, section 7, is amended to read as
 56 22 follows:
 56 23 3. A person who keeps falcons, if the person has been
 56 24 issued a falconry license by the department of natural
 56 25 resources pursuant to section 483A.1.

CODE: Amends SF 564 (Wild and Dangerous Animals Bill) and allows a person to keep falcons if they have been issued a falconry license by the Department of Natural Resources.

56 26 Sec. 116. Section 717F.7, subsection 13, if enacted by
 56 27 2007 Iowa Acts, Senate File 564, section 7, is amended to read
 56 28 as follows:
 56 29 13. A location operated by a person licensed to practice
 56 30 veterinary medicine pursuant to chapter 169. However, this
 56 31 subsection shall not apply to a swine which is a member of the

CODE: Allows a veterinarian to treat a Russian boar or European boar.

56 32 species sus scrofa linnaeus, including but not limited to
 56 33 swine commonly known as Russian boar or European boar of
 56 34 either sex.

56 35 Sec. 117. Section 717F.8, subsection 2, if enacted by 2007
 57 1 Iowa Acts, Senate File 564, section 8, is amended by adding
 57 2 the following new paragraph:
 57 3 NEW PARAGRAPH. __. Ten dollars for swine which is a
 57 4 member of the species sus scrofa linnaeus, including but not
 57 5 limited to swine commonly known as Russian boar or European
 57 6 boar of either sex.

CODE: Requires a \$10 registration fee for owners of a Russian boar or European boar.

57 7 Sec. 118. Section 904.602, subsection 2, paragraph m, Code
 57 8 2007, is amended by striking the paragraph.

CODE: Repeals the confidentiality of presentence investigation reports for offenders that are receiving or have received services from the Department of Corrections (DOC).

*H-2004

* 1 33 #3. Page 57, by striking lines 7 and 8.

HOUSE APPROPRIATIONS COMMITTEE AMENDMENT:

Strikes certain repeals to the Criminal Code.

57 9 Sec. 119. Section 909.3A, Code 2007, is amended to read as
 57 10 follows:
 57 11 909.3A COMMUNITY SERVICE OPTION.
 57 12 The court may, in its discretion, order the defendant to
 57 13 perform community service work of an equivalent value to the
 57 14 fine imposed where it appears that the community service work
 57 15 will be adequate to deter the defendant and to discourage
 57 16 others from similar criminal activity. The rate at which
 57 17 community service shall be calculated shall be the federal or
 57 18 state minimum wage, whichever is higher.

CODE: Requires the value of community service work that is imposed in lieu of a fine to be calculated on the federal or state minimum wage, whichever is higher.

57 19 Sec. 120. REFUNDS. Refunds of taxes, interest, or

Prohibits refunds of sales taxes, interest, or penalties for claims

57 20 penalties which arise from claims resulting from the amendment 57 21 to section 423.3, subsection 89, in this division of this Act 57 22 for the exemption of the sales of goods, wares, and 57 23 merchandise, and the furnishing of services used in the 57 24 fulfillment of a written construction contract for the 57 25 original construction of a building or structure to be used as 57 26 a collaborative educational facility occurring between May 15, 57 27 2007, and June 30, 2007, shall not be allowed unless refund 57 28 claims are filed by October 1, 2007, notwithstanding any other 57 29 provision of law.	resulting from Section 107 of this Bill unless the claims are filed by October 1, 2007.
57 30 Sec. 121. NATIVE WINE MANUFACTURERS -- WINE GALLONAGE TAX 57 31 EXCEPTION. 57 32 Notwithstanding any provision of section 123.183 to the 57 33 contrary, wine imported into this state prior to June 1, 2007, 57 34 and used for manufacturing native wine shall not be subject to 57 35 the wine gallonage tax as provided by that section.	CODE: Permits wine imported into the State prior to June 1, 2007, and used for manufacturing native wine, to be exempt from the wine gallonage tax of \$1.75 per gallon.
58 1 Sec. 122. RESEARCH AND DEVELOPMENT PREKINDERGARTEN THROUGH 58 2 GRADE TWELVE SCHOOL -- FEASIBILITY STUDY. The department of 58 3 education and the university of northern iowa shall convene a 58 4 task force to study the feasibility of creating a research and 58 5 development prekindergarten through grade twelve school for 58 6 the state of iowa. The task force shall include, at a 58 7 minimum, university of northern iowa faculty and 58 8 representatives from other institutions governed by the state 58 9 board of regents and from school districts which offer 58 10 prekindergarten through grade twelve. The task force shall 58 11 address the possibilities of creating a site where innovative 58 12 and promising practices can be studied and implemented to 58 13 improve the achievement of students in prekindergarten through 58 14 grade twelve, processes in which the findings of such studies 58 15 are shared with iowa educators, and an appropriate governance 58 16 structure, and shall address the necessary funding and funding 58 17 sources for the school. The task force shall consider the 58 18 existing laboratory school located at the university of	Requires the Department of Education and the University of Northern Iowa (UNI) to convene a task force to study the feasibility of creating a research and development school for grades Prekindergarten through 12. Directs the task force to consider the existing Price Laboratory School at UNI as the site for the new school. Requires the task force to submit a report of its findings and recommendations to the General Assembly by January 14, 2008.

58 19 northern Iowa as the site for the research and development
58 20 prekindergarten through grade twelve school. The task force
58 21 shall submit its findings and recommendations in a report to
58 22 the general assembly, the state board of education, and the
58 23 state board of regents by January 14, 2008.

58 24 Sec. 123. EFFECTIVE DATE.

58 25 1. The section of this division of this Act amending
58 26 section 28D.3, subsection 4, being deemed of immediate
58 27 importance, takes effect upon enactment.

Specifies that Section 74 referring to the DAS and the ICN takes effect upon enactment.

58 28 2. The section of this division of this Act providing an
58 29 exception to the imposition of the wine gallonage tax for
58 30 native wine manufacturers, being deemed of immediate
58 31 importance, takes effect upon enactment.

Specifies that Section 121 exempting wine imported for manufacture of native wine from the gallonage tax takes effect upon enactment.

58 32 Sec. 124. EFFECTIVE DATE. The sections of this division
58 33 of this Act amending section 321.34, subsections 8 and 12A,
58 34 being deemed of immediate importance, take effect upon
58 35 enactment.

Specifies that Sections 100 and 101, dealing with Medal of Honor and Armed Forces Service vehicle registration plates, take effect upon enactment

59 1 Sec. 125. EFFECTIVE DATE. The section of this division of
59 2 this Act establishing a prekindergarten through grade twelve
59 3 feasibility study, being deemed of immediate importance, takes
59 4 effect upon enactment.

Specifies that Section 122 dealing with the prekindergarten through grade twelve feasibility study takes effect upon enactment.

59 5 Sec. 126. 2007 Iowa Acts, Senate File 403, section 5, if
59 6 enacted, is repealed.

CODE: Repeals Section 5 of SF 403 (FY 2007 Supplemental Appropriation Act) if enacted. The Section appropriated \$250,000 from the General Fund and 3.00 FTE positions to the Iowa Energy Independence Office.

59 7 Sec. 127. 2007 Iowa Acts, Senate File 403, section 34, if

Repeals the requirement that community colleges must receive

59 8 enacted, is repealed.

approval from the General Assembly and the Governor prior to the sale of student-constructed buildings and the underlying property if the fair market value is \$5,000,000 or more.

59 9 Sec. 128. Sections 811.2A and 901.4, Code 2007, are
59 10 repealed.

CODE: Repeals Section 811.2A, Code of Iowa, a provision that a person may not be admitted to bail if they have been released on Pre-Trial Release and rearrested for a different crime that is punishable as at least an aggravated misdemeanor.

CORRECTIONAL IMPACT: There may be a decrease in jail bed days, specifically in larger metropolitan areas. Such decreases cannot be estimated due to a lack of data but are anticipated to be minimal.

FISCAL IMPACT: It is not possible to estimate the fiscal impact due to a lack of data. However, the fiscal impact on counties for operating jails is anticipated to be minimal.

CODE: Repeals Section 901.4, Code of Iowa, that requires presentence investigation reports to remain confidential.

HOUSE APPROPRIATIONS COMMITTEE AMENDMENT:
Strikes certain repeals to the Criminal Code.

*H-2004

* 1 34 #4. Page 59, by striking lines 9 and 10 and

* 1 35 inserting the following:

* 1 36 "Sec. __. Section 811.2A, Code 2007, is

* 1 37 repealed."

59 11 DIVISION VI
59 12 ELDER SERVICES

59 13 Sec. 129. Section 231B.1, subsection 1, Code 2007, is
59 14 amended to read as follows:

59 15 1. "Department" means the department of ~~elder affairs~~
59 16 inspections and appeals or the department's designee.

CODE: This Division (Sections 129 through 200) transfers regulatory control of elder group homes, assisted living programs, and adult day services for licensing and monitoring purposes from the Department of Elder Affairs to the Department of Inspections and Appeals.

59 17 Sec. 130. Section 231B.1A, subsection 3, Code 2007, is
59 18 amended by striking the subsection.

59 19 Sec. 131. Section 231B.2, subsection 1, unnumbered
59 20 paragraph 1, Code 2007, is amended to read as follows:
59 21 The department shall establish by rule, in accordance with
59 22 chapter 17A, minimum standards for certification and
59 23 monitoring of elder group homes. The department may adopt by
59 24 reference, with or without amendment, nationally recognized
59 25 standards and rules for elder group homes. The standards and
59 26 rules shall be formulated in consultation with ~~the department~~
59 27 ~~of inspections and appeals~~ affected state agencies and
59 28 affected industry, professional, and consumer groups; ~~i~~ shall
59 29 be designed to accomplish the purposes of this chapter; ~~i~~ and
59 30 shall include but not be limited to rules relating to all of
59 31 the following:

59 32 Sec. 132. Section 231B.2, subsection 1, paragraph b, Code
59 33 2007, is amended to read as follows:

59 34 b. Requirements that elder group homes furnish the
59 35 ~~department of elder affairs and the department of inspections~~
60 1 ~~and appeals~~ with specified information necessary to administer
60 2 this chapter. All information related to the provider
60 3 application for an elder group home presented to ~~either the~~
60 4 ~~department of inspections and appeals or the department of~~
60 5 ~~elder affairs~~ shall be considered a public record pursuant to
60 6 chapter 22.

60 7 Sec. 133. Section 231B.2, subsection 2, Code 2007, is
60 8 amended to read as follows:

60 9 2. Each elder group home operating in this state shall be
60 10 certified by the department ~~of inspections and appeals~~.

60 11 Sec. 134. Section 231B.2, subsection 5, unnumbered
60 12 paragraph 1, Code 2007, is amended to read as follows:
60 13 The department ~~of inspections and appeals~~ may enter into
60 14 contracts to provide certification and monitoring of elder
60 15 group homes. The department ~~of inspections and appeals~~ shall:

60 16 Sec. 135. Section 231B.2, subsection 6, 7, 9, and 10, Code
60 17 2007, are amended to read as follows:

60 18 6. A department, agency, or officer of this state or of
60 19 any governmental unit shall not pay or approve for payment

60 20 from public funds any amount to an elder group home for an
60 21 actual or prospective tenant, unless the program holds a
60 22 current certificate issued by the department of ~~inspections~~
60 23 ~~and appeals~~ and meets all current requirements for
60 24 certification.

60 25 7. The department shall adopt rules regarding the
60 26 conducting or operating of another business or activity in the
60 27 distinct part of the physical structure in which the elder
60 28 group home is operated, if the business or activity serves
60 29 persons who are not tenants. The rules shall be developed in
60 30 consultation with ~~the department of inspections and appeals~~
60 31 affected state agencies and affected industry, professional,
60 32 and consumer groups.

60 33 9. The department of ~~elder affairs and the department of~~
60 34 ~~inspections and appeals~~ shall conduct joint training sessions
60 35 for personnel responsible for conducting monitoring
61 1 evaluations and complaint investigations of elder group homes.

61 2 10. Certification shall be for two years unless revoked
61 3 for good cause by the department of ~~inspections and appeals~~.

61 4 Sec. 136. Section 231B.3, subsection 2, Code 2007, is
61 5 amended to read as follows:

61 6 2. A person who has knowledge that an elder group home is
61 7 operating without certification shall report the name and
61 8 address of the home to the department of ~~inspections and~~
61 9 ~~appeals~~. The department of ~~inspections and appeals~~ shall
61 10 investigate a report made pursuant to this section.

61 11 Sec. 137. Section 231B.4, Code 2007, is amended to read as
61 12 follows:

61 13 231B.4 ZONING -- FIRE AND SAFETY STANDARDS.

61 14 An elder group home shall be located in an area zoned for
61 15 single-family or multiple-family housing or in an
61 16 unincorporated area and shall be constructed in compliance
61 17 with applicable local housing codes and the rules adopted for
61 18 the special classification by the state fire marshal. In the
61 19 absence of local building codes, the facility shall comply
61 20 with the state plumbing code established pursuant to section
61 21 135.11 and the state building code established pursuant to
61 22 section 103A.7 and the rules adopted for the special

61 23 classification by the state fire marshal. The rules adopted
61 24 for the special classification by the state fire marshal
61 25 regarding second floor occupancy shall be adopted in
61 26 consultation with the department of ~~elder affairs~~ and shall
61 27 take into consideration the mobility of the tenants.
61 28 Sec. 138. Section 231B.5, subsection 3, Code 2007, is
61 29 amended to read as follows:
61 30 3. Occupancy agreements and related documents executed by
61 31 each tenant or tenant's legal representative shall be
61 32 maintained by the elder group home from the date of execution
61 33 until three years from the date the occupancy agreement is
61 34 terminated. A copy of the most current occupancy agreement
61 35 shall be provided to members of the general public, upon
62 1 request. Occupancy agreements and related documents shall be
62 2 made available for on-site inspection to the department of
62 3 ~~inspections and appeals~~ upon request and at reasonable times.
62 4 Sec. 139. Section 231B.6, subsection 1, unnumbered
62 5 paragraph 1, Code 2007, is amended to read as follows:
62 6 If an elder group home initiates the involuntary transfer
62 7 of a tenant and the action is not a result of a monitoring
62 8 evaluation or complaint investigation by the department of
62 9 ~~inspections and appeals~~, and if the tenant or tenant's legal
62 10 representative contests the transfer, the following procedure
62 11 shall apply:
62 12 Sec. 140. Section 231B.6, subsection 2, Code 2007, is
62 13 amended to read as follows:
62 14 2. The department, in consultation with ~~the department of~~
62 15 ~~inspections and appeals~~ affected state agencies and affected
62 16 industry, professional, and consumer groups, shall establish
62 17 by rule, in accordance with chapter 17A, procedures to be
62 18 followed, including the opportunity for hearing, when the
62 19 transfer of a tenant results from a monitoring evaluation or
62 20 complaint investigation conducted by the department of
62 21 ~~inspections and appeals~~.
62 22 Sec. 141. Section 231B.7, Code 2007, is amended to read as
62 23 follows:
62 24 231B.7 COMPLAINTS.
62 25 1. Any person with concerns regarding the operations or

62 26 service delivery of an elder group home may file a complaint
62 27 with the department of ~~inspections and appeals~~. The name of
62 28 the person who files a complaint with the department of
62 29 ~~inspections and appeals~~ and any personal identifying
62 30 information of the person or any tenant identified in the
62 31 complaint shall be kept confidential and shall not be subject
62 32 to discovery, subpoena, or other means of legal compulsion for
62 33 its release to a person other than department of ~~inspections-~~
62 34 ~~and appeals'~~ employees involved with the complaint.

62 35 2. The department, ~~in cooperation with the department of~~
63 1 ~~inspections and appeals~~, shall establish procedures for the
63 2 disposition of complaints received in accordance with this
63 3 section.

63 4 Sec. 142. Section 231B.8, Code 2007, is amended to read as
63 5 follows:

63 6 231B.8 INFORMAL REVIEW.

63 7 1. If an elder group home contests the findings of
63 8 regulatory insufficiencies of a monitoring evaluation or
63 9 complaint investigation, the program shall submit written
63 10 information, demonstrating that the program was in compliance
63 11 with the applicable requirement at the time of the monitoring
63 12 evaluation or complaint investigation of the regulatory
63 13 insufficiencies, to the department of ~~inspections and appeals~~
63 14 for review.

63 15 2. The department of ~~inspections and appeals~~ shall review
63 16 the written information submitted within ten working days of
63 17 the receipt of the information. At the conclusion of the
63 18 review, the department of ~~inspections and appeals~~ may affirm,
63 19 modify, or dismiss the regulatory insufficiencies. The
63 20 department of ~~inspections and appeals~~ shall notify the program
63 21 in writing of the decision to affirm, modify, or dismiss the
63 22 regulatory insufficiencies, and the reasons for the decision.

63 23 3. In the case of a complaint investigation, the
63 24 department of ~~inspections and appeals~~ shall also notify the
63 25 complainant, if known, of the decision and the reasons for the
63 26 decision.

63 27 Sec. 143. Section 231B.9, Code 2007, is amended to read as
63 28 follows:

63 29 231B.9 PUBLIC DISCLOSURE OF FINDINGS.
63 30 Upon completion of a monitoring evaluation or complaint
63 31 investigation of an elder group home by the department of
63 32 ~~inspections and appeals~~ pursuant to this chapter, including
63 33 the conclusion of all administrative appeals processes, the
63 34 ~~department of inspections and appeals'~~ department's final
63 35 findings with respect to compliance by the elder group home
64 1 with requirements for certification shall be made available to
64 2 the public in a readily available form and place. Other
64 3 information relating to an elder group home that is obtained
64 4 by the department of ~~inspections and appeals~~ which does not
64 5 constitute the ~~department of inspections and appeals'~~
64 6 department's final findings from a monitoring evaluation or
64 7 complaint investigation of the elder group home shall ~~be made-~~
64 8 ~~available to the department of elder affairs upon request to-~~
64 9 ~~facilitate policy decisions, but shall~~ not be made available
64 10 to the public except in proceedings involving the denial,
64 11 suspension, or revocation of a certificate under this chapter.
64 12 Sec. 144. Section 231B.10, subsection 1, unnumbered
64 13 paragraph 1, Code 2007, is amended to read as follows:
64 14 The department of ~~inspections and appeals~~ may deny,
64 15 suspend, or revoke a certificate in any case where the
64 16 department of ~~inspections and appeals~~ finds that there has
64 17 been a substantial or repeated failure on the part of the
64 18 elder group home to comply with this chapter or minimum
64 19 standards adopted under this chapter or for any of the
64 20 following reasons:
64 21 Sec. 145. Section 231B.10, subsection 2, Code 2007, is
64 22 amended to read as follows:
64 23 2. The department of ~~inspections and appeals~~ may as an
64 24 alternative to denial, suspension, or revocation conditionally
64 25 issue or continue a certificate dependent upon the performance
64 26 by the elder group home of reasonable conditions within a
64 27 reasonable period of time as set by the department of
64 28 ~~inspections and appeals~~ so as to permit the program to
64 29 commence or continue the operation of the elder group home
64 30 pending full compliance with this chapter or the rules adopted
64 31 pursuant to this chapter. If the elder group home does not

64 32 make diligent efforts to comply with the conditions
64 33 prescribed, the department of ~~inspections and appeals~~ may,
64 34 under the proceedings prescribed by this chapter, deny,
64 35 suspend, or revoke the certificate. An elder group home shall
65 1 not be operated on a conditional certificate for more than one
65 2 year.

65 3 Sec. 146. Section 231B.11, Code 2007, is amended to read
65 4 as follows:

65 5 231B.11 NOTICE -- APPEAL -- EMERGENCY PROVISIONS.

65 6 1. The denial, suspension, or revocation of a certificate
65 7 shall be effected by delivering to the applicant or
65 8 certificate holder by restricted certified mail or by personal
65 9 service a notice setting forth the particular reasons for such
65 10 action. Such denial, suspension, or revocation shall become
65 11 effective thirty days after the mailing or service of the
65 12 notice, unless the applicant or certificate holder, within
65 13 such thirty-day period, requests a hearing, in writing, of the
65 14 department of ~~inspections and appeals~~, in which case the
65 15 notice shall be deemed to be suspended.

65 16 2. The denial, suspension, or revocation of a certificate
65 17 may be appealed in accordance with rules adopted by the
65 18 department of ~~inspections and appeals~~ in accordance with
65 19 chapter 17A.

65 20 3. When the department of ~~inspections and appeals~~ finds
65 21 that an imminent danger to the health or safety of a tenant of
65 22 an elder group home exists which requires action on an
65 23 emergency basis, the department of ~~inspections and appeals~~ may
65 24 direct removal of all tenants of the elder group home and
65 25 suspend the certificate prior to a hearing.

65 26 Sec. 147. Section 231B.12, Code 2007, is amended to read
65 27 as follows:

65 28 231B.12 DEPARTMENT NOTIFIED OF CASUALTIES.

65 29 The department of ~~inspections and appeals~~ shall be notified
65 30 within twenty-four hours, by the most expeditious means
65 31 available, of any accident causing substantial injury or death
65 32 to a tenant, and any substantial fire or natural or other
65 33 disaster occurring at or near an elder group home.

65 34 Sec. 148. Section 231B.13, Code 2007, is amended to read

65 35 as follows:

66 1 231B.13 RETALIATION BY ELDER GROUP HOME PROHIBITED.

66 2 An elder group home shall not discriminate or retaliate in
66 3 any way against a tenant, a tenant's family, or an employee of
66 4 the elder group home who has initiated or participated in any
66 5 proceeding authorized by this chapter. An elder group home
66 6 that violates this section is subject to a penalty as
66 7 established by administrative rule in accordance with chapter
66 8 17A, to be assessed and collected by the department of
66 9 ~~inspections and appeals~~, paid into the state treasury, and
66 10 credited to the general fund of the state.

66 11 Sec. 149. Section 231B.14, subsection 2, Code 2007, is
66 12 amended to read as follows:

66 13 2. Following receipt of notice from the department of
66 14 ~~inspections and appeals~~, continued failure or refusal to
66 15 comply within a prescribed time frame with regulatory
66 16 requirements that have a direct relationship to the health,
66 17 safety, or security of elder group home tenants.

66 18 Sec. 150. Section 231B.14, subsection 3, unnumbered
66 19 paragraph 1, Code 2007, is amended to read as follows:

66 20 Preventing or interfering with or attempting to impede in
66 21 any way any duly authorized representative of the department
66 22 ~~of inspections and appeals~~ in the lawful enforcement of this
66 23 chapter or of the rules adopted pursuant to this chapter. As
66 24 used in this subsection, "lawful enforcement" includes but is
66 25 not limited to:

66 26 Sec. 151. Section 231B.15, Code 2007, is amended to read
66 27 as follows:

66 28 231B.15 CRIMINAL PENALTIES AND INJUNCTIVE RELIEF.

66 29 A person establishing, conducting, managing, or operating
66 30 an elder group home without a certificate is guilty of a
66 31 serious misdemeanor. Each day of continuing violation after
66 32 conviction or notice from the department of ~~inspections and~~
66 33 ~~appeals~~ by certified mail of a violation shall be considered a
66 34 separate offense. A person establishing, conducting,
66 35 managing, or operating an elder group home without a
67 1 certificate may be temporarily or permanently restrained by a
67 2 court of competent jurisdiction from such activity in an

67 3 action brought by the state.
67 4 Sec. 152. Section 231B.17, subsection 1, Code 2007, is
67 5 amended to read as follows:
67 6 1. The department of ~~inspections and appeals~~ shall collect
67 7 elder group home certification and related fees. Fees
67 8 collected and retained pursuant to this section shall be
67 9 deposited in the general fund of the state.
67 10 Sec. 153. Section 231B.20, Code 2007, is amended to read
67 11 as follows:
67 12 231B.20 NURSING ASSISTANT AND MEDICATION AIDE --
67 13 CERTIFICATION.
67 14 The department of ~~inspections and appeals~~, in cooperation
67 15 with other appropriate agencies, shall establish a procedure
67 16 to allow nursing assistants or medication aides to claim work
67 17 within an elder group home as credit toward sustaining the
67 18 nursing assistant's or medication aide's certification.
67 19 Sec. 154. Section 231C.1, subsection 3, Code 2007, is
67 20 amended by striking the subsection and inserting in lieu
67 21 thereof the following:
67 22 3. It is the intent of the general assembly that the
67 23 department promote a social model for assisted living programs
67 24 and a consultative process to assist with compliance by
67 25 assisted living programs.
67 26 Sec. 155. Section 231C.2, subsection 3, Code 2007, is
67 27 amended to read as follows:
67 28 3. "Department" means the department of ~~elder affairs-~~
67 29 ~~created in chapter 231~~ inspections and appeals or the
67 30 department's designee.
67 31 Sec. 156. Section 231C.3, subsection 1, unnumbered
67 32 paragraph 1, Code 2007, is amended to read as follows:
67 33 The department shall establish by rule in accordance with
67 34 chapter 17A minimum standards for certification and monitoring
67 35 of assisted living programs. The department may adopt by
68 1 reference with or without amendment, nationally recognized
68 2 standards and rules for assisted living programs. The rules
68 3 shall include specification of recognized accrediting entities
68 4 and provisions related to dementia-specific programs. The
68 5 standards and rules shall be formulated in consultation with

68 6 ~~the department of inspections and appeals~~ affected state
68 7 agencies and affected industry, professional, and consumer
68 8 groups; ~~i~~ shall be designed to accomplish the purposes of this
68 9 chapter; ~~i~~ and shall include but are not limited to rules
68 10 relating to all of the following:
68 11 Sec. 157. Section 231C.3, subsection 1, paragraph b, Code
68 12 2007, is amended to read as follows:
68 13 b. Requirements that assisted living programs furnish the
68 14 ~~department of elder affairs and the department of inspections-~~
68 15 ~~and appeals~~ with specified information necessary to administer
68 16 this chapter. All information related to a provider
68 17 application for an assisted living program submitted to ~~either~~
68 18 ~~the department of elder affairs or the department of~~
68 19 ~~inspections and appeals~~ shall be considered a public record
68 20 pursuant to chapter 22.
68 21 Sec. 158. Section 231C.3, subsection 2, Code 2007, is
68 22 amended to read as follows:
68 23 2. Each assisted living program operating in this state
68 24 shall be certified by the ~~department of inspections and-~~
68 25 ~~appeals~~. If an assisted living program is voluntarily
68 26 accredited by a recognized accrediting entity, the department
68 27 ~~of inspections and appeals~~ shall certify the assisted living
68 28 program on the basis of the voluntary accreditation. An
68 29 assisted living program that is certified by the ~~department of~~
68 30 ~~inspections and appeals~~ on the basis of voluntary
68 31 accreditation shall not be subject to payment of the
68 32 certification fee prescribed in section 231C.18, but shall be
68 33 subject to an administrative fee as prescribed by rule. An
68 34 assisted living program certified under this section is exempt
68 35 from the requirements of section 135.63 relating to
69 1 certificate of need requirements.
69 2 Sec. 159. Section 231C.3, subsection 5, unnumbered
69 3 paragraph 1, Code 2007, is amended to read as follows:
69 4 The ~~department of inspections and appeals~~ may enter into
69 5 contracts to provide certification and monitoring of assisted
69 6 living programs. The ~~department of inspections and appeals~~
69 7 shall:
69 8 Sec. 160. Section 231C.3, subsections 6, 7, 8, 10, and 11,

69 9 Code 2007, are amended to read as follows:

69 10 6. The department may also establish by rule in accordance
69 11 with chapter 17A minimum standards for subsidized and
69 12 dementia-specific assisted living programs. The rules shall
69 13 be formulated in consultation with ~~the department of~~
69 14 ~~inspections and appeals~~ affected state agencies and affected
69 15 industry, professional, and consumer groups.

69 16 7. A department, agency, or officer of this state or of
69 17 any governmental unit shall not pay or approve for payment
69 18 from public funds any amount to an assisted living program for
69 19 an actual or prospective tenant, unless the program holds a
69 20 current certificate issued by the department of ~~inspections-~~
69 21 ~~and appeals~~ and meets all current requirements for
69 22 certification.

69 23 8. The department shall adopt rules regarding the
69 24 conducting or operating of another business or activity in the
69 25 distinct part of the physical structure in which the assisted
69 26 living program is provided, if the business or activity serves
69 27 nontenants. The rules shall be developed in consultation with
69 28 ~~the department of inspections and appeals~~ affected state
69 29 agencies and affected industry, professional, and consumer
69 30 groups.

69 31 10. The department of ~~elder affairs and the department of~~
69 32 ~~inspections and appeals~~ shall conduct joint training sessions
69 33 for personnel responsible for conducting monitoring
69 34 evaluations and complaint investigations of assisted living
69 35 programs.

70 1 11. Certification of an assisted living program shall be
70 2 for two years unless certification is revoked for good cause
70 3 by the department of ~~inspections and appeals~~.

70 4 Sec. 161. Section 231C.4, Code 2007, is amended to read as
70 5 follows:

70 6 231C.4 FIRE AND SAFETY STANDARDS.

70 7 The state fire marshal shall adopt rules, in coordination
70 8 with the department of ~~elder affairs and the department of~~
70 9 ~~inspections and appeals~~, relating to the certification and
70 10 monitoring of the fire and safety standards of certified
70 11 assisted living programs.

70 12 Sec. 162. Section 231C.5, subsection 3, Code 2007, is
70 13 amended to read as follows:
70 14 3. Occupancy agreements and related documents executed by
70 15 each tenant or the tenant's legal representative shall be
70 16 maintained by the assisted living program in program files
70 17 from the date of execution until three years from the date the
70 18 occupancy agreement is terminated. A copy of the most current
70 19 occupancy agreement shall be provided to members of the
70 20 general public, upon request. Occupancy agreements and
70 21 related documents shall be made available for on-site
70 22 inspection to the department of ~~inspections and appeals~~ upon
70 23 request and at reasonable times.

70 24 Sec. 163. Section 231C.6, subsection 1, unnumbered
70 25 paragraph 1, Code 2007, is amended to read as follows:
70 26 If an assisted living program initiates the involuntary
70 27 transfer of a tenant and the action is not a result of a
70 28 monitoring evaluation or complaint investigation by the
70 29 department of ~~inspections and appeals~~, and if the tenant or
70 30 the tenant's legal representative contests the transfer, the
70 31 following procedure shall apply:

70 32 Sec. 164. Section 231C.6, subsection 2, Code 2007, is
70 33 amended to read as follows:
70 34 2. The department, in consultation with ~~the department of~~
70 35 ~~inspections and appeals~~ affected state agencies and affected
71 1 industry, professional, and consumer groups, shall establish,
71 2 by rule in accordance with chapter 17A, procedures to be
71 3 followed, including the opportunity for hearing, when the
71 4 transfer of a tenant results from a monitoring evaluation or
71 5 complaint investigation conducted by the department of ~~of~~
71 6 ~~inspections and appeals~~.

71 7 Sec. 165. Section 231C.7, Code 2007, is amended to read as
71 8 follows:
71 9 231C.7 COMPLAINTS.

71 10 1. Any person with concerns regarding the operations or
71 11 service delivery of an assisted living program may file a
71 12 complaint with the department of ~~inspections and appeals~~. The
71 13 name of the person who files a complaint with the department
71 14 of ~~inspections and appeals~~ and any personal identifying

71 15 information of the person or any tenant identified in the
71 16 complaint shall be kept confidential and shall not be subject
71 17 to discovery, subpoena, or other means of legal compulsion for
71 18 its release to a person other than department of ~~inspections-~~
71 19 ~~and appeals'~~ employees involved with the complaint.
71 20 2. The department, ~~in cooperation with the department of~~
71 21 ~~inspections and appeals,~~ shall establish procedures for the
71 22 disposition of complaints received in accordance with this
71 23 section.
71 24 Sec. 166. Section 231C.8, Code 2007, is amended to read as
71 25 follows:
71 26 231C.8 INFORMAL REVIEW.
71 27 1. If an assisted living program contests the regulatory
71 28 insufficiencies of a monitoring evaluation or complaint
71 29 investigation, the program shall submit written information,
71 30 demonstrating that the program was in compliance with the
71 31 applicable requirement at the time of the monitoring
71 32 evaluation or complaint investigation, in support of the
71 33 contesting of the regulatory insufficiencies, to the
71 34 department of ~~inspections and appeals~~ for review.
71 35 2. The department of ~~inspections and appeals~~ shall review
72 1 the written information submitted within ten working days of
72 2 the receipt of the information. At the conclusion of the
72 3 review, the department of ~~inspections and appeals~~ may affirm,
72 4 modify, or dismiss the regulatory insufficiencies. The
72 5 department of ~~inspections and appeals~~ shall notify the program
72 6 in writing of the decision to affirm, modify, or dismiss the
72 7 regulatory insufficiencies, and the reasons for the decision.
72 8 3. In the case of a complaint investigation, the
72 9 department of ~~inspections and appeals~~ shall also notify the
72 10 complainant, if known, of the decision and the reasons for the
72 11 decision.
72 12 Sec. 167. Section 231C.9, Code 2007, is amended to read as
72 13 follows:
72 14 231C.9 PUBLIC DISCLOSURE OF FINDINGS.
72 15 Upon completion of a monitoring evaluation or complaint
72 16 investigation of an assisted living program by the department
72 17 of ~~inspections and appeals~~ pursuant to this chapter, including

72 18 the conclusion of all administrative appeals processes, the
72 19 ~~department of inspections and appeals'~~ department's final
72 20 findings with respect to compliance by the assisted living
72 21 program with requirements for certification shall be made
72 22 available to the public in a readily available form and place.
72 23 Other information relating to an assisted living program that
72 24 is obtained by the ~~department of inspections and appeals~~ which
72 25 does not constitute the ~~department of inspections and appeals'~~
72 26 department's final findings from a monitoring evaluation or
72 27 complaint investigation of the assisted living program shall
72 28 ~~be made available to the department of elder affairs upon~~
72 29 ~~request in order to facilitate policy decisions, but shall not~~
72 30 be made available to the public except in proceedings
72 31 involving the denial, suspension, or revocation of a
72 32 certificate under this chapter.

72 33 Sec. 168. Section 231C.10, subsection 1, unnumbered
72 34 paragraph 1, Code 2007, is amended to read as follows:
72 35 The ~~department of inspections and appeals~~ may deny,
73 1 suspend, or revoke a certificate in any case where the
73 2 ~~department of inspections and appeals~~ finds that there has
73 3 been a substantial or repeated failure on the part of the
73 4 assisted living program to comply with this chapter or the
73 5 rules, or minimum standards adopted under this chapter, or for
73 6 any of the following reasons:
73 7 Sec. 169. Section 231C.10, subsection 2, Code 2007, is
73 8 amended to read as follows:
73 9 2. The ~~department of inspections and appeals~~ may as an
73 10 alternative to denial, suspension, or revocation conditionally
73 11 issue or continue a certificate dependent upon the performance
73 12 by the assisted living program of reasonable conditions within
73 13 a reasonable period of time as set by the ~~department of~~
73 14 ~~inspections and appeals~~ so as to permit the program to
73 15 commence or continue the operation of the program pending full
73 16 compliance with this chapter or the rules adopted pursuant to
73 17 this chapter. If the assisted living program does not make
73 18 diligent efforts to comply with the conditions prescribed, the
73 19 ~~department of inspections and appeals~~ may, under the
73 20 proceedings prescribed by this chapter, suspend, or revoke the

73 21 certificate. An assisted living program shall not be operated
73 22 on a conditional certificate for more than one year.

73 23 Sec. 170. Section 231C.11, Code 2007, is amended to read
73 24 as follows:

73 25 231C.11 NOTICE -- APPEAL -- EMERGENCY PROVISIONS.

73 26 1. The denial, suspension, or revocation of a certificate
73 27 shall be effected by delivering to the applicant or
73 28 certificate holder by restricted certified mail or by personal
73 29 service a notice setting forth the particular reasons for such
73 30 action. Such denial, suspension, or revocation shall become
73 31 effective thirty days after the mailing or service of the
73 32 notice, unless the applicant or certificate holder, within
73 33 such thirty-day period, requests a hearing, in writing, of the
73 34 department of ~~inspections and appeals~~, in which case the
73 35 notice shall be deemed to be suspended.

74 1 2. The denial, suspension, or revocation of a certificate
74 2 may be appealed in accordance with rules adopted by the
74 3 department of ~~inspections and appeals~~ in accordance with
74 4 chapter 17A.

74 5 3. When the department of ~~inspections and appeals~~ finds
74 6 that an imminent danger to the health or safety of tenants of
74 7 an assisted living program exists which requires action on an
74 8 emergency basis, the department of ~~inspections and appeals~~ may
74 9 direct removal of all tenants of an assisted living program
74 10 and suspend the certificate prior to a hearing.

74 11 Sec. 171. Section 231C.12, Code 2007, is amended to read
74 12 as follows:

74 13 231C.12 DEPARTMENT NOTIFIED OF CASUALTIES.

74 14 The department of ~~inspections and appeals~~ shall be notified
74 15 within twenty-four hours, by the most expeditious means
74 16 available, of any accident causing substantial injury or
74 17 death, and any substantial fire or natural or other disaster
74 18 occurring at or near an assisted living program.

74 19 Sec. 172. Section 231C.13, Code 2007, is amended to read
74 20 as follows:

74 21 231C.13 RETALIATION BY ASSISTED LIVING PROGRAM PROHIBITED.

74 22 An assisted living program shall not discriminate or
74 23 retaliate in any way against a tenant, tenant's family, or an

74 24 employee of the program who has initiated or participated in
74 25 any proceeding authorized by this chapter. An assisted living
74 26 program that violates this section is subject to a penalty as
74 27 established by administrative rule in accordance with chapter
74 28 17A, to be assessed and collected by the department of
74 29 ~~inspections and appeals~~, paid into the state treasury, and
74 30 credited to the general fund of the state.

74 31 Sec. 173. Section 231C.14, subsection 2, Code 2007, is
74 32 amended to read as follows:

74 33 2. Following receipt of notice from the department of
74 34 ~~inspections and appeals~~, continued failure or refusal to
74 35 comply within a prescribed time frame with regulatory
75 1 requirements that have a direct relationship to the health,
75 2 safety, or security of program tenants.

75 3 Sec. 174. Section 231C.14, subsection 3, unnumbered
75 4 paragraph 1, Code 2007, is amended to read as follows:
75 5 Preventing or interfering with or attempting to impede in
75 6 any way any duly authorized representative of the department
75 7 ~~of inspections and appeals~~ in the lawful enforcement of this
75 8 chapter or of the rules adopted pursuant to this chapter. As
75 9 used in this subsection, "lawful enforcement" includes but is
75 10 not limited to:

75 11 Sec. 175. Section 231C.15, Code 2007, is amended to read
75 12 as follows:

75 13 231C.15 CRIMINAL PENALTIES AND INJUNCTIVE RELIEF.

75 14 A person establishing, conducting, managing, or operating
75 15 any assisted living program without a certificate is guilty of
75 16 a serious misdemeanor. Each day of continuing violation after
75 17 conviction or notice from the department of ~~inspections and~~
75 18 ~~appeals~~ by certified mail of a violation shall be considered a
75 19 separate offense or chargeable offense. A person
75 20 establishing, conducting, managing, or operating an assisted
75 21 living program without a certificate may be temporarily or
75 22 permanently restrained by a court of competent jurisdiction
75 23 from such activity in an action brought by the state.

75 24 Sec. 176. Section 231C.16, Code 2007, is amended to read
75 25 as follows:

75 26 231C.16 NURSING ASSISTANT AND MEDICATION AIDE --

75 27 CERTIFICATION.

75 28 The department of ~~inspections and appeals~~, in cooperation
75 29 with other appropriate agencies, shall establish a procedure
75 30 to allow nursing assistants or medication aides to claim work
75 31 within an assisted living program as credit toward sustaining
75 32 the nursing assistant's or medication aide's certification.

75 33 Sec. 177. Section 231C.18, subsection 1, Code 2007, is
75 34 amended to read as follows:

75 35 1. The department of ~~inspections and appeals~~ shall collect
76 1 assisted living program certification and related fees. An
76 2 assisted living program that is certified by the department of
76 3 ~~inspections and appeals~~ on the basis of voluntary
76 4 accreditation by a recognized accrediting entity shall not be
76 5 subject to payment of the certification fee, but shall be
76 6 subject to an administrative fee as prescribed by rule. Fees
76 7 collected and retained pursuant to this section shall be
76 8 deposited in the general fund of the state.

76 9 Sec. 178. Section 231D.1, subsection 3, Code 2007, is
76 10 amended to read as follows:

76 11 3. "Department" means the department of ~~elder affairs~~
76 12 ~~created in chapter 231~~ inspections and appeals.

76 13 Sec. 179. Section 231D.2, subsection 2, Code 2007, is
76 14 amended by striking the subsection.

76 15 Sec. 180. Section 231D.2, subsections 3 and 4, Code 2007,
76 16 are amended to read as follows:

76 17 3. The department shall establish, by rule in accordance
76 18 with chapter 17A, a program for certification and monitoring
76 19 of and complaint investigations related to adult day services
76 20 programs. The department, in establishing minimum standards
76 21 for adult day services programs, may adopt by rule in
76 22 accordance with chapter 17A, nationally recognized standards
76 23 for adult day services programs. The rules shall include
76 24 specification of recognized accrediting entities. The rules
76 25 shall include a requirement that sufficient staffing be
76 26 available at all times to fully meet a participant's
76 27 identified needs. The rules shall include a requirement that
76 28 no fewer than two staff persons who monitor participants as
76 29 indicated in each participant's service plan shall be awake

76 30 and on duty during the hours of operation when two or more
76 31 participants are present. The rules and minimum standards
76 32 adopted shall be formulated in consultation with ~~the~~
76 33 ~~department of inspections and appeals~~ affected state agencies
76 34 and affected industry, professional, and consumer groups and
76 35 shall be designed to accomplish the purpose of this chapter.

77 1 4. The department may establish by administrative rule, in
77 2 accordance with chapter 17A, specific rules related to minimum
77 3 standards for dementia-specific adult day services programs.

77 4 The rules shall be formulated in consultation with ~~the~~
77 5 ~~department of inspections and appeals~~ affected state agencies
77 6 and affected industry, professional, and consumer groups.

77 7 Sec. 181. Section 231D.3, subsections 1, 3, 4, 5, 6, and
77 8 7, Code 2007, are amended to read as follows:

77 9 1. A person or governmental unit acting severally or
77 10 jointly with any other person or governmental unit shall not
77 11 establish or operate an adult day services program and shall
77 12 not represent an adult day services program to the public as
77 13 certified unless and until the program is certified pursuant
77 14 to this chapter. If an adult day services program is
77 15 voluntarily accredited by a recognized accrediting entity with
77 16 specific adult day services standards, the department of
77 17 ~~inspections and appeals~~ shall accept voluntary accreditation
77 18 as the basis for certification by the department. The owner
77 19 or manager of a certified adult day services program shall
77 20 comply with the rules adopted by the department for an adult
77 21 day services program.

77 22 3. An adult day services program that has been certified
77 23 by the department of ~~inspections and appeals~~ shall not alter
77 24 the program, operation, or adult day services for which the
77 25 program is certified in a manner that affects continuing
77 26 certification without prior approval of the department of
77 27 ~~inspections and appeals~~. The department of ~~inspections and~~
77 28 ~~appeals~~ shall specify, by rule, alterations that are subject
77 29 to prior approval.

77 30 4. A department, agency, or officer of this state or of
77 31 any governmental unit shall not pay or approve for payment
77 32 from public funds any amount to an adult day services program

77 33 for an actual or prospective participant, unless the program
77 34 holds a current certificate issued by the department of
77 35 ~~inspections and appeals~~ and meets all current requirements for
78 1 certification.

78 2 5. The department shall adopt rules regarding the
78 3 conducting or operating of another business or activity in the
78 4 distinct part of the physical structure in which the adult day
78 5 services program is provided, if the business or activity
78 6 serves persons who are not participants. The rules shall be
78 7 developed in consultation with ~~the department of inspections-~~
78 8 ~~and appeals~~ affected state agencies and affected industry,
78 9 professional, and consumer groups.

78 10 6. The department of ~~elder affairs and the department of~~
78 11 ~~inspections and appeals~~ shall conduct joint training sessions
78 12 for personnel responsible for conducting monitoring
78 13 evaluations and complaint investigations of adult day services
78 14 programs.

78 15 7. Certification of an adult day services program shall be
78 16 for two years unless revoked for good cause by the department
78 17 ~~of inspections and appeals~~.

78 18 Sec. 182. Section 231D.4, subsection 1, Code 2007, is
78 19 amended to read as follows:

78 20 1. Certificates for adult day services programs shall be
78 21 obtained from the department of ~~inspections and appeals~~.
78 22 Applications shall be upon such forms and shall include such
78 23 information as the department of ~~inspections and appeals~~ may
78 24 reasonably require, which may include affirmative evidence of
78 25 compliance with applicable statutes and local ordinances.
78 26 Each application for certification shall be accompanied by the
78 27 appropriate fee.

78 28 Sec. 183. Section 231D.4, subsection 2, paragraph a, Code
78 29 2007, is amended to read as follows:

78 30 a. The department of ~~inspections and appeals~~ shall collect
78 31 adult day services certification fees. The fees shall be
78 32 deposited in the general fund of the state.

78 33 Sec. 184. Section 231D.5, subsection 1, unnumbered
78 34 paragraph 1, Code 2007, is amended to read as follows:

78 35 The department of ~~inspections and appeals~~ may deny,

79 1 suspend, or revoke certification if the department of
79 2 ~~inspections and appeals~~ finds that there has been a
79 3 substantial or repeated failure on the part of the adult day
79 4 services program to comply with this chapter or the rules or
79 5 minimum standards adopted pursuant to this chapter, or for any
79 6 of the following reasons:
79 7 Sec. 185. Section 231D.5, subsection 3, Code 2007, is
79 8 amended to read as follows:
79 9 3. In the case of a certificate applicant or existing
79 10 certificate holder which is an entity other than an
79 11 individual, the department of ~~inspections and appeals~~ may
79 12 deny, suspend, or revoke a certificate if any individual who
79 13 is in a position of control or is an officer of the entity
79 14 engages in any act or omission proscribed by this section.
79 15 Sec. 186. Section 231D.6, Code 2007, is amended to read as
79 16 follows:
79 17 231D.6 NOTICE -- APPEAL -- EMERGENCY PROVISIONS.
79 18 1. The denial, suspension, or revocation of a certificate
79 19 shall be effected by delivering to the applicant or
79 20 certificate holder by restricted certified mail or by personal
79 21 service a notice setting forth the particular reasons for the
79 22 action. The denial, suspension, or revocation shall become
79 23 effective thirty days after the mailing or service of the
79 24 notice, unless the applicant or certificate holder, within the
79 25 thirty-day period, requests a hearing, in writing, of the
79 26 department of ~~inspections and appeals~~, in which case the
79 27 notice shall be deemed to be suspended.
79 28 2. The denial, suspension, or revocation of a certificate
79 29 may be appealed in accordance with rules adopted by the
79 30 department of ~~inspections and appeals~~ in accordance with
79 31 chapter 17A.
79 32 3. When the department of ~~inspections and appeals~~ finds
79 33 that an immediate danger to the health or safety of
79 34 participants in an adult day services program exists which
79 35 requires action on an emergency basis, the department of
80 1 ~~inspections and appeals~~ may direct the removal of all
80 2 participants in the adult day services program and suspend the
80 3 certificate prior to a hearing.

80 4 Sec. 187. Section 231D.7, Code 2007, is amended to read as
80 5 follows:
80 6 231D.7 CONDITIONAL OPERATION.
80 7 The department of ~~inspections and appeals~~ may, as an
80 8 alternative to denial, suspension, or revocation of
80 9 certification under section 231D.5, conditionally issue or
80 10 continue certification dependent upon the performance by the
80 11 adult day services program of reasonable conditions within a
80 12 reasonable period of time as prescribed by the department of
80 13 ~~inspections and appeals~~ so as to permit the program to
80 14 commence or continue the operation of the program pending full
80 15 compliance with this chapter or the rules adopted pursuant to
80 16 this chapter. If the adult day services program does not make
80 17 diligent efforts to comply with the conditions prescribed, the
80 18 department of ~~inspections and appeals~~ may, under the
80 19 proceedings prescribed by this chapter, suspend or revoke the
80 20 certificate. An adult day services program shall not be
80 21 operated under conditional certification for more than one
80 22 year.

80 23 Sec. 188. Section 231D.8, Code 2007, is amended to read as
80 24 follows:
80 25 231D.8 DEPARTMENT NOTIFIED OF CASUALTIES.
80 26 The department of ~~inspections and appeals~~ shall be notified
80 27 within twenty-four hours, by the most expeditious means
80 28 available, of any accident causing substantial injury or
80 29 death, and any substantial fire or natural or other disaster
80 30 occurring at or near an adult day services program.

80 31 Sec. 189. Section 231D.9, Code 2007, is amended to read as
80 32 follows:
80 33 231D.9 COMPLAINTS AND CONFIDENTIALITY.
80 34 1. A person with concerns regarding the operations or
80 35 service delivery of an adult day services program may file a
81 1 complaint with the department of ~~inspections and appeals~~. The
81 2 name of the person who files a complaint with the department
81 3 of ~~inspections and appeals~~ and any personal identifying
81 4 information of the person or any participant identified in the
81 5 complaint shall be kept confidential and shall not be subject
81 6 to discovery, subpoena, or other means of legal compulsion for

81 7 its release to a person other than employees of the department
81 8 ~~of inspections and appeals~~ involved in the investigation of
81 9 the complaint.

81 10 2. The department, ~~in cooperation with the department of~~
81 11 ~~inspections and appeals~~, shall establish procedures for the
81 12 disposition of complaints received in accordance with this
81 13 section.

81 14 Sec. 190. Section 231D.9A, Code 2007, is amended to read
81 15 as follows:

81 16 231D.9A INFORMAL REVIEW.

81 17 1. If an adult day services program contests the findings
81 18 of regulatory insufficiencies of a monitoring evaluation or
81 19 complaint investigation, the program shall submit written
81 20 information, demonstrating that the program was in compliance
81 21 with the applicable requirement at the time of the monitoring
81 22 evaluation or complaint investigation, to the department ~~of~~
81 23 ~~inspections and appeals~~ for review.

81 24 2. The department ~~of inspections and appeals~~ shall review
81 25 the written information submitted within ten working days of
81 26 the receipt of the information. At the conclusion of the
81 27 review, the department ~~of inspections and appeals~~ may affirm,
81 28 modify, or dismiss the regulatory insufficiencies. The
81 29 department ~~of inspections and appeals~~ shall notify the program
81 30 in writing of the decision to affirm, modify, or dismiss the
81 31 regulatory insufficiencies, and the reasons for the decision.

81 32 3. In the case of a complaint investigation, the
81 33 department ~~of inspections and appeals~~ shall also notify the
81 34 complainant, if known, of the decision and the reasons for the
81 35 decision.

82 1 Sec. 191. Section 231D.10, Code 2007, is amended to read
82 2 as follows:

82 3 231D.10 PUBLIC DISCLOSURE OF FINDINGS.

82 4 Upon completion of a monitoring evaluation or complaint
82 5 investigation of an adult day services program by the
82 6 department ~~of inspections and appeals~~ pursuant to this
82 7 chapter, including the conclusion of all administrative
82 8 appeals processes, the department's final findings with
82 9 respect to compliance by the adult day services program with

82 10 requirements for certification shall be made available to the
82 11 public in a readily available form and place. Other
82 12 information relating to an adult day services program that is
82 13 obtained by the department ~~of inspections and appeals~~ which
82 14 does not constitute the department's final findings from a
82 15 monitoring evaluation or complaint investigation of the adult
82 16 day services program shall ~~be made available to the department~~
82 17 ~~upon request to facilitate policy decisions, but shall~~ not be
82 18 made available to the public except in proceedings involving
82 19 the denial, suspension, or revocation of a certificate under
82 20 this chapter.

82 21 Sec. 192. Section 231D.11, subsection 1, Code 2007, is
82 22 amended to read as follows:

82 23 1. A person establishing, conducting, managing, or
82 24 operating an adult day services program without a certificate
82 25 is guilty of a serious misdemeanor. Each day of continuing
82 26 violation after conviction or notice from the department ~~of~~
82 27 ~~inspections and appeals~~ by certified mail of a violation shall
82 28 be considered a separate offense or chargeable offense. A
82 29 person establishing, conducting, managing, or operating an
82 30 adult day services program without a certificate may be
82 31 temporarily or permanently restrained by a court of competent
82 32 jurisdiction from such activity in an action brought by the
82 33 state.

82 34 Sec. 193. Section 231D.11, subsection 2, paragraph c,
82 35 unnumbered paragraph 1, Code 2007, is amended to read as
83 1 follows:

83 2 Preventing or interfering with or attempting to impede in
83 3 any way any duly authorized representative of the department
83 4 ~~of inspections and appeals~~ in the lawful enforcement of this
83 5 chapter or of the rules adopted pursuant to this chapter. As
83 6 used in this paragraph, "lawful enforcement" includes but is
83 7 not limited to:

83 8 Sec. 194. Section 231D.12, Code 2007, is amended to read
83 9 as follows:

83 10 231D.12 RETALIATION BY ADULT DAY SERVICES PROGRAM
83 11 PROHIBITED.

83 12 1. An adult day services program shall not discriminate or

83 13 retaliate in any way against a participant, participant's
83 14 family, or an employee of the program who has initiated or
83 15 participated in any proceeding authorized by this chapter. An
83 16 adult day services program that violates this section is
83 17 subject to a penalty as established by administrative rule, to
83 18 be assessed and collected by the department of ~~inspections and~~
83 19 ~~appeals~~, paid into the state treasury, and credited to the
83 20 general fund of the state.

83 21 2. Any attempt to discharge a participant from an adult
83 22 day services program by whom or upon whose behalf a complaint
83 23 has been submitted to the department of ~~inspections and~~
83 24 ~~appeals~~ under section 231D.9, within ninety days after the
83 25 filing of the complaint or the conclusion of any proceeding
83 26 resulting from the complaint, shall raise a rebuttable
83 27 presumption that the action was taken by the program in
83 28 retaliation for the filing of the complaint, except in
83 29 situations in which the participant is discharged due to
83 30 changes in health status which exceed the level of care
83 31 offered by the adult day services program or in other
83 32 situations as specified by rule.

83 33 Sec. 195. Section 231D.13, Code 2007, is amended to read
83 34 as follows:

83 35 231D.13 NURSING ASSISTANT AND MEDICATION AIDE --
84 1 CERTIFICATION.

84 2 The department of ~~inspections and appeals~~, in cooperation
84 3 with other appropriate agencies, shall establish a procedure
84 4 to allow nursing assistants or medication aides to claim work
84 5 within adult day services programs as credit toward sustaining
84 6 the nursing assistant's or medication aide's certification.

84 7 Sec. 196. Section 231D.15, Code 2007, is amended to read
84 8 as follows:

84 9 231D.15 FIRE AND SAFETY STANDARDS.

84 10 The state fire marshal shall adopt rules, in coordination
84 11 with the department of ~~elder affairs and the department of~~
84 12 ~~inspections and appeals~~, relating to the certification and
84 13 monitoring of the fire and safety standards of adult day
84 14 services programs.

84 15 Sec. 197. Section 231D.17, subsection 3, Code 2007, is

84 16 amended to read as follows:

84 17 3. Written contractual agreements and related documents
84 18 executed by each participant or participant's legal
84 19 representative shall be maintained by the adult day services
84 20 program in program files from the date of execution until
84 21 three years from the date the written contractual agreement is
84 22 terminated. A copy of the most current written contractual
84 23 agreement shall be provided to members of the general public,
84 24 upon request. Written contractual agreements and related
84 25 documents shall be made available for on-site inspection to
84 26 the department of ~~inspections and appeals~~ upon request and at
84 27 reasonable times.

84 28 Sec. 198. Section 231D.18, subsection 1, unnumbered
84 29 paragraph 1, Code 2007, is amended to read as follows:

84 30 If an adult day services program initiates the involuntary
84 31 transfer of a participant and the action is not a result of a
84 32 monitoring evaluation or complaint investigation by the
84 33 department of ~~inspections and appeals~~, and if the participant
84 34 or participant's legal representative contests the transfer,
84 35 the following procedure shall apply:

85 1 Sec. 199. Section 231D.18, subsection 2, Code 2007, is
85 2 amended to read as follows:

85 3 2. The department, in consultation with ~~the department of~~
85 4 ~~inspections and appeals~~ affected state agencies and affected
85 5 industry, professional, and consumer groups, shall establish
85 6 by rule, in accordance with chapter 17A, procedures to be
85 7 followed, including the opportunity for hearing, when the
85 8 transfer of a participant results from a monitoring evaluation
85 9 or complaint investigation conducted by the department of ~~of~~
85 10 ~~inspections and appeals~~.

85 11 Sec. 200. ADMINISTRATIVE RULES -- TRANSITION PROVISIONS.

85 12 1. Any rule, regulation, form, order, or directive
85 13 promulgated by the department of elder affairs and in effect
85 14 on the effective date of this Act shall continue in full force
85 15 and effect until amended, repealed, or supplemented by
85 16 affirmative action of the department of inspections and
85 17 appeals under the duties and powers of the department of
85 18 inspections and appeals as established in this Act and under

85 19 the procedure established in subsection 2.
 85 20 Any license, certification, or permit issued by the
 85 21 department of elder affairs and in effect on the effective
 85 22 date of this Act shall continue in full force and effect until
 85 23 expiration or renewal.
 85 24 2. In regard to updating references and format in the Iowa
 85 25 administrative code in order to correspond to the
 85 26 restructuring of state government as established in this Act,
 85 27 the administrative rules coordinator and the administrative
 85 28 rules review committee, in consultation with the
 85 29 administrative code editor, shall jointly develop a schedule
 85 30 for the necessary updating of the Iowa administrative code.

85 31 DIVISION VII
 85 32 FOOD INSPECTIONS

85 33 Sec. 201. Section 137C.6, Code 2007, is amended to read as
 85 34 follows:

85 35 137C.6 AUTHORITY TO ENFORCE.

86 1 1. The director shall regulate, license, and inspect
 86 2 hotels and enforce the Iowa hotel sanitation code in Iowa.
 86 3 Municipal corporations shall not regulate, license, inspect,
 86 4 or collect license fees from hotels except as provided for in
 86 5 the Iowa hotel sanitation code.

86 6 2. If a municipal corporation wants its local board of
 86 7 health to license, inspect, and otherwise enforce the Iowa
 86 8 hotel sanitation code within its jurisdiction, the municipal
 86 9 corporation may enter into an agreement to do so with the
 86 10 director. The director may enter into the agreement if the
 86 11 director finds that the local board of health has adequate
 86 12 resources to perform the required functions. A municipal
 86 13 corporation may only enter into an agreement to enforce the
 86 14 Iowa hotel sanitation code if it also agrees to enforce the
 86 15 ~~Iowa food code~~ rules setting minimum standards to protect
 86 16 consumers from foodborne illness adopted pursuant to section
 86 17 ~~437F.3~~ 137F.2.

CODE: Eliminates a specific reference to the Iowa Food Code as the manual to follow when inspecting the sanitary condition of hotels and food establishments and replaces it with a more generic statement that rules setting minimum standards to protect consumers from foodborne illness adopted by the Department of Inspections and Appeals (DIA) will be used for that purpose.

86 18 3. A local board of health that is responsible for
86 19 enforcing the Iowa hotel sanitation code within its
86 20 jurisdiction pursuant to an agreement, shall make an annual
86 21 report to the director providing the following information:
86 22 4. a. The total number of hotel licenses granted or
86 23 renewed during the year.
86 24 ~~2.~~ b. The number of hotel licenses granted or renewed
86 25 during the year broken down into the following categories:
86 26 ~~a.~~ (1) Hotels containing fifteen guest rooms or less.
86 27 ~~b.~~ (2) Hotels containing more than fifteen but less than
86 28 thirty-one guest rooms.
86 29 ~~c.~~ (3) Hotels containing more than thirty but less than
86 30 seventy-six guest rooms.
86 31 ~~d.~~ (4) Hotels containing more than seventy-five but less
86 32 than one hundred fifty guest rooms.
86 33 ~~e.~~ (5) Hotels containing one hundred fifty or more guest
86 34 rooms.
86 35 ~~3.~~ c. The amount of money collected in license fees
87 1 during the year.
87 2 ~~4.~~ d. Other information the director requests.
87 3 4. The director shall monitor local boards of health to
87 4 determine if they are enforcing the Iowa hotel sanitation code
87 5 within their respective jurisdictions. If the director
87 6 determines that the Iowa hotel sanitation code is enforced by
87 7 a local board of health, such enforcement shall be accepted in
87 8 lieu of enforcement by the department in that jurisdiction.
87 9 If the director determines that the Iowa hotel sanitation code
87 10 is not enforced by a local board of health, the director may
87 11 rescind the agreement after reasonable notice and an
87 12 opportunity for a hearing. If the agreement is rescinded, the
87 13 director shall assume responsibility for enforcement in the
87 14 jurisdiction involved.

87 15 Sec. 202. Section 137C.9, Code 2007, is amended to read as
87 16 follows:
87 17 137C.9 LICENSE FEES.
87 18 1. Either the department or the municipal corporation

CODE: Increases the fees for inspection of hotels of different
occupancy levels by various amounts.

87 19 shall collect the following annual license fees:
87 20 4. a. For a hotel containing fifteen guest rooms or less,
87 21 ~~twenty~~ twenty-seven dollars.
87 22 2. b. For a hotel containing more than fifteen but less
87 23 than thirty-one guest rooms, ~~thirty~~ forty dollars and fifty
87 24 cents.
87 25 3. c. For a hotel containing more than thirty but less
87 26 than seventy-six guest rooms, ~~forty~~ fifty-four dollars.
87 27 4. d. For a hotel containing more than seventy-five but
87 28 less than one hundred fifty guest rooms, ~~forty~~ fifty-seven
87 29 dollars and fifty cents.
87 30 5. e. For a hotel containing one hundred fifty or more
87 31 guest rooms, ~~seventy-five~~ one hundred one dollars and
87 32 twenty-five cents.
87 33 2. Fees collected by the department shall be deposited in
87 34 the general fund of the state. Fees collected by a municipal
87 35 corporation shall be retained by it and for its use.

88 1 Sec. 203. Section 137D.2, subsection 1, Code 2007, is
88 2 amended to read as follows:
88 3 1. A person shall not open or operate a home food
88 4 establishment until a license has been obtained from the
88 5 department of inspections and appeals. The department shall
88 6 collect a fee of ~~twenty-five~~ thirty-three dollars and
88 7 seventy-five cents for a license. After collection, the fees
88 8 shall be deposited in the general fund of the state. A
88 9 license shall expire one year from date of issue. A license
88 10 is renewable.

88 11 Sec. 204. Section 137F.1, subsection 7, Code 2007, is
88 12 amended by striking the subsection.

88 13 Sec. 205. Section 137F.1, subsection 8, unnumbered
88 14 paragraph 1, Code 2007, is amended to read as follows:
88 15 "Food establishment" means an operation that stores,
88 16 prepares, packages, serves, vends, or otherwise provides food

CODE: Increases the fee for operating a home food establishment.

CODE: Repeals a reference stating the Food Code is the 1997 U.S. Food and Drug Administration Food Code.

CODE: Adds a salvage or distressed food operation to the definition of a "food establishment."

88 17 for human consumption and includes a food service operation in
88 18 a salvage or distressed food operation, school, summer camp,
88 19 residential service substance abuse treatment facility,
88 20 halfway house substance abuse treatment facility, correctional
88 21 facility operated by the department of corrections, the state
88 22 training school, or the Iowa juvenile home. "Food
88 23 establishment" does not include the following:

88 24 Sec. 206. Section 137F.2, Code 2007, is amended by
88 25 striking the section and inserting in lieu thereof the
88 26 following:
88 27 137F.2 ADOPTION BY RULE.
88 28 The department shall, in accordance with chapter 17A, adopt
88 29 rules setting minimum standards for entities covered under
88 30 this chapter to protect consumers from foodborne illness. In
88 31 so doing, the department may adopt by reference, with or
88 32 without amendment, the United States food and drug
88 33 administration food code, which shall be specified by title
88 34 and edition, date of publication, or similar information. The
88 35 rules and standards shall be formulated in consultation with
89 1 municipal corporations under agreement with the department,
89 2 affected state agencies, and industry, professional, and
89 3 consumer groups.

89 4 Sec. 207. Section 137F.3, Code 2007, is amended to read as
89 5 follows:
89 6 137F.3 AUTHORITY TO ENFORCE.
89 7 1. The director shall regulate, license, and inspect food
89 8 establishments and food processing plants and enforce this
89 9 chapter pursuant to rules adopted by the department in
89 10 accordance with chapter 17A. Municipal corporations shall not
89 11 regulate, license, inspect, or collect license fees from food
89 12 establishments and food processing plants, except as provided
89 13 in this section.
89 14 2. A municipal corporation may enter into an agreement
89 15 with the director to provide that the municipal corporation

CODE: Repeals Section 137F.2, Code of Iowa, that requires the Director of the DIA to adopt a Food Code and making exceptions and replaces it with more generic language requiring the adoption of rules setting minimum standards to protect consumers from foodborne illnesses.

CODE: Adds corresponding language specifying that municipal corporations will contract to implement the rules setting minimum standards to protect consumers from foodborne illnesses. Adds an annual reporting requirement that municipal corporations include the amount expended to enforce the rules and specifies that if the municipal corporation is not complying with the rules, the DIA may rescind the contract after reasonable notice and an opportunity for a hearing.

89 16 shall license, inspect, and otherwise enforce this chapter
89 17 within its jurisdiction. The director may enter into the
89 18 agreement if the director finds that the municipal corporation
89 19 has adequate resources to perform the required functions. A
89 20 municipal corporation may only enter into an agreement to
89 21 enforce the ~~lowa food code~~ rules setting minimum standards to
89 22 protect consumers from foodborne illness adopted pursuant to
89 23 ~~this section 137F.2~~ if it also agrees to enforce the Iowa
89 24 hotel sanitation code pursuant to section 137C.6. However,
89 25 the department shall license and inspect all food processing
89 26 plants which manufacture, package, or label food products. A
89 27 municipal corporation may license and inspect, as authorized
89 28 by this section, food processing plants whose operations are
89 29 limited to the storage of food products.

89 30 3. If the director enters into an agreement with a
89 31 municipal corporation as provided by this section, the
89 32 director shall provide that the inspection practices of a
89 33 municipal corporation are spot-checked on a regular basis.

89 34 4. A municipal corporation that is responsible for
89 35 enforcing this chapter within its jurisdiction pursuant to an
90 1 agreement shall make an annual report to the director
90 2 providing the following information:

90 3 ~~1-~~ a. The total number of licenses granted or renewed by
90 4 the municipal corporation under this chapter during the year.

90 5 ~~2-~~ b. The number of licenses granted or renewed by the
90 6 municipal corporation under this chapter during the year in
90 7 each of the following categories:

90 8 ~~a-~~ (1) Food establishments.

90 9 ~~b-~~ (2) Food processing plants.

90 10 ~~c-~~ (3) Mobile food units and pushcarts.

90 11 ~~d-~~ (4) Temporary food establishments.

90 12 ~~e-~~ (5) Vending machines.

90 13 ~~3-~~ c. The amount of money collected in license fees
90 14 during the year.

90 15 d. The amount expended to perform the functions required
90 16 under the agreement, submitted on a form prescribed by the
90 17 department.

90 18 4. e. Other information the director requests.

90 19 5. The director shall monitor municipal corporations which
 90 20 have entered into an agreement pursuant to this section to
 90 21 determine if they are enforcing this chapter within their
 90 22 respective jurisdictions. If the director determines that
 90 23 this chapter is not enforced by a municipal corporation, the
 90 24 director may rescind the agreement after reasonable notice and
 90 25 an opportunity for a hearing. If the agreement is rescinded,
 90 26 the director shall assume responsibility for enforcement in
 90 27 the jurisdiction involved.

90 28 6. The inspection staff of a municipal corporation that
 90 29 has entered into an agreement with the director to enforce
 90 30 this chapter shall be required by the department to apply the
 90 31 current rules setting minimum standards to protect consumers
 90 32 from foodborne illness adopted pursuant to section 137F.2 to
 90 33 ensure consistency in application of the rules. A municipal
 90 34 corporation's failure to comply may result in the department
 90 35 rescinding the agreement with the municipal corporation, after
 91 1 reasonable notice and an opportunity for a hearing.

91 2 Sec. 208. Section 137F.3A, Code 2007, is amended to read
 91 3 as follows:
 91 4 137F.3A MUNICIPAL CORPORATION INSPECTIONS -- CONTINGENT
 91 5 APPROPRIATION.

91 6 1. If a municipal corporation operating pursuant to a
 91 7 chapter 28E agreement with the department of inspections and
 91 8 appeals to enforce this chapter and chapters 137C and 137D
 91 9 either fails to renew the agreement effective after ~~July 1,~~
 91 10 ~~2005, but before July 1, 2007, April 1, 2007,~~ or discontinues
 91 11 ~~prior to July 1, 2007, after April 1, 2007,~~ enforcement
 91 12 activities in one or more jurisdictions during the agreement
 91 13 time frame, or the department of inspections and appeals
 91 14 cancels an agreement ~~prior to July 1, 2007, after April 1,~~
 91 15 ~~2007,~~ due to noncompliance with the terms of the agreement,
 91 16 the department of inspections and appeals may employ
 91 17 additional full-time equivalent positions ~~for the fiscal years~~
 91 18 ~~ending prior to July 1, 2007,~~ to enforce the provisions of the
 91 19 chapters, with the approval of the department of management.

CODE: Contingent appropriation to the DIA for inspections for conducting food establishment inspections when a municipal corporation either stops conducting the required inspections or the DIA terminates the contract with the corporation due to noncompliance with the terms of the contract.

DETAIL: Permits the DIA to retain the fees charged for the inspections and hire additional staff with approval of the Department of Management until such time as the General Assembly makes an appropriation to the Department for this purpose.

91 20 Before approval is given, the director of the department of
 91 21 management shall determine that the expenses exceed the funds
 91 22 budgeted by the general assembly for food inspections to the
 91 23 department of inspections and appeals. The department of
 91 24 inspections and appeals may hire no more than one full-time
 91 25 equivalent position for each six hundred inspections required
 91 26 pursuant to this chapter and chapters 137C and 137D.
 91 27 2. Notwithstanding chapter 137D, and sections 137C.9 and
 91 28 137F.6, if the conditions described in this section are met,
 91 29 fees imposed pursuant to that chapter and those sections shall
 91 30 be retained by and are appropriated to the department of
 91 31 inspections and appeals for the each fiscal years ending prior
 91 32 to July 1, 2007, year to provide for salaries, support,
 91 33 maintenance, and miscellaneous purposes associated with the
 91 34 additional inspections. The appropriation made in this
 91 35 subsection is not applicable in a fiscal year for which the
 92 1 general assembly enacts an appropriation made for the purposes
 92 2 described in this subsection.
 92 3 ~~3. This section is repealed July 1, 2007.~~

92 4 Sec. 209. Section 137F.6, Code 2007, is amended to read as
 92 5 follows:
 92 6 137F.6 LICENSE FEES.
 92 7 1. The regulatory authority shall collect the following
 92 8 annual license fees:
 92 9 4. ~~a.~~ For a mobile food unit or pushcart, ~~twenty~~
 92 10 ~~twenty-seven~~ dollars.
 92 11 ~~2.~~ ~~b.~~ For a temporary food establishment per fixed
 92 12 location, ~~twenty-five~~ ~~thirty-three~~ dollars ~~and fifty cents.~~
 92 13 ~~3.~~ ~~c.~~ For a vending machine, twenty dollars for the first
 92 14 machine and five dollars for each additional machine.
 92 15 4. ~~d.~~ For a food establishment which prepares or serves
 92 16 food for individual portion service intended for consumption
 92 17 on-the-premises, the annual license fee shall correspond to
 92 18 the annual gross food and beverage sales of the food
 92 19 establishment, as follows:
 92 20 ~~a.~~ (1) Annual gross sales of under fifty thousand

CODE: Increases the fees for inspections of food establishment by various amounts and provides for a reduction in the fee if an establishment has had a person in charge for the entire previous twelve-month period who holds an active certified food protection manager certificate from a program approved by the Conference on Food Protection and the establishment has not been issued a critical violation during the previous twelve-month period.

FISCAL IMPACT: The increase in food inspection fees provided in this Bill will result in an additional \$242,000 in receipts to the General Fund in FY 2008.

92 21 dollars, ~~fifty sixty-seven~~ dollars and fifty cents.
92 22 b- (2) Annual gross sales of at least fifty thousand
92 23 dollars but less than one hundred thousand dollars,
92 24 ~~eighty five one hundred fourteen~~ dollars and fifty cents.
92 25 c- (3) Annual gross sales of at least one hundred
92 26 thousand dollars but less than two hundred fifty thousand
92 27 dollars, ~~one hundred seventy five~~ two hundred thirty-six
92 28 dollars and twenty-five cents.
92 29 d- (4) Annual gross sales of two hundred fifty thousand
92 30 dollars but less than five hundred thousand dollars, two
92 31 hundred seventy-five dollars.
92 32 e- (5) Annual gross sales of five hundred thousand
92 33 dollars or more, ~~two hundred twenty five~~ three hundred three
92 34 dollars and seventy-five cents.
92 35 5- e. For a food establishment which sells food or food
93 1 products to consumer customers intended for preparation or
93 2 consumption off-the-premises, the annual license fee shall
93 3 correspond to the annual gross food and beverage sales of the
93 4 food establishment, as follows:
93 5 a- (1) Annual gross sales of under ten thousand dollars,
93 6 ~~thirty forty~~ dollars and fifty cents.
93 7 b- (2) Annual gross sales of at least ten thousand
93 8 dollars but less than two hundred fifty thousand dollars,
93 9 ~~seventy five one hundred one~~ dollars and twenty-five cents.
93 10 c- (3) Annual gross sales of at least two hundred fifty
93 11 thousand dollars but less than five hundred thousand dollars,
93 12 ~~one hundred fifteen~~ one hundred fifty-five dollars and
93 13 twenty-five cents.
93 14 d- (4) Annual gross sales of at least five hundred
93 15 thousand dollars but less than seven hundred fifty thousand
93 16 dollars, ~~one hundred fifty~~ two hundred two dollars and fifty
93 17 cents.
93 18 e- (5) Annual gross sales of seven hundred fifty thousand
93 19 dollars or more, ~~two hundred twenty five~~ three hundred three
93 20 dollars and seventy-five cents.
93 21 6- f. For a food processing plant, the annual license fee
93 22 shall correspond to the annual gross food and beverage sales
93 23 of the food processing plant, as follows:

93 24 a. (1) Annual gross sales of under fifty thousand
93 25 dollars, ~~fifty sixty-seven~~ dollars and fifty cents.
93 26 b. (2) Annual gross sales of at least fifty thousand
93 27 dollars but less than two hundred fifty thousand dollars, one
93 28 hundred ~~thirty-five~~ dollars.
93 29 c. (3) Annual gross sales of at least two hundred fifty
93 30 thousand dollars but less than five hundred thousand dollars,
93 31 ~~one hundred fifty two hundred two~~ dollars and fifty cents.
93 32 d. (4) Annual gross sales of five hundred thousand
93 33 dollars or more, ~~two hundred fifty three hundred thirty-seven~~
93 34 dollars and fifty cents.
93 35 7. g. For a farmers market where potentially hazardous
94 1 food is sold or distributed, one seasonal license fee of one
94 2 hundred dollars for each vendor on a countywide basis.
94 3 A food establishment covered by ~~subsections 4 and 5~~
94 4 paragraphs "d" and "e" shall be assessed license fees not to
94 5 exceed seventy-five percent of the total fees applicable under
94 6 both ~~subsections~~ paragraphs.
94 7 2. If an establishment licensed under subsection 1,
94 8 paragraph "d" or "e", has had a person in charge for the
94 9 entire previous twelve-month period who holds an active
94 10 certified food protection manager certificate from a program
94 11 approved by the conference on food protection and the
94 12 establishment has not been issued a critical violation during
94 13 the previous twelve-month period, the establishment's license
94 14 fee for the current renewal period shall be reduced by fifty
94 15 dollars.
94 16 3. Fees collected by the department shall be deposited in
94 17 the general fund of the state. Fees collected by a municipal
94 18 corporation shall be retained by the municipal corporation for
94 19 regulation of food establishments and food processing plants
94 20 licensed under this chapter.
94 21 4. Each vending machine licensed under this chapter shall
94 22 bear a readily visible identification tag or decal provided by
94 23 the licensee, containing the licensee's business address and
94 24 phone number, and a company license number assigned by the
94 25 regulatory authority.

94 26 Sec. 210. Section 137F.10, Code 2007, is amended to read
 94 27 as follows:

94 28 137F.10 REGULAR INSPECTIONS.

94 29 The appropriate regulatory authority shall provide for the
 94 30 inspection of each food establishment and food processing
 94 31 plant in this state in accordance with this chapter and with
 94 32 rules adopted pursuant to this chapter in accordance with
 94 33 chapter 17A. A regulatory authority may enter a food
 94 34 establishment or food processing plant at any reasonable hour
 94 35 to conduct an inspection. The manager or person in charge of
 95 1 the food establishment or food processing plant shall afford
 95 2 free access to every part of the premises and render all aid
 95 3 and assistance necessary to enable the regulatory authority to
 95 4 make a thorough and complete inspection. As part of the
 95 5 inspection process, the regulatory authority shall provide an
 95 6 explanation of the violation or violations cited and provide
 95 7 guidance as to actions for correction and elimination of the
 95 8 violation or violations.

CODE: Specifies that, as part of the inspection process, the authority conducting the inspections is required to explain the violation and how the violation can be corrected and eliminated.

95 9 Sec. 211. NEW SECTION. 137F.11A POSTING OF INSPECTION
 95 10 REPORTS.

95 11 An establishment inspected under this chapter shall post
 95 12 the most recent routine inspection report, along with any
 95 13 current complaint or reinspection reports, in a location at
 95 14 the establishment that is readily visible to the public.

CODE: Requires an establishment to post its most recent inspection report, along with any current complaint or reinspection reports, in a location readily visible to the public.

95 15 Sec. 212. Section 196.3, Code 2007, is amended to read as
 95 16 follows:

95 17 196.3 EGG HANDLER'S LICENSE AND FEE.

95 18 1. Every egg handler shall obtain an annual license from
 95 19 the department. The fee for the license shall be determined
 95 20 on the basis of the total number of eggs purchased or handled
 95 21 during the preceding month of April in each calendar year as
 95 22 follows:

95 23 ~~4. a.~~ Less than one hundred twenty-five
 95 24 cases ~~\$ 15.00~~

CODE: Increases the fees for egg handlers based on volume of eggs handled.

PG LN	SF601 as amended by H-2004	Explanation
95 25	<u>20.20</u>	
95 26	2. b. One hundred twenty-five cases or	
95 27	more but less than two hundred fifty	
95 28	cases \$ 35.00	
95 29	<u>47.25</u>	
95 30	3. c. Two hundred fifty cases or more but	
95 31	less than one thousand cases \$ 50.00	
95 32	<u>67.50</u>	
95 33	4. d. One thousand cases or more but less	
95 34	than five thousand cases \$ 100.00	
95 35	<u>135.00</u>	
96 1	5. e. Five thousand cases or more but less	
96 2	than ten thousand cases \$ 175.00	
96 3	<u>236.25</u>	
96 4	6. f. Ten thousand cases or more \$ 250.00	
96 5	<u>337.50</u>	
96 6	<u>2.</u> The license shall expire one year after its date of	
96 7	issue. For the purpose of determining fees, a case shall be	
96 8	thirty dozen eggs. All fees collected shall be remitted to	
96 9	the treasurer of state for deposit in the general fund of the	
96 10	state.	
96 11	<u>3.</u> If an egg handler is not operating during the month of	
96 12	April, the department shall estimate the volume of eggs	
96 13	purchased or handled, or both, and may revise the fee based on	
96 14	three months of operation.	
96 15	Sec. 213. Section 331.756, subsection 32, Code 2007, is	
96 16	amended to read as follows:	
96 17	32. Assist the department of inspections and appeals in	
96 18	the enforcement of the lowa food code <u>rules setting minimum</u>	
96 19	<u>standards to protect consumers from foodborne illness adopted</u>	
96 20	<u>pursuant to section 137F.2</u> and the Iowa hotel sanitation code,	
96 21	as provided in sections 137F.19 and 137C.30.	
96 22	Sec. 214. FOOD CODE APPLICABILITY -- TEMPORARY PROVISIONS.	
96 23	Pending the adoption of rules pursuant to section 137F.2, as	
		CODE: Eliminates a specific reference to the Iowa Food Code as the manual to follow when a county attorney assists the Department of Inspections and Appeals (DIA) in enforcing food and hotel sanitation laws and replaces it with a more generic statement about the rules that set minimum standards.
		Provides transitional inspection rule requirements until the DIA can adopt the new rules.

96 24 amended by this division of this Act, the 1997 edition of the
96 25 United States food and drug administration food code, with the
96 26 amendments or exceptions thereto in effect prior to the
96 27 effective date of this division of this Act, shall continue in
96 28 effect.

96 29 Sec. 215. EFFECTIVE DATE. The section of this division of
96 30 this Act amending section 137F.3A, being deemed of immediate
96 31 importance, takes effect upon enactment.

Specifies that the Section of this Bill providing for a contingent appropriation to the DIA is effective upon enactment.

96 32 DIVISION VIII
96 33 CORRECTIVE PROVISIONS

96 34 Sec. 216. Section 8.65, subsection 1, paragraph a,
96 35 subparagraph (6), if enacted by 2007 Iowa Acts, Senate File
97 1 155, is amended to read as follows:
97 2 (6) One member representing the councils of governments
97 3 appointed by the president of the Iowa association of regional
97 4 councils of government.

CODE: This Division (Sections 216 through 238) contains technical corrective provisions. No specific explanation has been provided for these Sections.

97 5 Sec. 217. Section 35A.15, subsection 2, if enacted by 2007
97 6 Iowa Acts, Senate File 407, section 1, is amended to read as
97 7 follows:
97 8 2. The home ownership assistance program is established to
97 9 continue the program implemented pursuant to ~~2003 Iowa Acts,~~
97 10 ~~chapter 179, section 21, subsection 5, as amended by 2005 Iowa~~
97 11 Acts, chapter 161, section 1, and as amended by 2005 Iowa
97 12 Acts, chapter 115, section 37, and continued in accordance
97 13 with 2006 Iowa Acts, chapter 1167, sections 3 and 4, and other
97 14 appropriations.

97 15 Sec. 218. Section 48A.7A, subsection 4, paragraph b, as
97 16 enacted by 2007 Iowa Acts, House File 653, section 2, is
97 17 amended to read as follows:

97 18 b. The form of the written oath required of a person
 97 19 attesting to the identity and residency of the registrant
 97 20 shall read as follows:
 97 21 I, (name of registered voter), do solemnly
 97 22 swear or affirm all of the following:
 97 23 I am a preregistered voter in this precinct or I registered
 97 24 to vote in this precinct today, and a registered voter did not
 97 25 sign an oath on my behalf.
 97 26 I am a resident of the precinct, ward
 97 27 or township, city of, county of, Iowa.
 97 28 I reside at (street address) in
 97 29 (street address)
 97 30 (city or township)
 97 31 (city or township)
 97 32 I personally know (name of registrant),
 97 33 (name or registrant)
 97 34 and I personally know that (name of
 97 35 (name of registrant)
 98 1 registrant) is a resident of the precinct,
 98 2 ward or township, city of, county of
 98 3, Iowa.
 98 4 I understand that any false statement in this oath is a
 98 5 class "D" felony punishable by no more than five years in
 98 6 confinement and a fine of at least seven hundred fifty dollars
 98 7 but not more than seven thousand five hundred dollars.
 98 8
 98 9 Signature of Registered Voter
 98 10 Subscribed and sworn before me on (date).
 98 11
 98 12 Signature of Precinct Election Official

98 13 Sec. 219. Section 53.37, subsection 5, Code 2007, as
 98 14 amended by 2007 Iowa Acts, House File 848, section 31, to be
 98 15 subsection 3, paragraph e, is amended to read as follows:
 98 16 e. Citizens of the United States who do not fall under any
 98 17 of the categories described in ~~subsections 1 to 4 paragraphs~~
 98 18 "a" through "d", but who are entitled to register and vote

98 19 pursuant to section 48A.5, subsection 4.

98 20 Sec. 220. Section 68A.406, subsection 2, unnumbered
98 21 paragraph 2, Code 2007, as amended by 2007 Iowa Acts, Senate
98 22 File 39, section 7, is amended to read as follows:

98 23 ~~Subparagraphs~~ Paragraphs "d", "e", and "f" shall not apply
98 24 to the posting of signs on private property not a polling
98 25 place, except that the placement of a sign on a motor vehicle,
98 26 trailer, or semitrailer, or any attachment to a motor vehicle,
98 27 trailer, or semitrailer parked on public property within three
98 28 hundred feet of a polling place, which sign is more than
98 29 ninety square inches in size, is prohibited.

98 30 Sec. 221. Section 96.5, subsection 5, paragraph c, Code
98 31 2007, as amended by 2007 Iowa Acts, Senate File 272, section
98 32 27, to be subsection 5, paragraph a, subparagraph (3), is
98 33 amended to read as follows:

98 34 (3) A governmental or other pension, retirement or retired
98 35 pay, annuity, or any other similar periodic payment made under
99 1 a plan maintained or contributed to by a base period or
99 2 chargeable employer where, except for benefits under the
99 3 federal Social Security Act or the federal Railroad Retirement
99 4 Act of 1974 or the corresponding provisions of prior law, the
99 5 plan's eligibility requirements or benefit payments are
99 6 affected by the base period employment or the remuneration for
99 7 the base period employment. However, if an individual's
99 8 benefits are reduced due to the receipt of a payment under
99 9 this ~~paragraph~~ subparagraph, the reduction shall be decreased
99 10 by the same percentage as the percentage contribution of the
99 11 individual to the plan under which the payment is made.

99 12 Sec. 222. Section 147.74, subsection 22, Code 2007, as
99 13 amended by 2007 Iowa Acts, Senate File 74, section 61, is
99 14 amended to read as follows:

99 15 22. A sign language interpreter or transliterator licensed
99 16 under chapter 154E and this chapter may use the title

99 17 "licensed sign language interpreter" or the letters "L. I."
99 18 after the person's name.

99 19 Sec. 223. Section 147.98, Code 2007, as amended by 2007
99 20 Iowa Acts, Senate File 74, section 71, is amended to read as
99 21 follows:
99 22 147.98 EXECUTIVE DIRECTOR OF THE BOARD OF PHARMACY.
99 23 The board of pharmacy may employ a full-time executive
99 24 director, who shall not be a member of the ~~examining~~ board, at
99 25 such compensation as may be fixed pursuant to chapter 8A,
99 26 subchapter IV, but the provisions of section 147.22 providing
99 27 for a secretary for each ~~examining~~ board shall not apply to
99 28 the board of pharmacy.

99 29 Sec. 224. Section 148.10, unnumbered paragraph 1, Code
99 30 2007, as amended by 2007 Iowa Acts, Senate File 74, section
99 31 95, is amended to read as follows:
99 32 The board may, in ~~their~~ its discretion, issue a temporary
99 33 certificate authorizing the licensee to practice medicine and
99 34 surgery or osteopathic medicine and surgery in a specific
99 35 location or locations and for a specified period of time if,
100 1 in the opinion of the board, a need exists and the person
100 2 possesses the qualifications prescribed by the board for the
100 3 license, which shall be substantially equivalent to those
100 4 required for licensure under this chapter or chapter 150A, as
100 5 the case may be. The board shall determine in each instance
100 6 those eligible for this license, whether or not examinations
100 7 shall be given, and the type of examinations. No requirements
100 8 of the law pertaining to regular permanent licensure are
100 9 mandatory for this temporary license except as specifically
100 10 designated by the board. The granting of a temporary license
100 11 does not in any way indicate that the person so licensed is
100 12 necessarily eligible for regular licensure or that the board
100 13 in any way is obligated to so license the person.

100 14 Sec. 225. Section 150A.3, subsection 1, paragraph c, Code

100 15 2007, as that section is amended by 2007 Iowa Acts, Senate
100 16 File 74, section 115, is amended to read as follows:
100 17 c. Present to the Iowa department of public health
100 18 satisfactory evidence that the applicant has completed one
100 19 year of internship or resident training in a hospital approved
100 20 for such training by the ~~medical examiners~~ board.

100 21 Sec. 226. Section 151.12, unnumbered paragraph 1, Code
100 22 2007, as amended by 2007 Iowa Acts, Senate File 74, section
100 23 125, is amended to read as follows:

100 24 The board may, in its discretion, issue a temporary
100 25 certificate authorizing the licensee to practice chiropractic
100 26 if, in the opinion of the ~~chiropractic examiners~~ board, a need
100 27 exists and the person possesses the qualifications prescribed
100 28 by the board for the license, which shall be substantially
100 29 equivalent to those required for licensure under this chapter.
100 30 The board shall determine in each instance those eligible for
100 31 this license, whether or not examinations shall be given, the
100 32 type of examinations, and the duration of the license. No
100 33 requirements of the law pertaining to regular permanent
100 34 licensure are mandatory for this temporary license except as
100 35 specifically designated by the board. The granting of a
101 1 temporary license does not in any way indicate that the person
101 2 so licensed is eligible for regular licensure or that the
101 3 board is obligated to so license the person.

101 4 Sec. 227. Section 154.1, unnumbered paragraph 3, Code
101 5 2007, as amended by 2007 Iowa Acts, Senate File 74, section
101 6 142, to be subsection 4, is amended to read as follows:

101 7 4. Therapeutically certified optometrists may employ all
101 8 diagnostic and therapeutic pharmaceutical agents for the
101 9 purpose of diagnosis and treatment of conditions of the human
101 10 eye and adnexa pursuant to this ~~paragraph~~ subsection,
101 11 excluding the use of injections other than to counteract an
101 12 anaphylactic reaction, and notwithstanding section 147.107,
101 13 may without charge supply any of the above pharmaceuticals to

101 14 commence a course of therapy. Therapeutically certified
101 15 optometrists may prescribe oral steroids for a period not to
101 16 exceed fourteen days without consultation with a primary care
101 17 physician. Therapeutically certified optometrists shall not
101 18 prescribe oral Imuran or oral Methotrexate. Therapeutically
101 19 certified optometrists may be authorized, where reasonable and
101 20 appropriate, by rule of the board, to employ new diagnostic
101 21 and therapeutic pharmaceutical agents approved by the United
101 22 States food and drug administration on or after July 1, 2002,
101 23 for the diagnosis and treatment of the human eye and adnexa.
101 24 The board shall not be required to adopt rules relating to
101 25 topical pharmaceutical agents, oral antimicrobial agents, oral
101 26 antihistamines, oral antiglaucoma agents, and oral analgesic
101 27 agents. Superficial foreign bodies may be removed from the
101 28 human eye and adnexa. The therapeutic efforts of a
101 29 therapeutically certified optometrist are intended for the
101 30 purpose of examination, diagnosis, and treatment of visual
101 31 defects, abnormal conditions, and diseases of the human eye
101 32 and adnexa, for proper optometric practice or referral for
101 33 consultation or treatment to persons licensed under chapter
101 34 148 or 150A. A therapeutically certified optometrist is an
101 35 optometrist who is licensed to practice optometry in this
102 1 state and who is certified by the board to use the agents and
102 2 procedures authorized pursuant to this ~~paragraph~~ subsection.
102 3 A therapeutically certified optometrist shall be provided with
102 4 a distinctive certificate by the board which shall be
102 5 displayed for viewing by the patients of the optometrist.

102 6 Sec. 228. Section 154.3, subsection 5, Code 2007, as
102 7 amended by 2007 Iowa Acts, Senate File 74, section 143, is
102 8 amended to read as follows:
102 9 5. A person applying to be licensed as an optometrist
102 10 after January 1, 1986, shall also apply to be a
102 11 therapeutically certified optometrist and shall, in addition
102 12 to satisfactorily completing all requirements for a license to
102 13 practice optometry, satisfactorily complete a course as
102 14 defined by rule of the board with particular emphasis on the

102 15 examination, diagnosis, and treatment of conditions of the
102 16 human eye and adnexa provided by an institution accredited by
102 17 a regional or professional accreditation organization which is
102 18 recognized or approved by the council on postsecondary
102 19 accreditation of the United States office of education, and
102 20 approved by the board. The rules of the board shall require a
102 21 course including a minimum of forty hours of didactic
102 22 education and sixty hours of approved supervised clinical
102 23 training in the examination, diagnosis, and treatment of
102 24 conditions of the human eye and adnexa. The board may also,
102 25 by rule, provide a procedure by which an applicant who has
102 26 received didactic education meeting the requirements of rules
102 27 adopted pursuant to this subsection at an approved school of
102 28 optometry may apply to the board for a waiver of the didactic
102 29 education requirements of this subsection.

102 30 Sec. 229. Section 284.8, subsection 4, if enacted by 2007
102 31 Iowa Acts, Senate File 277, section 32, is amended to read as
102 32 follows:
102 33 4. A teacher who is not meeting the applicable standards
102 34 and criteria based on a determination made pursuant to
102 35 subsection ~~3~~ 2 shall participate in an intensive assistance
103 1 program.

103 2 Sec. 230. Section 499.47, subsection 3, Code 2007, as
103 3 amended by 2007 Iowa Acts, Senate File 319, section 5, is
103 4 amended to read as follows:
103 5 3. Upon the expiration or voluntary dissolution of an
103 6 association, the members shall designate three of their number
103 7 as trustees to replace the officers and directors and wind up
103 8 its affairs. The trustees shall have all the powers of the
103 9 board, including the power to sell and convey real or personal
103 10 property and execute conveyances. Within the time fixed in
103 11 their designation, or any extension of that time, the trustees
103 12 shall liquidate the association's assets, pay its debts and
103 13 expenses, and distribute remaining funds among the members.

103 14 Upon distribution of remaining assets the association shall
103 15 stand dissolved and cease to exist. The trustees shall make
103 16 and sign a ~~duplicate~~ report of the dissolution. ~~One copy of~~
103 17 ~~the~~ The report shall be filed with the secretary of state.

103 18 Sec. 231. Section 513B.2, subsection 6, paragraph a,
103 19 subparagraph (4), unnumbered paragraph 1, as enacted by 2007
103 20 Iowa Acts, House File 790, section 4, is amended to read as
103 21 follows:

103 22 The coverages are provided by a policy of group health
103 23 insurance coverage through two or more bona fide associations
103 24 as provided in section 509.1, subsection 7A, which a small
103 25 employer carrier has aggregated as a distinct grouping that
103 26 meets the requirements for a class of business under section
103 27 513B.4. After a distinct grouping of bona fide associations
103 28 is established as a class of business, the small ~~group~~
103 29 employer carrier shall not remove a bona fide association from
103 30 the class based on the claims experience of that association.
103 31 A small employer carrier may condition coverages under such a
103 32 policy of group health insurance coverage on any of the
103 33 following requirements:

103 34 Sec. 232. Section 515.82, Code 2007, as amended by 2007
103 35 Iowa Acts, Senate File 518, section 61, is amended to read as
104 1 follows:

104 2 515.82 SHORT RATES.

104 3 The commissioner of insurance shall prepare and promulgate
104 4 tables of the short rates provided for in sections ~~514.125~~
104 5 515.125 and 515.126, for the various kinds and classes of
104 6 insurance governed by the provisions of this chapter, which,
104 7 when promulgated, shall be for the guidance of all companies
104 8 covered in this chapter and shall be the rate to be given in
104 9 any notice therein required. No company shall discriminate
104 10 unfairly between like assureds in the rate or rates so
104 11 provided.

104 12 Sec. 233. Section 715.6, Code 2007, as amended by 2007

104 13 Iowa Acts, Senate File 333, if enacted, is amended to read as
104 14 follows:
104 15 715.6 EXCEPTIONS.
104 16 Sections 715.4 and 715.5 shall not apply to the monitoring
104 17 of, or interaction with, an owner's or an operator's internet
104 18 or other network connection, service, or computer, by a
104 19 telecommunications carrier, cable operator, computer hardware
104 20 or software provider, or provider of information service or
104 21 interactive computer service for network or computer security
104 22 purposes, diagnostics, technical support, maintenance, repair,
104 23 authorized updates of computer software or system firmware,
104 24 authorized remote system management, or detection, criminal
104 25 investigation, or prevention of the use of or fraudulent or
104 26 other illegal activities prohibited in this chapter in
104 27 connection with a network, service, or computer software,
104 28 including scanning for and removing computer software
104 29 prescribed under this chapter. Nothing in this chapter shall
104 30 limit the rights of providers of wire and electronic
104 31 communications under 18 U.S.C. § 2511.

104 32 Sec. 234. 2006 Iowa Acts, chapter 1106, section 1,
104 33 subsection 5, paragraph c, as amended by 2007 Iowa Acts,
104 34 Senate File 272, section 112, is amended to read as follows:
104 35 c. Grants for veterans injured after September 11, 2001,
105 1 but prior to the effective date of this section of this Act
105 2 shall be payable, upon a showing that the veteran would have
105 3 been eligible for payment had the injury occurred on or after
105 4 the effective date of this section of this Act.

105 5 Sec. 235. 2007 Iowa Acts, House File 579, section 3, the
105 6 bill section amending clause, is amended to read as follows:
105 7 SEC. 3. Section 805.6, subsection 1, paragraph a,
105 8 unnumbered paragraph 3, Code 2007, is amended to read as
105 9 follows:

105 10 Sec. 236. 2007 Iowa Acts, Senate File 74, section 43, is

105 11 repealed.

105 12 Sec. 237. 2007 Iowa Acts, Senate File 403, section 29, if
105 13 enacted, is amended to read as follows:
105 14 SEC. 29. EFFECTIVE DATE. The sections of this division of
105 15 this Act enacting section 268.6 and amending section ~~534B.54~~
105 16 543B.54 take effect July 1, 2007.

105 17 Sec. 238. 2007 Iowa Acts, Senate File 535, section 44,
105 18 subsection 1, unnumbered paragraph 1, is amended to read as
105 19 follows:
105 20 If 2007 Iowa Acts, House File 716 is enacted,
105 21 notwithstanding section ~~4.4~~ 4.8, all of the following apply:
105 22 SF 601

105 23 mg:jp/cc/26

*H-2004

* 1 38

* 1 39

* 1 40

* 1 41 _____
COMMITTEE ON APPROPRIATIONS

* 1 42 OLDSON of Polk, CHAIRPERSON

* 1 43 SF 601.717 82

* 1 44 jm/gg/7404

Summary Data

General Fund

	Actual FY 2006	Estimated FY 2007	Supp-House Appr FY 2007	House Approp FY 2008	House Approp FY 2009	Bill Number
	(1)	(2)	(3)	(4)	(5)	(6)
Administration and Regulation	\$ 0	\$ 0	\$ -250,000	\$ 220,000	\$ 0	
Ag. and Natural Resources	10,000	0	150,000	10,000	0	
Economic Development	285,000	400,000	0	40,000	1,000,000	
Education	0	0	0	4,495,000	0	
Health and Human Services	28,507,362	38,888,041	0	575,000	64,600,002	
Justice System	0	0	0	17,835,000	0	
Unassigned Standing	110,166,838	110,497,822	0	215,892,112	0	
Grand Total	\$ 138,969,200	\$ 149,785,863	\$ -100,000	\$ 239,067,112	\$ 65,600,002	

Administration and Regulation

General Fund

	Actual FY 2006 <u>(1)</u>	Estimated FY 2007 <u>(2)</u>	Supp-House Appr FY 2007 <u>(3)</u>	House Approp FY 2008 <u>(4)</u>	House Approp FY 2009 <u>(5)</u>	Bill Number <u>(6)</u>
<u>Administrative Services, Dept. of</u>						
Administrative Services						
Shuttle Service	\$ 0	\$ 0	\$ 0	\$ 120,000	\$ 0	PG 18, LN 22
Total Administrative Services, Dept. of	\$ 0	\$ 0	\$ 0	\$ 120,000	\$ 0	
<u>Governor</u>						
Governor's Office						
Office of Energy Independence	\$ 0	\$ 0	\$ -250,000	\$ 0	\$ 0	PG 59, LN 5
Total Governor	\$ 0	\$ 0	\$ -250,000	\$ 0	\$ 0	
<u>Secretary of State</u>						
Secretary of State						
Citizen Diplomacy Center	\$ 0	\$ 0	\$ 0	\$ 100,000	\$ 0	PF 25, LN 29
Total Secretary of State	\$ 0	\$ 0	\$ 0	\$ 100,000	\$ 0	
Total Administration and Regulation	\$ 0	\$ 0	\$ -250,000	\$ 220,000	\$ 0	

Ag. and Natural Resources

General Fund

	Actual FY 2006 <u>(1)</u>	Estimated FY 2007 <u>(2)</u>	Supp-House Appr FY 2007 <u>(3)</u>	House Approp FY 2008 <u>(4)</u>	House Approp FY 2009 <u>(5)</u>	Bill Number <u>(6)</u>
<u>Agriculture and Land Stewardship</u>						
Agriculture and Land Stewardship						
Junior Angus Cattle Show	\$ 0	\$ 0	\$ 0	\$ 10,000	\$ 0	PG 25, LN 1
IA Shorthorn Association	10,000	0	0	0	0	
Total Agriculture and Land Stewardship	\$ 10,000	\$ 0	\$ 0	\$ 10,000	\$ 0	
<u>Natural Resources, Department of</u>						
Natural Resources						
Plasma Arc Technology	\$ 0	\$ 0	\$ 150,000	\$ 0	\$ 0	PG 25, LN 10
Total Natural Resources, Department of	\$ 0	\$ 0	\$ 150,000	\$ 0	\$ 0	
Total Ag. and Natural Resources	\$ 10,000	\$ 0	\$ 150,000	\$ 10,000	\$ 0	

Economic Development General Fund

	Actual FY 2006 <u>(1)</u>	Estimated FY 2007 <u>(2)</u>	Supp-House Appr FY 2007 <u>(3)</u>	House Approp FY 2008 <u>(4)</u>	House Approp FY 2009 <u>(5)</u>	Bill Number <u>(6)</u>
<u>Economic Development, Dept. of</u>						
Economic Development, Department of						
World Food Prize	\$ 285,000	\$ 400,000	\$ 0	\$ 0	\$ 1,000,000	PG 27, LN 32
Mid-America Port Authority	0	0	0	40,000	0	PG 19, LN 4
Total Economic Development, Dept. of	\$ 285,000	\$ 400,000	\$ 0	\$ 40,000	\$ 1,000,000	
Total Economic Development	\$ 285,000	\$ 400,000	\$ 0	\$ 40,000	\$ 1,000,000	

Education General Fund

	Actual FY 2006 <u>(1)</u>	Estimated FY 2007 <u>(2)</u>	Supp-House Appr FY 2007 <u>(3)</u>	House Approp FY 2008 <u>(4)</u>	House Approp FY 2009 <u>(5)</u>	Bill Number <u>(6)</u>
<u>College Aid Commission</u>						
College Student Aid Commission						
All Iowa Opportunity Scholarships	\$ 0	\$ 0	\$ 0	\$ 2,000,000	\$ 0	PG 21, LN 32
Total College Aid Commission	<u>\$ 0</u>	<u>\$ 0</u>	<u>\$ 0</u>	<u>\$ 2,000,000</u>	<u>\$ 0</u>	
<u>Education, Department of</u>						
Education, Department of						
IA Western Deaf Interpreters	\$ 0	\$ 0	\$ 0	\$ 200,000	\$ 0	PG 19, LN 13
Community Colleges Salaries	0	0	0	2,000,000	0	PG 19, LN 24
Before and After School Prog.	0	0	0	295,000	0	PG 22, LN 14
Total Education, Department of	<u>\$ 0</u>	<u>\$ 0</u>	<u>\$ 0</u>	<u>\$ 2,495,000</u>	<u>\$ 0</u>	
Total Education	<u><u>\$ 0</u></u>	<u><u>\$ 0</u></u>	<u><u>\$ 0</u></u>	<u><u>\$ 4,495,000</u></u>	<u><u>\$ 0</u></u>	

Health and Human Services General Fund

	Actual FY 2006 <u>(1)</u>	Estimated FY 2007 <u>(2)</u>	Supp-House Appr FY 2007 <u>(3)</u>	House Approp FY 2008 <u>(4)</u>	House Approp FY 2009 <u>(5)</u>	Bill Number <u>(6)</u>
<u>Elder Affairs, Department of</u>						
Elder Affairs, Department of Livable Community Initiative	\$ 0	\$ 0	\$ 0	\$ 75,000	\$ 0	PG 20, LN 26
Total Elder Affairs, Department of	\$ 0	\$ 0	\$ 0	\$ 75,000	\$ 0	
<u>Public Health, Department of</u>						
Public Health, Department of 211 Program	\$ 0	\$ 0	\$ 0	\$ 500,000	\$ 0	PG 22, LN 35
Total Public Health, Department of	\$ 0	\$ 0	\$ 0	\$ 500,000	\$ 0	
<u>Human Services, Department of</u>						
Human Services - Assistance MH/DD Growth Factor	\$ 28,507,362	\$ 38,888,041	\$ 0	\$ 0	\$ 64,600,002	PG 1, LN 4
Total Human Services, Department of	\$ 28,507,362	\$ 38,888,041	\$ 0	\$ 0	\$ 64,600,002	
Total Health and Human Services	\$ 28,507,362	\$ 38,888,041	\$ 0	\$ 575,000	\$ 64,600,002	

Justice System

General Fund

	Actual FY 2006 <u>(1)</u>	Estimated FY 2007 <u>(2)</u>	Supp-House Appr FY 2007 <u>(3)</u>	House Approp FY 2008 <u>(4)</u>	House Approp FY 2009 <u>(5)</u>	Bill Number <u>(6)</u>
<u>Justice, Department of</u>						
Justice, Department of						
Farm Mediation	\$ 0	\$ 0	\$ 0	\$ 150,000	\$ 0	PG 22, LN 25
Legal Service Poverty Grants	0	0	0	450,000	0	PG 24, LN 25
Total Justice, Department of	\$ 0	\$ 0	\$ 0	\$ 600,000	\$ 0	
<u>Corrections, Department of</u>						
Corrections - Newton						
Newton Correctional Facility	\$ 0	\$ 0	\$ 0	\$ 560,000	\$ 0	PG 24, LN 15
Total Corrections, Department of	\$ 0	\$ 0	\$ 0	\$ 560,000	\$ 0	
<u>Judicial Branch</u>						
Judicial Branch						
Judicial Retirement Reduction	\$ 0	\$ 0	\$ 0	\$ -400,000	\$ 0	PG 16, LN 15
Judicial Branch Operations	0	0	0	14,000,000	0	PG 23, LN 29
Total Judicial Branch	\$ 0	\$ 0	\$ 0	\$ 13,600,000	\$ 0	
<u>Inspections & Appeals, Department of</u>						
Public Defender						
Indigent Defense	\$ 0	\$ 0	\$ 0	\$ 3,000,000	\$ 0	PG 24, LN 4
Total Inspections & Appeals, Department of	\$ 0	\$ 0	\$ 0	\$ 3,000,000	\$ 0	
<u>Public Defense, Department of</u>						
Public Defense - Emergency Management Division						
Disaster Behavioral Health	\$ 0	\$ 0	\$ 0	\$ 75,000	\$ 0	PG 21, LN 21
Total Public Defense, Department of	\$ 0	\$ 0	\$ 0	\$ 75,000	\$ 0	
Total Justice System	\$ 0	\$ 0	\$ 0	\$ 17,835,000	\$ 0	

Unassigned Standing General Fund

	Actual FY 2006 <u>(1)</u>	Estimated FY 2007 <u>(2)</u>	Supp-House Appr FY 2007 <u>(3)</u>	House Approp FY 2008 <u>(4)</u>	House Approp FY 2009 <u>(5)</u>	Bill Number <u>(6)</u>
<u>Administrative Services, Dept. of</u>						
State Accounting Trust Accounts						
Mun. Fire & Police Retirement	\$ 2,745,784	\$ 2,745,784	\$ 0	\$ 2,745,784	\$ 0	PG 2, LN 35
Total Administrative Services, Dept. of	<u>\$ 2,745,784</u>	<u>\$ 2,745,784</u>	<u>\$ 0</u>	<u>\$ 2,745,784</u>	<u>\$ 0</u>	
<u>Education, Department of</u>						
Education, Department of						
AEA State Aid Reduction	\$ 0	\$ 0	\$ 0	\$ -5,250,000	\$ 0	PG 5, LN 18
Child Development Increase	0	0	0	46,196	0	PG 31, LN 27
Instructional Support	14,428,238	14,428,271	0	14,428,271	0	PG 2, LN 22
Nonpublic Transportation	8,273,763	8,604,714	0	8,604,714	0	PG 2, LN 25
Early Intervention Block Grant	29,250,000	29,250,000	0	29,250,000	0	PG 31, LN 18
Teacher Excellence Program	55,469,053	55,469,053	0	55,469,053	0	PG 2, LN 32
Total Education, Department of	<u>\$ 107,421,054</u>	<u>\$ 107,752,038</u>	<u>\$ 0</u>	<u>\$ 102,548,234</u>	<u>\$ 0</u>	
<u>Management, Department of</u>						
Management, Department of						
Property Tax Credit Fund	\$ 0	\$ 0	\$ 0	\$ 2,000,000	\$ 0	PG 3, LN 21
State Salary Increase	0	0	0	108,598,094	0	PG 10, LN 24
Total Management, Department of	<u>\$ 0</u>	<u>\$ 0</u>	<u>\$ 0</u>	<u>\$ 110,598,094</u>	<u>\$ 0</u>	
Total Unassigned Standing	<u><u>\$ 110,166,838</u></u>	<u><u>\$ 110,497,822</u></u>	<u><u>\$ 0</u></u>	<u><u>\$ 215,892,112</u></u>	<u><u>\$ 0</u></u>	

Summary Data

Other Fund

	Actual FY 2006 <u>(1)</u>	Estimated FY 2007 <u>(2)</u>	Supp-House Appr FY 2007 <u>(3)</u>	House Approp FY 2008 <u>(4)</u>	House Approp FY 2009 <u>(5)</u>	Bill Number <u>(6)</u>
Administration and Regulation	\$ 10,868,803	\$ 11,010,058	\$ 0	\$ 14,083,080	\$ 0	
Trans., Infra., and Capitals	0	0	0	428,624	0	
Unassigned Standing	159,663,964	159,868,964	0	164,868,964	0	
Grand Total	\$ 170,532,767	\$ 170,879,022	\$ 0	\$ 179,380,668	\$ 0	

Administration and Regulation

Other Fund

	Actual FY 2006 <u>(1)</u>	Estimated FY 2007 <u>(2)</u>	Supp-House Appr FY 2007 <u>(3)</u>	House Approp FY 2008 <u>(4)</u>	House Approp FY 2009 <u>(5)</u>	Bill Number <u>(6)</u>
<u>Management, Department of</u>						
Management, Department of						
Road Use Tax Salary Adjustment	\$ 1,635,317	\$ 1,416,695	\$ 0	\$ 2,294,814	\$ 0	PG 13, LN 35
Primary Road Salary Adjustment	9,233,486	9,593,363	0	11,788,266	0	PG 14, LN 8
Total Management, Department of	\$ 10,868,803	\$ 11,010,058	\$ 0	\$ 14,083,080	\$ 0	
Total Administration and Regulation	\$ 10,868,803	\$ 11,010,058	\$ 0	\$ 14,083,080	\$ 0	

Trans., Infra., and Capitals Other Fund

	Actual FY 2006 <u>(1)</u>	Estimated FY 2007 <u>(2)</u>	Supp-House Appr FY 2007 <u>(3)</u>	House Approp FY 2008 <u>(4)</u>	House Approp FY 2009 <u>(5)</u>	Bill Number <u>(6)</u>
<u>Transportation, Department of</u>						
Transportation, Department of						
RUTF - Operations	\$ 0	\$ 0	\$ 0	\$ 16,800	\$ 0	PG 26, LN 35
RUTF-DAS Increase	0	0	0	43,207	0	Pg 27, LN 14
PRF-Operations	0	0	0	103,200	0	PG 27, LN 6
PRF-DAS Increase	0	0	0	265,417	0	PG 27, LN 20
Total Transportation, Department of	\$ 0	\$ 0	\$ 0	\$ 428,624	\$ 0	
Total Trans., Infra., and Capitals	\$ 0	\$ 0	\$ 0	\$ 428,624	\$ 0	

Unassigned Standing Other Fund

	Actual FY 2006 <u>(1)</u>	Estimated FY 2007 <u>(2)</u>	Supp-House Appr FY 2007 <u>(3)</u>	House Approp FY 2008 <u>(4)</u>	House Approp FY 2009 <u>(5)</u>	Bill Number <u>(6)</u>
<u>Management, Department of</u>						
Management, Department of Environment First Fund Increase	\$ 0	\$ 0	\$ 0	\$ 5,000,000	\$ 0	PG 5, LN 10
Total Management, Department of	\$ 0	\$ 0	\$ 0	\$ 5,000,000	\$ 0	
<u>Revenue, Dept. of</u>						
Revenue, Department of Homestead Prop. Tax Credit-PTCF	\$ 102,945,379	\$ 102,945,379	\$ 0	\$ 102,658,781	\$ 0	PG 3, LN 34
Ag. Land & Family Farm Tax Credit-PTCF	34,610,183	34,610,183	0	34,610,183	0	PG 4, LN 2
Military Service Tax Credit-PTCF	2,568,402	2,773,402	0	2,800,000	0	PG 4, LN 5
Elderly & Disabled Tax Credit-PTCF	19,540,000	19,540,000	0	19,800,000	0	PG 4, LN 8
Total Revenue, Dept. of	\$ 159,663,964	\$ 159,868,964	\$ 0	\$ 159,868,964	\$ 0	
Total Unassigned Standing	\$ 159,663,964	\$ 159,868,964	\$ 0	\$ 164,868,964	\$ 0	

Summary Data

FTE

	Actual FY 2006 (1)	Estimated FY 2007 (2)	Supp-House Appr FY 2007 (3)	House Approp FY 2008 (4)	House Approp FY 2009 (5)	Bill Number (6)
Trans., Infra., and Capitals	0.00	0.00	0.00	1.00	0.00	
Grand Total	0.00	0.00	0.00	1.00	0.00	

Trans., Infra., and Capitals

FTE

	Actual FY 2006 <u>(1)</u>	Estimated FY 2007 <u>(2)</u>	Supp-House Appr FY 2007 <u>(3)</u>	House Approp FY 2008 <u>(4)</u>	House Approp FY 2009 <u>(5)</u>	Bill Number <u>(6)</u>
<u>Transportation, Department of</u>						
Transportation, Department of PRF-Operations	0.00	0.00	0.00	1.00	0.00	PG 26, LN 35
Total Transportation, Department of	<u>0.00</u>	<u>0.00</u>	<u>0.00</u>	<u>1.00</u>	<u>0.00</u>	
Total Trans., Infra., and Capitals	<u><u>0.00</u></u>	<u><u>0.00</u></u>	<u><u>0.00</u></u>	<u><u>1.00</u></u>	<u><u>0.00</u></u>	