

# **Standing Appropriations Bill LSB6681H**

Proposed Action:  
**House Appropriations  
Committee**  
May 1, 2006

**DRAFT**

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

**Fiscal Services Division  
Legislative Services Agency**

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

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

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**EXECUTIVE SUMMARY  
NOTES ON BILLS AND AMENDMENTS**

**LSB6681H  
STANDING APPROPRIATIONS BILL**

**FUNDING SUMMARY**

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

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

**EXECUTIVE SUMMARY  
NOTES ON BILLS AND AMENDMENTS**

**LSB6681H  
STANDING APPROPRIATIONS BILL**

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

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

- Notwithstanding the requirement that an appropriation be made from the General Fund to the Cash Reserve Fund in the event that the Cash Reserve does not maintain a maximum balance equal to 7.5% of the Revenue Estimating Conference estimate for FY 2007 as established in December 2005. (Page 6, Line 6)
- Provides that the Revenue Estimating Conference (REC) revenue estimate of March 24, 2006, is to be used to determine the expenditure limitation for FY 2007, instead of the December 12, 2005, estimate. (Page 6, Line 10)
- Specifies that the Section of the Bill creating the Property Tax Credit Fund is effective on enactment. (Page 6, Line 28)
- Specifies that the Section of the Bill relating to the use of the March 24, 2006, revenue estimate is effective on enactment and applies retroactively to January 9, 2006. (Page 6, Line 31)
- Provides salary increases for justices, judges, and magistrates for FY 2007. Increases are effective July 1, 2006. (Page 7, Line 5)
- Provides salary range adjustments for appointed officials for FY 2007, effective June 30, 2006. (Page 8, Line 12)
- Appropriates \$29.0 million from the General Fund to the Salary Adjustment Fund for FY 2007 for the negotiated bargaining agreements for contract-covered employees and noncontract employees, excluding the State Board of Regents. (Page 11, Line 24)
- Provides a 2.0% increase to the pay range maximum effective June 30, 2006, and merit step increases for noncontract employees of the State for FY 2007. (Page 12, Line 30)
- Appropriates Road Use Tax Fund (RUTF) and Primary Road Fund (PRF) moneys to pay salary increases for employees supported from these Funds. (Page 13, Line 28 and Page 14, Line 1)
- Specifies that sworn peace officers in the Department of Public Safety, not covered by a collective bargaining agreement, receive the same per diem meal allowance as covered sworn peace officers. (Page 14, Line 33)
- Extends the American Federation of State, County, and Municipal Employees (AFSCME) Sick Leave Conversion Program to noncontract-covered Executive Branch employees, excluding the Board of Regents employees. (Page 15, Line 5)
- Specifies that the Administrator of the Racing and Gaming Commission salary will be set within the Executive Branch exempt position pay plan. (Page 15, Line 16)
- Specifies that the Public Broadcasting Board will set the salary for the Administrator of the Division of Public Broadcasting in the Department of Education. (Page 16, Line 15)

**EXECUTIVE SUMMARY  
NOTES ON BILLS AND AMENDMENTS**

**LSB6681H  
STANDING APPROPRIATIONS BILL**

**DIVISION IV – OTHER  
APPROPRIATIONS**

- Appropriates \$4.5 million from the General Fund to the Veterans Trust Fund for FY 2007. (Page 19, Line 31)
- Appropriates \$1.0 million from the General Fund to the Department of Veterans' Affairs for matching grants to counties for veterans' services. (Page 20, Line 1)
- Appropriates \$200,000 from the General Fund to the Board of Regents for the Real Estate Education Program at the University of Northern Iowa for FY 2008. (Page 21, Line 26)
- Permits a transfer of up to \$2.8 million of the General Fund ending balance for FY 2006 to the Board of Regents. (Page 22, Line 6)
- Appropriates \$250,000 from the General Fund to the Department of Cultural Affairs for Historic Resource Development Program emergency grants. (Page 23, Line 10)
- Appropriates \$100,000 from the General Fund to the Department of Justice for farm mediation services. (Page 23, Line 16)
- Requires the transfer of assets held in, and any funds received by, the Housing Improvement Fund to the State Housing Trust Fund. Approximately \$2.2 million currently in the Housing Improvement Fund will be transferred and an additional \$2.5 million will be available for transfer upon the repayment to the Housing Improvement Fund of outstanding loans. (Page 24, Line 7)
- Permits the Department of Inspections and Appeals (DIA) to conduct inspection of food establishments and hire additional staff to conduct the inspections if municipal corporations performing the inspections fail to renew the agreement and receives Department of Management (DOM) approval. (Page 24, Line 15)
- Extends the \$29.3 million Early Intervention Block Grant appropriation through FY 2007. (Page 25, Line 11)
- Requires the Iowa Finance Authority (IFA) to submit a report to the General Assembly by October 1, 2009, regarding the status of the Housing Trust Fund. (Page 25, Line 16)
- Specifies that it is the intent of the General Assembly to make the following appropriations from the General Fund to the Housing Trust Fund (Page 25, Line 23):
  - FY 2008: \$2.0 million
  - FY 2009: \$3.0 million
  - FY 2010: \$4.0 million
- Specifies that the Section of this Bill transferring up to \$2.8 million of the General Fund ending balance for FY 2006 to the Board of Regents takes effect on enactment. (Page 26, Line 12)

**EXECUTIVE SUMMARY  
NOTES ON BILLS AND AMENDMENTS**

**LSB6681H  
STANDING APPROPRIATIONS BILL**

**DIVISION IV – OTHER  
APPROPRIATIONS (CONTINUED)**

**DIVISION V – MISCELLANEOUS  
STATUTORY CHANGES**

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

**DIVISION VII – CORRECTIVE  
PROVISIONS**

- Specifies that the section of this Bill permitting the DIA to receive an appropriation of food establishment inspection fees and hire additional staff to conduct them takes effect on enactment. (Page 26, Line 16)
- Permits the Executive Council to approve and pay for expenses incurred by the Department of Public Health related to the purchase, storing, and distribution of antiviral treatment courses. (Page 26, Line 22)
- Forgives the principle loan and interest for a specific loan made by the Iowa Agricultural Finance Corporation. (Page 26, Line 33)
- Provides employment protection to the Civil Air Patrol members allowing them to participate in emergency operations, and increases the penalty for the false wearing of a military uniform. (Page 27, Line 32 through Page 29, Line 34)
- Expands criminal penalties and civil liability to a person who is the owner, lessee, or in control of property that is not a licensed premises, from allowing a person who is known or believed to be under legal age, to consume or possess alcohol on the premises. (Page 37, Line 13)
- Adds canines that are produced at licensed facilities to the definition of farm products and agricultural production, and exempts licensed canine producers from paying sales tax on items related to the production of canines. (Page 40, Line 30 and Page 41, Line 26)
- Creates a Risk Management Coordinator within the Department of Management. (Page 43, Line 22)
- Makes numerous statutory changes regarding claims against or by the State. (Page 44, Line 26 through Page 47, Line 16)
- Makes numerous statutory changes regarding State Tort Claims. (Page 47, Line 17 through Page 52, Line 15).
- Amends SF 2330 (FY 2007 Electronic Lottery Devices Act) to provide that retailers are to pay, on a monthly basis, the excise tax on forms approved by the Director of the Department of Revenue, and that all moneys received or refunded from the monitor vending machines excise tax are to be deposited in or withdrawn from the General Fund. (Page 54, Line 2)
- Specifies that the Section of this Bill amending Senate File 2330 (FY 2007 Electronic Lottery Devices Act), is effective on enactment. (Page 58, Line 31)

LSB6681H provides for the following changes to the Code of Iowa.

Page #	Line #	Bill Section	Action	Code Section	Description
3	2	4	Nwthstnd	Sec. Various	Limits Various Standing Appropriations
3	9	4	Nwthstnd	Sec. 123.53(3)	Substance Abuse Treatment and Prevention Standing Appropriation Limitation
3	12	4	Nwthstnd	Sec. 257.20	Instruction Support Standing Appropriation Limitation
3	15	4	Nwthstnd	Sec. 279.51(1)	At-Risk Children Programs Standing Appropriation Limitation
3	21	4	Nwthstnd	Sec. 285.2	Nonpublic School Transportation Standing Appropriation Limitation
3	28	4	Nwthstnd	Sec. 294A.25(1)	Educational Excellence Program Standing Appropriation Limitation
3	31	4	Nwthstnd	Sec. 411.20	Peace Officers' Retirement Benefits Standing Appropriation Limitation
4	1	5	Nwthstnd	Sec. 8.57	General Fund Surplus Appropriation to Property Tax Credit Fund
4	10	5	Nwthstnd	Sec. 8.56	General Fund Standing Appropriation and Cash Reserve Fund Provisions Notwithstanding
4	19	5	Nwthstnd	Sec. 425.1	Homestead Property Tax Credit
4	22	5	Nwthstnd	Sec. 425A.1 and 426.1	Agriculture Land and Family Farm Tax Credits
4	25	5	Nwthstnd	Sec. 426A.1A	Military Services Tax Credit
4	28	5	Nwthstnd	Sec. 425.16 through 425.40	Elderly and Disabled Tax Credit
5	20	6	Nwthstnd	Sec. 257.35(4)	State Aid Reduction for Area Education Agencies
6	6	8	Nwthstnd	Sec. 8.57(1)(a)	Cash Reserve Appropriation
6	10	9	Nwthstnd	Sec. 8.22A(3)	Revenue Estimate
8	12	12	Nwthstnd	Sec. 20.5(3)	Public Employment Relations Board Member Salaries
15	16	22	Amends	Sec. 99D.6	Racing and Gaming Commission Administrator's Salary
16	15	23	Amends	Sec. 256.81(1)	Public Broadcasting Administrator's Salary

Page #	Line #	Bill Section	Action	Code Section	Description
16	28	24	Amends	Sec. 256.82(1)	Public Broadcasting Technical Correction
17	1	25	Amends	Sec. 256.82(1)(a)(1)(2)	Public Broadcasting Technical Correction
17	10	26	Amends	Sec. 256.82(1)(b)(4)	Public Broadcasting
17	17	27	Amends	Sec. 256.84(1)	Public Broadcasting
17	23	27	Amends	Sec. 256.84(2)	Public Broadcasting
17	26	28	Amends	Sec. 256.84(5)	Public Broadcasting
17	30	29	Adds	Sec. 256.84(11)	Public Broadcasting Contracting
18	9	29	Adds	Sec. 256.84(12)	Public Broadcasting Budget Requests
18	13	30	Amends	Sec. 256.85	Public Broadcasting Technical Correction
18	20	31	Amends	421.1A(6), Code Supplement 2005	Property Assessment Appeal Board
18	30	32	Repeals	Sec. 256.89	Public Broadcasting
22	6	40	Nwthstnd	Sec. 8.62	Transfer from the General Fund Ending Balance to the Board of Regents
23	10	42.2	Nwthstnd	Sec. 303.16(6)(d)	Emergency Grants for Historic Preservation Projects
23	25	44	Amends	Sec. 1.2, Chapter 174, 2001 Iowa Acts, as amended	Repeal of General Fund Appropriation to Endowment for Iowa's Health Account
24	7	45	Adds	Sec. 16.100(a)	Housing Improvement and Housing Trust Funds
24	15	46.1	Adds	Sec. 137F.3A	Municipal Corporation Inspections
25	2	46.2	Nwthstnd	Sec. All, Chapter 137D, Sec. 137C.9, and 137F.6	Inspections and Appeals - Contingent Appropriation
25	11	47	Amends	Sec. 256D.5(4)	Early Intervention Block Grant
26	22	53	Adds	Sec. 7D.29, as amended by SF 2273	Executive Council
26	33	54	Adds	Sec. 15E.208(3)(b)(2)(e)	Loan Forgiveness
27	9	55	Amends	Sec. 15G.119(4)(c), as enacted by HF 2759	Renewable Fuel Infrastructure Fund
27	20	56	Amends	Sec. 22.7(52), as enacted by HF 2706	Confidential Records
27	32	57	Amends	Sec. 29A.28(1 and 3)	Civil Air Patrol
28	32	58	Amends	Sec. 29A.40	Civil Air Patrol
29	4	59	Amends	Sec. 29A.43(1), Code Supplement 2005	Civil Air Patrol

Page #	Line #	Bill Section	Action	Code Section	Description
29	35	60	Amends	Sec. 29C.8(3)(f), Code Supplement 2005	Emergency Management and Security
31	7	61	Amends	Sec. 29C.20(1)(a)(5), Code Supplement 2005	Emergency Management and Security
31	16	62	Amends	Sec. 29C.20(1)(b), Code Supplement 2005	Emergency Management and Security
32	4	63	Amends	Sec. 35A.5(9), Code Supplement 2005	Veterans Cemetery Land
33	5	64	Amends	Sec. 35A.13	Future Veterans Trust Fund Appropriations
33	15	65	Amends	35A.13(6)	Veterans Trust Fund
34	3	66	Adds	Sec. 35A.13(6A)	Use of Veterans Trust Fund
34	11	67	Amends	Sec. 68B.32A(2), Code Supplement 2005	Government Ethics and Lobbying
34	23	68	Adds	Sec. 70A.15A	Charitable Giving Payroll Deductions
35	33	69	Amends	Sec. 103A.10(2)	State Building Code
36	4	70	Adds	Sec. 103A.10A	Construction Plan Reviews and Inspections
37	13	71	Amends	Sec. 123.47(1), Code Supplement 2005	Alcoholic Beverage Control
38	13	75	Amends	Sec. 147.106 (1)(e), Code Supplement 2005	Anatomic Pathology Services Billing
38	22	76	Amends	Sec. 147.106(5), Code Supplement 2005	Anatomic Pathology Services Billing
38	31	77	Amends	Sec. 255C.48(1), if enacted	Family Support Council
39	23	78	Amends	Sec. 275.15	Appeal of School District Reorganization
40	2	79	Amends	Sec. 314.1(2), as amended by HF 2713	Competitive Bidding
40	30	80	Amends	Sec. 352.2(7)	Definition of Farm Products
41	6	81	Amends	Sec. 421.17(27)(j), as enacted by HF 2521	Collection Enterprise Services
41	26	82	Amends	Sec. 423.1(3), Code Supplement 2005	Definition of Agricultural Production
41	34	83	Amends	Sec. 466A.3(1)(b), Code Supplement 2005	Ex Officio Members of the Watershed Improvement Review Board
42	13	84	Amends	Sec. 631.14	Small Claims for Residential Rental Property
43	11	85	Amends	Sec. 1(2)(b), SF 2251	Healthy Children Task Force



Page #	Line #	Bill Section	Action	Code Section	Description
43	22	87	Adds	Sec. 8.6(15)	Risk Manager Coordinator Position
44	8	88	Amends	Sec. 8A.512(1)(b)(3)	Claims Against the State Conforming Correction
44	12	89	Amends	Sec. 22.7(32), Code Supplement 2005	Confidential Records Conforming Correction
44	26	90	Amends	Sec. 25.1(1)	Claims Against the State
45	2	91	Repeals	Sec. 25.1(3)	Claims Filed Directly with State Agencies
45	4	92	Repeals	Sec. 25.1	Authority to Pay Certain Claims
45	6	93	Amends	Sec. 25.2(1)	Payment of Outdated Invoices
45	12	94	Amends	Sec. 25.2(1)(a)	Outdated Warrants
45	14	95	Adds	Sec. 25.2(1A)	Outstanding Claims
45	21	96	Amends	Sec. 25.2(2)	Payment and Reporting of Certain Outstanding Claims
46	7	97	Amends	Sec. 25.2(4)	Outdated Warrants
46	14	98	Amends	Sec. 25.2(5)	Outdated Warrants
46	16	99	Adds	Sec. 556.2C	Outdated Warrants
47	12	100	Amends	Sec. 556.18(2)	Outstanding Warrants
47	17	101	Amends	Sec. 669.2(2), Code Supplement 2005	State Tort Claims
47	23	102	Amends	Sec. 669.3	Adjustment and Settlement of Claims
48	9	103	Amends	Sec. 669.4	Lawsuits Against State Employees
48	11	104	Amends	Sec. 669.5	Lawsuits Against State Employees
49	17	105	Amends	Sec. 669.13	State Tort Claims
50	12	106	Amends	Sec. 669.15	State Tort Claims
50	29	107	Amends	Sec. 669.18	State Tort Claims
51	9	108	Amends	Sec. 669.19	State Tort Claims
51	20	109	Amends	Sec. 669.20	State Tort Claims
51	29	110	Amends	Sec. 669.21	Employee Indemnification
52	18	111	Amends	Sec. 8A.204(3)(g), as enacted by HF 2705	Technology Governance Board Technical Correction
52	31	112	Amends	Sec. 35A.14(3), as enacted by SF 2312	Electronic Health Records Technical Correction
53	13	113	Amends	Sec. 70A.23(3)(a), as enacted by SF 2231	Sick Leave Conversion Technical Correction

Page #	Line #	Bill Section	Action	Code Section	Description
53	25	114	Amends	Sec. 91.4(9), as amended by HF 2586	Debt Collection Technical Correction
54	2	115	Amends	Sec. 99G.30A(1 and 2), as enacted by SF 2330	Electronic Lottery Devices
55	26	116	Amends	Sec. 123.3(7), as amended by SF 2305	Wine Definition and Inspection Technical Correction
56	2	117	Amends	Sec. 124.506A(1), as enacted by HF 2696	Controlled Substances - Disposal Technical Correction
56	14	118	Amends	Sec. 266.27, as amended by SF 2253	Substantative Code Editor's Act Technical Correction
56	22	119	Amends	Sec. 331.756(44)	Duties of the County Attorney
56	24	120	Amends	Sec. 455G.31(2)(a), if enacted by HF 2754	Renewable Fuel Incentive Bill
56	32	121	Amends	Sec. 541A.3(1), as amended by HF 2644	Individual Development Account
57	14	122	Amends	Sec. 602.8102(38), Code Supplement 2005	Clerk of Court Duties for Voluntary Civil Commitment Cases
57	16	123	Amends	Sec. 2.1(d), HF 2238	Technical Correction
58	5	124	Amends	Sec. 97B.1A(24)(c), as amended by HF 2245	IPERS - Contingent Repeal
58	10	125	Adds	Sec. 23A, HF 2713	Charter Schools

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

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

1 5 -- FISCAL YEAR 2007-2008.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

<p>2 31 Sec. 3. GENERAL ASSEMBLY. The appropriations made  2 32 pursuant to section 2.12 for the expenses of the general  2 33 assembly and legislative agencies for the fiscal year  2 34 beginning July 1, 2006, and ending June 30, 2007, are reduced  2 35 by the following amount:</p> <p>3 1 ..... \$ 1,267,106</p>	<p>DETAIL: Reduces the FY 2007 General Fund standing appropriation to the General Assembly and legislative agencies from \$32,476,738 to \$31,209,632.</p>
<p>3 2 Sec. 4. LIMITATION OF STANDING APPROPRIATIONS.  3 3 Notwithstanding the standing appropriations in the following  3 4 designated sections for the fiscal year beginning July 1,  3 5 2006, and ending June 30, 2007, the amounts appropriated from  3 6 the general fund of the state pursuant to those sections for  3 7 the following designated purposes shall not exceed the  3 8 following amounts:</p>	<p>CODE: Limits various standing appropriations in the amounts specified.</p>
<p>3 9 1. For substance abuse treatment and prevention under  3 10 section 123.53, subsection 3:  3 11 ..... \$ 0</p>	<p>CODE: Eliminates the \$2,000,000 General Fund standing appropriation to the Department of Public Health for substance abuse treatment and prevention for FY 2007.</p> <p>DETAIL: House File 2743 (FY 2007 Healthy lowans Tobacco Trust Appropriations Bill) provides an increase of \$2,000,000 from the Healthy lowans Tobacco Trust for substance abuse treatment for FY 2007.</p>
<p>3 12 2. For instructional support state aid under section  3 13 257.20:  3 14 ..... \$ 14,428,271</p>	<p>CODE: Limits the FY 2007 standing appropriation to the Department of Education for Instructional Support.</p> <p>DETAIL: Maintains current level of funding.</p>
<p>3 15 3. For at-risk children programs under section 279.51,  3 16 subsection 1:  3 17 ..... \$ 11,271,000</p>	<p>CODE: Limits the FY 2007 standing appropriation to the Department of Education for At-Risk Children Programs (Child Development).</p> <p>DETAIL: Maintains current level of funding.</p>
<p>3 18 The amount of any reduction in this subsection shall be</p>	<p>Requires reductions to be prorated among the following programs:</p>

<p>3 19 prorated among the programs specified in section 279.51, 3 20 subsection 1, paragraphs "a", "b", and "c".</p>	<ul style="list-style-type: none"> <li>• Area Education Agency funding to assist schools in planning for early childhood education.</li> <li>• Childhood Development Coordinating Council.</li> <li>• Grants to schools with the greatest need for at-risk programming.</li> </ul>
<p>3 21 4. For payment for nonpublic school transportation under 3 22 section 285.2: 3 23 ..... \$ 8,604,714</p>	<p>CODE: Limits the FY 2007 standing appropriation to the Department of Education for nonpublic school transportation.</p> <p>DETAIL: This is an increase of \$330,951 compared to the estimated FY 2006 appropriation.</p>
<p>3 24 If total approved claims for reimbursement for nonpublic 3 25 school pupil transportation claims exceed the amount 3 26 appropriated in this section, the department of education 3 27 shall prorate the amount of each claim.</p>	<p>Requires the Department of Education to prorate payment of claims for nonpublic school transportation reimbursement, if the claims exceed the appropriated amount.</p>
<p>3 28 5. For the educational excellence program under section 3 29 294A.25, subsection 1: 3 30 ..... \$ 55,469,053</p>	<p>CODE: Limits the FY 2007 standing appropriation to the Department of Education for the Educational Excellence Program.</p> <p>DETAIL: Maintains current level of funding.</p>
<p>3 31 6. For the state's share of the cost of the peace 3 32 officers' retirement benefits under section 411.20: 3 33 ..... \$ 2,745,784</p>	<p>CODE: Limits the FY 2007 standing appropriation to the Statewide Fire and Police Retirement System for the State contribution to the Municipal Fire and Police Officer Retirement Fund.</p> <p>DETAIL: Maintains current level of funding.</p>
<p>3 34 Sec. 5. PROPERTY TAX CREDIT FUND -- PAYMENTS IN LIEU OF 3 35 GENERAL FUND REIMBURSEMENT.</p>	
<p>4 1 1. Notwithstanding section 8.57, prior to the 4 2 appropriation and distribution to the senior living trust fund</p>	<p>CODE: Appropriates \$159,868,964 to the Property Tax Credit Fund established in the Office of the Treasurer from the FY 2006 General</p>

<p>4 3 and the cash reserve fund of the surplus existing in the  4 4 general fund of the state at the conclusion of the fiscal year  4 5 beginning July 1, 2005, and ending June 30, 2006, pursuant to  4 6 section 8.57, subsections 1 and 2, of that surplus,  4 7 \$159,868,964 is appropriated to the property tax credit fund  4 8 which shall be created in the office of the treasurer of state  4 9 to be used for the purposes of this section.</p>	<p>Fund surplus, prior to the appropriation and distribution to the Cash Reserve Fund.</p>
<p>4 10 2. Notwithstanding the amount of the standing  4 11 appropriation from the general fund of the state in the  4 12 following designated sections and notwithstanding any  4 13 conflicting provisions or voting requirements of section 8.56,  4 14 there is appropriated from the property tax credit fund in  4 15 lieu of the appropriations in the following designated  4 16 sections for the fiscal year beginning July 1, 2006, and  4 17 ending June 30, 2007, the following amounts for the following  4 18 designated purposes:</p>	<p>CODE: Notwithstanding General Fund standing appropriations in the specified sections and the conflicting provisions and voting requirements of Section 8.56, <u>Code of Iowa</u>, relating to the Cash Reserve Fund, the following appropriations are made from the Property Tax Credit Fund.</p>
<p>4 19 a. For reimbursement for the homestead property tax credit  4 20 under section 425.1:  4 21 ..... \$102,945,379</p>	<p>CODE: Property Tax Credit Fund appropriation for the Homestead Property Tax Credit.</p>
<p>4 22 b. For reimbursement for the agricultural land and family  4 23 farm tax credits under sections 425A.1 and 426.1:  4 24 ..... \$ 34,610,183</p>	<p>DETAIL: Maintains current level of funding. The appropriation is \$28,854,621 less than the projected amount of the FY 2007 credit claims.</p> <p>CODE: Property Tax Credit Fund appropriation for the Agricultural Land and Family Farm Tax Credits.</p>
<p>4 25 c. For reimbursement for the military service tax credit  4 26 under section 426A.1A:  4 27 ..... \$ 2,773,402</p>	<p>DETAIL: Maintains current level of funding. The appropriation is \$4,489,817 less than the projected amount of the FY 2007 credit claims.</p> <p>CODE: Property Tax Credit Fund appropriation for the Military Service Tax Credit.</p>

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

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

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

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

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

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



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

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

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

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

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

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

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

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

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

balance to 7.50% of the adjusted revenue estimate.

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

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

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

6 27 Sec. 10. EFFECTIVE AND APPLICABILITY DATES.

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

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

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

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

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

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

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

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

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

7 5 Sec. 11. STATE COURTS -- JUSTICES, JUDGES, AND  
 7 6 MAGISTRATES.

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

7 7 1. The salary rates specified in subsection 2 are for the  
 7 8 fiscal year beginning July 1, 2006, effective for the pay  
 7 9 period beginning June 30, 2006, and for subsequent fiscal  
 7 10 years until otherwise provided by the general assembly. The  
 7 11 salaries provided for in this section shall be paid from funds  
 7 12 appropriated to the judicial branch from the salary adjustment  
 7 13 fund or if the appropriation is not sufficient, from funds  
 7 14 appropriated to the judicial branch pursuant to any Act of the  
 7 15 general assembly.

DETAIL: Provides salary increases for justices, judges, and  
 magistrates, on June 30, 2006, ranging from 13.10% for the Chief  
 Justice of the Supreme Court to 4.41% for a Senior Judge. Total cost  
 of these salary increases is estimated at \$2,241,290 (8.39%) for FY  
 2007.

7 16 2. The following annual salary rates shall be paid to the  
 7 17 persons holding the judicial positions indicated during the  
 7 18 fiscal year beginning July 1, 2006, effective with the pay  
 7 19 period beginning June 30, 2006, and for subsequent pay  
 7 20 periods.

7 21 a. Chief justice of the supreme court:  
 7 22 ..... \$ 150,110

7 23 b. Each justice of the supreme court:  
 7 24 ..... \$ 144,000

7 25 c. Chief judge of the court of appeals:  
 7 26 ..... \$ 138,960

7 27 d. Each associate judge of the court of appeals:  
 7 28 ..... \$ 134,060

7 29 e. Each chief judge of a judicial district:  
 7 30 ..... \$ 131,000

7 31 f. Each district judge except the chief judge of a  
 7 32 judicial district:  
 7 33 ..... \$ 126,020

7 34 g. Each district associate judge:  
 7 35 ..... \$ 111,000  
 8 1 h. Each associate juvenile judge:  
 8 2 ..... \$ 111,000  
 8 3 i. Each associate probate judge:  
 8 4 ..... \$ 111,000  
 8 5 j. Each judicial magistrate:  
 8 6 ..... \$ 34,200  
 8 7 k. Each senior judge:  
 8 8 ..... \$ 7,100  
 8 9 3. Persons receiving the salary rates established under  
 8 10 this section shall not receive any additional salary  
 8 11 adjustments provided by this division of this Act.

8 12 Sec. 12. APPOINTED STATE OFFICERS. Notwithstanding  
 8 13 section 20.5, subsection 3, the governor shall establish a  
 8 14 salary for appointed nonelected persons in the executive  
 8 15 branch of state government holding a position enumerated in  
 8 16 the section of this division of this Act that addresses the  
 8 17 salary ranges of state officers within the range provided, by  
 8 18 considering, among other items, the experience of the  
 8 19 individual in the position, changes in the duties of the  
 8 20 position, the incumbent's performance of assigned duties, and  
 8 21 subordinates' salaries. However, the attorney general shall  
 8 22 establish the salary for the consumer advocate, the chief  
 8 23 justice of the supreme court shall establish the salary for  
 8 24 the state court administrator, the Iowa public broadcasting  
 8 25 board shall establish the salary for the administrator of the  
 8 26 public broadcasting division of the department of education,  
 8 27 the ethics and campaign disclosure board shall establish the  
 8 28 salary of the executive director, and the state fair board  
 8 29 shall establish the salary of the secretary of the state fair  
 8 30 board, each within the salary range provided in the section of  
 8 31 this division of this Act that addresses the salary ranges of  
 8 32 state officers.  
 8 33 The governor, in establishing salaries as provided in the

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

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

8 34 section of this division of this Act that addresses the salary  
 8 35 ranges of state officers, shall take into consideration other  
 9 1 employee benefits which may be provided for an individual  
 9 2 including but not limited to housing.

9 3 A person whose salary is established pursuant to the  
 9 4 section of this division of this Act that addresses the salary  
 9 5 ranges of state officers and who is a full-time, year-round  
 9 6 employee of the state shall not receive any other remuneration  
 9 7 from the state or from any other source for the performance of  
 9 8 that person's duties unless the additional remuneration is  
 9 9 first approved by the governor or authorized by law. However,  
 9 10 this provision does not exclude the reimbursement for  
 9 11 necessary travel and expenses incurred in the performance of  
 9 12 duties or fringe benefits normally provided to employees of  
 9 13 the state.

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

9 14 Sec. 13. SALARY RANGE -- STATE OFFICERS. The following  
 9 15 annual salary ranges are effective for the positions specified  
 9 16 in this section for the fiscal year beginning July 1, 2006,  
 9 17 and for subsequent fiscal years until otherwise provided by  
 9 18 the general assembly. The governor or other person designated  
 9 19 in the section of this division of this Act relating to  
 9 20 appointed state officers shall determine the salary to be paid  
 9 21 to the person indicated at a rate within this salary range  
 9 22 from funds appropriated by the general assembly for that  
 9 23 purpose.

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

9 24 1. The following are salary ranges for state officers for  
 9 25 the fiscal year beginning July 1, 2006, effective with the pay  
 9 26 period beginning June 30, 2006:

9 27 SALARY RANGE	<u>Minimum</u>	<u>Maximum</u>
9 28 a. Range 1 .....	\$ 8,800	\$ 34,430
9 29 b. Range 2 .....	\$ 45,395	\$ 69,460
9 30 c. Range 3 .....	\$ 52,210	\$ 79,880

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

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

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

9	31	d.	Range 4 .....	\$ 60,040	\$ 91,860
9	32	e.	Range 5 .....	\$ 69,045	\$105,640
9	33	f.	Range 6 .....	\$ 79,405	\$121,490
9	34	g.	Range 7 .....	\$ 95,055	\$145,430

- The Administrator of the Division of Professional Licensing and Regulation of the Department of Commerce has been eliminated from the pay ranges. The position is currently vacant.
- The Administrator of the Division of Homeland Security and Emergency Management of the Department of Public Defense have been moved from range 3 to range 5.
- The Administrator of the Public Broadcasting Division (Department of Education) has been moved from range 6 to range 7.
- The Administrator of the State Racing and Gaming Commission (Department of Inspections and Appeals) has been eliminated from the pay ranges. The current salary for the position is \$142,578.

9 35 2. The following are range 1 positions: There are no  
10 1 range 1 positions for the fiscal year beginning July 1, 2006.

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

DETAIL: This is no change.

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

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

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

The current salaries are as follows:

- Administrator of the Arts Division of the Department of Cultural Affairs - Vacant.
- Administrator of the Division of Persons with Disabilities of the Department of Human Rights - \$54,600.
- Administrator of the Division on the Status of Women of the Department of Human Rights - \$60,995.
- Administrator of the Division on the Status of Asian and Pacific Islander Heritage of the Department of Human Rights - Position has not been established.
- Administrator of the Division on the Status of African-Americans

	<ul style="list-style-type: none"> <li>of the Department of Human Rights - \$52,000.</li> <li>Administrator of the Division of Deaf Services of the Department of Human Rights - \$60,985.</li> <li>Administrator of the Division of Latino Affairs of the Department of Human Rights - \$52,000.</li> </ul>
<p>10 10 4. The following are range 3 positions: administrator of  10 11 the division of criminal and juvenile justice planning of the  10 12 department of human rights, administrator of the division of  10 13 community action agencies of the department of human rights,  10 14 executive director of the department of veterans affairs, and  10 15 chairperson and members of the employment appeal board of the  10 16 department of inspections and appeals.</p>	<p>Establishes six State officials in salary range 3 (\$52,210 - 79,880), including three members of the Employment Appeal Board of the Department of Inspections and Appeals.</p> <p>DETAIL: The positions and current salaries are as follows:</p> <ul style="list-style-type: none"> <li>Administrator of the Division of Criminal and Juvenile Justice Planning of the Department of Human Rights - \$72,225.</li> <li>Administrator of the Division of Community Action Agencies of the Department of Human Rights - \$63,225.</li> <li>Executive Director of the Commission of Veterans Affairs - \$61,980.</li> <li>Chairperson and two members of the Employment Appeal Board of the Department of Inspections and Appeals - \$69,176.</li> </ul>
<p>10 17 5. The following are range 4 positions: director of the  10 18 department of human rights, director of the Iowa state civil  10 19 rights commission, executive director of the college student  10 20 aid commission, director of the department for the blind,  10 21 executive director of the ethics and campaign disclosure  10 22 board, members of the public employment relations board, and  10 23 chairperson, vice chairperson, and members of the board of  10 24 parole.</p>	<p>Establishes the following State officials in salary range 4 (\$60,040 - \$91,860), including three members of the Public Employment Relations Board and five members of the Board of Parole.</p> <p>DETAIL: The positions and their current salaries are as follows:</p> <ul style="list-style-type: none"> <li>Director of the Department of Human Rights - \$78,750.</li> <li>Director of the Iowa State Civil Rights Commission - \$84,250.</li> <li>Executive Director of the College Student Aid Commission - \$90,062.</li> <li>Director of the Department for the Blind - \$87,435.</li> <li>Executive Director of the Ethics and Campaign Disclosure Board - \$85,000.</li> <li>Three members of the Public Employment Relations Board were established outside of the salary ranges with a set salary of</li> </ul>

	<p>\$90,062 for the Chairperson and \$87,810 for each of the two members.</p> <ul style="list-style-type: none"> <li>• Board of Parole - Chairperson \$83,262, Vice Chairperson \$71,951, and three members \$285 per day.</li> </ul>
<p>10 25 6. The following are range 5 positions: state public  10 26 defender, drug policy coordinator, labor commissioner,  10 27 administrator of the division of homeland security and  10 28 emergency management of the department of public defense,  10 29 workers' compensation commissioner, director of the department  10 30 of cultural affairs, director of the department of elder  10 31 affairs, director of the law enforcement academy, and  10 32 administrator of the historical division of the department of  10 33 cultural affairs.</p>	<p>Establishes the following State officials in salary range 5 (\$69,045 - \$105,640).</p> <p>DETAIL: The positions and their current salaries are as follows:</p> <ul style="list-style-type: none"> <li>• State Public Defender - \$94,956.</li> <li>• Drug Policy Coordinator - \$83,877.</li> <li>• Labor Commissioner (Workforce Development) - \$96,500.</li> <li>• Administrator of the Division of Homeland Security and Emergency Management of the Department of Public Defense - \$78,315.</li> <li>• Workers' Compensation Commissioner (Workforce Development) - \$85,000.</li> <li>• Director of the Department of Cultural Affairs - \$96,000.</li> <li>• Director of the Department of Elder Affairs - \$95,550.</li> <li>• Director of the Iowa Law Enforcement Academy - \$99,415.</li> <li>• Administrator of the Historical Division of the Department of Cultural Affairs - Vacant.</li> </ul>
<p>10 34 7. The following are range 6 positions: administrator of  10 35 the alcoholic beverages division of the department of  11 1 commerce, director of the department of inspections and  11 2 appeals, commandant of the Iowa veterans home, commissioner of  11 3 public safety, commissioner of insurance, executive director  11 4 of the Iowa finance authority, director of the department of  11 5 natural resources, superintendent of banking, superintendent  11 6 of credit unions, director of the department of corrections,  11 7 consumer advocate, and chairperson of the utilities board. The  11 8 other members of the utilities board shall receive an annual  11 9 salary within a range of not less than 90 percent but not more  11 10 than 95 percent of the annual salary of the chairperson of the</p>	<p>Establishes the following State officials in salary range 6 (\$79,405 - \$121,490).</p> <p>DETAIL: The positions and their current salaries include:</p> <ul style="list-style-type: none"> <li>• Superintendent of Banking (Department of Commerce) - \$89,872.</li> <li>• Superintendent of Credit Unions (Department of Commerce) - \$103,000.</li> <li>• Administrator of the Alcoholic Beverages Division (Department of Commerce) - \$110,007.</li> <li>• Director of the Department of Inspections and Appeals - \$108,066.</li> </ul>



11 11 utilities board.

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

11 12 8. The following are range 7 positions: director of the  
 11 13 department of education, director of human services, director  
 11 14 of the department of economic development, executive director  
 11 15 of the Iowa telecommunications and technology commission,  
 11 16 administrator of the public broadcasting division of the  
 11 17 department of education, executive director of the state board  
 11 18 of regents, director of the state department of  
 11 19 transportation, director of the department of workforce  
 11 20 development, director of revenue, director of public health,  
 11 21 state court administrator, secretary of the state fair board,  
 11 22 director of the department of management, and director of the  
 11 23 department of administrative services.

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

DETAIL: The positions and their current salaries include:

- Director of the Department of Education - \$123,900.
- Director of the Department of Human Services - \$132,484.
- Director of the Department of Economic Development - \$140,000.
- Executive Director of the Iowa Telecommunications and Technology Commission (ICN) - \$142,563.
- Administrator of the Public Broadcasting Division (Department of Education) - \$104,064.
- Executive Director of the State Board of Regents - \$135,000.
- Director of the State Department of Transportation - \$128,232.
- Director of the Department of Workforce Development - \$126,000.
- Director of the Department of Revenue - \$130,000.
- Director of the Department of Public Health - \$128,856.
- State Court Administrator - \$131,851.
- Secretary of the State Fair Board - \$130,270.
- Director of the Department of Management - \$127,630.
- Director of the Department of Administrative Services - \$129,205.

11 24 Sec. 14. COLLECTIVE BARGAINING AGREEMENTS FUNDED --  
 11 25 GENERAL FUND. There is appropriated from the general fund of  
 11 26 the state to the salary adjustment fund for distribution by  
 11 27 the department of management to the various state departments,  
 11 28 boards, commissions, councils, and agencies, excluding the  
 11 29 state board of regents, for the fiscal year beginning July 1,  
 11 30 2006, and ending June 30, 2007, the amount of \$29,000,000, or  
 11 31 so much thereof as may be necessary, to fully fund annual pay  
 11 32 adjustments, expense reimbursements, and related benefits  
 11 33 implemented pursuant to the following:  
 11 34 1. The collective bargaining agreement negotiated pursuant  
 11 35 to chapter 20 for employees in the blue collar bargaining  
 12 1 unit.  
 12 2 2. The collective bargaining agreement negotiated pursuant  
 12 3 to chapter 20 for employees in the public safety bargaining  
 12 4 unit.  
 12 5 3. The collective bargaining agreement negotiated pursuant  
 12 6 to chapter 20 for employees in the security bargaining unit.  
 12 7 4. The collective bargaining agreement negotiated pursuant  
 12 8 to chapter 20 for employees in the technical bargaining unit.  
 12 9 5. The collective bargaining agreement negotiated pursuant  
 12 10 to chapter 20 for employees in the clerical bargaining unit.  
 12 11 6. The collective bargaining agreement negotiated pursuant  
 12 12 to chapter 20 for employees in the professional social  
 12 13 services bargaining unit.  
 12 14 7. The collective bargaining agreement negotiated pursuant  
 12 15 to chapter 20 for employees in the community-based corrections  
 12 16 bargaining unit.  
 12 17 8. The collective bargaining agreements negotiated  
 12 18 pursuant to chapter 20 for employees in the judicial branch of  
 12 19 government bargaining units.  
 12 20 9. The collective bargaining agreement negotiated pursuant  
 12 21 to chapter 20 for employees in the patient care bargaining  
 12 22 unit.  
 12 23 10. The collective bargaining agreement negotiated  
 12 24 pursuant to chapter 20 for employees in the science bargaining  
 12 25 unit.

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

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

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

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

Iowa United Professionals (IUP) - Social Services and Science

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

State Police Officer's Council (SPOC)

- Increases pay across-the-board by 1.00% effective June 30, 2006.
- Increases pay across-the-board by 1.50% effective January 1, 2007.
- Continuation of merit step increases for employees that are not at the top step of the pay range.
- Increases per diem to \$8.00 from \$7.50 effective January 1, 2007.

Judicial Public, Professional, and Maintenance Employees (PPME)

12 26 11. The annual pay adjustments, related benefits, and  
 12 27 expense reimbursements referred to in the section of this  
 12 28 division of this Act addressing noncontract state employees  
 12 29 not covered by a collective bargaining agreement.

- Step increases of 2.00% for eligible employees during FY 2007.
- 2.00% across-the-board salary increase on July 1, 2006.

#### Judicial AFSCME

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

FISCAL IMPACT: The identified need for FY 2007 salary increases for employees, excluding the Board of Regents, is \$56,977,907.

12 30 Sec. 15. NONCONTRACT STATE EMPLOYEES -- GENERAL.

12 31 1. a. For the fiscal year beginning July 1, 2006, the  
 12 32 maximum salary levels of all pay plans provided for in section  
 12 33 8A.413, subsection 2, as they exist for the fiscal year ending  
 12 34 June 30, 2006, shall be increased by 2 percent for the pay  
 12 35 period beginning June 30, 2006, and any additional changes in  
 13 1 the pay plans shall be approved by the governor.

13 2 b. For the fiscal year beginning July 1, 2006, employees  
 13 3 may receive a step increase or the equivalent of a step  
 13 4 increase.

13 5 2. The pay plans for state employees who are exempt from  
 13 6 chapter 8A, subchapter IV, and who are included in the  
 13 7 department of administrative service's centralized payroll  
 13 8 system shall be increased in the same manner as provided in  
 13 9 subsection 1, and any additional changes in any executive  
 13 10 branch pay plans shall be approved by the governor.

13 11 3. This section does not apply to members of the general  
 13 12 assembly, board members, commission members, salaries of  
 13 13 persons set by the general assembly pursuant to this division  
 13 14 of this Act or set by the governor, other persons designated  
 13 15 in the section of this division of this Act addressing  
 13 16 appointed state officers, employees designated under section  
 13 17 8A.412, subsection 5, and employees covered by 11 IAC 53.6(3).

13 18 4. The pay plans for the bargaining eligible employees of  
 13 19 the state shall be increased in the same manner as provided in

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

Specifies that noncontract State employee increases do not apply to:

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

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

#### Judicial Exempt

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

13 20 subsection 1, and any additional changes in such executive  
 13 21 branch pay plans shall be approved by the governor. As used  
 13 22 in this section, "bargaining eligible employee" means an  
 13 23 employee who is eligible to organize under chapter 20, but has  
 13 24 not done so.

Non-Contract

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

13 25 5. The policies for implementation of this section shall  
 13 26 be approved by the governor.

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

13 27 Sec. 16. APPROPRIATIONS FROM ROAD FUNDS.

13 28 1. There is appropriated from the road use tax fund to the  
 13 29 salary adjustment fund for the fiscal year beginning July 1,  
 13 30 2006, and ending June 30, 2007, the following amount, or so  
 13 31 much thereof as may be necessary, to be used for the purpose  
 13 32 designated:  
 13 33 To supplement other funds appropriated by the general  
 13 34 assembly:  
 13 35 ..... \$ 1,416,695

Road Use Tax Fund appropriation to the Salary Adjustment Fund.

14 1 2. There is appropriated from the primary road fund to the  
 14 2 salary adjustment fund, for the fiscal year beginning July 1,  
 14 3 2006, and ending June 30, 2007, the following amount, or so  
 14 4 much thereof as may be necessary, to be used for the purpose  
 14 5 designated:  
 14 6 To supplement other funds appropriated by the general  
 14 7 assembly:  
 14 8 ..... \$ 9,593,363

Primary Road Fund appropriation to the Salary Adjustment Fund.

14 9 3. Except as otherwise provided in this division of this  
 14 10 Act, the amounts appropriated in subsections 1 and 2 shall be  
 14 11 used to fund the annual pay adjustments, expense

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

14 12 reimbursements, and related benefits for public employees as  
14 13 provided in this division of this Act.

14 14 Sec. 17. SPECIAL FUNDS -- AUTHORIZATION. To departmental  
14 15 revolving, trust, or special funds, except for the primary  
14 16 road fund or the road use tax fund, for which the general  
14 17 assembly has established an operating budget, a supplemental  
14 18 expenditure authorization is provided, unless otherwise  
14 19 provided, in an amount necessary to fund salary adjustments as  
14 20 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 21 Sec. 18. GENERAL FUND SALARY MONEYS. Funds appropriated  
14 22 for distribution from the salary adjustment fund in the  
14 23 section of this division of this Act providing for funding of  
14 24 collective bargaining agreements relate only to salaries  
14 25 supported from general fund appropriations of the state except  
14 26 for employees of the state board of regents.

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

14 27 Sec. 19. FEDERAL FUNDS APPROPRIATED. All federal grants  
14 28 to and the federal receipts of the agencies affected by this  
14 29 division of this Act which are received and may be expended  
14 30 for purposes of this division of this Act are appropriated for  
14 31 those purposes and as set forth in the federal grants or  
14 32 receipts.

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

14 33 Sec. 20. STATE TROOPER MEAL ALLOWANCE. The sworn peace  
14 34 officers in the department of public safety who are not  
14 35 covered by a collective bargaining agreement negotiated  
15 1 pursuant to chapter 20 shall receive the same per diem meal  
15 2 allowance as the sworn peace officers in the department of  
15 3 public safety who are covered by a collective bargaining  
15 4 agreement negotiated pursuant to chapter 20.

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 5 Sec. 21. SICK LEAVE CONVERSION. It is the intent of the

Extends the AFSCME Sick Leave Conversion Program to

15 6 general assembly that the sick leave conversion program under  
 15 7 the collective bargaining agreement that covers the greatest  
 15 8 number of state employees and that affects sick leave accrual  
 15 9 and allows sick leave conversion and use upon retirement for  
 15 10 payment of certain health insurance premiums shall be extended  
 15 11 to employees in the executive branch, excluding state board of  
 15 12 regents employees, not covered by a collective bargaining  
 15 13 agreement, consistent with any legislation enacted during the  
 15 14 2006 Regular Session of the general assembly providing for  
 15 15 such extension.

noncontract-covered Executive Branch employees, excluding the Board of Regent's employees, consistent with any legislation enacted during the 2006 Regular Session.

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

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

15 16 Sec. 22. Section 99D.6, Code 2005, is amended to read as  
 15 17 follows:  
 15 18 99D.6 CHAIRPERSON -- ADMINISTRATOR -- EMPLOYEES -- DUTIES  
 15 19 -- BOND.

15 20 The commission shall elect in July of each year one of its  
 15 21 members as chairperson for the succeeding year. The  
 15 22 commission shall appoint an administrator of the commission  
 15 23 subject to confirmation by the senate. The administrator  
 15 24 shall serve a four-year term. The term shall begin and end in  
 15 25 the same manner as set forth in section 69.19. A vacancy  
 15 26 shall be filled for the unexpired portion of the term in the  
 15 27 same manner as a full-term appointment is made. The  
 15 28 administrator may hire other assistants and employees as  
 15 29 necessary to carry out the commission's duties. Employees in  
 15 30 the positions of equine veterinarian, canine veterinarian, and

CODE: Specifies that the salary of the Administrator of the Racing and Gaming Commission will be set within the Executive Branch exempt position pay plan.

15 31 equine steward shall be exempt from the merit system  
15 32 provisions of chapter 8A, subchapter IV, and shall not be  
15 33 covered by a collective bargaining agreement. Some or all of  
15 34 the information required of applicants in section 99D.8A,  
15 35 subsections 1 and 2, may also be required of employees of the  
16 1 commission if the commission deems it necessary. The  
16 2 administrator shall keep a record of the proceedings of the  
16 3 commission and preserve the books, records, and documents  
16 4 entrusted to the administrator's care. The administrator  
16 5 shall be covered by the blanket surety bond of the state  
16 6 purchased pursuant to section 8A.321, subsection 12. Subject  
16 7 to the approval of the governor, the commission shall fix the  
16 8 compensation of the administrator within the salary range ~~as~~  
16 9 ~~set by the general assembly~~ under the pay plan for exempt  
16 10 positions in the executive branch of government provided for  
16 11 in section 8A.413, subsection 2. The commission shall have  
16 12 its headquarters in the city of Des Moines and shall meet in  
16 13 July of each year and at other times and places as it finds  
16 14 necessary for the discharge of its duties.

16 15 Sec. 23. Section 256.81, subsection 1, Code 2005, is  
16 16 amended to read as follows:  
16 17 1. The public broadcasting division of the department of  
16 18 education is created. The chief administrative officer of the  
16 19 division is the administrator who shall be appointed by and  
16 20 serve at the pleasure of the Iowa public broadcasting board.  
16 21 The ~~governor board~~ shall set the division administrator's  
16 22 salary within the applicable salary range established by the  
16 23 general assembly unless otherwise provided by law. Educational  
16 24 programming shall be the highest priority of the division.  
16 25 The director of the department of education and the state  
16 26 board of education are not liable for the activities of the  
16 27 division of public broadcasting.

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

16 28 Sec. 24. Section 256.82, subsection 1, unnumbered  
16 29 paragraph 1, Code 2005, is amended to read as follows:

CODE: Technical correction.

16 30 The Iowa public broadcasting board is created to plan,  
16 31 establish, and operate educational radio and television  
16 32 facilities and other telecommunications services ~~including~~  
16 33 ~~narrowcast and broadcast systems~~ to serve the educational  
16 34 needs of the state. The board shall be composed of nine  
16 35 members selected in the following manner:

17 1 Sec. 25. Section 256.82, subsection 1, paragraph a,  
17 2 subparagraphs (1) and (2), Code 2005, are amended to read as  
17 3 follows:  
17 4 (1) One member shall be appointed from the business  
17 5 community other than ~~the commercial broadcasting industry and~~  
17 6 ~~the television and telecommunications industry.~~  
17 7 (2) One member shall be appointed ~~from the commercial~~  
17 8 ~~broadcast with experience in or knowledge about the television~~  
17 9 ~~industry.~~

CODE: Technical correction.

17 10 Sec. 26. Section 256.82, subsection 1, paragraph b,  
17 11 subparagraph (4), Code 2005, is amended to read as follows:  
17 12 (4) One member ~~who is knowledgeable about~~  
17 13 ~~telecommunications~~ shall be appointed by the state board of  
17 14 regents.

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

17 15 Sec. 27. Section 256.84, subsections 1 and 2, Code 2005,  
17 16 are amended to read as follows:

17 17 1. The board may purchase, lease, and improve property,  
17 18 equipment, and services for educational telecommunications  
17 19 including the broadcast and narrowcast systems, and may  
17 20 dispose of property and equipment when not necessary for its  
17 21 purposes. ~~The board and division administrator may arrange~~  
17 22 ~~for joint use of available services and facilities.~~

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

17 23 2. The board shall apply for channels, frequencies,

CODE: Permits the Public Broadcasting Board to apply for needed



17 24 licenses, ~~and permits, and other authorizations~~ as necessary  
 17 25 for the performance of the board's duties.

authority to perform the Board's duties.

17 26 Sec. 28. Section 256.84, subsection 5, Code 2005, is  
 17 27 amended by striking the subsection.

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

17 28 Sec. 29. Section 256.84, Code 2005, is amended by adding  
 17 29 the following new subsections:

17 30 NEW SUBSECTION. 11. To preserve the integrity of its  
 17 31 editorial processes, the board may select programming, content  
 17 32 partners, and other authorized contractual services without  
 17 33 using a competitive selection process or performance measures  
 17 34 that may otherwise be required by law for such services. For  
 17 35 purposes of this subsection, authorized contractual services  
 18 1 are those services related, directly or indirectly, to the  
 18 2 development of program production and instructional and  
 18 3 educational media. Authorized contractual services include  
 18 4 but are not limited to on-air performers, producers or  
 18 5 directors, field producers, writers, production assistants,  
 18 6 manual laborers, mobile unit services, closed captioning  
 18 7 services, duplication of tape services, and satellite  
 18 8 services.

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

18 9 NEW SUBSECTION. 12. The board shall approve for  
 18 10 submission the annual budget request and any supplementary  
 18 11 budget request for the public broadcasting division of the  
 18 12 department of education.

CODE: Requires the Public Broadcasting Board to approve annual and supplementary budget requests for the Public Broadcasting Division prior to submission.

18 13 Sec. 30. Section 256.85, Code 2005, is amended to read as  
 18 14 follows:  
 18 15 256.85 PURCHASE OF ENERGY EFFICIENCY PACKAGES.  
 18 16 The public broadcasting division of the department of

CODE: Technical correction.

18 17 education may use the state of Iowa facilities improvement  
 18 18 corporation to purchase energy efficiency packages for its-  
 18 19 ultrahigh frequency transmitters.

18 20 Sec. 31. Section 421.1A, subsection 6, Code Supplement  
 18 21 2005, is amended to read as follows:  
 18 22 6. The members of the property assessment appeal board  
 18 23 shall receive compensation from the state commensurate with  
 18 24 the salary of a district judge. The members of the board  
 18 25 shall not be considered state employees for purposes of salary  
 18 26 and benefits. The members of the board and any employees of  
 18 27 the board, when required to travel in the discharge of  
 18 28 official duties, shall be paid their actual and necessary  
 18 29 expenses incurred in the performance of duties.

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

18 30 Sec. 32. Section 256.89, Code 2005, is repealed.

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

18 31 DIVISION IV  
 18 32 OTHER APPROPRIATIONS  
 18 33 AND RELATED MATTERS

18 34 Sec. 33. ARTS EDUCATION AND ENRICHMENT PROGRAMMING.

18 35 1. There is appropriated from the general fund of the  
 19 1 state to the department of cultural affairs for the fiscal  
 19 2 year beginning July 1, 2006, and ending June 30, 2007, the  
 19 3 following amount, or so much thereof as is necessary, to be  
 19 4 used for the purposes designated:  
 19 5 For a study of arts education and enrichment programming  
 19 6 for school age children in accordance with this section:  
 19 7 ..... \$ 5,000

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

19 8 2. a. The department shall conduct a study of arts

Requires the Department of Cultural Affairs to conduct a study of arts education and enrichment programming for school-age children.

19 9 education and enrichment programming for school age children  
 19 10 to evaluate the status of arts education and enrichment  
 19 11 programming available to school age children in this state;  
 19 12 develop a strategy for greatly expanding the availability of  
 19 13 arts education and enrichment programming outside of school  
 19 14 settings; and identify curricula, model programs, best  
 19 15 practices, and other resources that may be used by programs  
 19 16 and persons in this state that provide arts education and  
 19 17 enrichment programming outside of school settings.  
 19 18 b. The department shall utilize a resource committee in  
 19 19 conducting the study. The committee membership may include  
 19 20 representatives of the departments of economic development,  
 19 21 education, and human services, the Iowa after school alliance,  
 19 22 the Iowa community education association, the Iowa library  
 19 23 association, legislators, art educators, artists and  
 19 24 performers, and others with relevant expertise.  
 19 25 c. The study may utilize regional forums through the Iowa  
 19 26 communications network and other approaches for securing  
 19 27 public input and discussion of the study topics.  
 19 28 d. The department shall report to the governor and general  
 19 29 assembly concerning the study with findings and  
 19 30 recommendations in December 2006.

Specifies potential members of a resource committee to assist with the study and possible methods for obtaining public input. Requires a report of findings and recommendations to the Governor and General Assembly in December 2006.

19 31 Sec. 34. VETERANS TRUST FUND. There is appropriated from  
 19 32 the general fund of the state to the veterans trust fund for  
 19 33 the fiscal year beginning July 1, 2006, and ending June 30,  
 19 34 2007, the following amount:  
 19 35 ..... \$ 4,500,000

General Fund appropriation to the Veterans Trust Fund.

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

20 1 Sec. 35. COUNTY GRANT PROGRAM FOR VETERANS --  
 20 2 APPROPRIATION. There is appropriated from the general fund of  
 20 3 the state to the department of veterans affairs, for the  
 20 4 fiscal year beginning July 1, 2006, and ending June 30, 2007,  
 20 5 the following amount, or so much thereof as is necessary, to  
 20 6 be used for the purpose designated:  
 20 7 For providing matching grants to counties to provide

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

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

20 8 improved services to veterans:  
 20 9 ..... \$ 1,000,000  
 20 10 The department shall establish a grant application process  
 20 11 and shall require each county applying for a grant to submit a  
 20 12 plan for utilizing the grant to improve services for veterans.  
 20 13 The maximum matching grant to be awarded to a county shall be  
 20 14 \$10,000 and the amount awarded shall be matched on a dollar-  
 20 15 for-dollar basis by the county. Each county receiving a grant  
 20 16 shall submit a report to the department identifying the impact  
 20 17 of the grant on increasing services to veterans. The  
 20 18 department shall submit a report to the general assembly by  
 20 19 October 1, 2007, concerning the impact of the grant program on  
 20 20 increasing services to veterans.

20 21 Sec. 36. IOWA LAW ENFORCEMENT ACADEMY. There is  
 20 22 appropriated from the general fund of the state to the Iowa  
 20 23 law enforcement academy for the fiscal year beginning July 1,  
 20 24 2006, and ending June 30, 2007, the following amount, or so  
 20 25 much thereof as is necessary, to be used for the purpose  
 20 26 designated:  
 20 27 For the purchase of equipment and furnishings:  
 20 28 ..... \$ 25,000

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

20 29 Sec. 37. GOVERNOR AND LIEUTENANT GOVERNOR. If 2006 Iowa  
 20 30 Acts, House File 2521, is enacted and provides for  
 20 31 appropriations from the general fund of the state to the  
 20 32 offices of the governor and lieutenant governor for the fiscal  
 20 33 year beginning July 1, 2006, and ending June 30, 2007, for the  
 20 34 following indicated purposes, those appropriations are  
 20 35 increased by the following amounts:

21 1 1. TERRACE HILL QUARTERS  
 21 2 For salaries, support, maintenance and miscellaneous  
 21 3 purposes for the governor's quarters at Terrace Hill:  
 21 4 ..... \$ 22,676

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

<p>21 5 2. NATIONAL GOVERNORS ASSOCIATION</p> <p>21 6 For payment of Iowa's membership in the national governors</p> <p>21 7 association:</p> <p>21 8 ..... \$ 16,207</p> <p>21 9 Sec. 38. UPDATED MANURE MANAGEMENT PLANS. There is</p> <p>21 10 appropriated from the manure storage indemnity fund created in</p> <p>21 11 section 459.501 to the department of natural resources for the</p> <p>21 12 fiscal year beginning July 1, 2006, and ending June 30, 2007,</p> <p>21 13 the following amount, or so much thereof as is necessary, to</p> <p>21 14 be used for the purpose designated:</p> <p>21 15 For the department to modify its computer database in order</p> <p>21 16 to provide documentation to persons required to submit updated</p> <p>21 17 manure management plans and updated manure management plan</p> <p>21 18 filing fees to the department pursuant to the schedules</p> <p>21 19 provided in sections 459.312 and 459.400, if amended by the</p> <p>21 20 Eighty-first General Assembly, 2006 Session:</p> <p>21 21 ..... \$ 80,000</p> <p>21 22 As a condition of this appropriation, the department shall</p> <p>21 23 repay the manure storage indemnity fund in four equal</p> <p>21 24 installments by June 30 of each fiscal year for the fiscal</p> <p>21 25 period beginning July 1, 2007, and ending June 30, 2011.</p> <p>21 26 Sec. 39. REAL ESTATE EDUCATION PROGRAM. There is</p> <p>21 27 appropriated from the general fund of the state to the state</p> <p>21 28 board of regents for the fiscal year beginning July 1, 2007,</p> <p>21 29 and ending June 30, 2008, the following amount, or so much</p> <p>21 30 thereof as is necessary, to be used for the purpose</p> <p>21 31 designated:</p> <p>21 32 For allocation to the university of northern Iowa for the</p> <p>21 33 real estate education program:</p> <p>21 34 ..... \$ 200,000</p> <p>21 35 The appropriation made in this section is contingent upon</p> <p>22 1 enactment of 2006 Iowa Acts, House File 2773, or other</p>	<p>Increases the FY 2007 appropriation for the National Governor's Association dues by \$16,207 for an increase in the annual membership fee.</p> <p>Manure Storage Indemnity Fund appropriation to the Department of Natural Resources (DNR) for the modification of the Manure Management Database.</p> <p>DETAIL: The modification will allow animal confinement operations to submit the manure management plans and filing fees every four years, rather than once a year. Section 51 of this Bill makes the appropriation contingent upon the enactment of legislation requiring the DNR to modify the Manure Management Database.</p> <p>FISCAL IMPACT: As of April 30, 2006, the unobligated balance of the Manure Storage Indemnity Fund was \$472,000.</p> <p>Requires the DNR to repay the appropriation from the Manure Storage Indemnity Fund by paying \$20,000 per year for four year, beginning July 1, 2007. The last payment is due by June 30, 2011.</p> <p>General Fund appropriation for FY 2008 to the Board of Regents for the Real Estate Education Program at the University of Northern Iowa (UNI).</p> <p>DETAIL: This is a future year (FY 2008) appropriation that is contingent on enactment of HF 2773 (Real Estate Education Fund). The Real Estate Education Program at UNI is currently funded from real estate license fees. House File 2773 expands the Real Estate Education Program to Iowa community colleges and private colleges and universities. House File 2773 has not been enacted as of April 30, 2006.</p>
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22 2 enactment by the Eighty-first General Assembly, 2006 Session,  
 22 3 amending section 543B.54 to appropriate fees credited to the  
 22 4 Iowa real estate education fund to the real estate commission  
 22 5 in lieu of the state board of regents.

22 6 Sec. 40. STATE BOARD OF REGENTS -- GENERAL FUND ENDING  
 22 7 BALANCE.

22 8 1. Notwithstanding section 8.62, prior to the  
 22 9 appropriation of the surplus existing in the general fund of  
 22 10 the state at the conclusion of the fiscal year beginning July  
 22 11 1, 2005, pursuant to section 8.57, subsection 1, from  
 22 12 appropriations that remain unencumbered or unobligated and  
 22 13 would otherwise revert on August 31, 2006, pursuant to section  
 22 14 8.33, up to \$2,800,000 shall be transferred to the state board  
 22 15 of regents.

22 16 2. The transfer made in subsection 1 shall be distributed  
 22 17 to the state board of regents in the fiscal year beginning  
 22 18 July 1, 2006, to be used as additional funding for the fiscal  
 22 19 year beginning July 1, 2006, for the institutions under the  
 22 20 state board of regents.

22 21 Sec. 41. STATUS OF IOWANS OF ASIAN AND PACIFIC ISLANDER  
 22 22 HERITAGE DIVISION. If 2006 Iowa Acts, House File 2521, is  
 22 23 enacted and provides for an appropriation from the general  
 22 24 fund of the state to the department of human rights for the  
 22 25 status of Iowans of Asian and Pacific Islander heritage  
 22 26 division for the fiscal year beginning July 1, 2006, and  
 22 27 ending June 30, 2007, there is appropriated to supplement that  
 22 28 appropriation as follows:  
 22 29 STATUS OF IOWANS OF ASIAN AND PACIFIC ISLANDER HERITAGE  
 22 30 DIVISION

22 31 For salaries, support, maintenance, and miscellaneous  
 22 32 purposes and for not more than the following full-time  
 22 33 equivalent position:

22 34 ..... \$ 80,000  
 22 35 ..... FTEs 1.00

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

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

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

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

23 1 Sec. 42. DEPARTMENT OF CULTURAL AFFAIRS. There is  
 23 2 appropriated from the general fund of the state to the  
 23 3 department of cultural affairs for the fiscal year beginning  
 23 4 July 1, 2006, and ending June 30, 2007, the following amounts,  
 23 5 or so much thereof as is necessary, to be used for the  
 23 6 purposes designated:

23 7 1. For the African-American historical museum and cultural  
 23 8 center of Iowa in Cedar Rapids:  
 23 9 ..... \$ 85,000

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

23 10 2. For historical resource development program emergency  
 23 11 grants for qualified historic preservation projects in  
 23 12 gubernatorially declared natural disaster emergency areas in  
 23 13 Johnson county, notwithstanding section 303.16, subsection 6,  
 23 14 paragraph "d":  
 23 15 ..... \$ 250,000

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

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

23 16 Sec. 43. DEPARTMENT OF JUSTICE. There is appropriated  
 23 17 from the general fund of the state to the department of  
 23 18 justice for the fiscal year beginning July 1, 2006, and ending  
 23 19 June 30, 2007, the following amount, or so much thereof as is  
 23 20 necessary, to be used for the purpose designated:  
 23 21 For the purpose of funding farm mediation services pursuant  
 23 22 to the farm assistance program created in sections 13.13  
 23 23 through 13.24:  
 23 24 ..... \$ 100,000

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

DETAIL: This is a new appropriation for FY 2007.

23 25 Sec. 44. 2001 Iowa Acts, chapter 174, section 1,  
 23 26 subsection 2, as amended by 2002 Iowa Acts, chapter 1174,  
 23 27 section 8, 2003 Iowa Acts, chapter 179, section 38, 2004 Iowa  
 23 28 Acts, chapter 1175, section 270, and 2005 Iowa Acts, chapter  
 23 29 179, section 23, is amended to read as follows:  
 23 30 2. There is appropriated from the general fund of the

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

DETAIL: These funds were originally appropriated in SF 533 (FY 2002 Tobacco Settlement Trust Fund Appropriations Act) for the purpose of funding the Endowment for Iowa's Health Account. The

23 31 state to the endowment for Iowa's health account of the  
 23 32 tobacco settlement trust fund created in section 12E.12, for  
 23 33 the designated fiscal years, the following amounts, to be used  
 23 34 for the purposes specified in section 12E.12 for the endowment  
 23 35 for Iowa's health account:

24 1	FY 2001-2002 .....	\$ 7,248,000
24 2	FY 2003-2004 .....	\$ 0
24 3	FY 2004-2005 .....	\$ 0
24 4	FY 2005-2006 .....	\$ 0
24 5	FY 2006-2007 .....	\$ <del>17,773,000</del>
24 6		<u>0</u>

Endowment also receives an annual allocation of \$70,000,000 from the State Wagering Tax, which sunsets at the end of FY 2007. The Endowment was established to provide a long-term funding source for the Healthy Iowans Tobacco Trust to be used for health care, substance abuse treatment and enforcement, tobacco use prevention and control, and other purposes related to the needs of children, adults, and facilities in the State.

24 7 Sec. 45. Section 16.100, Code 2005, is amended by adding  
 24 8 the following new subsection:  
 24 9 NEW SUBSECTION. 9. Notwithstanding any provision to the  
 24 10 contrary, all assets held in the housing improvement fund  
 24 11 shall be transferred to the housing trust fund created in  
 24 12 section 16.181. On and after July 1, 2006, any moneys or  
 24 13 assets received for deposit in the housing improvement fund  
 24 14 shall be transferred to the housing trust fund.

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

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

24 15 Sec. 46. NEW SECTION. 137F.3A MUNICIPAL CORPORATION  
 24 16 INSPECTIONS -- CONTINGENT APPROPRIATION.

24 17 1. If a municipal corporation operating pursuant to a  
 24 18 chapter 28E agreement with the department of inspections and  
 24 19 appeals to enforce this chapter and chapters 137C and 137D  
 24 20 either fails to renew the agreement effective after July 1,  
 24 21 2005, but before July 1, 2007, or discontinues prior to July  
 24 22 1, 2007, enforcement activities in one or more jurisdictions  
 24 23 during the agreement time frame, or the department of  
 24 24 inspections and appeals cancels an agreement prior to July 1,  
 24 25 2007, due to noncompliance with the terms of the agreement,  
 24 26 the department of inspections and appeals may employ  
 24 27 additional full-time equivalent positions for the fiscal years  
 24 28 ending prior to July 1, 2007, to enforce the provisions of the

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

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



24 29 chapters, with the approval of the department of management.  
24 30 Before approval is given, the director of the department of  
24 31 management shall determine that the expenses exceed the funds  
24 32 budgeted by the general assembly for food inspections to the  
24 33 department of inspections and appeals. The department of  
24 34 inspections and appeals may hire no more than one full-time  
24 35 equivalent position for each six hundred inspections required  
25 1 pursuant to this chapter and chapters 137C and 137D.

25 2 2. Notwithstanding chapter 137D, and sections 137C.9 and  
25 3 137F.6, if the conditions described in this section are met,  
25 4 fees imposed pursuant to that chapter and those sections shall  
25 5 be retained by and are appropriated to the department of  
25 6 inspections and appeals for the fiscal years ending prior to  
25 7 July 1, 2007, to provide for salaries, support, maintenance,  
25 8 and miscellaneous purposes associated with the additional  
25 9 inspections.

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

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

25 10 3. This section is repealed July 1, 2007.

Repeals this Section on July 1, 2007.

25 11 Sec. 47. Section 256D.5, subsection 4, Code Supplement  
25 12 2005, is amended to read as follows:

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

25 13 4. For each fiscal year of the fiscal period beginning  
25 14 July 1, 2004, and ending June 30, ~~2006~~ 2007, the sum of  
25 15 twenty-nine million two hundred fifty thousand dollars.

DETAIL: Maintains current level of funding.

25 16 Sec. 48. REPORT. By October 1, 2009, the Iowa finance  
25 17 authority shall submit a written report to the general  
25 18 assembly regarding the status of the housing trust fund. The  
25 19 report shall review the program and activities under the  
25 20 program during the existence of the fund, an update on the  
25 21 housing needs in the state, and any recommendations for  
25 22 changes.

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

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

25 23 Sec. 49. HOUSING TRUST FUND. It is the intent of the  
 25 24 general assembly to make appropriations from the general fund  
 25 25 of the state to the housing trust fund created in section  
 25 26 16.181 for the designated fiscal years in the following  
 25 27 amounts:  
 25 28 1. FY 2007-2008 ..... \$ 2,000,000  
 25 29 2. FY 2008-2009 ..... \$ 3,000,000  
 25 30 3. FY 2009-2010 ..... \$ 4,000,000

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

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

25 31 Sec. 50. WORLD FOOD PRIZE. It is the intent of the  
 25 32 general assembly to make appropriations from the general fund  
 25 33 of the state for purposes of the world food prize for the  
 25 34 designated fiscal years in the following amounts:  
 25 35 1. FY 2007-2008 ..... \$ 750,000  
 26 1 2. FY 2008-2009 ..... \$ 1,000,000

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

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

26 2 Sec. 51. CONTINGENT EFFECTIVE DATE. The section of this  
 26 3 division of this Act making an appropriation from the manure  
 26 4 storage indemnity fund to the department of natural resources  
 26 5 is contingent upon the enactment by the Eighty-first General  
 26 6 Assembly, 2006 Session of an Act which amends sections 459.312  
 26 7 and 459.400 making it necessary for the department to modify  
 26 8 its computer database in order to provide documentation to  
 26 9 persons required to submit updated manure management plans and  
 26 10 updated manure management plan filing fees to the department.

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

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

26 11 Sec. 52. EFFECTIVE AND APPLICABILITY DATES.

26 12 1. The section of this division of this Act transferring  
 26 13 moneys that would otherwise revert to the state board of  
 26 14 regents, being deemed of immediate importance, takes effect  
 26 15 upon enactment.

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

26 16 2. The section of this division of this Act enacting

Specifies that the Section of this Bill permitting the DIA to receive an

26 17 section 137F.3A, being deemed of immediate importance, takes  
 26 18 effect upon enactment and applies retroactively to July 1,  
 26 19 2005.

appropriation of food establishment inspection fees and hire additional staff to conduct them takes effect upon enactment, and is retroactive to July 1, 2005.

26 20 DIVISION V  
 26 21 MISCELLANEOUS STATUTORY CHANGES

26 22 Sec. 53. Section 7D.29, Code 2005, as amended by 2006 Iowa  
 26 23 Acts, Senate File 2273, section 7, is amended by adding the  
 26 24 following new subsection:

26 25 NEW SUBSECTION. 4. The executive council shall receive  
 26 26 requests from the Iowa department of public health, relative  
 26 27 to the purchase, storing, and distribution of vaccines and  
 26 28 medication for prevention, prophylaxis, or treatment. Upon  
 26 29 review and after compliance with subsection 2, the executive  
 26 30 council may approve the request and may incur the necessary  
 26 31 expense and pay the same out of any money in the state  
 26 32 treasury not otherwise appropriated.

CODE: Permits the Executive Council to approve and pay for expenses incurred by the Department of Public Health related to the purchase, storing, and distribution of antiviral treatment courses.

26 33 Sec. 54. Section 15E.208, subsection 3, paragraph b,  
 26 34 subparagraph (2), Code 2005, is amended by adding the  
 26 35 following new subparagraph subdivision:

27 1 NEW SUBPARAGRAPH SUBDIVISION. (e) Notwithstanding any  
 27 2 provision of this division to the contrary, payments of  
 27 3 principal and interest of the loan granted by the corporation  
 27 4 to an eligible person and assigned to the department pursuant  
 27 5 to this subparagraph during calendar year 2003 which were  
 27 6 deferred pursuant to subparagraph subdivision (c) shall be  
 27 7 forgiven and the total debt, including interest, shall be  
 27 8 retired.

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

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

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

27 9 Sec. 55. Section 15G.119, subsection 4, paragraph c, if  
 27 10 enacted by 2006 Iowa Acts, House File 2759, is amended to read  
 27 11 as follows:

27 12 c. Notwithstanding section 8.33, unencumbered and  
 27 13 unobligated moneys remaining in the infrastructure fund at the  
 27 14 close of each fiscal year shall not revert but shall remain  
 27 15 available in the infrastructure fund for expenditure for the  
 27 16 same purposes ~~in the succeeding fiscal year~~ until the end of  
 27 17 the fiscal year that begins July 1, 2011, at which time the  
 27 18 unencumbered and unobligated moneys remaining shall revert to  
 27 19 the funds from which appropriated.

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

27 20 Sec. 56. Section 22.7, subsection 52, unnumbered paragraph  
 27 21 1, as enacted by 2006 Iowa Acts, House File 2706, if enacted,  
 27 22 is amended to read as follows:

27 23 The following records relating to a charitable donation  
 27 24 made to a foundation acting solely for the support of an  
 27 25 institution governed by the state board of regents, to a  
 27 26 foundation acting solely for the support of an institution  
 27 27 governed by chapter 260C, to a private foundation as defined  
 27 28 in section 509 of the Internal Revenue Code organized for the  
 27 29 support of a government body, or to an endow Iowa qualified  
 27 30 community foundation, as defined in section 15E.303, organized  
 27 31 for the support of a government body:

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

27 32 Sec. 57. Section 29A.28, subsections 1 and 3, Code 2005,  
 27 33 are amended to read as follows:

27 34 1. All officers and employees of the state, or a  
 27 35 subdivision thereof, or a municipality other than employees  
 28 1 employed temporarily for six months or less, who are members  
 28 2 of the national guard, organized reserves or any component  
 28 3 part of the military, naval, or air forces or nurse corps of  
 28 4 this state or nation, or who are or may be otherwise inducted  
 28 5 into the military service of this state or of the United  
 28 6 States, or who are members of the civil air patrol, shall,

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

DETAIL: The change does not have a fiscal impact.

28 7 when ordered by proper authority to state active duty, state  
 28 8 military service, or federal service, or when performing a  
 28 9 civil air patrol mission pursuant to section 29A.3A, be  
 28 10 entitled to a leave of absence from such civil employment for  
 28 11 the period of state active duty, state military service, ~~or~~  
 28 12 federal service, or civil air patrol duty without loss of  
 28 13 status or efficiency rating, and without loss of pay during  
 28 14 the first thirty days of such leave of absence. Where state  
 28 15 active duty, state military service, ~~or~~ federal service, or  
 28 16 civil air patrol duty is for a period of less than thirty  
 28 17 days, a leave of absence under this section shall only be  
 28 18 required for those days that the civil employee would normally  
 28 19 perform services for the state, subdivision of the state, or a  
 28 20 municipality.

28 21 3. Upon returning from a leave of absence under this  
 28 22 section, an employee shall be entitled to return to the same  
 28 23 position and classification held by the employee at the time  
 28 24 of entry into state active duty, state military service, ~~or~~  
 28 25 federal service, or civil air patrol duty, or to the position  
 28 26 and classification that the employee would have been entitled  
 28 27 to if the continuous civil service of the employee had not  
 28 28 been interrupted by state active duty, state military service,  
 28 29 ~~or~~ federal service, or civil air patrol duty. Under this  
 28 30 subsection, "position" includes the geographical location of  
 28 31 the position.

28 32 Sec. 58. Section 29A.40, unnumbered paragraph 2, Code  
 28 33 2005, is amended to read as follows:  
 28 34 Any person who, without authority under the laws of the  
 28 35 United States or of one of the states, wears the uniform of,  
 29 1 or a distinctive part of the uniform of the armed forces of  
 29 2 the United States, shall be guilty of a ~~simple~~ serious  
 29 3 misdemeanor.

29 4 Sec. 59. Section 29A.43, subsection 1, Code Supplement

CODE: Increases the penalty for the false wearing of a military uniform from a simple misdemeanor to a serious misdemeanor.

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

CODE: Specifies that members of the Civil Air Patrol are treated

29 5 2005, is amended to read as follows:  
 29 6 1. A person shall not discriminate against any officer or  
 29 7 enlisted person of the national guard or organized reserves of  
 29 8 the armed forces of the United States or any member of the  
 29 9 civil air patrol because of that membership. An employer, or  
 29 10 agent of an employer, shall not discharge a person from  
 29 11 employment because of being an officer or enlisted person of  
 29 12 the military forces of the state or member of the civil air  
 29 13 patrol, or hinder or prevent the officer or enlisted person or  
 29 14 member of the civil air patrol from performing any military  
 29 15 service or civil air patrol duty the person is called upon to  
 29 16 perform by proper authority. A member of the national guard  
 29 17 or organized reserves of the armed forces of the United States  
 29 18 ordered to temporary duty, as defined in section 29A.1,  
 29 19 subsection 3, 11, or 12, or a member of the civil air patrol  
 29 20 performing duty pursuant to section 29A.3A, for any purpose is  
 29 21 entitled to a leave of absence during the period of the duty  
 29 22 or service, from the member's private employment, other than  
 29 23 employment of a temporary nature, and upon completion of the  
 29 24 duty or service the employer shall restore the person to the  
 29 25 position held prior to the leave of absence, or employ the  
 29 26 person in a similar position. However, the person shall give  
 29 27 evidence to the employer of satisfactory completion of the  
 29 28 training or duty, and that the person is still qualified to  
 29 29 perform the duties of the position. The period of absence  
 29 30 shall be construed as an absence with leave, and shall in no  
 29 31 way affect the employee's rights to vacation, sick leave,  
 29 32 bonus, or other employment benefits relating to the employee's  
 29 33 particular employment. A person violating a provision of this  
 29 34 section is guilty of a simple misdemeanor.

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

DETAIL: The change does not have a fiscal impact.

29 35 Sec. 60. Section 29C.8, subsection 3, paragraph f, Code  
 30 1 Supplement 2005, is amended to read as follows:  
 30 2 f. ~~(4) Approve and support the development and ongoing~~  
 30 3 ~~operations of an urban search and rescue team~~ homeland  
 30 4 security and emergency response teams to be deployed as a

CODE: Defines Homeland Security and Emergency Response Teams.

30 5 resource to supplement and enhance disrupted or overburdened  
30 6 local emergency and disaster operations and deployed as  
30 7 available to provide assistance to other states pursuant to  
30 8 the interstate emergency management assistance compact  
30 9 described in section 29C.21. The following shall apply to  
30 10 homeland security and emergency response teams:  
30 11 ~~(2)~~ (1) A member of an urban search and rescue a homeland  
30 12 security and emergency response team acting under the  
30 13 authority this section upon the directive of the administrator  
30 14 or pursuant to a governor's disaster proclamation as provided  
30 15 in section 29C.6 shall be considered an employee of the state  
30 16 under for purposes of section 29C.21 and chapter 669 and shall  
30 17 be afforded protection as an employee of the state under  
30 18 section 669.21. Disability, workers' compensation, and death  
30 19 benefits for team members working under the authority of the  
30 20 administrator or pursuant to the provisions of section 29C.6  
30 21 shall be paid by the state in a manner consistent with the  
30 22 provisions of chapter 85, 410, or 411 as appropriate,  
30 23 depending on the status of the member, provided that the  
30 24 member is registered with the homeland security and emergency  
30 25 management division as a member of an approved team and is  
30 26 participating as a team member in a response or recovery  
30 27 operation initiated by the administrator or governor pursuant  
30 28 to this section or in a training or exercise activity approved  
30 29 by the administrator.  
30 30 (2) Each approved homeland security and emergency  
30 31 management response team shall establish standards for team  
30 32 membership, shall provide the division with a listing of all  
30 33 team members, and shall update the list each time a member is  
30 34 removed from or added to the team. Individuals so identified  
30 35 as team members shall be considered to be registered as team  
31 1 members for purposes of subparagraph (1).  
31 2 (3) Upon notification of a compensable loss to a member of  
31 3 a homeland security and emergency management response team,  
31 4 the department of administrative services shall process the  
31 5 claim and seek funding from the executive council for those  
31 6 costs associated with covered benefits.

31 7 Sec. 61. Section 29C.20, subsection 1, paragraph a,  
31 8 subparagraph (5), Code Supplement 2005, is amended to read as  
31 9 follows:

31 10 (5) Paying the expenses incurred by and claims of ~~an urban~~  
31 11 ~~search and rescue~~ a homeland security and emergency response  
31 12 team when acting under the authority of ~~the administrator and~~  
31 13 ~~the provisions of section 29C.6~~ 29C.8 and public health  
31 14 response teams when acting under the provisions of section  
31 15 135.143.

CODE: Defines Homeland Security and Emergency Response Teams.

31 16 Sec. 62. Section 29C.20, subsection 1, paragraph b, Code  
31 17 Supplement 2005, is amended to read as follows:

31 18 b. When a state department or agency requests that moneys  
31 19 from the contingent fund be expended to repair, rebuild, or  
31 20 restore state property injured, destroyed, or lost by fire,  
31 21 storm, theft, or unavoidable cause, or to repair, rebuild, or  
31 22 restore state property that is fiberoptic cable and that is  
31 23 injured or destroyed by a wild animal, or to purchase a police  
31 24 service dog for the department of corrections when such a dog  
31 25 is injured or destroyed, or for payment of the expenses  
31 26 incurred by and claims of ~~an urban search and rescue a~~  
31 27 homeland security and emergency response team when acting  
31 28 under the authority of ~~the administrator and the provisions of~~  
31 29 section ~~29C.6~~ 29C.8, the executive council shall consider the  
31 30 original source of the funds for acquisition of the property  
31 31 before authorizing the expenditure. If the original source  
31 32 was other than the general fund of the state, the department  
31 33 or agency shall be directed to utilize moneys from the  
31 34 original source if possible. The executive council shall not  
31 35 authorize the repairing, rebuilding, or restoring of the  
32 1 property from the disaster aid contingent fund if it  
32 2 determines that moneys from the original source are available  
32 3 to finance the project.

CODE: Defines Homeland Security and Emergency Response Teams.

32 4 Sec. 63. Section 35A.5, subsection 9, Code Supplement

CODE: Permits the property donated for the Iowa Veterans Cemetery to be leased for purposes permitted by federal or State



32 5 2005, is amended to read as follows:  
 32 6 9. Establish and operate a state veterans cemetery and  
 32 7 make application to the government of the United States or any  
 32 8 subdivision, agency, or instrumentality thereof, for funds for  
 32 9 the purpose of establishing such a cemetery. The state may  
 32 10 enter into agreements with any subdivision of the state for  
 32 11 assistance in operating the cemetery. The state shall own the  
 32 12 land on which the cemetery is located.  
 32 13 PARAGRAPH DIVIDED. The department shall have the authority  
 32 14 to accept federal grant funds, funding from state  
 32 15 subdivisions, donations from private sources, and federal  
 32 16 "plot allowance" payments. ~~All such funds shall be deposited~~  
 32 17 ~~into an account dedicated to the establishment, operation, and~~  
 32 18 ~~maintenance of a veterans cemetery and these funds shall be~~  
 32 19 ~~expended only for those purposes.~~ The department through the  
 32 20 director shall have the authority to accept suitable cemetery  
 32 21 land, in accordance with federal veterans cemetery grant  
 32 22 guidelines, from the federal government, state government,  
 32 23 state subdivisions, private sources, and any other source  
 32 24 wishing to transfer land for use as a veterans cemetery. The  
 32 25 department may lease or use property received pursuant to this  
 32 26 subsection for any purpose so long as such leasing or use does  
 32 27 not interfere with the use of the property for cemetery  
 32 28 purposes and is not contrary to federal or state guidelines.  
 32 29 All funds received pursuant to this subsection, including  
 32 30 lease payments or funds generated from any activity engaged in  
 32 31 on any property accepted pursuant to this subsection, shall be  
 32 32 deposited into an account dedicated to the establishment,  
 32 33 operation, and maintenance of a veterans cemetery and these  
 32 34 funds shall be expended only for those purposes.  
 32 35 PARAGRAPH DIVIDED. Notwithstanding section 8.33, any  
 33 1 moneys in the account for a state veterans cemetery shall not  
 33 2 revert and, notwithstanding section 12C.7, subsection 2,  
 33 3 interest or earnings on moneys deposited in the fund shall be  
 33 4 credited to the account.

guidelines, with revenues received from the lease to be used for  
 establishment, operation, and maintenance of the Cemetery.

33 5 Sec. 64. Section 35A.13, Code 2005, is amended by adding

CODE: Provides legislative intent for future annual appropriations to

33 6 the following new subsection:  
 33 7 NEW SUBSECTION. 5A. It is the intent of the general  
 33 8 assembly that beginning with the fiscal year beginning July 1,  
 33 9 2007, appropriations be made annually to the veterans trust  
 33 10 fund. Prior to any additional appropriations to this fund,  
 33 11 the commission shall provide the general assembly with  
 33 12 information identifying immediate and long-term veteran  
 33 13 services throughout the state and a plan for delivering those  
 33 14 services.

the Veterans Trust Fund beginning in FY 2008. Requires the Commission of Veterans Affairs to provide the General Assembly immediate and long-term veterans service information prior to the appropriations.

33 15 Sec. 65. Section 35A.13, subsection 6, Code 2005, is  
 33 16 amended by striking the subsection and inserting in lieu  
 33 17 thereof the following:  
 33 18 6. Moneys appropriated to the commission under this  
 33 19 section shall not be used to supplant funding provided by  
 33 20 other sources. The moneys may be expended upon a majority  
 33 21 vote of the commission membership for the benefit of veterans  
 33 22 and the spouses and dependents of veterans, for any of the  
 33 23 following purposes:  
 33 24 a. Travel expenses for wounded veterans directly related  
 33 25 to follow-up medical care.  
 33 26 b. Job training or college tuition assistance for job  
 33 27 retraining.  
 33 28 c. Unemployment assistance during a period of unemployment  
 33 29 due to prolonged physical or mental illness or disability  
 33 30 resulting from military service.  
 33 31 d. Expenses related to nursing facility or at-home care.  
 33 32 e. Benefits provided to children of disabled or deceased  
 33 33 veterans.  
 33 34 f. Individual counseling or family counseling programs.  
 33 35 g. Family support group programs or programs for children  
 34 1 of members of the military.  
 34 2 h. Honor guard services.

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

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

34 3 Sec. 66. Section 35A.13, Code 2005, is amended by adding  
 34 4 the following new subsection:

CODE: Requires the Commission of Veteran Affairs to recommend to the General Assembly additional uses for the interest from the

34 5 NEW SUBSECTION. 6A. If the commission identifies other  
34 6 purposes for which the moneys appropriated under this section  
34 7 may be used for the benefit of veterans and the spouses and  
34 8 dependents of veterans, the commission shall submit  
34 9 recommendations for the addition of such purposes to the  
34 10 general assembly for review.

Veterans Trust Fund for review.

34 11 Sec. 67. Section 68B.32A, subsection 2, unnumbered  
34 12 paragraph 2, Code Supplement 2005, is amended to read as  
34 13 follows:  
34 14 The board may establish a process to assign signature codes  
34 15 to a person or committee for purposes of facilitating an  
34 16 electronic filing procedure. The assignment of signature  
34 17 codes shall be kept confidential, notwithstanding section  
34 18 22.2. The board and persons electronically filing reports and  
34 19 statements shall keep assigned signature codes or subsequently  
34 20 selected signature codes confidential. Signature codes shall  
34 21 not be subject to state security policies regarding frequency  
34 22 of change.

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

34 23 Sec. 68. NEW SECTION. 70A.15A CHARITABLE GIVING PAYROLL  
34 24 DEDUCTION BY OTHER THAN STATE OFFICER OR EMPLOYEE.  
34 25 1. For purposes of this section, unless the context  
34 26 otherwise requires:  
34 27 a. "Applicable public employer" means a board of directors  
34 28 of a school district, a county board of supervisors, or a  
34 29 governing body of a city.  
34 30 b. "Eligible charitable organization" means a not-  
34 31 for-profit federation of health and human services, social  
34 32 welfare, or environmental agencies or associations that meets  
34 33 all of the following conditions:  
34 34 (1) The federation is tax exempt under section 501(c)(3)  
34 35 of the Internal Revenue Code and contributions to the  
35 1 federation are deductible under section 170 of the Internal  
35 2 Revenue Code.

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

35 3 (2) The federation has had an office in this state for the  
35 4 last five years.  
35 5 (3) The federation represents at least ten health and  
35 6 human services, social welfare, or environmental agencies or  
35 7 associations that are located in this state.  
35 8 (4) The federation is governed by an active, voluntary  
35 9 board, which exercises administrative control over the  
35 10 federation.  
35 11 (5) The federation is not a charitable foundation.  
35 12 (6) The federation is registered with the secretary of  
35 13 state's office.  
35 14 2. An applicable public employer may authorize deductions  
35 15 from the salaries or wages of its employees of an amount  
35 16 specified by an employee for payment to an eligible charitable  
35 17 organization. The authorization by an employee for deductions  
35 18 from the employee's salary or wages shall be evidenced by a  
35 19 written request signed by the employee directed to and filed  
35 20 with the treasurer, or official in charge of the payroll  
35 21 system, of the applicable public employer and the treasurer or  
35 22 responsible official shall deduct from the salary or wages of  
35 23 the employee the amount specified for payment to the eligible  
35 24 charitable organization. The request for the deduction may be  
35 25 withdrawn by the employee at any time by filing a written  
35 26 notification of withdrawal with the applicable treasurer or  
35 27 responsible official in charge of the payroll system.  
35 28 3. If an applicable public employer authorizes deductions  
35 29 from the salaries or wages of its employees for payment to any  
35 30 eligible charitable organization, the applicable public  
35 31 employer shall ensure that an employee shall be permitted to  
35 32 authorize a deduction to any eligible charitable organization.

35 33 Sec. 69. Section 103A.10, subsection 2, Code 2005, is  
35 34 amended by adding the following new paragraph:  
35 35 NEW PARAGRAPH. c. To all newly constructed buildings and  
36 1 structures the construction of which is paid for in whole or  
36 2 in part with moneys appropriated by the state but not wholly

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

36 3 owned by the state.

36 4 Sec. 70. NEW SECTION. 103A.10A PLAN REVIEWS AND  
36 5 INSPECTIONS.

36 6 1. Beginning on January 1, 2007, all newly constructed  
36 7 buildings or structures, excluding any addition, renovation,  
36 8 or repair of a building or structure whether existing prior to  
36 9 January 1, 2007, or thereafter, that are owned by the state or  
36 10 an agency of the state, except as provided in subsection 2,  
36 11 shall be subject to a plan review and inspection by the  
36 12 commissioner or an independent building inspector appointed by  
36 13 the commissioner. A fee shall be assessed for the cost of  
36 14 plan review and the cost of inspection.

36 15 2. Beginning on July 1, 2007, all newly constructed  
36 16 buildings, excluding any addition, renovation, or repair of a  
36 17 building whether existing prior to July 1, 2007, or  
36 18 thereafter, that are owned by the state board of regents shall  
36 19 be subject to a plan review and inspection by the commissioner  
36 20 or the commissioner's staff or assistant. The commissioner  
36 21 and the state board of regents shall develop a plan to  
36 22 implement the requirements of this subsection, including  
36 23 funding recommendations related to plan review and inspection,  
36 24 by March 1, 2007.

36 25 3. All newly constructed buildings and structures the  
36 26 construction of which is paid for in whole or in part with  
36 27 moneys appropriated by the state but not wholly owned by the  
36 28 state are subject to the plan review and inspection  
36 29 requirements as provided in this subsection. If a  
36 30 governmental subdivision has adopted a building code,  
36 31 electrical code, mechanical code, and plumbing code and  
36 32 performs inspections pursuant to such codes, such buildings or  
36 33 structures shall be built to comply with such codes. However,  
36 34 if a governmental subdivision has not adopted a building code,  
36 35 electrical code, mechanical code, and plumbing code, or does  
37 1 not perform inspections pursuant to such codes, such buildings  
37 2 or structures shall be built to comply with the state building

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

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

37 3 code and shall be subject to a plan review and inspection by  
 37 4 the commissioner or an independent building inspector  
 37 5 appointed by the commissioner. A fee shall be assessed for  
 37 6 the cost of plan review and the cost of inspection.  
 37 7 4. The commissioner shall administer this section  
 37 8 notwithstanding section 103A.19. The commissioner shall  
 37 9 establish by rule proper qualifications for an independent  
 37 10 building inspector and for the commissioner's staff or  
 37 11 assistant who performs inspections, and fees for plan reviews  
 37 12 and inspections.

37 13 Sec. 71. Section 123.47, subsection 1, Code Supplement  
 37 14 2005, is amended to read as follows:

37 15 1. a. A person shall not sell, give, or otherwise supply  
 37 16 alcoholic liquor, wine, or beer to any person knowing or  
 37 17 having reasonable cause to believe that person to be under  
 37 18 legal age.

37 19 b. A person who is the owner, lessee, or who has control  
 37 20 of property that is not a licensed premises shall not permit  
 37 21 any person, knowing or having reasonable cause to believe the  
 37 22 person to be under legal age, to consume or possess on such  
 37 23 property any alcoholic liquor, wine, or beer.

37 24 Sec. 72. Section 123.47, subsection 4, Code Supplement  
 37 25 2005, is amended to read as follows:

37 26 4. Except as otherwise provided in subsections 5 and 6, a  
 37 27 person who is of legal age, other than a licensee or  
 37 28 permittee, who ~~sells, gives, or otherwise supplies alcoholic~~  
 37 29 ~~liquor, wine, or beer to a person who is under legal age in~~  
 37 30 ~~violation of this section~~ violates subsection 1 commits a  
 37 31 serious misdemeanor punishable by a minimum fine of five  
 37 32 hundred dollars.

37 33 Sec. 73. Section 123.47, subsection 5, Code Supplement  
 37 34 2005, is amended to read as follows:

37 35 5. A person who is of legal age, other than a licensee or  
 38 1 permittee, who sells, gives, or otherwise supplies alcoholic  
 38 2 liquor, wine, or beer to a person who is under legal age in

CODE: Expands criminal penalties and civil liability to a person who is the owner, lessee, or in control of property that is not a licensed premises, from allowing a person who is known or believed to be under legal age, to consume or possess alcohol on the premises.

38 3 violation of ~~this section~~ subsection 1, paragraph "a", which  
 38 4 results in serious injury to any person commits an aggravated  
 38 5 misdemeanor.  
 38 6 Sec. 74. Section 123.47, subsection 6, Code Supplement  
 38 7 2005, is amended to read as follows:  
 38 8 6. A person who is of legal age, other than a licensee or  
 38 9 permittee, who sells, gives, or otherwise supplies alcoholic  
 38 10 liquor, wine, or beer to a person who is under legal age in  
 38 11 violation of ~~this section~~ subsection 1, paragraph "a", which  
 38 12 results in the death of any person commits a class "D" felony.

38 13 Sec. 75. Section 147.106, subsection 1, paragraph e, Code  
 38 14 Supplement 2005, is amended to read as follows:  
 38 15 e. The referring clinical laboratory, other than the  
 38 16 laboratory of a physician's office or group practice, that  
 38 17 ordered the services. A laboratory of a physician's office or  
 38 18 group practice that ordered the services may be presented a  
 38 19 claim, bill, or demand for payment if a physician in the  
 38 20 physician's office or group practice is performing the  
 38 21 professional component of the anatomic pathology services.

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

38 22 Sec. 76. Section 147.106, subsection 5, Code Supplement  
 38 23 2005, is amended to read as follows:  
 38 24 5. This section does not prohibit claims or charges  
 38 25 presented by to a referring clinical laboratory, other than a  
 38 26 laboratory of a physician's office or group practice, ~~to~~  
 38 27 unless in accordance with subsection 1, paragraph "e", by  
 38 28 another clinical laboratory when samples are transferred  
 38 29 between laboratories for the provision of anatomic pathology  
 38 30 services.

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

38 31 Sec. 77. Section 225C.48, subsection 1, Code 2005, if  
 38 32 amended by both 2006 Iowa Acts, House File 845, if enacted,  
 38 33 and by 2006 Iowa Acts, Senate File 2217, section 22, if  
 38 34 enacted, is amended by striking the subsection and inserting

CODE: Requires the Governor to appoint the members of the Comprehensive Family Support Council, in lieu of a combination of the Governor, Senate Majority Leader, and Speaker of the House of Representatives. Requires at least five members to be family

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

members of individuals with a disability. Permits these five members to receive the same \$50.00 stipend as the service consumer representation receives.

39 23 Sec. 78. Section 275.15, unnumbered paragraph 4, Code  
39 24 2005, is amended to read as follows:  
39 25 The administrator shall at once publish the decision in the  
39 26 same newspaper in which the original notice was published.  
39 27 Within twenty days after the publication, the decision  
39 28 rendered by the area education agency board may be appealed to  
39 29 the district court in the county involved by any school  
39 30 district affected. For purposes of appeal, only those school  
39 31 districts who filed reorganization petitions are school  
39 32 districts affected. An appeal from a decision of an area  
39 33 education agency board or joint area education agency boards  
39 34 under section 275.4, 275.16, or this section is subject to

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



39 35 appeal procedures under this chapter and is not subject to  
 40 1 appeal under procedures set forth in chapter 290.

40 2 Sec. 79. Section 314.1, subsection 2, Code 2005, as  
 40 3 amended by 2006 Iowa Acts, House File 2713, section 27, is  
 40 4 amended to read as follows:  
 40 5 2. Notwithstanding any other provision of law to the  
 40 6 contrary, a public improvement that involves the construction,  
 40 7 reconstruction, or improvement of a highway, bridge, or  
 40 8 culvert and that has a cost in excess of the applicable  
 40 9 threshold in section 73A.18, 262.34, 297.7, 309.40, 310.14, or  
 40 10 313.10, as modified by the bid threshold subcommittee pursuant  
 40 11 to section 314.1B, shall be advertised and let for bid, except  
 40 12 such public improvements that involve emergency work pursuant  
 40 13 to section 309.40A, 313.10, or 384.103, subsection 2. For a  
 40 14 city having a population of fifty thousand or less, a public  
 40 15 improvement that involves the construction, reconstruction, or  
 40 16 improvement of a highway, bridge, or culvert that has a cost  
 40 17 in excess of twenty-five thousand dollars, as modified by the  
 40 18 bid threshold subcommittee pursuant to section 314.1B, shall  
 40 19 be advertised and let for bid, excluding emergency work.  
 40 20 However, a public improvement that has an estimated total cost  
 40 21 to a city in excess of a threshold of fifty thousand dollars,  
 40 22 as modified by the bid threshold subcommittee pursuant to  
 40 23 section 314.1B, and that involves the construction,  
 40 24 reconstruction, or improvement of a highway, bridge, or  
 40 25 culvert that is under the jurisdiction of a city with a  
 40 26 population of more than fifty thousand, shall be advertised  
 40 27 and let for bid. Cities required to competitively bid  
 40 28 highway, bridge, or culvert work shall do so in compliance  
 40 29 with the requirements of sections 38.3 through 38.13.

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

40 30 Sec. 80. Section 352.2, subsection 7, Code 2005, is  
 40 31 amended to read as follows:  
 40 32 7. "Farm products" means those plants and animals and  
 40 33 their products which are useful to people and includes but is

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

40 34 not limited to forages and sod crops, grains and feed crops,  
 40 35 dairy and dairy products, poultry and poultry products,  
 41 1 livestock, canines from licensed facilities, fruits,  
 41 2 vegetables, flowers, seeds, grasses, trees, fish, honey, and  
 41 3 other similar products, or any other plant, animal, or plant  
 41 4 or animal product which supplies people with food, feed,  
 41 5 fiber, or fur.

DETAIL: The number of licensed facilities in Iowa include:

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

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

41 6 Sec. 81. Section 421.17, subsection 27, paragraph j, if  
 41 7 enacted by 2006 Iowa Acts, House File 2521, is amended by  
 41 8 striking the paragraph and inserting in lieu thereof the  
 41 9 following:  
 41 10 j. Of the amount of debt actually collected pursuant to  
 41 11 this subsection an amount, not to exceed the amount collected,  
 41 12 which is sufficient to pay for salaries, support, maintenance,  
 41 13 services, and other costs incurred by the department related  
 41 14 to the administration of this subsection shall be retained by  
 41 15 the department. Revenues retained by the department pursuant  
 41 16 to this section shall be considered repayment receipts as  
 41 17 defined in section 8.2. The director shall, in the annual  
 41 18 budget request pursuant to section 8.23, make an estimate as  
 41 19 to the amount of receipts to be retained and the estimated  
 41 20 amount of additional receipts to be collected. The director  
 41 21 shall report annually to the department of management, the  
 41 22 legislative fiscal committee, and the legislative services  
 41 23 agency on any additional positions added and the costs

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

41 24 incurred during the previous fiscal year pursuant to this  
41 25 subsection.

41 26 Sec. 82. Section 423.1, subsection 3, Code Supplement  
41 27 2005, is amended to read as follows:  
41 28 3. "Agricultural production" includes the production of  
41 29 flowering, ornamental, or vegetable plants in commercial  
41 30 greenhouses or otherwise, and production from aquaculture or  
41 31 canines from licensed facilities. "Agricultural products"  
41 32 includes flowering, ornamental, or vegetable plants and those  
41 33 products of aquaculture or canines from licensed facilities.

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

DETAIL: The number of licensed facilities in Iowa include:

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

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

41 34 Sec. 83. Section 466A.3, subsection 1, paragraph b, Code  
41 35 Supplement 2005, is amended to read as follows:  
42 1 b. The board shall consist of four members of the general  
42 2 assembly who shall serve as ~~voting~~ ex officio, nonvoting  
42 3 members. Not more than one member from each house shall be  
42 4 from the same political party. Two state senators shall be  
42 5 appointed, one by the majority leader of the senate and one by  
42 6 the minority leader of the senate. Two state representatives  
42 7 shall be appointed, one by the speaker of the house of  
42 8 representatives and one by the minority leader of the house of

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

42 9 representatives. A member may designate another person to  
42 10 attend a board meeting if the member is unavailable. Only the  
42 11 member is eligible for per diem and expenses as provided in  
42 12 section 2.10.

42 13 Sec. 84. Section 631.14, Code 2005, is amended to read as  
42 14 follows:

42 15 631.14 REPRESENTATION IN SMALL CLAIMS ACTIONS.

42 16 1. Actions constituting small claims may be brought or  
42 17 defended by an individual, partnership, association,  
42 18 corporation, or other entity. In actions in which a person  
42 19 other than an individual is a party, that person may be  
42 20 represented by an officer or an employee.

42 21 2. In actions concerning residential rental property that  
42 22 is titled in the name of one or more individuals, an employee  
42 23 of one or more of the titled owners, or an officer or employee  
42 24 of a property management entity acting on behalf of one or  
42 25 more of the titled owners, may bring or defend an action in  
42 26 the name of the titled owners, the property management entity,  
42 27 or the name by which the property is commonly known.

42 28 Notwithstanding any other provision to the contrary, if the  
42 29 defendant or plaintiff has been improperly named in the  
42 30 petition in an action concerning residential rental property,  
42 31 the real party in interest shall be substituted at the time  
42 32 the error is identified and the action shall not be dismissed  
42 33 or delayed except to the extent necessary to identify and  
42 34 serve the real parties in interest.

42 35 3. A person who in the regular course of business takes  
43 1 assignments of instruments or accounts pursuant to chapter  
43 2 539, which assignments constitute small claims, may bring an  
43 3 action on an assigned instrument or account in the person's  
43 4 own name and need not be represented by an attorney, provided  
43 5 that in an action brought to recover payment on a dishonored  
43 6 check or draft, as defined in section 554.3104, the action is  
43 7 brought in the county of residence of the maker of the check  
43 8 or draft or in the county where the draft or check was first

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

43 9 presented. Any person, however, may be represented in a small  
43 10 claims action by an attorney.

43 11 Sec. 85. 2006 Iowa Acts, Senate File 2251, section 1,  
43 12 subsection 2, paragraph b, is amended by adding the following  
43 13 new subparagraph:  
43 14 NEW SUBPARAGRAPH. (35) The Iowa podiatric medical  
43 15 society.

CODE: Adds the Iowa Podiatric Medical Society to the Healthy  
Children Task Force in SF 2251 (Healthy Kids in Schools Program).

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

43 16 Sec. 86. EFFECTIVE AND RETROACTIVE APPLICABILITY DATE

43 17 PROVISIONS. The section of this division of this Act amending  
43 18 section 7D.29, being deemed of immediate importance, takes  
43 19 effect upon enactment.

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

43 20 DIVISION VI  
43 21 SETTLEMENT OF STATE FINANCIAL AND TORT CLAIMS

43 22 Sec. 87. Section 8.6, Code 2005, is amended by adding the  
43 23 following new subsection:  
43 24 NEW SUBSECTION. 15. STATE TORT CLAIMS -- RISK MANAGEMENT  
43 25 COORDINATOR. Designate a position within the department to  
43 26 serve as the executive branch's risk management coordinator.  
43 27 The risk management coordinator shall have all of the  
43 28 following responsibilities:  
43 29 a. Coordinating and monitoring risk control policies and  
43 30 programs in the executive branch, including but not limited to  
43 31 coordination with the employees of departments who are  
43 32 responsible for the workers' compensation for state employees  
43 33 and management of state property.  
43 34 b. Consulting with the attorney general with respect to  
43 35 the risk control policies and programs and trends in claims  
44 1 and liability of the state under chapter 669.  
44 2 c. Coordinating the state's central data repository for

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

44 3 claims and risk information.  
44 4 The costs of salary, benefits, and support for the risk  
44 5 management coordinator shall be authorized by the state appeal  
44 6 board established in chapter 73A and shall be paid as claims  
44 7 for services furnished to the state under section 25.2.

44 8 Sec. 88. Section 8A.512, subsection 1, paragraph b,  
44 9 subparagraph (3), Code 2005, is amended to read as follows:  
44 10 (3) Claims approved by an agency according to the  
44 11 provisions of ~~sections 25.1 and~~ section 25.2.

CODE: Conforming amendment.

44 12 Sec. 89. Section 22.7, subsection 32, Code Supplement  
44 13 2005, is amended to read as follows:  
44 14 32. Social security numbers of the owners of unclaimed  
44 15 property reported to the treasurer of state pursuant to  
44 16 section 556.11, subsection 2, included on claim forms filed  
44 17 with the treasurer of state pursuant to section 556.19,  
44 18 included in outdated warrant reports received by the treasurer  
44 19 of state pursuant to section ~~25.2~~ 556.2C, or stored in record  
44 20 systems maintained by the treasurer of state for purposes of  
44 21 administering chapter 556, or social security numbers of  
44 22 payees included on state warrants included in records systems  
44 23 maintained by the department of administrative services for  
44 24 the purpose of documenting and tracking outdated warrants  
44 25 pursuant to section ~~25.2~~ 556.2C.

CODE: Conforming amendment.

44 26 Sec. 90. Section 25.1, subsection 1, Code 2005, is amended  
44 27 to read as follows:  
44 28 1. ~~When~~ Except for those claims that are addressed as  
44 29 provided in section 25.2, subsection 2, when a claim is filed  
44 30 or made against the state, on which in the judgment of the  
44 31 director of the department of management the state would be  
44 32 liable except for the fact of its sovereignty or that it has  
44 33 no appropriation available for its payment, the director of  
44 34 the department of management shall deliver that claim to the

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

44 35 state appeal board. However, this chapter does not apply to a  
45 1 claim as defined in section 669.2.

45 2 Sec. 91. Section 25.1, subsection 3, Code 2005, is amended  
45 3 by striking the subsection.

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

45 4 Sec. 92. Section 25.1, unnumbered paragraph 1, Code 2005,  
45 5 is amended by striking the unnumbered paragraph.

CODE: Repeals the authority to pay certain claims.

45 6 Sec. 93. Section 25.2, subsection 1, unnumbered paragraph  
45 7 1, Code 2005, is amended to read as follows:  
45 8 The state appeal board with the recommendation of the  
45 9 special assistant attorney general for claims may approve or  
45 10 reject claims against the state of less than ~~ten~~ five years  
45 11 involving the following:

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

45 12 Sec. 94. Section 25.2, subsection 1, paragraph a, Code  
45 13 2005, is amended by striking the paragraph.

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

45 14 Sec. 95. Section 25.2, Code 2005, is amended by adding the  
45 15 following new subsection:  
45 16 NEW SUBSECTION. 1A. Notwithstanding the time period  
45 17 specified in subsection 1, the state appeal board may approve  
45 18 or reject a claim against the state of five years or more,  
45 19 provided an error was made by the state or the claim involves  
45 20 a dispute that commenced five years or more prior.

CODE: Permits the State Appeal Board may approve certain claims greater than five years old in certain circumstances.

45 21 Sec. 96. Section 25.2, subsection 2, Code 2005, is amended  
45 22 to read as follows:  
45 23 2. a. Notwithstanding subsection 1, an agency that  
45 24 receives a claim that is charged to a funding source other  
45 25 than the general fund of the state that does not revert and is

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

45 26 based on an outdated invoice, outdated division for  
 45 27 merchandise, or for services furnished to the state pursuant  
 45 28 ~~to section 25.1, subsection 3,~~ may on its own approve or deny  
 45 29 the claim. The agency shall provide the state appeal board  
 45 30 with notification of receipt of the claim and action taken on  
 45 31 the claim by the agency. The state appeal board shall adopt  
 45 32 rules setting forth the procedures and standards for  
 45 33 resolution of such claims by state agencies. Claims denied by  
 45 34 an agency shall be forwarded to the state appeal board by the  
 45 35 agency for further consideration, in accordance with this

46 1 chapter.  
 46 2 b. The department of administrative services staff  
 46 3 performing financial administration duties under chapter 8A,  
 46 4 subchapter V, shall establish reporting requirements for  
 46 5 dealing with claims under this subsection as necessary to  
 46 6 conform with generally accepted accounting principles.

46 7 Sec. 97. Section 25.2, subsection 4, Code 2005, is amended  
 46 8 by striking the subsection and inserting in lieu thereof the  
 46 9 following:

46 10 4. Outstanding state warrants that have been canceled  
 46 11 pursuant to section 8A.519 and were charged to the general  
 46 12 fund of the state or another state funding source shall be  
 46 13 addressed as provided in section 556.2C.

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

46 14 Sec. 98. Section 25.2, subsection 5, Code 2005, is amended  
 46 15 by striking the subsection.

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

46 16 Sec. 99. NEW SECTION. 556.2C OUTSTANDING STATE WARRANTS.

46 17 1. a. An unpaid, outdated warrant that is canceled  
 46 18 pursuant to section 8A.519 shall be included in a list of  
 46 19 outstanding state warrants maintained by the director of the  
 46 20 department of administrative services. On or before July 1 of  
 46 21 each year, the director of the department of administrative  
 46 22 services shall provide the office of the treasurer of state

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



46 23 with a consolidated list of such outstanding warrants that  
46 24 have not been previously reported to the office.  
46 25 b. The consolidated list shall be accompanied by  
46 26 supporting information as specified by the treasurer of state.  
46 27 The treasurer of state may include information regarding the  
46 28 outstanding warrants in the notice published pursuant to  
46 29 section 556.12 and on the treasurer of state's official  
46 30 internet website.  
46 31 c. The reporting requirements of this section do not apply  
46 32 to outdated warrants charged to federal grants or other  
46 33 nonstate funds for which funding is no longer available as  
46 34 described in section 25.2.  
46 35 2. An agreement to pay compensation to recover or assist  
47 1 in the recovery of an outstanding warrant made within twenty-  
47 2 four months after the date the warrant is canceled is  
47 3 unenforceable. However, an agreement made after twenty-four  
47 4 months from the date the warrant is canceled is valid if the  
47 5 fee or compensation agreed upon is not more than fifteen  
47 6 percent of the recoverable property, the agreement is in  
47 7 writing and signed by the payee, and the writing discloses the  
47 8 nature and value of the property and the name and address of  
47 9 the person in possession. This subsection does not apply to a  
47 10 payee who has a bona fide fee contract with a practicing  
47 11 attorney regulated under chapter 602, article 10.

47 12 Sec. 100. Section 556.18, subsection 2, Code 2005, is  
47 13 amended by adding the following new paragraph:  
47 14 NEW PARAGRAPH. d. Any costs in connection with  
47 15 information on outstanding state warrants addressed pursuant  
47 16 to section 556.2C.

47 17 Sec. 101. Section 669.2, subsection 2, Code Supplement  
47 18 2005, is amended to read as follows:  
47 19 2. "Award" means any amount determined by the ~~state appeal-~~  
47 20 ~~board~~ attorney general to be payable to a claimant under

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

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

47 21 section 669.3, and the amount of any compromise or settlement  
47 22 under section 669.9.

47 23 Sec. 102. Section 669.3, Code 2005, is amended to read as  
47 24 follows:

47 25 669.3 ADJUSTMENT AND SETTLEMENT OF CLAIMS.

47 26 ~~1. Authority is hereby conferred upon the state appeal~~  
47 27 ~~board, acting The attorney general, on behalf of the state of~~  
47 28 ~~Iowa, subject to the advice and approval of the attorney~~  
47 29 ~~general, to shall consider, ascertain, adjust, compromise,~~  
47 30 ~~settle, determine, and allow any claim as defined in that is~~  
47 31 ~~subject to this chapter. If any claim is compromised,~~  
47 32 ~~settled, or allowed in an amount of more than five thousand~~  
47 33 ~~dollars, the unanimous approval of all members of the state~~  
47 34 ~~appeal board and the attorney general shall be required and~~  
47 35 ~~the approval of the district court of the state of Iowa for~~  
48 1 ~~Polk county shall also be required.~~

48 2 ~~2. Claims~~ A claim made under this chapter shall be filed  
48 3 with the director of the department of management, who shall  
48 4 acknowledge receipt on behalf of the state ~~appeal board~~.

48 5 ~~3.~~ The state appeal board shall adopt rules and procedures  
48 6 for the handling, processing, and investigation of claims,  
48 7 ~~according to the provisions of the Iowa administrative~~  
48 8 ~~procedure Act, in accordance with chapter 17A.~~

48 9 Sec. 103. Section 669.4, unnumbered paragraph 5, Code  
48 10 2005, is amended by striking the unnumbered paragraph.

48 11 Sec. 104. Section 669.5, Code 2005, is amended to read as  
48 12 follows:

48 13 669.5 WHEN SUIT PERMITTED -- EMPLOYEES OF THE STATE.

48 14 ~~1. No~~ A suit shall ~~not~~ be permitted for a claim under this  
48 15 chapter unless the ~~state appeal board~~ attorney general has  
48 16 made final disposition of the claim; ~~except that if. However,~~  
48 17 ~~if the state appeal board~~ attorney general does not make final

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

CODE: Eliminates provisions related to lawsuits against State employees.

CODE: Specifies when suits involving State employees are permitted.

48 18 disposition of a claim within six months after the claim is  
48 19 made in writing to the ~~state appeal board~~ director of the  
48 20 department of management, the claimant may, by notice in  
48 21 writing, withdraw the claim from consideration ~~of the state~~  
48 22 ~~appeal board~~ and begin suit under this chapter. Disposition  
48 23 of or offer to settle any claim made under this chapter shall  
48 24 not be competent evidence of liability or amount of damages in  
48 25 any suit under this chapter.

48 26 2. a. Upon certification by the attorney general that a  
48 27 defendant in a suit was an employee of the state acting within  
48 28 the scope of the employee's office or employment at the time  
48 29 of the incident upon which the claim is based, the suit  
48 30 commenced upon the claim shall be deemed to be an action  
48 31 against the state under the provisions of this chapter, and if  
48 32 the state is not already a defendant, the state shall be  
48 33 substituted as the defendant in place of the employee.

48 34 b. If the attorney general refuses to certify that a  
48 35 defendant was acting within the scope of the defendant's  
49 1 office or employment as described in paragraph "a" at the time  
49 2 of the incident out of which the claim arose, the defendant  
49 3 may petition the court, with notice to the attorney general,  
49 4 for the court to find and certify that the defendant was an  
49 5 employee of the state and was acting within the scope of the  
49 6 defendant's office or employment. The defendant must file the  
49 7 petition within ninety days of the date the attorney general  
49 8 serves notice of the attorney general's refusal to provide  
49 9 certification as provided in paragraph "a". If the court  
49 10 issues the finding and certification, the suit shall be deemed  
49 11 to be brought against the state and subject to the provisions  
49 12 of this chapter and the state shall be substituted as the  
49 13 defendant party unless the state is already a defendant. If  
49 14 the court denies the petition for certification, the order  
49 15 shall not be a final order and is not subject to interlocutory  
49 16 appeal by the defendant.

49 18 follows:

49 19 669.13 LIMITATION OF ACTIONS.

49 20 1. ~~Every A claim and or suit otherwise~~ permitted under  
49 21 this chapter shall be forever barred, unless within two years  
49 22 after ~~such the~~ claim accrued, the claim is made in writing to  
49 23 ~~and filed with the state appeal board~~ director of the  
49 24 department of management under this chapter. The time to  
49 25 begin a suit under this chapter shall be extended for a period  
49 26 of six months from the date of mailing of notice to the  
49 27 claimant by the ~~state appeal board~~ attorney general as to the  
49 28 final disposition of the claim or from the date of withdrawal  
49 29 of the claim ~~from the state appeal board~~ under section 669.5,  
49 30 if the time to begin suit would otherwise expire before the  
49 31 end of ~~such the~~ period.

49 32 2. If a claim is made or filed under any other law of this  
49 33 state and a determination is made by a state agency or court  
49 34 that this chapter provides the exclusive remedy for the claim,  
49 35 ~~the time two-year period authorized in subsection 1~~ to make a  
50 1 claim and to begin a suit under this chapter shall be extended  
50 2 for a period of six months from the date of the court order  
50 3 making such determination or the date of mailing of notice to  
50 4 the claimant of such determination by a state agency, if the  
50 5 time to make the claim and to begin the suit under this  
50 6 chapter would otherwise expire before the end of ~~such the two-~~  
50 7 year period. The time to begin a suit under this chapter may  
50 8 be further extended as provided in ~~the preceding paragraph~~  
50 9 subsection 1.

50 10 3. This section is the only statute of limitations  
50 11 applicable to claims as defined in this chapter.

50 12 Sec. 106. Section 669.15, Code 2005, is amended to read as  
50 13 follows:

50 14 ~~669.15 ATTORNEY'S ATTORNEY FEES AND EXPENSES.~~

50 15 The court rendering a judgment for ~~the a~~ claimant under  
50 16 this chapter, ~~or the state appeal board, with the advice and~~  
50 17 ~~approval~~ of the attorney general, making an award under

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

50 18 ~~section 669.3, or the attorney general making an award under~~  
 50 19 ~~section 669.9, as the case may be,~~ shall, as a part of the  
 50 20 judgment or award, determine and allow reasonable ~~attorney's~~  
 50 21 attorney fees and expenses, to. ~~The attorney fees and~~  
 50 22 expenses shall be paid out of but not in addition to the  
 50 23 amount of judgment or award recovered, to the attorneys  
 50 24 representing the claimant. Any attorney who charges, demands,  
 50 25 receives, or collects for services rendered in connection with  
 50 26 such claim any amount in excess of that allowed under this  
 50 27 section, if recovery be had, shall be guilty of a serious  
 50 28 misdemeanor.

50 29 Sec. 107. Section 669.18, Code 2005, is amended to read as  
 50 30 follows:

50 31 669.18 EXTENSION OF TIME.

50 32 If a claim is made or a suit is begun under this chapter,  
 50 33 and if a determination is made by the ~~state appeal board~~  
 50 34 attorney general or by the court that the claim or suit is not  
 50 35 permitted under this chapter for any reason other than lapse  
 51 1 of time, the time to make a claim or to begin a suit under any  
 51 2 other applicable law of this state shall be extended for a  
 51 3 period of six months from the date of the court order making  
 51 4 such determination or the date of mailing of notice to the  
 51 5 claimant of such determination by the ~~state appeal board~~  
 51 6 attorney general, if the time to make the claim or begin the  
 51 7 suit under such other law would otherwise expire before the  
 51 8 end of such period.

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

51 9 Sec. 108. Section 669.19, Code 2005, is amended to read as  
 51 10 follows:

51 11 669.19 INVESTIGATION OF CLAIMS BEFORE APPEAL BOARD.

51 12 ~~Chapter 25 does not apply to claims as defined in this~~  
 51 13 ~~chapter. However, any or all of the provisions of sections~~  
 51 14 ~~25.1, 25.4, and 25.5 may be made applicable to claims as~~  
 51 15 ~~defined in this chapter by agreement between the attorney~~

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

51 16 ~~general and the state appeal board from time to time. The~~  
 51 17 ~~attorney general shall fully investigate each claim under this~~  
 51 18 ~~chapter and may exercise the authority provided in section~~  
 51 19 ~~25.5 in performing the investigation.~~

51 20 Sec. 109. Section 669.20, Code 2005, is amended to read as  
 51 21 follows:  
 51 22 669.20 LIABILITY INSURANCE.  
 51 23 ~~Whenever~~ If a claim or suit against the state is covered by  
 51 24 liability insurance, the provisions of the liability insurance  
 51 25 policy on defense and settlement shall be applicable  
 51 26 notwithstanding any inconsistent provisions of this chapter.  
 51 27 The attorney general ~~and the state appeal board shall co-~~  
 51 28 ~~operate~~ cooperate with the insurance company.

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

51 29 Sec. 110. Section 669.21, Code 2005, is amended to read as  
 51 30 follows:  
 51 31 669.21 EMPLOYEES DEFENDED AND INDEMNIFIED.  
 51 32 ~~1. The~~ 1. Except as otherwise provided in subsection 2, the  
 51 33 state shall defend any employee, and shall indemnify and hold  
 51 34 harmless an employee against any claim as defined in section  
 51 35 669.2, subsection 3, paragraph "b", including claims arising  
 52 1 under the Constitution, statutes, or rules of the United  
 52 2 States or of any state.  
 52 3 2. a. The duty to indemnify and hold harmless shall not  
 52 4 apply and the state shall be entitled to restitution from an  
 52 5 employee if the employee fails to cooperate in the  
 52 6 investigation or defense of the claim, as defined in this  
 52 7 section, or if, in an action commenced by the state against  
 52 8 the employee, it is determined that the conduct of the  
 52 9 employee upon which a tort claim or demand was based  
 52 10 constituted a willful and wanton act or omission or  
 52 11 malfeasance in office.  
 52 12 b. The duty to indemnify and hold harmless shall not apply  
 52 13 if, in a suit commenced against the employee, the state has

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

52 14 been substituted as the defendant in place of the employee, as  
52 15 provided in section 669.5.

52 16 DIVISION VII  
52 17 CORRECTIVE PROVISIONS

52 18 Sec. 111. Section 8A.204, subsection 3, paragraph g,  
52 19 subparagraph (4), unnumbered paragraph 2, as enacted by 2006  
52 20 Iowa Acts, House File 2705, section 1, is amended to read as  
52 21 follows:

CODE: Technical correction.

52 22 The board shall keep detailed minutes of all discussion,  
52 23 persons present, and action occurring at a closed session, and  
52 24 shall also tape record all of the closed session. The minutes  
52 25 and the tape recording of a session closed under this  
52 26 subparagraph shall be made available for public examination  
52 27 when a final decision is made regarding whether to issue the  
52 28 request for proposals. All board actions and decisions  
52 29 regarding this information shall be made in open ~~meetings~~  
52 30 session and appropriately recorded.

52 31 Sec. 112. Section 35A.14, subsection 3, if enacted by 2006  
52 32 Iowa Acts, Senate File 2312, section 1, is amended to read as  
52 33 follows:

DETAIL: Technical correction.

52 34 3. The department may receive and accept donations,  
52 35 grants, gifts, and contributions from any public or private  
53 1 source for the purpose of providing grants under this section.  
53 2 Moneys received by the department pursuant to this subsection  
53 3 shall be deposited in an injured veterans trust fund which  
53 4 shall be created in the state treasury under the control of  
53 5 the department. Moneys credited to the trust fund ~~shall be~~  
53 6 are appropriated to the department for the purpose of  
53 7 providing injured veterans grants under this section and shall  
53 8 not be transferred, used, obligated, appropriated, or  
53 9 otherwise encumbered, except as provided in this section.  
53 10 Notwithstanding section 12C.7, subsection 2, interest or

53 11 earnings on moneys in the trust fund shall be credited to the  
53 12 trust fund.

53 13 Sec. 113. Section 70A.23, subsection 3, paragraph a, as  
53 14 enacted by 2006 Iowa Acts, Senate File 2231, is amended to  
53 15 read as follows:  
53 16 a. An eligible state employee, excluding an employee  
53 17 covered under a collective bargaining agreement which provides  
53 18 otherwise or an employee of the state board of regents, who  
53 19 retires and receives a payment as provided in subsection 2  
53 20 shall be entitled to elect to have the employee's available  
53 21 remaining value of sick leave ~~to be~~ used to pay the state  
53 22 share for the employee's continuation of state group health  
53 23 insurance coverage pursuant to the requirements of this  
53 24 subsection.

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

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

53 25 Sec. 114. Section 91.4, subsection 9, Code 2005, as  
53 26 amended by 2006 Iowa Acts, House File 2586, section 1, if  
53 27 enacted, is amended to read as follows:  
53 28 9. The commissioner may establish rules pursuant to  
53 29 chapter 17A to assess and collect interest on fees, penalties,  
53 30 and other amounts due the division. The commissioner may  
53 31 delay, or, following written notice, deny the issuance of a  
53 32 license, commission, registration, certificate, or permit  
53 33 authorized under chapter 88A, 89, 89A, 90A, 91C, or 94A if the  
53 34 applicant for the license, commission, registration,  
53 35 certificate, or permit owes a liquidated debt to the  
54 1 commissioner.

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

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

54 2 Sec. 115. Section 99G.30A, subsections 1 and 2, as enacted  
54 3 by 2006 Iowa Acts, Senate File 2330, section 3, are amended to  
54 4 read as follows:  
54 5 1. If revenues are generated from monitor vending machines  
54 6 ~~on or~~ after forty-five days following the effective date of  
54 7 this Act, then there shall be a monitor vending machine excise

CODE: Amends Senate File 2330 (FY 2007 Electronic Lottery Devices Act) to make the following changes:

- Retailers are required to pay, on a monthly basis, the excise tax on forms approved by the Director of the Department of Revenue.
- All moneys received or refunded from the monitor vending



54 8 tax imposed on net monitor vending machine revenue receipts at  
54 9 the rate of sixty-five percent.

54 10 ~~2. a. The director of revenue shall administer the~~  
54 11 ~~monitor vending machine excise tax as nearly as possible in~~  
54 12 ~~conjunction with the administration of state sales tax laws.—~~  
54 13 ~~The director shall provide appropriate forms or provide~~  
54 14 ~~appropriate entries on the regular state tax forms for~~  
54 15 ~~reporting local sales and services tax liability.~~

54 16 ~~b. All powers and requirements of the director to~~  
54 17 ~~administer the state sales and use tax law are applicable to~~  
54 18 ~~the administration of the monitor vending machine excise tax,~~  
54 19 ~~including but not limited to the provisions of section 422.25,~~  
54 20 ~~subsection 4, sections 422.30, 422.67, and 422.68, section~~  
54 21 ~~422.69, subsection 1, sections 422.70 to 422.75, section~~  
54 22 ~~423.14, subsection 1 and subsection 2, paragraphs "b" through~~  
54 23 ~~"e", and sections 423.15, 423.23, 423.24, 423.25, 423.31 to~~  
54 24 ~~423.35, 423.37 to 423.42, 423.46, and 423.47.~~

54 25 ~~c. Frequency of deposits and quarterly reports of the~~  
54 26 ~~monitor vending machine excise tax with the department of~~  
54 27 ~~revenue are governed by the tax provisions in section 423.31.—~~  
54 28 ~~Monitor vending machine excise tax collections shall not be~~  
54 29 ~~included in computation of the total tax to determine~~  
54 30 ~~frequency of filing under section 423.31.~~

54 31 2. a. The retailer shall pay on a monthly basis on forms  
54 32 approved by the director of revenue the tax imposed under  
54 33 subsection 1 to the department of revenue or to a depository  
54 34 designated by the director of revenue.

54 35 b. The director of revenue shall administer the monitor  
55 1 vending machine excise tax as nearly as possible in  
55 2 conjunction with the administration of the state sales tax  
55 3 law, except that portion of the law which implements the  
55 4 streamlined sales and use tax agreement. The director shall  
55 5 provide appropriate forms, or provide on the regular state tax  
55 6 forms, for reporting the monitor vending machine excise tax  
55 7 liability. All moneys received or refunded from the monitor  
55 8 vendor machine excise tax shall be deposited in or withdrawn  
55 9 from the general fund of the state.

machines excise tax is to be deposited in or withdrawn from the  
General Fund.

The Director of the Department of Revenue may require all persons  
subject to tax under this section to register with the Department. All  
taxes collected under this section are deemed to be held in trust for  
the State.

DETAIL: Senate File 2330 was enacted by the General Assembly on  
March 14, 2006, and signed by the Governor on March 20, 2006.

55 10 c. Section 422.25, subsection 4, sections 422.30, 422.67,  
 55 11 and 422.68, section 422.69, subsection 1, sections 422.70,  
 55 12 422.71, 422.72, 422.74, and 422.75, section 423.14, subsection  
 55 13 1, and sections 423.23, 423.24, 423.25, 423.31, 423.33,  
 55 14 423.35, 423.37 to 423.42, and 423.47, consistent with the  
 55 15 provisions of this section, apply with respect to the taxes  
 55 16 authorized under this section, in the same manner and with the  
 55 17 same effect as if the monitor vending machine excise tax was a  
 55 18 retail sales tax within the meaning of those statutes.  
 55 19 Notwithstanding this paragraph, the director shall provide for  
 55 20 monthly filing of returns as prescribed in section 423.31.  
 55 21 The director may require all persons who are engaged in the  
 55 22 business of deriving any net receipts subject to tax under  
 55 23 this section to register with the department. All taxes  
 55 24 collected under this section by a retailer or any individual  
 55 25 are deemed to be held in trust for the state of Iowa.

55 26 Sec. 116. Section 123.3, subsection 37, as amended by 2006  
 55 27 Iowa Acts, Senate File 2305, section 1, is amended to read as  
 55 28 follows:

55 29 37. "Wine" means any beverage containing more than five  
 55 30 percent of alcohol by weight but not more than seventeen  
 55 31 percent of alcohol by weight or twenty-one and twenty-five  
 55 32 hundredths percent of alcohol by volume obtained by the  
 55 33 fermentation of the natural sugar contents of fruits or other  
 55 34 agricultural products but excluding any product containing  
 55 35 alcohol derived from malt or by the distillation process from  
 56 1 grain, cereal, molasses, or cactus.

56 2 Sec. 117. Section 124.506A, subsection 1, as enacted by  
 56 3 2006 Iowa Acts, House File 2696, section 1, is amended to read  
 56 4 as follows:

56 5 1. Notwithstanding the provisions of section 124.506, if  
 56 6 more than ten pounds of marijuana or more than one pound of  
 56 7 any other controlled substance is seized ~~in~~ as a result of a

CODE: Technical correction.

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

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

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

56 8 violation of this chapter, the law enforcement agency  
56 9 responsible for retaining the seized controlled substance may  
56 10 destroy the seized controlled substance if the law enforcement  
56 11 agency retains at least ten pounds of the marijuana seized or  
56 12 at least one pound of any other controlled substance seized  
56 13 for evidence purposes.

56 14 Sec. 118. Section 266.27, Code 2005, as amended by 2006  
56 15 Iowa Acts, Senate File 2253, section 34, is amended to read as  
56 16 follows:  
56 17 266.27 ACT ACCEPTED.  
56 18 The assent of the general assembly of the state of Iowa is  
56 19 hereby given to the provisions and requirements of the Smith-  
56 20 Lever Act, 38 Stat. 372-374, approved May 4 & 8, 1914, and any  
56 21 amendments to that Act, codified at 7 U.S.C. § 341 -- 349.

56 22 Sec. 119. Section 331.756, subsection 44, Code Supplement  
56 23 2005, is amended by striking the subsection.

56 24 Sec. 120. Section 455G.31, subsection 2, paragraph a, if  
56 25 enacted by 2006 Iowa Acts, House File 2754, section 25, is  
56 26 amended to read as follows:  
56 27 a. For gasoline storage and dispensing infrastructure  
56 28 other than the dispenser, the department of natural resources  
56 29 under this chapter or the state fire marshal under chapter  
56 30 101, ~~division II~~ must determine that it is compatible with E-  
56 31 85 gasoline.

56 32 Sec. 121. Section 541A.3, subsection 1, unnumbered  
56 33 paragraph 1, Code 2005, as amended by 2006 Iowa Acts, House  
56 34 File 2644, section 5, is amended to read as follows:  
56 35 Payment by the state of a savings refund on amounts of up

CODE: Technical correction.

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

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

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

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

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

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

57 1 to two thousand dollars per calendar year that an account  
57 2 holder deposits in the account holder's account. Moneys  
57 3 transferred to an individual development account from another  
57 4 individual development account and a savings refund received  
57 5 by the account holder in accordance with this section 541A.3  
57 6 shall not be considered an account holder deposit for purposes  
57 7 of determining a savings refund. Payment of a savings refund  
57 8 either shall be made directly to the account holder or to an  
57 9 operating organization's central reserve account for later  
57 10 distribution to the account holder in the most appropriate  
57 11 manner as determined by the administrator. The state savings  
57 12 refund shall be the indicated percentage of the amount  
57 13 deposited:

was signed by the Governor on March 29, 2006.

57 14 Sec. 122. Section 602.8102, subsection 38, Code Supplement  
57 15 2005, is amended by striking the subsection.

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

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

57 16 Sec. 123. 2006 Iowa Acts, House File 2238, section 2,  
57 17 subsection 1, paragraph d, is amended to read as follows:  
57 18 d. Of the amount allocated to eligible services providers  
57 19 under paragraph "c", 70 percent shall be distributed to the  
57 20 state's accredited community mental health centers established  
57 21 or designated by counties in accordance with law or  
57 22 administrative rule. If a county has not established or  
57 23 designated a community mental health center and has received a  
57 24 waiver from the mental health and, mental retardation,  
57 25 developmental disabilities, and brain injury commission, the  
57 26 mental health services provider designated by that county is  
57 27 eligible to receive funding distributed pursuant to this  
57 28 paragraph in lieu of a community mental health center. The  
57 29 funding distributed shall be used by recipients of the funding  
57 30 for the purpose of developing and providing evidence-based  
57 31 practices and emergency services to adults with a serious

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

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

57 32 mental illness and children with a serious emotional  
 57 33 disturbance. The distribution amounts shall be announced at  
 57 34 the beginning of the federal fiscal year and distributed on a  
 57 35 quarterly basis according to the formulas used in previous  
 58 1 fiscal years. Recipients shall submit quarterly reports  
 58 2 containing data consistent with the performance measures  
 58 3 approved by the federal substance abuse and mental health  
 58 4 services administration.

58 5 Sec. 124. CONTINGENT REPEAL -- IPERS. The section of 2006  
 58 6 Iowa Acts, House File 2245, amending section 97B.1A,  
 58 7 subsection 24, paragraph "c", is repealed if the section of  
 58 8 2006 Iowa Acts, House File 729, amending section 97B.1A,  
 58 9 subsection 24, paragraph "c", is enacted.

58 10 Sec. 125. 2006 Iowa Acts, House File 2713, as enacted, is  
 58 11 amended by adding the following new section:  
 58 12 SEC. 23A. Section 256F.4, subsection 8, Code 2005, is  
 58 13 amended to read as follows:  
 58 14 8. A charter school may enter into contracts in accordance  
 58 15 with chapter ~~73A~~ 38.

58 16 Sec. 126. COLLABORATIVE EDUCATIONAL FACILITY -- CODE  
 58 17 EDITOR DIRECTIVE. The Code editor shall codify the provisions  
 58 18 of 2006 Iowa Acts, House File 864, notwithstanding that the  
 58 19 Act was drafted to the Code 2005 rather than to the Code  
 58 20 Supplement 2005. The provisional numbering in that Act in  
 58 21 section 423.3 of new subsection 85 and in section 423.4 of new  
 58 22 subsection 4 used subsection numbers that were not assigned in  
 58 23 the Code 2005 and their use in that Act does not imply that  
 58 24 the subsections in sections 423.3 and 423.4, Code Supplement  
 58 25 2005, with those same subsection numbers, are in any way  
 58 26 affected. In addition, the Code editor, under the authority

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

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

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

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

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

58 27 of section 2B.13 relating to the correction of internal  
 58 28 references to sections which have been repealed, shall insert  
 58 29 before the references to chapter 504A in sections 2 and 3 of  
 58 30 that Act the words "former chapter".

58 31 Sec. 127. EFFECTIVE DATE -- RETROACTIVE APPLICABILITY.  
 58 32 The section of this division of this Act amending section  
 58 33 99G.30A, being deemed of immediate importance, takes effect  
 58 34 upon enactment and is retroactively applicable to March 20,  
 58 35 2006.

Specifies that the Section of this Bill amending Senate File 2330 (FY 2007 Electronic Lottery Devices Act), is effective upon enactment.

59 1 EXPLANATION

59 2 This bill makes, reduces, and transfers appropriations,  
 59 3 provides for fees, and covers other properly related matters.  
 59 4 The bill is organized into divisions.  
 59 5 MH/MR/DD ALLOWED GROWTH FUNDING. This division  
 59 6 appropriates funding for FY 2007-2008 for distribution to  
 59 7 counties for allowed growth in mental health, mental  
 59 8 retardation, and developmental disabilities services  
 59 9 expenditures and to expand services to persons with brain  
 59 10 injury. The allocation for brain injury services includes  
 59 11 contingent language for transfer of the allocation to the Iowa  
 59 12 department of public health in the event 2006 Iowa Acts, House  
 59 13 File 2772, is enacted into law.

59 14 STANDING APPROPRIATIONS. This division limits the standing  
 59 15 unlimited appropriations for FY 2006-2007 made for the  
 59 16 following purposes: substance abuse treatment and prevention,  
 59 17 instructional support state aid, at-risk children programs,  
 59 18 payment of nonpublic school transportation, the educational  
 59 19 excellence program to improve teacher salaries, and state  
 59 20 share of peace officers' retirement benefits.

59 21 In addition, for FY 2006-2007, the following property tax  
 59 22 credits are funded from the property tax credit fund created  
 59 23 in the division instead of the general fund of the state:  
 59 24 homestead, agricultural land and family farm, military  
 59 25 service, and elderly and disabled tax credit and

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59 26 reimbursement.

59 27 For the budget process applicable to FY 2007-2008, state

59 28 agencies are required to submit estimates and other

59 29 expenditure information as called for by the director of the

59 30 department of management after consultation with the director

59 31 of management instead of the information required under

59 32 section 8.23.

59 33 The appropriations made for expenses of the general

59 34 assembly are reduced by \$1,267,106.

59 35 Code section 257.35, relating to state aid to schools

60 1 provided for area education agencies, is amended to continue a

60 2 reduction in that funding of \$8 million for FY 2006-2007. The

60 3 amount of the reduction for each area education agency will be

60 4 prorated based upon the reduction in the state aid that the

60 5 agency received in FY 2003-2004.

60 6 A directive that the state general fund surplus for FY

60 7 2005-2006 is to be transferred to the cash reserve fund in

60 8 2005 Iowa Acts, chapter 179, section 7, is stricken. This

60 9 provision is effective upon enactment.

60 10 The contingent appropriation under Code section 8.57,

60 11 subsection 1, of up to 1 percent of the adjusted revenue

60 12 estimate for FY 2006-2007 from the state general fund to the

60 13 cash reserve fund in the event the FY 2005-2006 ending balance

60 14 distribution was insufficient to bring the fund to the

60 15 designated level shall not be made for FY 2006-2007.

60 16 The division also provides that the revenue estimate

60 17 determined by the revenue estimating conference on March 24,

60 18 2006, is to be used in lieu of the revenue estimate of

60 19 December 2005 in determining the state general fund

60 20 expenditure limitation for FY 2006-2007 budget purposes.

60 21 SALARIES, COMPENSATION, AND RELATED MATTERS. This division

60 22 relates to the funding for the fiscal year beginning July 1,

60 23 2006, of salary increases for state appointed nonelected

60 24 officers, justices, judges, magistrates, employees subject to

60 25 collective bargaining agreements, and certain noncontract

60 26 employees. The division includes an appropriation to the

60 27 salary adjustment fund to pay for the salary adjustments for

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60 28 judicial and executive branch employees other than state board  
60 29 of regents employees.

60 30 The division provides supplemental authorization to fund  
60 31 salaries from trust, revolving, and special funds for which  
60 32 the general assembly has established a budget.

60 33 The division provides for extending the sick leave  
60 34 conversion program under the collective bargaining agreement  
60 35 that covers the greatest number of state employees and that  
61 1 affects sick leave accrual and allows sick leave conversion  
61 2 and use upon retirement for payment of certain health  
61 3 insurance premiums to nonregents employees in the executive  
61 4 branch who are not covered by a collective bargaining  
61 5 agreement.

61 6 Code section 99D.6, concerning the administrator of the  
61 7 racing and gaming commission, is amended to provide that the  
61 8 salary of the administrator shall be based upon the pay plan  
61 9 for exempt positions in the executive branch of government and  
61 10 not set by the general assembly.

61 11 Code section 421.1A, concerning the property assessment  
61 12 appeal board, is amended to provide that members of the board  
61 13 shall be considered state employees for purposes of salary and  
61 14 benefits. Current law provides that board members shall not  
61 15 be considered state employees.

61 16 The division also makes changes concerning the public  
61 17 broadcasting division of the department of education. The  
61 18 division provides that the public broadcasting board shall set  
61 19 the salary of the administrator of the division within the  
61 20 range established in the division. Current law provides that  
61 21 the governor sets the administrator's salary.

61 22 Code section 256.82, concerning the public broadcasting  
61 23 board, is amended to provide that the member appointed by the  
61 24 state board of regents need not be knowledgeable about  
61 25 telecommunications.

61 26 Code section 256.84, concerning the board's powers, is also  
61 27 amended by the division. Provisions allowing the board and  
61 28 the division to arrange for joint use of available services  
61 29 and facilities and requiring the board to adopt and update a



61 30 design plan for educational and telecommunications systems in  
61 31 the state are eliminated by the division. Code section 256.89  
61 32 concerning the state plan is also repealed by the division.  
61 33 Code section 256.84 is also amended to provide that the board  
61 34 may select programming, content partners, and other  
61 35 contractual services without using a competitive selection or  
62 1 performance measure process. Contractual services included in  
62 2 this exception are those related to program production and  
62 3 instructional and educational media. In addition, Code  
62 4 section 256.84 is amended to provide that the board shall  
62 5 approve for submission the public broadcasting division's  
62 6 budget.

62 7 OTHER APPROPRIATIONS AND RELATED MATTERS. This division  
62 8 makes numerous appropriations or reductions in appropriations  
62 9 for FY 2006-2007 and involves related matters as follows:

62 10 To the department of cultural affairs, \$5,000 is  
62 11 appropriated for a study of arts education and enrichment  
62 12 programming for school-age children.

62 13 To the veterans trust fund, \$4.5 million is appropriated  
62 14 from the state general fund.

62 15 To the department of veterans affairs, \$1 million is  
62 16 appropriated for a county grant program for providing improved  
62 17 services for veterans.

62 18 To the Iowa law enforcement academy, \$25,000 is  
62 19 appropriated from the state general fund for equipment and  
62 20 furnishings.

62 21 To the offices of governor and lieutenant governor from the  
62 22 state general fund to increase the appropriations made for FY  
62 23 2006-2007 in 2006 Iowa Acts, House File 2521, if enacted, for  
62 24 Terrace Hill quarters by \$22,676 and for membership dues in  
62 25 the national governors association by \$16,207.

62 26 To the department of natural resources, \$80,000 is  
62 27 appropriated from the manure storage indemnity fund to assist  
62 28 the department in modifying its computer database in order to  
62 29 assist persons required to submit and pay fees relating to  
62 30 updated manure management plans over a scheduled period of up  
62 31 to four years. This appropriation is contingent upon the

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62 32 enactment of legislation to provide for such four-year  
62 33 schedule. The department is required to repay the  
62 34 appropriation to the fund over four fiscal years.  
62 35 The division appropriates \$200,000 for FY 2007-2008 to the  
63 1 state board of regents for allocation to the university of  
63 2 northern Iowa for the real estate education program. This  
63 3 appropriation is contingent upon the enactment of legislation  
63 4 to appropriate fees credited to the real estate education fund  
63 5 to the real estate commission in lieu of the state board of  
63 6 regents.  
63 7 The division transfers \$2.8 million to the state board of  
63 8 regents from moneys appropriated for FY 2005-2006 which would  
63 9 otherwise revert. The moneys transferred are to be  
63 10 distributed in FY 2006-2007.  
63 11 The division increases the appropriation made in 2006 Iowa  
63 12 Acts, House File 2521, if enacted, to the division on the  
63 13 status of Iowans of Asian and Pacific islander heritage by  
63 14 \$80,000 for salaries, support, maintenance, and miscellaneous  
63 15 purposes and for 1 full-time equivalent position.  
63 16 The division appropriates to the department of cultural  
63 17 affairs, \$85,000 for the African-American historical museum  
63 18 and cultural center of Iowa in Cedar Rapids, and \$250,000 for  
63 19 historical resource development program emergency grants for  
63 20 qualified historic preservation projects in Johnson county;  
63 21 and appropriates to the department of justice for farm  
63 22 mediation services, \$100,000.  
63 23 The division strikes the \$17,773,000 appropriation to be  
63 24 made from the state general fund to the endowment for Iowa's  
63 25 health account for FY 2006-2007 which was originally made by  
63 26 2001 Iowa Acts, chapter 174, section 1, subsection 2.  
63 27 Code section 16.100 is amended to transfer moneys in and  
63 28 received for deposit in the housing improvement fund to the  
63 29 housing trust fund. The Iowa finance authority is required to  
63 30 report to the general assembly regarding the status of the  
63 31 trust fund.  
63 32 New Code section 137F.3A is enacted to provide that for  
63 33 fiscal years ending prior to July 1, 2007, the department of

63 34 inspections and appeals may retain fees imposed on hotels,  
63 35 home food establishments, and on certain food establishments  
64 1 and use the fees retained for costs associated with having the  
64 2 department conduct food inspections in jurisdictions where the  
64 3 applicable municipal corporation fails to conduct the  
64 4 inspections on or after July 1, 2005, but prior to July 1,  
64 5 2007. The section takes effect upon enactment and applies  
64 6 retroactively to July 1, 2005. The section is repealed July  
64 7 1, 2007.

64 8 Code section 256D.5, subsection 4, is amended to extend  
64 9 through FY 2006-2007 the \$29.25 million appropriation for the  
64 10 Iowa early intervention block grant program.

64 11 Intent language is expressed that the general assembly  
64 12 appropriate moneys from the state general fund for each fiscal  
64 13 year of the fiscal period beginning July 1, 2007, and ending  
64 14 June 30, 2010, to the housing trust fund.

64 15 Intent language is also expressed that the general assembly  
64 16 appropriate moneys from the state general fund for the world  
64 17 food prize for FY 2007-2008 and FY 2008-2009.

64 18 MISCELLANEOUS STATUTORY CHANGES. This division provides  
64 19 miscellaneous statutory changes.

64 20 Code section 7D.29 is amended to allow the executive  
64 21 council to review requests from the Iowa department of public  
64 22 health relative to the purchase, storing, and distribution of  
64 23 vaccines and medication for prevention, prophylaxis, or  
64 24 treatment. The executive council may approve the request and  
64 25 incur the necessary expense from moneys in the state treasury  
64 26 not otherwise appropriated. This provision takes effect upon  
64 27 enactment.

64 28 Code section 15E.208 is amended to provide for the  
64 29 forgiveness of the repayment of the loan plus interest which  
64 30 was assigned to the department of economic development during  
64 31 the 2003 calendar year. The loan had been made by an Iowa  
64 32 agricultural industry finance corporation pursuant to the Iowa  
64 33 agricultural industry finance Act in Code sections 15E.201  
64 34 through 15E.211.

64 35 New Code section 15G.119, subsection 4, paragraph "c", if

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65 1 enacted by 2006 Iowa Acts, House File 2759, which provides for  
65 2 the nonreversion of moneys in the renewable fuel  
65 3 infrastructure fund, is amended to provide for the reversion  
65 4 of moneys appropriated to the fund that are not encumbered or  
65 5 obligated at the end of FY 2011-2012.  
65 6 Code section 22.7, as amended by 2006 Iowa Acts, House File  
65 7 2706, if enacted, is amended by including as part of the  
65 8 confidentiality exception to the Iowa public records law  
65 9 charitable donations made to a foundation acting solely for  
65 10 the support of a community college.  
65 11 Code sections 29A.28 and 29A.43 are amended to provide that  
65 12 members of the civil air patrol are treated similarly to  
65 13 members of the national guard and reserves and are granted a  
65 14 leave of absence without penalty from their jobs for civil air  
65 15 patrol duty.  
65 16 Code section 29A.40 is amended to increase the penalty for  
65 17 false wearing of a military uniform from a simple to a serious  
65 18 misdemeanor.  
65 19 Code section 29C.8 is amended to change the reference to  
65 20 urban search and rescue teams to homeland security and  
65 21 emergency response teams and to provide that such teams may be  
65 22 deployed to support an interstate assistance request under the  
65 23 emergency management assistance compact described in Code  
65 24 section 29C.21. The amended section is also amended to  
65 25 provide that a member of such a team will be considered a  
65 26 state employee for purposes of the compact if the member is  
65 27 registered with the homeland security and emergency management  
65 28 division on an approved team. The amended section also  
65 29 requires approved teams to establish standards for membership  
65 30 and keep updated lists of members. Finally, the amended  
65 31 section provides that the department of administrative  
65 32 services shall process claims for injury or loss by team  
65 33 members and that funding shall be sought from the executive  
65 34 council.  
65 35 Code section 29C.20 is also amended to reflect the change  
66 1 in reference to homeland security and emergency response  
66 2 teams.

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66 3 Code section 35A.9 is amended to provide that all funds  
66 4 received, including any lease payments or funds generated from  
66 5 activity engaged in on the property, are to be deposited into  
66 6 an account dedicated to the establishment, operation, and  
66 7 maintenance of the veterans cemetery.

66 8 Code section 35A.13, relating to the veterans trust fund,  
66 9 is amended by enacting a new subsection 5A to express the  
66 10 intent of the general assembly that beginning with FY 2007-  
66 11 2008 annual appropriations be made to the fund and subsection  
66 12 6 is rewritten to list the purposes for which moneys in the  
66 13 fund may be used. A new subsection 6A is enacted that  
66 14 provides for the commission to notify the general assembly for  
66 15 its review if the commission identifies other purposes for  
66 16 which moneys could be used to benefit veterans and their  
66 17 families.

66 18 Code section 68B.32A in part provides that the ethics and  
66 19 campaign disclosure board assign confidential signature codes  
66 20 for persons who file reports and statements electronically.  
66 21 The division amends Code section 68B.32A to provide that the  
66 22 person who files the reports and statements is responsible for  
66 23 keeping the assigned signature codes confidential. The  
66 24 amendment also excludes signature codes from state information  
66 25 technology requirements concerning periodic changes of these  
66 26 codes.

66 27 New Code section 70A.15 is created to allow certain  
66 28 governmental employees to contribute to an eligible charity  
66 29 through a payroll deduction. The new Code section provides  
66 30 that employees of a school district, county, or city may  
66 31 request a payroll deduction from their wages for purposes of  
66 32 contributing to an eligible charitable organization. The new  
66 33 Code section defines an eligible charitable organization as a  
66 34 not-for-profit federation of health and human services, social  
66 35 welfare, or environmental agencies that is exempt under  
67 1 section 501(c)(3) of the Internal Revenue Code, has had an  
67 2 office in this state for five years, is governed by a board,  
67 3 represents at least 10 agencies, is not a charitable  
67 4 foundation, and is registered with the secretary of state's

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67 5 office.  
67 6 Code section 103A.10 is amended to apply the state building  
67 7 code to all newly constructed buildings and structures the  
67 8 construction of which is paid for in whole or in part with  
67 9 moneys appropriated by the state but not wholly owned by the  
67 10 state.

67 11 New Code section 103A.10A is enacted to require plan  
67 12 reviews and inspections for state-owned buildings, state board  
67 13 of regents-owned buildings, and buildings the construction of  
67 14 which is paid for in whole or in part with moneys appropriated  
67 15 by the state but not wholly owned by the state. The state  
67 16 building code commissioner is required to establish by rule  
67 17 fees for plan reviews and inspections and also the proper  
67 18 qualifications for persons required to perform inspections.

67 19 Code section 123.47 is amended to provide that it shall be  
67 20 unlawful for a person who owns, leases, or has control of  
67 21 property that is not a licensed premises to permit any person,  
67 22 knowing or having reasonable cause to believe the person to be  
67 23 under legal age, to consume or possess on the property any  
67 24 alcoholic liquor, wine, or beer. A violation of this  
67 25 provision would be a serious misdemeanor punishable by a  
67 26 minimum fine of \$500.

67 27 Code section 147.106, relating to billing procedures  
67 28 utilized by referring clinical laboratories providing anatomic  
67 29 pathology services, is amended to provide that a laboratory of  
67 30 a physician's office or group practice that ordered the  
67 31 services may be presented a claim, bill, or demand for payment  
67 32 if a physician in the office or practice is performing the  
67 33 professional component of the services.

67 34 Code section 225C.48 is amended to harmonize the membership  
67 35 of the personal assistance and family support services council  
68 1 if both 2006 Iowa Acts, House File 845 and Senate File 2217  
68 2 are enacted. The harmonization adopts the provision of House  
68 3 File 845 that makes all 11 appointees gubernatorial appointees  
68 4 rather than some members being appointed by legislative  
68 5 leaders, as well as making five council appointees family  
68 6 members of an individual with a disability. The harmonization

68 7 adopts the new name of the council, certain consumer member  
68 8 qualifications, and member expense and stipend provisions of  
68 9 Senate File 2271.  
68 10 Code section 275.15 is amended to allow any person to  
68 11 appeal a decision of the area education agency board regarding  
68 12 boundaries to the state board of education.  
68 13 2006 Iowa Acts, House File 2713, repeals Code sections  
68 14 384.95 and 384.96 pertaining to city bid-letting procedures in  
68 15 favor of the new bidding procedures in new Code chapter 38,  
68 16 and strikes references to these repealed sections in Code  
68 17 section 314.1. With the striking of the references to these  
68 18 repealed sections, Code section 314.1 retains a \$50,000 bid  
68 19 threshold amount for highway, bridge, and culvert improvements  
68 20 in cities with a population of more than 50,000, but no longer  
68 21 contains a bid threshold amount for cities with a population  
68 22 of 50,000 or less. New Code chapter 38 does not apply to  
68 23 cities for these road-related improvements. This amendment to  
68 24 Code section 314.1 restores the \$25,000 bid threshold for such  
68 25 improvements, excluding emergency work, for the lesser  
68 26 populated cities. The \$25,000 threshold and emergency work  
68 27 exclusion are taken directly from current Code sections 384.95  
68 28 and 384.96, the Code sections being repealed. Code section  
68 29 314.1 is also amended to require cities that have to let bids  
68 30 to follow the procedures in new Code sections 38.3 through  
68 31 38.13.  
68 32 Code section 352.2 is amended to include in the definition  
68 33 of "farm products" under the county land preservation and use  
68 34 chapter canines from licensed facilities.  
68 35 Code section 421.17, subsection 27, is amended by rewriting  
69 1 the new paragraph "j", if enacted by 2006 Iowa Acts, House  
69 2 File 2521, to provide that the department of revenue may  
69 3 retain the costs of salaries, support, maintenance, and other  
69 4 services incurred in collecting debts for other state  
69 5 agencies. Also, the department is to include as part of its  
69 6 annual budget request an estimate of the amount of such costs  
69 7 and the amount of debts to be collected.  
69 8 Code section 423.1 is amended to include in the definition

69 9 of "agricultural production" and "agricultural products" under  
69 10 the state sales and use tax canines from licensed facilities.  
69 11 This amendment will make the sales tax exemptions relating to  
69 12 agricultural production and products applicable to property  
69 13 used for canines from licensed facilities.  
69 14 Code section 466A.3, subsection 3, is amended to make the  
69 15 legislative members on the watershed improvement review board  
69 16 ex officio, nonvoting members. Under present law they are  
69 17 voting members.  
69 18 Code section 631.14 is amended to provide that in an action  
69 19 brought in small claims court concerning a residential rental  
69 20 property that is titled in the name of one or more  
69 21 individuals, an employee of one or more of the titled owners  
69 22 or an officer or employee of a property management entity  
69 23 acting on behalf of a titled owner may bring or defend an  
69 24 action in small claims court in the name of the titled owners,  
69 25 the name of the property management entity, or the name by  
69 26 which the property is commonly known. If in such an action  
69 27 either the plaintiff or defendant has been improperly named in  
69 28 the petition, the court shall substitute the correct real  
69 29 party in interest in the action and the action shall not be  
69 30 delayed or dismissed except as necessary to identify and serve  
69 31 the correct parties to the action.  
69 32 The division adds as a member of the healthy children task  
69 33 force to be convened pursuant to 2006 Iowa Acts, Senate File  
69 34 2251, a representative of the Iowa podiatric medical society.  
69 35 SETTLEMENT OF STATE FINANCIAL AND TORT CLAIMS. This  
70 1 division relates to the settlement of state financial and tort  
70 2 claims.  
70 3 Code section 8.6, relating to the duties of the director of  
70 4 the department of management, is amended to require the  
70 5 director to designate a position within the department of  
70 6 management to serve as the executive branch's risk management  
70 7 coordinator and delineates the coordinator's duties. Salary  
70 8 and other costs associated with the risk management  
70 9 coordinator are subject to approval of the state appeal board  
70 10 and are required to be paid from either the appropriations to



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70 11 the department of management or the standing appropriation for  
70 12 claims against the state under Code section 25.2.  
70 13 Code section 22.7, relating to the list of records that are  
70 14 kept confidential under the public records law, and Code  
70 15 section 8A.512, relating to the authority of the director of  
70 16 administrative services to settle claims, are amended to  
70 17 change references to Code sections to conform with the changes  
70 18 made in the division.  
70 19 Code section 25.1, relating to receipt, investigation, and  
70 20 reporting for claims against the state or by the state, is  
70 21 amended. Under current law, outdated invoices and divisions  
70 22 and claims for services provided in the same fiscal year in  
70 23 which the claim is filed must be submitted to the agency  
70 24 against whom the claim is made. The division moves the  
70 25 authority for an agency to settle claims to Code section 25.2.  
70 26 The division limits this authority to claims charged to a  
70 27 funding source other than the general fund of the state,  
70 28 providing the funding source does not revert.  
70 29 Code section 25.1 is also amended to provide that Code  
70 30 chapter 25 does not apply to a state tort claim under Code  
70 31 chapter 669.  
70 32 Code section 25.2, relating to claims considered by the  
70 33 state appeal board, is amended. Current law authorizes the  
70 34 board to consider claims of less than 10 years and the  
70 35 division reduces this to claims of less than five years.  
71 1 However, the division allows the appeal board to consider a  
71 2 claim of five years or more provided an error was made by the  
71 3 state or the claim has been disputed for five years or more.  
71 4 Code section 25.2 is also amended to strike provisions  
71 5 regarding the processing of claims involving outdated state  
71 6 warrants that have been outstanding for six months or longer  
71 7 and canceled by the department of administrative services.  
71 8 Under current law, these claims can be addressed by state  
71 9 agencies and addressed by the appeal board if denied by a  
71 10 state agency. Instead the division moves the provisions for  
71 11 addressing outdated warrants that were charged to the general  
71 12 fund of the state to new Code section 556.2C in the Code

71 13 chapter relating to unclaimed property. The director of the  
71 14 department of administrative services is required to report  
71 15 information concerning outdated warrants to the treasurer of  
71 16 state. The treasurer of state is authorized to include  
71 17 information about the outdated warrants in the abandoned  
71 18 property list annually published by the treasurer of state and  
71 19 placed on the official internet website. If a claim was  
71 20 charged to a federal or other nonstate source that is no  
71 21 longer available, the claim may still be addressed by the  
71 22 state appeal board.

71 23 Code section 669.3 is amended to authorize the attorney  
71 24 general to act to adjust and settle state tort claims in place  
71 25 of the state appeal board. The board retains the  
71 26 responsibility under current law to adopt rules for the  
71 27 handling, processing, and investigation of claims. The  
71 28 division requires tort claims to be filed with the director of  
71 29 the department of management instead of the state appeal  
71 30 board. Code sections 669.2 and 669.13 are amended to conform  
71 31 with these changes.

71 32 A requirement in Code section 669.4 for service of notice  
71 33 of a suit against a state employee and allowing the state  
71 34 employee to appear is repealed. Instead, Code section 669.5,  
71 35 relating to when suits are permitted, is amended to provide

72 1 that if the attorney general certifies that a state employee  
72 2 named as a defendant in a suit was acting within the scope of  
72 3 the employee's office or employment at the time of the  
72 4 incident upon which the claim is based, the state is  
72 5 substituted as the defendant in place of the employee, unless  
72 6 the state was already named as a defendant in the suit. If  
72 7 the attorney general refuses to certify the state employee was  
72 8 acting within the scope of the employee's office or  
72 9 employment, the employee may petition the court to issue that  
72 10 certification.

72 11 Code sections 669.15 and 669.18 are amended to authorize  
72 12 the attorney general, instead of the state appeal board, to  
72 13 determine attorney fees and expenses and extensions of time  
72 14 for suits.

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72 15 Code section 669.19, relating to claims before the appeal  
72 16 board, is amended to provide the attorney general with  
72 17 authority to investigate each state tort claim instead of the  
72 18 state appeal board. The attorney general may exercise the  
72 19 authority under Code section 25.5, which provides for taking  
72 20 testimony through affidavits and other means, administering  
72 21 oaths, compelling the testimony of witnesses, and certifying  
72 22 to the district court for contempt. The division eliminates  
72 23 language providing that Code chapter 25, relating to other  
72 24 types of state claims, does not apply to Code chapter 669 but  
72 25 allows the attorney general to make certain provisions of Code  
72 26 chapter 25 applicable by agreement with the state appeal  
72 27 board.

72 28 Code section 669.20, relating to liability insurance, is  
72 29 amended to eliminate a reference to the state appeal board.

72 30 Code section 669.21, relating to the duty of the state to  
72 31 defend and indemnify a state employee, is amended to provide  
72 32 that the duty does not apply when the state has been  
72 33 substituted as the defendant in place of the employee as  
72 34 provided in the division.

72 35 CORRECTIVE PROVISIONS. This division makes corrections to

73 1 legislation enacted or considered during the 2006 regular  
73 2 legislative session.

73 3 Code section 8A.204, as amended by 2006 Iowa Acts, House  
73 4 File 2705, is amended to correct a reference to an open  
73 5 meeting to a reference to an open session of a meeting in  
73 6 accordance with Code chapters 8A and 21.

73 7 Code section 35A.14, as enacted by 2006 Iowa Acts, Senate  
73 8 File 2312, is amended to grammatically correct the  
73 9 appropriation language relating to the injured veterans trust  
73 10 fund to make the language operative to allow for use of the  
73 11 moneys in the fund for injured veterans grants without further  
73 12 action of the general assembly.

73 13 Code section 70A.23, subsection 3, as enacted by 2006 Iowa  
73 14 Acts, Senate File 2231, is amended to make a grammatical  
73 15 correction to a sentence by removing the words "to be".

73 16 Code section 91.4, subsection 9, as amended by 2006 Iowa

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73 17 Acts, House File 2586, is amended to correct the placement of  
73 18 a comma.

73 19 New Code section 99G.30A, as enacted by 2006 Iowa Acts,  
73 20 Senate File 2330, is amended to provide that the excise tax on  
73 21 monitor vending machines is not imposed on or after 45 days  
73 22 following the effective date of the bill, but is imposed after  
73 23 the 45 days. This allows the machines to be operated on that  
73 24 45th day without the excise tax applying on that day. The new  
73 25 Code section is also amended with regard to the administration  
73 26 of the excise tax in a manner similar to the sales tax. The  
73 27 new language corrects and modifies the collection procedures  
73 28 for the monitor vending machine excise tax. This provision  
73 29 applies retroactively to March 20, 2006.

73 30 Code section 123.3, as amended by 2006 Iowa Acts, Senate  
73 31 File 2305, is amended to correct a grammatical construction by  
73 32 specifying that the minimum alcohol content of five percent of  
73 33 wine is by weight.

73 34 Code section 124.506A, as enacted by 2006 Iowa Acts, House  
73 35 File 2696, relates to the destruction of large quantities of  
74 1 controlled substances seized by law enforcement. The new Code  
74 2 section is amended to correct language that states that  
74 3 controlled substances were seized by law enforcement in  
74 4 violation of law. The language should read that the  
74 5 controlled substances were seized by law enforcement as a  
74 6 result of a violation of law.

74 7 Code section 266.27, as amended by 2006 Iowa Acts, Senate  
74 8 File 2253, is amended to correct a reference as to when a  
74 9 federal Act was approved.

74 10 Code section 331.756, relating to the duties of the county  
74 11 attorney, is amended to strike subsection 44, which requires  
74 12 the county attorney to investigate the financial condition of  
74 13 a person under commitment proceedings to the state psychiatric  
74 14 hospital. Under 2006 Iowa Acts, Senate File 2341, section 3,  
74 15 this responsibility has been shifted to the county board of  
74 16 supervisors.

74 17 Code section 455G.31, as enacted by 2006 Iowa Acts, House  
74 18 File 2754, is amended to correct a reference to the state fire

74 19 marshal's regulatory authority relating to gasoline storage  
74 20 and dispensing infrastructure. The amendment deletes the  
74 21 reference to the state fire marshal's authority in division II  
74 22 of Code chapter 101 and thereby broadens the reference to the  
74 23 entire Code chapter.  
74 24 Code section 541A.3, as amended by 2006 Iowa Acts, House  
74 25 File 2644, is amended to correct an internal reference  
74 26 referring to Code section 541A.3 itself.  
74 27 Code section 602.8102, relating to the duties of the clerk  
74 28 of the district court, is amended to strike subsection 38,  
74 29 which requires the clerk to order the commitment of a  
74 30 voluntary public patient to the state psychiatric hospital  
74 31 under certain circumstances. Under 2006 Iowa Acts, Senate  
74 32 File 2341, section 5, this responsibility has been shifted to  
74 33 the county board of supervisors.  
74 34 2006 Iowa Acts, House File 2238, the federal block grant  
74 35 appropriations bill, is amended to correct a reference to the  
75 1 mental health, mental retardation, developmental disabilities,  
75 2 and brain injury commission in a provision relating to the  
75 3 community mental health services block grant.  
75 4 Code section 97B.1A, subsection 24, paragraph "c",  
75 5 establishes the three-year average covered wage for certain  
75 6 employees under the Iowa public employees' retirement system.  
75 7 House File 2245 strikes this provision, but House File 729  
75 8 strikes and inserts an alternative three-year average covered  
75 9 wage. In order to preserve the alternative in the latter  
75 10 bill, this bill provides that the mere strike in House File  
75 11 2245 is repealed if the strike and insert in House File 729 is  
75 12 enacted.  
75 13 2006 Iowa Acts, House File 2713, establishes construction  
75 14 bidding procedures for public improvement contracts for public  
75 15 school corporations and other governmental entities. The Act  
75 16 is amended to provide that a charter school, like a public  
75 17 school corporation, may enter into a contract under the new  
75 18 Code chapter relating to construction bidding procedures,  
75 19 rather than under current Code chapter 73A, which will no  
75 20 longer be applicable to public school corporations.

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75 21 2006 Iowa Acts, House File 864, was drafted in 2005 to the  
75 22 2005 Code with provisional Code subsection numbers that  
75 23 correspond to numbers also used in the 2005 Code Supplement.  
75 24 The bill requires the Code editor to codify House File 864 as  
75 25 passed, specifying that the corresponding subsection numbers  
75 26 in the 2005 Code Supplement are not affected by the House  
75 27 File. The bill also directs the Code editor to correct two  
75 28 references in the House File to Code chapter 504A, which has  
75 29 been repealed, by referring to the chapter as former Code  
75 30 chapter 504A.  
75 31 LSB 6681YC 81  
75 32 mg:jp/cf/24.8

## Summary Data

### General Fund

LSB6681H	Actual FY 2005 <u>(1)</u>	Estimated FY 2006 <u>(2)</u>	Gov Recomm FY 2007 <u>(3)</u>	House Subcom FY 2007 <u>(4)</u>	House Sub vs Est FY 2006 <u>(5)</u>	Page & Line Number <u>(6)</u>
Administration and Regulation	\$ 0	\$ 6,000	\$ 86,000	\$ 118,883	\$ 112,883	
Education	\$ 0	\$ 0	\$ 0	\$ 340,000	\$ 340,000	
Justice System	\$ 0	\$ 0	\$ 0	\$ 125,000	\$ 125,000	
Unassigned Standing	\$ 121,119,625	\$ 121,437,871	\$ 121,897,827	\$ 147,001,716	\$ 25,563,845	
Grand Total	<u>\$ 121,119,625</u>	<u>\$ 121,443,871</u>	<u>\$ 121,983,827</u>	<u>\$ 147,585,599</u>	<u>\$ 26,141,728</u>	

# Administration and Regulation

## General Fund

LSB6681H	<u>Actual FY 2005</u> (1)	<u>Estimated FY 2006</u> (2)	<u>Gov Recomm FY 2007</u> (3)	<u>House Subcom FY 2007</u> (4)	<u>House Sub vs Est FY 2006</u> (5)	<u>Page &amp; Line Number</u> (6)
<b><u>Governor</u></b>						
Natl Governors Assoc. Increase	\$ 0	\$ 0	\$ 0	\$ 16,207	\$ 16,207	PG 21 LN 5
Terrace Hill Quarters Increase	<u>0</u>	<u>0</u>	<u>0</u>	<u>22,676</u>	<u>22,676</u>	PG 21 LN 1
<b>Total Governor</b>	<u>\$ 0</u>	<u>\$ 0</u>	<u>\$ 0</u>	<u>\$ 38,883</u>	<u>\$ 38,883</u>	
<b><u>Human Rights, Department of</u></b>						
Asian & Pacific Islanders		<u>\$ 6,000</u>	<u>\$ 86,000</u>	<u>\$ 80,000</u>	<u>\$ 74,000</u>	PG 22 LN 21
<b>Total Administration and Regulation</b>	<u>\$ 0</u>	<u>\$ 6,000</u>	<u>\$ 86,000</u>	<u>\$ 118,883</u>	<u>\$ 112,883</u>	



# Education

## General Fund

LSB6681H	Actual FY 2005 (1)	Estimated FY 2006 (2)	Gov Recomm FY 2007 (3)	House Subcom FY 2007 (4)	House Sub vs Est FY 2006 (5)	Page & Line Number (6)
<b>Cultural Affairs, Dept. of</b>						
Iowa City Historic Districts	\$ 0	\$ 0	\$ 0	\$ 250,000	\$ 250,000	PG 23 LN 10
African American Museum	0	0	0	85,000	85,000	PG 23 LN 7
Art Education Study	0	0	0	5,000	5,000	PG 18 LN 34
<b>Total Cultural Affairs, Dept. of</b>	<b>\$ 0</b>	<b>\$ 0</b>	<b>\$ 0</b>	<b>\$ 340,000</b>	<b>\$ 340,000</b>	
<b>Total Education</b>	<b>\$ 0</b>	<b>\$ 0</b>	<b>\$ 0</b>	<b>\$ 340,000</b>	<b>\$ 340,000</b>	

# Justice System

## General Fund

LSB6681H	<u>Actual FY 2005</u> (1)	<u>Estimated FY 2006</u> (2)	<u>Gov Recomm FY 2007</u> (3)	<u>House Subcom FY 2007</u> (4)	<u>House Sub vs Est FY 2006</u> (5)	<u>Page &amp; Line Number</u> (6)
<u>Justice, Department of</u> Farm Mediation	\$ 0	\$ 0	\$ 0	\$ 100,000	\$ 100,000	PG 23 LN 16
<u>Law Enforcement Academy</u> Equipment & Furnishings	\$ 0	\$ 0	\$ 0	\$ 25,000	\$ 25,000	PG 20 LN 21
<b>Total Justice System</b>	<u>\$ 0</u>	<u>\$ 0</u>	<u>\$ 0</u>	<u>\$ 125,000</u>	<u>\$ 125,000</u>	

## Unassigned Standing General Fund

LSB6681H	Actual FY 2005 <u>(1)</u>	Estimated FY 2006 <u>(2)</u>	Gov Recomm FY 2007 <u>(3)</u>	House Subcom FY 2007 <u>(4)</u>	House Sub vs Est FY 2006 <u>(5)</u>	Page & Line Number <u>(6)</u>
<b><u>Administrative Services, Dept. of</u></b>						
Mun. Fire & Police Retirement	\$ 2,745,784	\$ 2,745,784	\$ 2,745,784	\$ 2,745,784	\$ 0	PG 3 LN 31
<b><u>Education, Department of</u></b>						
Area Ed. Assoc. Reduction				\$ -8,000,000	\$ -8,000,000	PG 5 LN 20
Instructional Support	14,428,247	14,428,271	14,798,227	14,428,271	0	PG 3 LN 12
Child Development	11,271,000	11,271,000	11,271,000	11,271,000	0	PG 3 LN 15
Transportation - Nonpublic	7,955,541	8,273,763	8,363,763	8,604,714	330,951	PG 3 LN 21
Educational Excellence	55,469,053	55,469,053	55,469,053	55,469,053	0	PG 3 LN 28
Early Intervention Block Grant	29,250,000	29,250,000	29,250,000	29,250,000	0	PG 25 LN 11
<b>Total Education, Department of</b>	<b>\$ 118,373,841</b>	<b>\$ 118,692,087</b>	<b>\$ 119,152,043</b>	<b>\$ 111,023,038</b>	<b>\$ -7,669,049</b>	
<b><u>Legislative Branch</u></b>						
General Assembly Reduction				\$ -1,267,106	\$ -1,267,106	PG 2 LN 31
<b><u>Management, Department of</u></b>						
State Employee Salaries				\$ 29,000,000	\$ 29,000,000	PG 11 LN 24
<b><u>Veterans Affairs, Comm. of</u></b>						
Veterans Trust Fund				\$ 4,500,000	\$ 4,500,000	PG 19 LN 31
Veterans County Grants				1,000,000	1,000,000	PG 20 LN 1
<b>Total Veterans Affairs, Comm. of</b>	<b>\$ 0</b>	<b>\$ 0</b>	<b>\$ 0</b>	<b>\$ 5,500,000</b>	<b>\$ 5,500,000</b>	
<b>Total Unassigned Standing</b>	<b>\$ 121,119,625</b>	<b>\$ 121,437,871</b>	<b>\$ 121,897,827</b>	<b>\$ 147,001,716</b>	<b>\$ 25,563,845</b>	

## Summary Data

### Non General Fund

LSB6681H	Actual FY 2005 (1)	Estimated FY 2006 (2)	Gov Recomm FY 2007 (3)	House Subcom FY 2007 (4)	House Sub vs Est FY 2006 (5)	Page & Line Number (6)
Administration and Regulation	\$ 2,257,448	\$ 3,152,832	\$ 15,000,000	\$ 11,010,058	\$ 7,857,226	
Ag. and Natural Resources	\$ 0	\$ 0	\$ 0	\$ 80,000	\$ 80,000	
Unassigned Standing	\$ 0	\$ 159,663,964	\$ 159,663,964	\$ 159,868,964	\$ 205,000	
Grand Total	<u>\$ 2,257,448</u>	<u>\$ 162,816,796</u>	<u>\$ 174,663,964</u>	<u>\$ 170,959,022</u>	<u>\$ 8,142,226</u>	

# Administration and Regulation

## Non General Fund

LSB6681H	Actual FY 2005 <u>(1)</u>	Estimated FY 2006 <u>(2)</u>	Gov Recomm FY 2007 <u>(3)</u>	House Subcom FY 2007 <u>(4)</u>	House Sub vs Est FY 2006 <u>(5)</u>	Page & Line Number <u>(6)</u>
<b>Management, Department of</b>						
Road Use Tax Salary Adjustment	\$ 1,542,010	\$ 386,895	\$ 3,000,000	\$ 1,416,695	\$ 1,029,800	PG 13 LN 28
Primary Road Salary Adjustment	<u>715,438</u>	<u>2,765,937</u>	<u>12,000,000</u>	<u>9,593,363</u>	<u>6,827,426</u>	PG 14 LN 1
<b>Total Management, Department of</b>	<u>\$ 2,257,448</u>	<u>\$ 3,152,832</u>	<u>\$ 15,000,000</u>	<u>\$ 11,010,058</u>	<u>\$ 7,857,226</u>	
<b>Total Administration and Regulation</b>	<u><u>\$ 2,257,448</u></u>	<u><u>\$ 3,152,832</u></u>	<u><u>\$ 15,000,000</u></u>	<u><u>\$ 11,010,058</u></u>	<u><u>\$ 7,857,226</u></u>	

# Ag. and Natural Resources

## Non General Fund

LSB6681H	Actual FY 2005 (1)	Estimated FY 2006 (2)	Gov Recomm FY 2007 (3)	House Subcom FY 2007 (4)	House Sub vs Est FY 2006 (5)	Page & Line Number (6)
<u>Natural Resources, Department of</u> Manure Mgmt Database	\$ 0	\$ 0	\$ 0	\$ 80,000	\$ 80,000	

## Unassigned Standing Non General Fund

LSB6681H	Actual FY 2005 <u>(1)</u>	Estimated FY 2006 <u>(2)</u>	Gov Recomm FY 2007 <u>(3)</u>	House Subcom FY 2007 <u>(4)</u>	House Sub vs Est FY 2006 <u>(5)</u>	Page & Line Number <u>(6)</u>
<b>Revenue, Dept. of</b>						
Homestead Tax Credit-PCF	\$ 0	\$ 102,945,379	\$ 99,662,704	\$ 102,945,379	\$ 0	PG 4 LN 19
Ag Land Tax Credit-PCF	0	34,610,183	34,610,183	34,610,183	0	PG 4 LN 22
Military Service Tax Credit-PC	0	2,568,402	2,568,402	2,773,402	205,000	PG 4 LN 25
Elderly & Dis. Tax Credit-PCF	0	19,540,000	22,822,675	19,540,000	0	PG 4 LN 28
<b>Total Revenue, Dept. of</b>	<b>\$ 0</b>	<b>\$ 159,663,964</b>	<b>\$ 159,663,964</b>	<b>\$ 159,868,964</b>	<b>\$ 205,000</b>	
<b>Total Unassigned Standing</b>	<b>\$ 0</b>	<b>\$ 159,663,964</b>	<b>\$ 159,663,964</b>	<b>\$ 159,868,964</b>	<b>\$ 205,000</b>	

# Summary Data

## FTE

LSB6681H	Actual FY 2005 (1)	Estimated FY 2006 (2)	Gov Recomm FY 2007 (3)	House Subcom FY 2007 (4)	House Sub vs Est FY 2006 (5)	Page & Line Number (6)
Administration and Regulation	0.00	0.00	1.00	1.00	1.00	
Grand Total	<u>0.00</u>	<u>0.00</u>	<u>1.00</u>	<u>1.00</u>	<u>1.00</u>	



# Administration and Regulation

FTE

LSB6681H	Actual FY 2005 (1)	Estimated FY 2006 (2)	Gov Recomm FY 2007 (3)	House Subcom FY 2007 (4)	House Sub vs Est FY 2006 (5)	Page & Line Number (6)
<u>Human Rights, Department of</u> Asian & Pacific Islanders	0.00	0.00	1.00	1.00	1.00	PG 22 LN 21