

# **Standing Appropriations Bill House File 2465**

Last Action:

**House Floor**

April 10, 2012

**An Act relating to state and local finances by making and adjusting appropriations, providing for legal responsibilities, and providing for properly related matters, and including effective date and retroactive and other applicability provisions.**

**Fiscal Services Division  
Legislative Services Agency**

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

Available on line at <http://www.legis.iowa.gov/LSA/Reports/noba.aspx>

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**FUNDING SUMMARY**

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- Reduces certain General Fund appropriations by a net amount of \$61.8 million in FY 2013 compared to the FY 2013 appropriations levels enacted during the 2011 Legislative Session.

**MAJOR INCREASES, DECREASES, OR TRANSFERS OF EXISTING PROGRAMS**

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- Reduces the FY 2013 standing appropriation for the Legislative Branch by \$2.2 million. Page 1, Line 3
- Limits FY 2013 standing General Fund appropriations as follows: Page 1, Line 11
  - \$375,000 to the Department of Cultural Affairs (DCA) for operational support and community cultural grants.
  - \$728,000 to the Department of Economic Development (DED) for regional tourism marketing.
  - \$232,500 to the Department of Public Health (DPH) for the Center for Congenital and Inherited Disorders Central Registry.
  - \$232,500 to the Department of Human Services (DHS) for Primary and Secondary Child Abuse Prevention Programs.
  - \$9.6 million to the Department of Education for Children At-Risk Programs.
  - \$17,000 to the Department of Revenue for tobacco reporting enforcement.
  - \$12.0 million to the Department of Natural Resources for the Resource Enhancement and Protection Fund.
- Transfers a portion of the FY 2012 General Fund surplus to the Taxpayers Trust Fund. Requires that the moneys in the Taxpayer Trust Fund can only be used for purposes of income tax, property tax, or sales tax reductions. Page 2, Line 22

FISCAL IMPACT: The amount of excess funds transferred from the General Fund surplus to the Taxpayers Trust Fund is estimated to be between \$320.0 million and \$330.0 million in FY 2013. Under current law, the excess funds would be transferred to the General Fund.

- Reduces the FY 2013 State aid funding to area education agencies (AEAs) by an additional \$10.0 million (from \$10.0 million to \$20.0 million). Page 3, Line 28
- Reduces departments' General Fund operating appropriations by an estimated \$46.7 million in FY 2013 and other fund appropriations by \$62.0 million. The funds will be replaced with increased receipts from requiring employees to contribute an amount equal to 25.0% of their total health insurance premiums. Page 8, Line 6

**SIGNIFICANT CODE CHANGES**

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- Extends the bona fide retirement exception for licensed health care professionals for two years, from July 2012 to July 2014. Page 2, Line 35
- Permits up to 5.0% of preschool foundation aid received by a school district to be used for administering the program beginning in FY 2013. Also specifies that beginning in FY 2013, at least 95.0% of the preschool formula foundation aid be paid to the community-based provider for the approved local program. Additionally, beginning in FY 2012, allows not more than 5.0% of the funding paid to the community-based provider to be used for provider administrative costs. Page 3, Line 9
- Reduces the FY 2013 State aid funding to AEAs by an additional \$10.0 million (from \$10.0 million to \$20.0 million). In addition to the \$20.0 million State aid reduction for FY 2013, the AEAs have an annual statutory reduction of \$7.5 million. The State aid reduction to AEAs will total \$27.5 million for FY 2013 and will match the FY 2012 total State aid reduction amount. Page 3, Line 28
- Requires the community colleges to waive tuition and mandatory fees for the surviving children of public safety peace officers, police officers, sheriffs, or deputy sheriffs that have died in the line of the duty. Page 4, Line 4
- Requires the Regents universities to waive tuition and mandatory fees for the surviving children of public safety peace officers, police officers, sheriffs, or deputy sheriffs that have died in the line of the duty. Page 5, Line 9
- Adds AEAs, in addition to school districts, to the requirement of creating quality professional development opportunities and individual professional development plans. Requires each school district and AEA that receives professional development supplement funds to set aside up to 3.0% of the funds for the purpose of compensating substitute teachers to temporarily replace nonpublic teachers located within the school district and AEA boundaries that are required to receive core curriculum professional development. Page 6, Line 17
- Requires all State employees to pay at least 25.0% of the total premium for the plan they select for State group health insurance. The Sections addressing collective bargaining agreements and group health insurance are effective on enactment. Page 8, Line 6

**FISCAL IMPACT:** This requirement will reallocate, on an annual basis, an estimated \$108.7 million of health insurance costs from the employer to the employee. Of this amount, \$46.7 million is associated with the General Fund, and \$62.0 million with other funds. This requirement also establishes a process that

transfers the increased employee payments back to the State agencies and requires the DOM to reduce appropriations by an equal amount. This Division will reduce General Fund appropriations by an estimated \$46.7 million in FY 2013.

- Makes technical corrective changes to various bills that have passed both the House and the Senate.

Page 11, Line 19

House File 2465 provides for the following changes to the Code of Iowa.

Page #	Line #	Bill Section	Action	Code Section	Description
2	35	4	Amend	97B.52A.1.c.(2).(b)	
3	9	5	Add	256C.4.1.g	
3	28	6	Amend	257.35.7	
4	4	7	Add	260C.14.23	
5	9	8	Add	262.9.36	
6	17	9	Amend	284.6.8	
8	9	12	Amend	2.40.1.a.(2)	
8	21	13	New	8A.440	
11	21	18	Amend	9B.2.10.a	
11	28	19	Amend Free-form	105.2.8	
12	12	20	Amend	135.156E.1.b	
12	18	21	Amend Free-form	135C.6.8.a,b	
13	9	22	Amend	144D.3.4	
13	24	23	Amend	152B.2.1.a.(2)	
13	35	24	Amend	152B.3.1.u1	
14	8	25	Amend	152B.3.2	
14	15	26	Amend	152B.4	
14	27	27	Amend	161A.63	
15	15	28	Amend	203C.14	
16	26	29	Amend Free-form	249A.12.5	
17	8	30	Amend	273.2.3	
17	22	31	Add	321.188.6.c	
17	28	32	Amend Free-form	321.323A.3.c.(1)	
18	1	33	Amend	321.457.2.n.(4)	
18	6	34	Amend Free-form	322.5.6.b.(2)	
18	13	35	New	326.3.19	
18	22	36	Amend	418.4.1.b	
19	2	37	Amend	418.5.7	
19	7	38	Amend	418.9.2.g	
19	13	39	Amend	504.719	
19	21	40	Amend	508.37.5.a,c	
20	6	41	Amend	515I.1.2	
20	11	42	Amend	536A.10	
21	3	43	Amend	602.9202.4	
21	11	44	Amend	617.11.3.u1	

1 1	DIVISION I		
1 2	STANDING APPROPRIATIONS AND RELATED MATTERS		
1 3	Section 1. GENERAL ASSEMBLY. The appropriations made		Reduces the FY 2013 standing appropriation for the Legislative Branch
1 4	pursuant to section 2.12 for the expenses of the general		by \$2,150,000.
1 5	assembly and the legislative agencies for the fiscal year		
1 6	beginning July 1, 2012, and ending June 30, 2013, are reduced		DETAIL: The FY 2013 Legislative Branch budget is estimated at
1 7	by the following amount:		\$35,900,000. This requirement reduces the budget to \$33,750,000 and
1 8	..... \$ 2,150,000		represents a decrease of \$2,000,000 compared to FY 2012.
1 9	Sec. 2. 2011 Iowa Acts, chapter 131, section 42, is amended		
1 10	to read as follows:		
1 11	SEC. 42. LIMITATION OF STANDING APPROPRIATIONS.		CODE: Limits selected FY 2012 standing appropriations to specified
1 12	Notwithstanding the standing appropriations in the following		amounts.
1 13	designated sections for the fiscal year beginning July 1, 2012,		
1 14	and ending June 30, 2013, the amounts appropriated from the		
1 15	general fund of the state pursuant to these sections for the		
1 16	following designated purposes shall not exceed the following		
1 17	amounts:		
1 18	1. For operational support grants and community cultural		Limits the General Fund appropriation to the Department of Cultural
1 19	grants under section 99F.11, subsection 3, paragraph "d",		Affairs (DCA) for operational support grants and community cultural
1 20	subparagraph (1):		grants to \$374,615.
1 21	..... \$ 208,351		
1 22	..... <u>374,615</u>		DETAIL: This is an increase of \$166,264 compared to the amount
			enacted for FY 2013 during the 2011 Legislative Session. The revised
			FY 2013 appropriation represents a decrease of \$42,087 compared to
			estimated FY 2012. Iowa Code section 99F.11 funds this Program with
			wagering tax revenues that are deposited in the General Fund and
			then appropriated to the DCA.
1 23	2. For regional tourism marketing under section 99F.11,		Limits the General Fund appropriation to the Department of Economic
1 24	subsection 3, paragraph "d", subparagraph (2):		Development (DED) for regional tourism marketing to \$728,465.
1 25	..... \$ 405,153		
1 26	..... <u>728,465</u>		DETAIL: This is an increase of \$323,312 compared to the amount
			enacted for FY 2013 during the 2011 Legislative Session. The revised
			FY 2013 appropriation represents a decrease of \$81,841 compared to
			estimated FY 2012. Iowa Code section 99F.11 funds this Program with
			wagering tax revenues that are deposited in the General Fund and
			then appropriated to the Economic Development Authority.
1 27	<del>3. For the center for congenital and inherited disorders</del>		Restores the General Fund appropriation to the Department of Public
1 28	<del>central registry under section 144.13A, subsection 4, paragraph</del>		Health (DPH) for the Center for Congenital and Inherited Disorders
1 29	<del>"a":</del>		Central Registry to the estimated statutory level of \$232,500.
1 30	..... \$ 85,560		

1 31 4. For primary and secondary child abuse prevention  
 1 32 programs under section 144.13A, subsection 4, paragraph "a":  
 1 33 .....\$ 108,886  
 1 34 .....232,500

DETAIL: This is an increase of \$146,940 compared to the amount enacted for FY 2013 during the 2011 Legislative Session. The revised FY 2013 appropriation represents an increase of \$61,379 compared to estimated FY 2012.

Restores the General Fund appropriation to the Department of Human Services (DHS) for Primary and Secondary Child Abuse Prevention Programs to the estimated statutory level of \$232,500.

DETAIL: This is an increase of \$123,614 compared to the amount enacted for FY 2013 during the 2011 Legislative Session. The revised FY 2013 appropriation represents an increase of \$14,728 compared to estimated FY 2012.

1 35 5. For programs for at-risk children under section 279.51:  
 2 1 .....\$ 5,364,446  
 2 2 .....9,645,273  
 2 3 The amount of any reduction in this subsection shall be  
 2 4 prorated among the programs specified in section 279.51,  
 2 5 subsection 1, paragraphs "a", "b", and "c".

Limits the General Fund appropriation to the Department of Education for Children At-Risk Programs to \$9,645,273. Requires the reduction to be prorated among the programs specified in statute that are to receive funding.

DETAIL: This is an increase of \$4,280,827 compared to the amount enacted for FY 2013 during the 2011 Legislative Session. The revised FY 2013 appropriation represents a decrease of \$1,083,618 compared to estimated FY 2012.

2 6 6. For payment for nonpublic school transportation under  
 2 7 section 285.2:  
 2 8 .....\$ 7,060,931  
 2 9 If total approved claims for reimbursement for nonpublic  
 2 10 school pupil transportation exceed the amount appropriated in  
 2 11 accordance with this subsection, the department of education  
 2 12 shall prorate the amount of each approved claim.

This appropriation, for nonpublic school transportation, was limited to \$7,060,931 in SF 533 (Standing Appropriation Act) during the 2011 Legislative Session.

DETAIL: Maintains the current level of funding.

2 13 7. For the enforcement of chapter 453D relating to tobacco  
 2 14 product manufacturers under section 453D.8:  
 2 15 .....\$ 9,208  
 2 16 .....16,556

Limits the General Fund appropriation to the Department of Revenue for tobacco reporting enforcement to \$16,556.

DETAIL: This is an increase of \$7,348 compared to the amount enacted for FY 2013 during the 2011 Legislative Session. The revised FY 2013 appropriation represents a decrease of \$1,860 compared to estimated FY 2012.

2 17 8. For the Iowa resources enhancement and protection fund  
 2 18 under section 455A.18:  
 2 19 .....\$ 12,000,000

Limits the General Fund appropriation to the Department of Natural Resources for the Resource Enhancement and Protection Fund (REAP) to \$12,000,000.

DETAIL: The REAP Fund received an appropriation of \$12,000,000 from the Environmental First Fund for FY 2012. This Bill maintains the same level of funding as provided in FY 2012, but appropriates the funds from the General Fund. This level of funding represents a decrease of \$8,000,000 compared to the standing appropriation specified in statute.

2 20 DIVISION II  
2 21 MISCELLANEOUS PROVISIONS AND APPROPRIATIONS

2 22 Sec. 3. TRANSFER OF MONEYS TO THE TAXPAYERS TRUST FUND  
2 23 — FY 2011-2012. Notwithstanding section 8.55, subsection  
2 24 2, paragraph “a”, or any other provision to the contrary,  
2 25 all moneys in excess of the maximum balance in the economic  
2 26 emergency fund after the distribution of the surplus in the  
2 27 general fund of the state at the conclusion of the fiscal year  
2 28 beginning July 1, 2011, and ending June 30, 2012, shall be  
2 29 transferred to the taxpayers trust fund created in section  
2 30 8.57E. Except for temporary cash flow purposes, moneys in  
2 31 the taxpayers trust fund shall only be used in accordance  
2 32 with appropriations made for purposes of providing tax relief  
2 33 for personal income tax reduction, homeowner property tax  
2 34 reduction, or sales tax reduction.

Transfers a portion of the FY 2012 General Fund surplus to the Taxpayers Trust Fund after the required amount is deducted to maximize the balances in Cash Reserve Fund and the Economic Emergency Fund to the statutory level of 10.00% of the adjusted revenue estimate. Requires that the moneys in the Taxpayer Trust Fund can only be used for purposes of income tax, property tax, or sales tax reductions.

FISCAL IMPACT: The amount of excess funds transferred from the General Fund surplus to the Taxpayers Trust Fund is estimated to be between \$320,000,000 and \$330,000,000 in FY 2013. Under current law, the excess funds would be transferred to the General Fund.

2 35 Sec. 4. Section 97B.52A, subsection 1, paragraph c,  
3 1 subparagraph (2), subparagraph division (b), Code 2011, is  
3 2 amended to read as follows:  
3 3 (b) For a member whose first month of entitlement is July  
3 4 2004 or later, but before July ~~2012~~ 2014, covered employment  
3 5 does not include employment as a licensed health care  
3 6 professional by a public hospital as defined in section 249J.3,  
3 7 with the exception of public hospitals governed pursuant to  
3 8 chapter 226.

CODE: Extends the bona fide retirement exception for licensed health care professionals for two years.

DETAIL: Current law allows licensed health care professionals to retire with Iowa Public Employees Retirement System (IPERS) benefits and return to work in one month. The exception sunsets June 30, 2012. This legislation extends the exception for two years.

3 9 Sec. 5. Section 256C.4, subsection 1, Code 2011, is amended  
3 10 by adding the following new paragraphs:  
3 11 NEW PARAGRAPH g. For the fiscal year beginning July  
3 12 1, 2011, and each succeeding fiscal year, of the amount of  
3 13 preschool foundation aid received by a school district for  
3 14 a fiscal year in accordance with section 257.16, not more  
3 15 than five percent may be used by the school district for  
3 16 administering the district’s approved local program.  
3 17 NEW PARAGRAPH h. For the fiscal year beginning July  
3 18 1, 2012, and each succeeding fiscal year, of the amount of  
3 19 preschool foundation aid received by a school district for a

CODE: Beginning in FY 2013, up to 5.0% of preschool foundation aid received by a school district may be used for administering the program. Beginning in FY 2013, at least 95.0% of the preschool formula foundation aid is to be paid to the community-based provider for the approved local program. Additionally, beginning in FY 2012, not more than 5.0% of the funding paid to the community-based provider may be used for provider administrative costs.

DETAIL: Senate File 533 (FY 2012 and FY 2013 Standing Appropriations Act) required that school districts use not more than 5.0% of preschool foundation aid for administering the program in FY



3 20 fiscal year in accordance with section 257.16, not less than  
 3 21 ninety-five percent of the per pupil amount shall be passed  
 3 22 through to a community-based provider for each pupil enrolled  
 3 23 in the district's approved local program. For the fiscal year  
 3 24 beginning July 1, 2011, and each succeeding fiscal year, not  
 3 25 more than five percent of the amount of preschool foundation  
 3 26 aid passed through to a community-based provider may be used by  
 3 27 the community-based provider for administrative costs.

2012.

Based on estimated FY 2013 preschool formula aid total of \$59.7 million:

- Approximately \$3,000,000 may be used by school districts for the costs of administration.
- Approximately \$56,700,000 will be used for program funding by the school district or paid to the community-based provider.
- The amount allowed for the community-based provider administrative costs will not exceed \$2,800,000 in FY 2013.

FISCAL IMPACT: There is no fiscal impact as a result of this Section. Preschool formula aid funding and allocation amounts to school districts will not change.

3 28 Sec. 6. Section 257.35, subsection 7, Code Supplement 2011,  
 3 29 is amended to read as follows:  
 3 30 7. Notwithstanding subsection 1, and in addition to the  
 3 31 reduction applicable pursuant to subsection 2, the state aid  
 3 32 for area education agencies and the portion of the combined  
 3 33 district cost calculated for these agencies for the fiscal year  
 3 34 beginning July 1, 2012, and ending June 30, 2013, shall be  
 3 35 reduced by the department of management by ~~ten~~ twenty million  
 4 1 dollars. The reduction for each area education agency shall be  
 4 2 prorated based on the reduction that the agency received in the  
 4 3 fiscal year beginning July 1, 2003.

CODE: Reduces the FY 2013 State aid funding to area education agencies (AEAs) by an additional \$10,000,000 (from \$10,000,000 to \$20,000,000).

DETAIL: In addition to the \$20,000,000 State aid reduction for FY 2013, the AEAs have an annual statutory reduction of \$7,500,000. The State aid reduction to AEAs will total \$27,500,000 and will match the FY 2012 total State aid reduction amount.

FISCAL IMPACT: The fiscal impact of the State aid reduction to AEAs will reduce General Fund expenditures by an additional \$10,000,000 in FY 2013 compared to funding previously enacted for FY 2013.

4 4 Sec. 7. Section 260C.14, Code 2011, is amended by adding the  
 4 5 following new subsection:  
 4 6 NEW SUBSECTION 23. a. Adopt rules to waive tuition and  
 4 7 mandatory fee charges for any student in good standing who is  
 4 8 a resident of Iowa; is under the age of twenty-six, or under  
 4 9 the age of thirty if the student is a qualified veteran as  
 4 10 defined in subsection 14; is not a convicted felon as defined  
 4 11 in section 910.15; and meets any of the following criteria:  
 4 12 (1) Is the child of a peace officer, as defined in section  
 4 13 97A.1, who was killed in the line of duty as determined by  
 4 14 the board of trustees of the Iowa department of public safety  
 4 15 peace officers' retirement, accident, and disability system in  
 4 16 accordance with section 97A.6, subsection 16.  
 4 17 (2) Is the child of a police officer, as defined in section  
 4 18 411.1, who was killed in the line of duty as determined by the  
 4 19 statewide fire and police retirement system in accordance with

CODE: Requires the community colleges to waive tuition and mandatory fees for the surviving children of public safety peace officers, police officers, sheriffs, or deputy sheriffs that have died in the line of the duty. Specifies that the student must be a resident of Iowa under the age of 26 or, for a qualified veteran, under the age of 30. Specifies that the waiver be applied only to the student's tuition and fees remaining after all other financial aid has been applied. Specifies that the college may request reimbursement from the College Student Aid Commission and the Governor in the form of a transfer of funds from the Scholarship and Tuition Grant Reserve Fund.

FISCAL IMPACT: There are three surviving children eligible to attend college in FY 2013 and FY 2014 under sections 7 and 8 of this Bill. The potential statewide impact to the Scholarship and Tuition Grant Reserve Fund in FY 2013 will range from \$0 to \$19,000, depending on how many take advantage of the provision and the schools they

4 20 section 411.6, subsection 15.  
 4 21 (3) Is the child of a sheriff or deputy sheriff as defined  
 4 22 in section 97B.49C, who was killed in the line of duty as  
 4 23 determined by the Iowa public employees' retirement system in  
 4 24 accordance with section 97B.52, subsection 2.  
 4 25 b. If a student who meets the criteria pursuant to paragraph  
 4 26 "a" receives financial aid under any other federal, state,  
 4 27 or institutional scholarship or grant program, the full  
 4 28 amount of the other financial aid shall be applied to the  
 4 29 student's expenses first and shall be considered part of the  
 4 30 student's available financial resources in determining the  
 4 31 amount of tuition and mandatory fee charges to be waived under  
 4 32 this subsection. The total financial aid for the student's  
 4 33 education, including financial aid under any other program,  
 4 34 shall not exceed the student's cost of attendance at the  
 4 35 community college in which the student is enrolled.  
 5 1 c. Notwithstanding section 261.20, a community college  
 5 2 waiving tuition and mandatory fees in accordance with this  
 5 3 subsection may request from the college student aid commission  
 5 4 and the governor a transfer of moneys from the scholarship and  
 5 5 tuition grant reserve fund in the manner provided in section  
 5 6 261.20, subsection 3, in an amount equivalent to the amount of  
 5 7 tuition and mandatory fees waived by the community college for  
 5 8 the fiscal year.

5 9 Sec. 8. Section 262.9, Code Supplement 2011, is amended by  
 5 10 adding the following new subsection:  
 5 11 NEW SUBSECTION 36. a. Adopt rules that require the  
 5 12 institutions of higher education under its control to waive  
 5 13 tuition and mandatory fee charges for any undergraduate student  
 5 14 in good standing who is a resident of Iowa; is under the age  
 5 15 of twenty-six, or under the age of thirty if the student is  
 5 16 a qualified veteran as defined in subsection 17; is not a  
 5 17 convicted felon as defined in section 910.15; and meets any of  
 5 18 the following criteria:  
 5 19 (1) Is the child of a peace officer, as defined in section  
 5 20 97A.1, who was killed in the line of duty as determined by  
 5 21 the board of trustees of the Iowa department of public safety  
 5 22 peace officers' retirement, accident, and disability system in  
 5 23 accordance with section 97A.6, subsection 16.  
 5 24 (2) Is the child of a police officer, as defined in section  
 5 25 411.1, who was killed in the line of duty as determined by the  
 5 26 statewide fire and police retirement system in accordance with  
 5 27 section 411.6, subsection 15.  
 5 28 (3) Is the child of a sheriff or deputy sheriff as defined  
 5 29 in section 97B.49C, who was killed in the line of duty as

choose to attend. The potential impact in FY 2014 may be higher due to tuition increases or additional qualified students.

CODE: Requires the Regents universities to waive tuition and mandatory fees for the surviving children of public safety peace officers, police officers, sheriffs, or deputy sheriffs that have died in the line of the duty. Specifies that the student must be a resident of Iowa under the age of 26 or, for a qualified veteran, under the age of 30. Specifies that the waiver be applied only to the student's tuition and fees remaining after all other financial aid has been applied. Specifies that the university may request reimbursement from the College Student Aid Commission and the Governor in the form of a transfer of funds from the Scholarship and Tuition Grant Reserve Fund.

FISCAL IMPACT: There are three surviving children eligible to attend college in FY 2013 and FY 2014 under sections 7 and 8 of this Bill. The potential statewide impact to the Scholarship and Tuition Grant Reserve Fund in FY 2013 will range from \$0 to \$19,000, depending on how many take advantage of the provision and the schools they choose to attend. The potential impact in FY 2014 may be higher due to tuition increases or additional qualified students.

5 30 determined by the Iowa public employees' retirement system in  
5 31 accordance with section 97B.52, subsection 2.

5 32 b. If a student who meets the criteria pursuant to  
5 33 paragraph "a" receives financial aid under any other federal,  
5 34 state, or institutional scholarship or grant program, the  
5 35 full amount of the other financial aid shall be applied to  
6 1 the student's expenses first and shall be considered part of  
6 2 the student's available financial resources in determining  
6 3 the amount of tuition and mandatory fee charges to be waived  
6 4 under this subsection. The total financial aid for the  
6 5 student's education, including financial aid under any other  
6 6 program, shall not exceed the student's cost of attendance at  
6 7 the institution of higher education in which the student is  
6 8 enrolled.

6 9 c. Notwithstanding section 261.20, an institution of  
6 10 higher education waiving tuition and mandatory fees in  
6 11 accordance with this subsection may request from the college  
6 12 student aid commission and the governor a transfer of moneys  
6 13 from the scholarship and tuition grant reserve fund in the  
6 14 manner provided in section 261.20, subsection 3, in an amount  
6 15 equivalent to the amount of tuition and mandatory fees waived  
6 16 by the institution for the fiscal year.

6 17 Sec. 9. Section 284.6, subsection 8, Code Supplement 2011,  
6 18 is amended to read as follows:

6 19 8. a. For each year in which a school district and an  
6 20 area education agency receives funds calculated and paid to  
6 21 school districts and area education agencies for professional  
6 22 development pursuant to section 257.10, subsection 10, ~~or~~  
6 23 and section 257.37A, subsection 2, the school district and  
6 24 area education agency shall create quality professional  
6 25 development opportunities. The goal for the use of the funds  
6 26 is to provide one additional contract day or the equivalent  
6 27 thereof for professional development and use of the funds is  
6 28 limited to providing professional development to teachers,  
6 29 including additional salaries for time beyond the normal  
6 30 negotiated agreement; pay for substitute teachers, professional  
6 31 development materials, speakers, and professional development  
6 32 content; and costs associated with implementing the individual  
6 33 professional development plans. The use of the funds shall  
6 34 be balanced between school district, attendance center, and  
6 35 individual professional development plans, or area education  
7 1 agency and individual professional development plans, as  
7 2 appropriate, making every reasonable effort to provide equal  
7 3 access to all teachers.

7 4 b. Each school district and area education agency receiving

CODE: Adds AEAs, in addition to school districts, to the requirement of creating quality professional development opportunities and individual professional development plans. Requires each school district and AEA that receives professional development supplement funds to set aside up to 3.00% of the funds for the purpose of compensating substitute teachers to temporarily replace nonpublic teachers located within the school district and AEA boundaries and who are required to receive core curriculum professional development.

DETAIL: The estimated FY 2013 professional development supplement totals \$29,500,000. The estimated amount generated to cover the cost of substitute teachers for the nonpublic schools is \$885,000 in FY 2013. Based on preliminary FY 2011, the ending restricted fund balance for professional development (including model core curriculum) totaled \$24,400,000 for all school districts.

FISCAL IMPACT: This provision will have no fiscal impact on the General Fund.

7 5 funds under section 257.10, subsection 10, or section 257.37A,  
 7 6 subsection 2, shall set aside up to three percent of such  
 7 7 funds for purposes of compensating substitute teachers to  
 7 8 temporarily replace teachers who are employed by accredited  
 7 9 nonpublic schools located within the school district and area  
 7 10 education boundaries and who are required to receive Iowa  
 7 11 core curriculum professional development provided elsewhere  
 7 12 than on accredited nonpublic school property. The substitute  
 7 13 teacher shall be employed to teach only coursework that is  
 7 14 nonsectarian. Funds set aside by a school district and area  
 7 15 education agency pursuant to this paragraph shall be paid on  
 7 16 a prorated basis to the area education agency providing the  
 7 17 Iowa core curriculum professional development to the accredited  
 7 18 nonpublic school teacher. The proration shall be based upon  
 7 19 the amount of the professional development funds calculated and  
 7 20 paid to the school district under section 257.10, subsection  
 7 21 10, and the amount of the professional development funds  
 7 22 calculated and paid to the area education agency under section  
 7 23 257.37A, subsection 2. The area education agency providing  
 7 24 the professional development to an accredited nonpublic  
 7 25 school teacher pursuant to this paragraph shall reimburse  
 7 26 the accredited nonpublic school for the compensation of the  
 7 27 substitute teacher from the professional development funds  
 7 28 available to the agency pursuant to this paragraph. If three  
 7 29 percent of such funds identified in this paragraph are expended  
 7 30 by school districts and area education agencies, this paragraph  
 7 31 requires no further reimbursements.

7 32 Sec. 10. REPEAL. 2012 Iowa Acts, House File 2168, section  
 7 33 5, is repealed.

CODE: Repeals a provision from HF 2168 (Deposit of Public Funds)  
 that allows the Treasurer of State to assess a charge against certain  
 banks to cover the loss of public funds if the public funds are not  
 covered by federal deposit insurance. House File 2168 was enacted by  
 the General Assembly on March 27, 2012.

7 34 Sec. 11. EFFECTIVE UPON ENACTMENT. The following  
 7 35 provision or provisions of this Act, being deemed of immediate  
 8 1 importance, take effect upon enactment:  
 8 2 1. The section of this Act providing for transfer of moneys  
 8 3 to the taxpayers trust fund.  
 8 4 2. The section of this Act enacting section 256C.4,  
 8 5 subsection 1, paragraphs "g" and "h".

The transfer of the FY 2012 General Fund surplus to the Taxpayer  
 Trust Fund is effective on enactment.

8 6 DIVISION III  
 8 7 STATE EMPLOYEE AND ELECTED OFFICIAL PAYMENT OF HEALTH INSURANCE  
 8 8 PREMIUMS

Division IV of this Bill notwithstanding Iowa Code chapter 20 and  
 requires all State employees to pay at least 25.00% of the total  
 premium for the group health insurance plan they select beginning in  
 FY 2013.

FISCAL IMPACT: This requirement would reallocate, on an annual basis, \$108,700,000 of health insurance costs from the employer to the employee. Of this total, \$46,700,000 is associated with the General Fund and \$62,000,000 with other funds.

This Division also establishes a process that transfers the increased employee payments back to the State agencies and requires the DOM to reduce appropriations by an equal amount. This Division will reduce General Fund appropriations by an estimated \$46,700,000 in FY 2013.

8 9 Sec. 12. Section 2.40, subsection 1, paragraph a,  
8 10 subparagraph (2), Code 2011, is amended to read as follows:  
8 11 (2) The member shall pay the premium for the plan selected  
8 12 on the same basis as a full-time state employee excluded from  
8 13 collective bargaining as provided in chapter 20. However, the  
8 14 member shall pay a portion of the total premium for the plan  
8 15 selected in an amount as determined by the legislative council.  
8 16 The payment amount as determined by the legislative council  
8 17 shall be at least twenty-five percent of the total premium  
8 18 for the single or family coverage provided in connection with  
8 19 the member. The payment amount determined by the legislative  
8 20 council shall apply to employees of the general assembly.

CODE: Requires each member and employee of the General Assembly to pay an amount established by the Legislative Council equivalent to at least 25.00% of the total premium for the plan they select for State group health insurance.

8 21 Sec. 13. NEW SECTION 8A.440 GROUP HEALTH INSURANCE PREMIUM  
8 22 COSTS.

8 23 1. Collective bargaining agreements entered into pursuant  
8 24 to chapter 20 for state employees shall provide that a state  
8 25 employee covered by that agreement who is a member of a  
8 26 state group health insurance plan for employees of the state  
8 27 established under chapter 509A shall pay at least twenty-five  
8 28 percent of the total premium for the single or family coverage  
8 29 provided in connection with each employee.

8 30 2. A state employee not covered by a collective bargaining  
8 31 agreement as provided in chapter 20 who is a member of a  
8 32 state group health insurance plan for employees of the state  
8 33 established under chapter 509A shall pay the same percentage  
8 34 of the total premium for such insurance as is paid under the  
8 35 collective bargaining agreement that covers the greatest number  
9 1 of state employees in the state government entity employing the  
9 2 state employee.

CODE: Requires all State collective bargaining agreements to contain a provision that requires State employees to pay an amount equivalent to at least 25.00% of the total premium for the plan they select for State group health insurance. Employees not covered by a collective bargaining agreement are required to pay an amount equivalent to what is required to be paid under the collective bargaining agreement that covers the greatest number of employees.

9 3 Sec. 14. STATEWIDE ELECTED OFFICIALS — GROUP HEALTH  
9 4 INSURANCE PREMIUM COSTS. A statewide elected official who is  
9 5 a member of a state group insurance plan for employees of the  
9 6 state established under chapter 509A shall pay a portion of the

Requires each statewide elected official to pay an amount established by the Executive Council equivalent to at least 25.00% of the total premium for the plan they select for State group health insurance.

9 7 total premium for the plan selected in an amount as determined  
 9 8 by the executive council. The payment amount as determined by  
 9 9 the executive council shall be at least twenty-five percent of  
 9 10 the total premium for the single or family coverage provided in  
 9 11 connection with the elected official.

This Division is effective on enactment.

9 12 Sec. 15. GROUP HEALTH INSURANCE PREMIUMS FOR STATE  
 9 13 EMPLOYEES.

9 14 1. a. This subsection does not apply to members of the  
 9 15 general assembly or elected officials who are subject to the  
 9 16 provisions of this division of this Act amending section 2.40  
 9 17 or requiring statewide elected officials to pay a portion of  
 9 18 health insurance premiums.

Requires all State employees, including employees of the Board of Regents and the Judicial Branch, to pay an amount equivalent to at least 25.00% of the total premium for the plan they select for State group health insurance, beginning in FY 2013, until the required payment is addressed in the collective bargaining agreement that applies to the employee. The requirement is applicable regardless of any provision in Iowa Code chapter 20 to the contrary.

9 19 b. For the fiscal year beginning July 1, 2012, each state  
 9 20 employee who is a member of a state group health insurance plan  
 9 21 for state employees established under chapter 509A shall pay at  
 9 22 least 25 percent of the total premium for the single or family  
 9 23 coverage provided in connection with the employee's membership  
 9 24 in the insurance plan.

Requires an amount, equal to the increased payments by the employee as a result of the implementation of the required percentage contribution for State group health insurance, to be transferred to the agency that made the health insurance premium payment. The appropriations to the agency are reduced by an amount equivalent to the transfer.

9 25 c. For the fiscal year beginning July 1, 2012, each person  
 9 26 who is a member of a state group health insurance plan for  
 9 27 employees of the state board of regents and the institutions  
 9 28 under the control of the state board shall pay at least 25  
 9 29 percent of the total premium for the single or family coverage  
 9 30 provided in connection with the person's membership in the  
 9 31 insurance plan.

Requires the DOM, with the assistance of the Department of Administrative Services, Board of Regents, the State Fair Board, the Department of Transportation (DOT), and each community-based corrections department, to file quarterly reports during FY 2013, with the General Assembly and the Legislative Services Agency, regarding the reductions to appropriations.

9 32 d. For the fiscal year beginning July 1, 2012, each judicial  
 9 33 officer or employee of the judicial branch who is a member  
 9 34 of a state group health insurance plan for state employees  
 9 35 established under chapter 509A shall pay at least 25 percent of  
 10 1 the total premium for the single or family coverage provided in  
 10 2 connection with the judicial officer or employee's membership  
 10 3 in the insurance plan.

10 4 e. The requirements in this subsection shall be enforceable  
 10 5 against all applicable employees for the fiscal year beginning  
 10 6 July 1, 2012, notwithstanding any provision of chapter 20 to  
 10 7 the contrary, and shall remain applicable to each such state  
 10 8 employee and person in fiscal years succeeding the fiscal year  
 10 9 specified in this subsection until the requirement implemented  
 10 10 pursuant to section 8A.440 is applicable to the employee or  
 10 11 person.

10 12 2. a. For the fiscal year beginning July 1, 2012,  
 10 13 the portion of the payments made pursuant to subsection  
 10 14 1 attributed to increases in payments as a result of the  
 10 15 percentage requirement implemented pursuant to subsection 1  
 10 16 shall be transferred to the judicial branch or the state agency

10 17 charged for the state group health insurance plan premiums of  
 10 18 the judicial officer, employee, or person who made the payment  
 10 19 in lieu of a like amount from the appropriations made to the  
 10 20 judicial branch or the state agency for the fiscal year.

10 21 b. The moneys paid by members or employees of the general  
 10 22 assembly pursuant to section 2.40, as amended by this division  
 10 23 of this Act, for the fiscal year beginning July 1, 2012, are  
 10 24 appropriated to the general assembly in lieu of a like amount  
 10 25 from the appropriations made to the general assembly pursuant  
 10 26 to section 2.12, for the fiscal year.

10 27 c. The moneys paid by statewide elected officials pursuant  
 10 28 to the section of this division of this Act requiring the  
 10 29 officials to pay a portion of the health insurance premium  
 10 30 costs for the coverage provided to the officials, for the  
 10 31 fiscal year beginning July 1, 2012, are appropriated to the  
 10 32 state agency charged for the state group health insurance plan  
 10 33 premiums of the official who made the payment in lieu of a like  
 10 34 amount from the appropriations made to the state agency for the  
 10 35 fiscal year.

11 1 3. The department of management, with the assistance of the  
 11 2 department of administrative services, state board of regents,  
 11 3 the state fair board, the state department of transportation,  
 11 4 and each judicial district department of correctional services,  
 11 5 shall submit a quarterly report to the general assembly and the  
 11 6 legislative services agency during the fiscal year beginning  
 11 7 July 1, 2012, regarding the reductions to appropriations made  
 11 8 pursuant to subsection 2 during the quarter.

11 9 Sec. 16. APPLICABILITY. The section of this division  
 11 10 of this Act enacting section 8A.440, applies to collective  
 11 11 bargaining agreements entered into on or after the effective  
 11 12 date of that section of this division of this Act.

The Section requiring collective bargaining agreements to contain a provision that requires employees to pay an amount equivalent to at least 25.00% of the total premium for the plan they select for State group health insurance, and employees not covered by a collective bargaining agreement to pay an equivalent amount, applies to agreements entered into on or after the effective date of this provision.

11 13 Sec. 17. EFFECTIVE UPON ENACTMENT. The following sections  
 11 14 of this division of this Act, being deemed of immediate  
 11 15 importance, take effect upon enactment:

11 16 1. The section of this Act enacting section 8A.440.

11 17 2. The section of this Act relating to group health  
 11 18 insurance premiums for state employees.

11 19 DIVISION IV  
 11 20 CORRECTIVE PROVISIONS

The sections of this Bill addressing collective bargaining agreements and group health insurance are effective on enactment.

11 21 Sec. 18. Section 9B.2, subsection 10, paragraph a, if  
 11 22 enacted by 2012 Iowa Acts, Senate File 2265, section 2, is

CODE: Makes a technical correction to SF 2265 relating to notarial acts, fees, and effective date provisions.

11 23 amended to read as follows:

11 24 a. "Personal appearance" means an act of a party to  
 11 25 physically appear within the presence of a ~~notary public~~  
 11 26 notarial officer at the time the ~~notarization occurs~~ notarial  
 11 27 act is performed.

11 28 Sec. 19. Section 105.2, subsection 8, Code Supplement 2011,  
 11 29 as amended by 2012 Iowa Acts, House File 2285, section 1, if  
 11 30 enacted, is amended to read as follows:

11 31 8. "Hydronic" means a heating or cooling system that  
 11 32 transfers heating or cooling by circulating fluid through  
 11 33 a closed system, including boilers, pressure vessels,  
 11 34 refrigerated equipment in connection with chilled water  
 11 35 systems, all steam piping, hot or chilled water piping together  
 12 1 with all control devices and accessories, installed as part  
 12 2 of, or in connection with, any heating or cooling system or  
 12 3 appliance whose primary purpose is to provide comfort using  
 12 4 a liquid, water, or steam as the heating or cooling media.  
 12 5 "Hydronic" includes all low-pressure and high-pressure systems  
 12 6 and all natural, propane, liquid propane, or other gas lines  
 12 7 associated with any component of a hydronic system. For  
 12 8 purposes of this definition, "primary purpose is to provide  
 12 9 comfort" means a system or appliance in which at least fifty-one  
 12 10 percent of the capacity generated by its operation, on an  
 12 11 annual average, is dedicated to comfort heating or cooling.

12 12 Sec. 20. Section 135.156E, subsection 1, paragraph b, if  
 12 13 enacted by 2012 Iowa Acts, Senate File 2318, section 14, is  
 12 14 amended to read as follows:

12 15 b. Require authentication controls to verify the ~~identify~~  
 12 16 identity and role of the participant using the Iowa health  
 12 17 information network.

12 18 Sec. 21. Section 135C.6, subsection 8, paragraphs a and  
 12 19 b, Code 2011, as amended by 2012 Iowa Acts, Senate File 2247,  
 12 20 section 15, are amended to read as follows:

12 21 a. Residential programs providing care to not more than  
 12 22 four individuals and receiving moneys appropriated to the  
 12 23 department of human services under provisions of a federally  
 12 24 approved home and community-based services waiver for persons  
 12 25 with an intellectual ~~disabilities~~ disability or other medical  
 12 26 assistance program under chapter 249A. In approving a  
 12 27 residential program under this paragraph, the department of  
 12 28 human services shall consider the geographic location of the  
 12 29 program so as to avoid an overconcentration of such programs  
 12 30 in an area. In order to be approved under this paragraph,

CODE: Makes a technical correction to HF 2285 relating to the definition of hydronic for the purposes of plumber, mechanical professional, and contractor licensing.

CODE: Makes technical corrections to SF 2318 relating to the Iowa Health Information Network.

CODE: Makes technical corrections to SF 2247 relating to terminology changes in the Iowa Code referencing mental retardation.



12 31 a residential program shall not be required to involve the  
12 32 conversion of a licensed residential care facility for persons  
12 33 with an intellectual disability.  
12 34 b. Not more than forty residential care facilities for  
12 35 persons with an intellectual disability that are licensed  
13 1 to serve not more than five individuals may be authorized  
13 2 by the department of human services to convert to operation  
13 3 as a residential program under the provisions of a medical  
13 4 assistance home and community-based services waiver for persons  
13 5 with ~~an intellectual disabilities disability~~ disability. A converted  
13 6 residential program operating under this paragraph is subject  
13 7 to the conditions stated in paragraph "a" except that the  
13 8 program shall not serve more than five individuals.

13 9 Sec. 22. Section 144D.3, subsection 4, as enacted by 2012  
13 10 Iowa Acts, House File 2165, section 4, is amended to read as  
13 11 follows:  
13 12 4. In the absence of actual notice of the revocation  
13 13 of a POST form, a health care provider, hospital, health  
13 14 care facility, or any other person who complies with a POST  
13 15 form shall not be subject to civil or criminal liability or  
13 16 professional disciplinary action for actions taken under  
13 17 this chapter which are in accordance with reasonable medical  
13 18 standards. A health care provider, hospital, health care  
13 19 facility, or other person against whom criminal or civil  
13 20 liability or professional disciplinary action is asserted  
13 21 because of conduct in compliance with this chapter may  
13 22 interpose the restriction on liability in this ~~paragraph~~  
13 23 subsection as an absolute defense.

CODE: Makes a technical correction to HF 2165 relating to physician orders for scopes of treatment.

13 24 Sec. 23. Section 152B.2, subsection 1, paragraph a,  
13 25 subparagraph (2), Code 2011, as amended by 2012 Iowa Acts,  
13 26 Senate File 2248, section 2, if enacted, is amended to read as  
13 27 follows:  
13 28 (2) Direct and indirect respiratory care services including  
13 29 but not limited to the administration of pharmacological and  
13 30 diagnostic and therapeutic agents related to respiratory  
13 31 care procedures necessary to implement a treatment, disease  
13 32 prevention, pulmonary rehabilitative, or diagnostic regimen  
13 33 prescribed by a licensed physician; or surgeon; or a qualified  
13 34 health care professional prescriber.

CODE: Makes a technical correction to SF 2248 relating to professionals authorized to prescribe respiratory care services.

13 35 Sec. 24. Section 152B.3, subsection 1, unnumbered paragraph  
14 1 1, Code 2011, as amended by 2012 Iowa Acts, Senate File 2248,  
14 2 section 5, if enacted, is amended to read as follows:  
14 3 The performance of respiratory care shall be in accordance

CODE: Makes a technical correction to SF 2248 relating to professionals authorized to prescribe respiratory care services.

14 4 with the prescription of a licensed physician, or surgeon, or  
 14 5 a qualified health care professional prescriber and includes  
 14 6 but is not limited to the diagnostic and therapeutic use of the  
 14 7 following:

14 8 Sec. 25. Section 152B.3, subsection 2, Code 2011, as amended  
 14 9 by 2012 Iowa Acts, Senate File 2248, section 6, if enacted, is  
 14 10 amended to read as follows:

14 11 2. A respiratory care practitioner may transcribe and  
 14 12 implement a written or verbal order from a licensed physician;  
 14 13 or surgeon; or a qualified health care professional prescriber  
 14 14 pertaining to the practice of respiratory care.

CODE: Makes a technical correction to SF 2248 relating to professionals authorized to prescribe respiratory care services.

14 15 Sec. 26. Section 152B.4, Code 2011, as amended by 2012 Iowa  
 14 16 Acts, Senate File 2248, section 7, if enacted, is amended to  
 14 17 read as follows:

14 18 152B.4 LOCATION OF RESPIRATORY CARE.

14 19 The practice of respiratory care may be performed in a  
 14 20 hospital as defined in section 135B.1, subsection 3, and other  
 14 21 settings where respiratory care is to be provided in accordance  
 14 22 with a prescription of a licensed physician; or surgeon; or a  
 14 23 qualified health care professional prescriber. Respiratory  
 14 24 care may be provided during transportation of a patient and  
 14 25 under circumstances where an emergency necessitates respiratory  
 14 26 care.

CODE: Makes a technical correction to SF 2248 relating to professionals authorized to prescribe respiratory care services.

14 27 Sec. 27. Section 161A.63, Code 2011, as amended by 2012 Iowa  
 14 28 Acts, Senate File 2311, section 16, if enacted, is amended to  
 14 29 read as follows:

14 30 161A.63 RIGHT OF PURCHASER OF AGRICULTURAL LAND TO OBTAIN  
 14 31 INFORMATION.

14 32 A prospective purchaser of an interest in agricultural land  
 14 33 located in this state is entitled to obtain from the seller,  
 14 34 or from the office of the soil and water conservation district  
 14 35 in which the land is located, a copy of the most recently  
 15 1 updated farm unit soil conservation plan, developed pursuant  
 15 2 to section 161A.62, subsection 2, which ~~are~~ is applicable to  
 15 3 the agricultural land proposed to be purchased. A prospective  
 15 4 purchaser of an interest in agricultural land located in this  
 15 5 state is entitled to obtain additional copies ~~of either or both~~  
 15 6 of the ~~documents~~ document referred to in this section from the  
 15 7 office of the soil and water conservation district in which  
 15 8 the land is located, promptly upon request, at a fee not to  
 15 9 exceed the cost of reproducing them. All persons who identify  
 15 10 themselves to the commissioners or staff of a soil and water  
 15 11 conservation district as prospective purchasers of agricultural

CODE: Makes technical corrections to SF 2311 relating to the administration of the Department of Agriculture and Land Stewardship and the right of a purchaser of agricultural land to obtain information.

15 12 land in the district shall be given information, prepared in  
15 13 accordance with rules of the department, which clearly explains  
15 14 the provisions of section 161A.76.

15 15 Sec. 28. Section 203C.14, Code 2011, as amended by 2012 Iowa  
15 16 Acts, Senate File 2311, section 107, if enacted, is amended to  
15 17 read as follows:

15 18 203C.14 SUIT — CLAIMS — NOTICE OF REVOCATION.

15 19 1. A person injured by the breach of an obligation of a  
15 20 warehouse operator, for the performance of which a bond on  
15 21 agricultural products other than bulk grain, a deficiency  
15 22 bond, or an irrevocable letter of credit has been given under  
15 23 any of the provisions of this chapter, may sue on the bond on  
15 24 agricultural products other than bulk grain, deficiency bond,  
15 25 or irrevocable letter of credit in the person's own name in  
15 26 a court of competent jurisdiction to recover any damages the  
15 27 person has sustained by reason of the breach.

15 28 2. a. Upon the cessation of a warehouse operator's license  
15 29 due to revocation, cancellation, or expiration, a claim against  
15 30 the warehouse operator arising under this chapter shall be  
15 31 made in writing with the warehouse operator, with the issuer  
15 32 of a bond on agricultural products other than bulk grain, a  
15 33 deficiency bond, or an irrevocable letter of credit, and, if  
15 34 the claim relates to bulk grain, with the department. The  
15 35 claim must be made within one hundred twenty days after the  
16 1 cessation of the license. The failure to make a timely claim  
16 2 relieves the issuer and, if the claim relates to bulk grain,  
16 3 the grain depositors and sellers indemnity fund provided in  
16 4 chapter 203D of all obligations to the claimant.

16 5 ~~—3. b.~~ Upon revocation of a warehouse license, the  
16 6 department shall cause notice of the revocation to be published  
16 7 once each week for two consecutive weeks in a newspaper of  
16 8 general circulation in each of the counties in which the  
16 9 licensee maintains a business location and in a newspaper  
16 10 of general circulation within the state. The notice shall  
16 11 state the name and address of the warehouse operator and the  
16 12 effective date of revocation. The notice shall also state that  
16 13 any claims against the warehouse operator shall be made in  
16 14 writing and sent by ordinary mail to the warehouse operator, to  
16 15 the issuer of a bond on agricultural products other than bulk  
16 16 grain, deficiency bond, or an irrevocable letter of credit,  
16 17 and to the department within one hundred twenty days after  
16 18 revocation, and the notice shall state that the failure to make  
16 19 a timely claim does not relieve the warehouse operator from  
16 20 liability to the claimant.

16 21 c. This ~~paragraph~~ subsection does not apply if a receiver is

CODE: Makes technical corrections to SF 2311 relating to the  
administration of the Department of Agriculture and Land Stewardship  
and notices of revocation.

16 22 appointed as provided in this chapter pursuant to a petition  
16 23 which is filed by the department prior to the expiration of  
16 24 one hundred twenty days after ~~revocation, termination, or~~  
16 25 ~~cancellation~~ cessation of the license.

CODE: Makes a technical correction to SF 2247 relating to terminology changes in statutory references to mental retardation.

16 26 Sec. 29. Section 249A.12, subsection 5, paragraph a,  
16 27 unnumbered paragraph 1, Code 2011, as amended by 2012 Iowa  
16 28 Acts, Senate File 2247, section 101, is amended to read as  
16 29 follows:

16 30 The mental health and disability services commission shall  
16 31 recommend to the department the actions necessary to assist in  
16 32 the transition of individuals being served in an intermediate  
16 33 care facility for persons with an intellectual disability,  
16 34 who are appropriate for the transition, to services funded  
16 35 under a medical assistance home and community-based services  
17 1 waiver for persons with an intellectual disability in a  
17 2 manner which maximizes the use of existing public and private  
17 3 facilities. The actions may include but are not limited to  
17 4 submitting any of the following or a combination of any of the  
17 5 following as a request for a revision of the medical assistance  
17 6 home and community-based services waiver for persons with an  
17 7 intellectual ~~disabilities~~ disability:

CODE: Makes a technical correction to SF 2203 relating to nonsubstantive statutory corrections and effective date revisions.

17 8 Sec. 30. Section 273.2, subsection 3, Code Supplement 2011,  
17 9 as amended by 2012 Iowa Acts, Senate File 2203, section 38, if  
17 10 enacted, is amended to read as follows:

17 11 3. The area education agency board shall furnish  
17 12 educational services and programs as provided in ~~sections~~  
17 13 section 273.1, this section, sections 273.3 to 273.9, and  
17 14 chapter 256B to the pupils enrolled in public or nonpublic  
17 15 schools located within its boundaries which are on the list of  
17 16 accredited schools pursuant to section 256.11. The programs  
17 17 and services provided shall be at least commensurate with  
17 18 programs and services existing on July 1, 1974. The programs  
17 19 and services provided to pupils enrolled in nonpublic schools  
17 20 shall be comparable to programs and services provided to pupils  
17 21 enrolled in public schools within constitutional guidelines.

CODE: Makes a technical correction to HF 2403 relating to requirements for a commercial driver's license for persons transitioning from military service.

17 22 Sec. 31. Section 321.188, subsection 6, paragraph c, if  
17 23 enacted by 2012 Iowa Acts, House File 2403, section 1, is  
17 24 amended to read as follows:

17 25 c. An applicant who obtains a skills test waiver under this  
17 26 subsection shall take and successfully pass the knowledge test  
17 27 required pursuant to subsection ~~2~~ 1.

CODE: Makes a technical correction to HF 2228 relating to requirements for a motor vehicle operator to have control of the vehicle

17 28 Sec. 32. Section 321.323A, subsection 3, paragraph c,  
17 29 subparagraph (1), if enacted by 2012 Iowa Acts, House File

17 30 2228, section 3, is amended to read as follows:

17 31 (1) For a violation causing damage to the property of  
17 32 another person, but not resulting in bodily injury to or  
17 33 death of ~~to~~ another person, the department shall suspend the  
17 34 violator's driver's license or operating privileges for ninety  
17 35 days.

at all times and to change lanes or reduce speed in specific situations.

18 1 Sec. 33. Section 321.457, subsection 2, paragraph n,  
18 2 subparagraph (4), if enacted by 2012 Iowa Acts, House File  
18 3 2428, section 1, is amended to read as follows:

18 4 (4) For purposes of this paragraph "n", "full trailer" means  
18 5 as defined in 49 C.F.R. § ~~390~~ 390.5.

CODE: Makes a technical correction to HF 2428 relating to movement of certain combinations of vehicles on economic export corridors established by the DOT.

18 6 Sec. 34. Section 322.5, subsection 6, paragraph b,  
18 7 subparagraph (2), if enacted by 2012 Iowa Acts, Senate File  
18 8 2249, section 4, is amended to read as follows:

18 9 (2) The state in which the person is licensed as a motor  
18 10 vehicle dealer allows a motor vehicle dealer licensed in Iowa  
18 11 to be issued a permit substantially similar to the temporary  
18 12 permit authorized under this ~~section~~ subsection.

CODE: Makes a technical correction to SF 2249 relating to motor vehicle dealers at events and the definition of travel trailers for the purpose of dealer requirements.

18 13 Sec. 35. Section 326.3, subsection 19, if enacted by 2012  
18 14 Iowa Acts, Senate File 2216, section 19, is amended to read as  
18 15 follows:

18 16 19. "Operational records" means source documents that  
18 17 evidence distance traveled by a fleet in each member  
18 18 jurisdiction, such as ~~fuel~~ fuel reports, trip sheets, and  
18 19 driver logs, including those which may be generated through  
18 20 on-board devices and maintained electronically, as required by  
18 21 the audit procedures manual.

CODE: Makes technical corrections to SF 2216 relating to the registration and implementation of commercial motor vehicles under the international registration plan.

18 22 Sec. 36. Section 418.4, subsection 1, paragraph b, if  
18 23 enacted by 2012 Iowa Acts, Senate File 2217, section 5, is  
18 24 amended to read as follows:

18 25 b. A governmental entity as defined in section 418.1,  
18 26 subsection 4, paragraph "c", shall have the power to construct,  
18 27 acquire, own, repair, improve, operate, and maintain a project,  
18 28 may sue and be sued, contract, and acquire and hold real and  
18 29 personal property, subject to the limitation in paragraph  
18 30 "c", and ~~shall have~~ such other powers as may be included  
18 31 in the chapter 28E agreement. Such a governmental entity  
18 32 may contract with a city or the county participating in the  
18 33 chapter 28E agreement to perform any governmental service,  
18 34 activity, or undertaking that the city or county is authorized  
18 35 by law to perform, including but not limited to contracts for  
19 1 administrative services.

CODE: Makes technical corrections to SF 2217 relating to the establishment of a flood mitigation program, establishing a flood mitigation board, and authorizing the use of certain sales tax revenues and other assistance for flood mitigation projects.

19 2 Sec. 37. Section 418.5, subsection 7, if enacted by 2012  
 19 3 Iowa Acts, Senate File 2217, section 6, is amended to read as  
 19 4 follows:  
 19 5 7. A majority of the ~~board~~ voting members constitutes a  
 19 6 quorum.

CODE: Makes technical corrections to SF 2217 relating to the establishment of a flood mitigation program, establishing a flood mitigation board, and authorizing the use of certain sales tax revenues and other assistance for flood mitigation projects.

19 7 Sec. 38. Section 418.9, subsection 2, paragraph g, if  
 19 8 enacted by 2012 Iowa Acts, Senate File 2217, section 10, is  
 19 9 amended to read as follows:  
 19 10 g. Whether the project plan is consistent with the  
 19 11 applicable comprehensive, ~~countywide~~ emergency operations plan  
 19 12 in effect and other applicable local hazard mitigation plans.

CODE: Makes technical corrections to SF 2217 relating to the establishment of a flood mitigation program, establishing a flood mitigation board, and authorizing the use of certain sales tax revenues and other assistance for flood mitigation projects.

19 13 Sec. 39. Section 504.719, subsection 3, as enacted by 2012  
 19 14 Iowa Acts, Senate File 2260, section 8, is amended to read as  
 19 15 follows:  
 19 16 3. An inspector may, but is not required to, be a director,  
 19 17 ~~member of a designated body~~, member, officer, or employee of  
 19 18 the corporation. A person who is a candidate for an office  
 19 19 to be filled at the meeting shall not be an inspector at that  
 19 20 meeting.

CODE: Makes technical corrections to SF 2260 relating to the revision of the Iowa Nonprofit Corporation Act.

19 21 Sec. 40. Section 508.37, subsection 5, paragraph c, Code  
 19 22 2011, as amended by 2012 Iowa Acts, Senate File 2203, section  
 19 23 105, if enacted, is amended to read as follows:  
 19 24 c. The adjusted premiums for a policy providing term  
 19 25 insurance benefits by rider or supplemental policy provision  
 19 26 shall be equal to (1) the adjusted premiums for an otherwise  
 19 27 similar policy issued at the same age without such term  
 19 28 insurance benefits, increased during the period for which  
 19 29 premiums for such term insurance benefits are payable,  
 19 30 by (2) the adjusted premiums for such term insurance, the  
 19 31 foregoing items (1) and (2) being calculated separately and  
 19 32 as specified in paragraphs "a" and "b" of this subsection  
 19 33 except that, for the purposes of ~~of~~ paragraph "a", subparagraph  
 19 34 (1), subparagraph divisions (b), (c), and (d), the amount of  
 19 35 insurance or equivalent uniform amount of insurance used in  
 20 1 the calculation of the adjusted premiums referred to in item  
 20 2 (2) in this paragraph shall be equal to the excess of the  
 20 3 corresponding amount determined for the entire policy over the  
 20 4 amount used in the calculation of the adjusted premiums in item  
 20 5 (1) in this paragraph.

CODE: Makes a technical correction to SF 2203 relating to nonsubstantive statutory corrections and effective dates.

20 6 Sec. 41. Section 515I.1, subsection 2, if enacted by 2012  
 20 7 Iowa Acts, House File 2145, section 1, is amended to read as  
 20 8 follows:  
 20 9 2. This ~~division~~ chapter shall be liberally construed to

CODE: Makes a technical correction to HF 2145 relating to regulations, penalties, provisions, and repeals to permit access to surplus lines insurance in Iowa.

20 10 promote these purposes.

20 11 Sec. 42. Section 536A.10, Code 2011, as amended by 2012 Iowa  
20 12 Acts, Senate File 2203, section 139, if enacted, is amended to  
20 13 read as follows:

20 14 536A.10 ISSUANCE OF LICENSE.

20 15 1.—~~If The superintendent shall approve the application and~~  
20 16 ~~issue to the applicant a license to engage in the industrial~~  
20 17 ~~loan business in accordance with the provisions of this~~  
20 18 ~~chapter, if~~ the superintendent shall find:

20 19 a. That the financial responsibility, experience, character  
20 20 and general fitness of the applicant and of the officers  
20 21 thereof are such as to command the confidence of the community,  
20 22 and to warrant the belief that the business will be operated  
20 23 honestly, fairly and efficiently within the purpose of this  
20 24 chapter;

20 25 b. That a reasonable necessity exists for a new industrial  
20 26 loan company in the community to be served;

20 27 c. That the applicant has available for the operation of the  
20 28 business at the specified location paid-in capital and surplus  
20 29 as required by section 536A.8; and

20 30 d. That the applicant is a corporation organized for  
20 31 pecuniary profit under the laws of the state of Iowa.

20 32 2.—~~The superintendent shall approve the application and~~  
20 33 ~~issue to the applicant a license to engage in the industrial~~  
20 34 ~~loan business in accordance with the provisions of this~~  
20 35 ~~chapter.~~ The superintendent shall approve or deny an

21 1 application for a license within one hundred twenty days from  
21 2 the date of the filing of such application.

CODE: Makes a technical correction to SF 2203 relating to  
nonsubstantive statutory corrections and effective dates.

21 3 Sec. 43. Section 602.9202, subsection 4, Code 2011, as  
21 4 amended by 2012 Iowa Acts, Senate File 2285, section 106, is  
21 5 amended to read as follows:

21 6 4. "Senior judge retirement age" means seventy-eight years  
21 7 of age or, if the senior judge is reappointed as a senior judge  
21 8 for an additional one-year term upon attaining seventy-eight  
21 9 years of age, and then to a succeeding one-year term, pursuant  
21 10 to section 602.9203, eighty years of age.

CODE: Makes a technical correction to SF 2285 relating to statutory  
corrections.

21 11 Sec. 44. Section 617.11, subsection 3, unnumbered paragraph  
21 12 1, if enacted by 2012 Iowa Acts, House File 2370, section 1, is  
21 13 amended to read as follows:

21 14 If a claim of interest against the property is acquired prior  
21 15 to the indexing of a petition or municipal infraction citation  
21 16 affecting real estate and filed by a city and such claim is  
21 17 not indexed or filed of record prior to the indexing of the

CODE: Makes a technical correction to HF 2370 relating to real estate  
and mortgage foreclosure civil actions.

21 18 petition or citation, it is subject to the pending action  
 21 19 as provided in subsection 1, unless either of the following  
 21 20 occurs:

21 21 Sec. 45. EFFECTIVE DATE. The section of this division of  
 21 22 this Act amending section 9B.2, subsection 10, paragraph a,  
 21 23 takes effect January 1, 2013.

The Section making a technical correction to SF 2265 relating to notarial acts, fees, and effective date provisions is effective on January 1, 2013.

21 24 Sec. 46. EFFECTIVE UPON ENACTMENT. The section of this  
 21 25 division of this Act amending section 105.2, subsection  
 21 26 8, being deemed of immediate importance, takes effect upon  
 21 27 enactment.

The Section making a technical correction to HF 2285 relating to the definition of hydronic for the purposes of plumber, mechanical professional, and contractor licensing is effective on enactment.

21 28 Sec. 47. RETROACTIVE APPLICABILITY. The section of this  
 21 29 division of this Act amending section 105.2, subsection 8,  
 21 30 applies retroactively to the effective date of 2012 Iowa Acts,  
 21 31 House File 2285.

The Section making the technical correction to HF 2285 relating to the definition of hydronic for the purposes of plumber, mechanical professional, and contractor licensing is effective retroactively to March 29, 2012.

21 32 Sec. 48. EFFECTIVE UPON ENACTMENT. The section of this  
 21 33 division of this Act amending section 135.156E, subsection 1,  
 21 34 paragraph b, being deemed of immediate importance, takes effect  
 21 35 upon enactment.

The Section making a technical correction to SF 2318 relating to the Iowa Health Information Network is effective on enactment.

22 1 Sec. 49. RETROACTIVE APPLICABILITY. The section of this  
 22 2 division of this Act amending section 135.156E, subsection 1,  
 22 3 paragraph b, applies retroactively to the effective date of  
 22 4 2012 Iowa Acts, Senate File 2318.

The Section making a technical correction to SF 2318 relating to the Iowa Health Information Network is effective on enactment.

22 5 Sec. 50. EFFECTIVE UPON ENACTMENT. The section of this  
 22 6 division of this Act amending section 322.5, subsection 6,  
 22 7 paragraph "b", subparagraph (2), being deemed of immediate  
 22 8 importance, takes effect upon enactment.

The Section making a technical correction to SF 2249 relating to a motor vehicle dealers at events and the definition of travel trailers for the purpose of dealer requirements is effective on enactment.

22 9 Sec. 51. RETROACTIVE APPLICABILITY. The section of this  
 22 10 division of this Act amending section 322.5, subsection 6,  
 22 11 paragraph "b", subparagraph (2), applies retroactively to the  
 22 12 effective date of 2012 Iowa Acts, Senate File 2249.

The Section making a technical correction to SF 2249 is effective retroactively to the date SF 2249 becomes enacted.

22 13 Sec. 52. EFFECTIVE UPON ENACTMENT. The sections of this  
 22 14 division of this Act amending section 418.4, subsection  
 22 15 1, paragraph b, section 418.5, subsection 7, and section  
 22 16 418.9, subsection 2, paragraph g, being deemed of immediate  
 22 17 importance, take effect upon enactment.

The Section making a technical correction to SF 2217 relating to the establishment of a flood mitigation program, establishing a flood mitigation board, and authorizing the use of certain sales tax revenues and other assistance for flood mitigation projects is effective on enactment.

22 18 Sec. 53. RETROACTIVE APPLICABILITY. The sections of this

The Section making a technical correction to SF 2217 relating to the



22 19 division of this Act amending section 418.4, subsection 1,  
22 20 paragraph b, section 418.5, subsection 7, and section 418.9,  
22 21 subsection 2, paragraph g, apply retroactively to the effective  
22 22 date of 2012 Iowa Acts, Senate File 2217.

establishment of a flood mitigation program, establishing a flood mitigation board, and authorizing the use of certain sales tax revenues and other assistance for flood mitigation projects is effective retroactively to the date SF 2217 becomes enacted.

22 23 Sec. 54. EFFECTIVE UPON ENACTMENT. The section of this  
22 24 division of this Act amending section 515I.1, subsection  
22 25 2, being deemed of immediate importance, takes effect upon  
22 26 enactment.

The Section making a technical correction to HF 2145 relating to regulations, penalties, provisions, and repeals to permit access to surplus lines insurance in Iowa is effective on enactment.

22 27 Sec. 55. RETROACTIVE APPLICABILITY. The section of this  
22 28 division of this Act amending section 515I.1, subsection 2,  
22 29 applies retroactively to the effective date of 2012 Iowa Acts,  
22 30 House File 2145.

The Section making a technical correction to HF 2145 is effective retroactively to the date HF 2145 was enacted (March 29, 2012).

Summary Data  
General Fund

	Actual FY 2011 (1)	Estimated FY 2012 (2)	Enacted FY 2013 (3)	House Action FY 2013 (4)	FY 2013 House Action (5)	House Act vs FY 12 Est (6)
Unassigned Standings	\$ 2,490,940,807	\$ 2,672,632,221	\$ 2,721,281,604	\$ -61,801,695	\$ 2,659,479,909	\$ -13,152,312
Grand Total	\$ 2,490,940,807	\$ 2,672,632,221	\$ 2,721,281,604	\$ -61,801,695	\$ 2,659,479,909	\$ -13,152,312

# Unassigned Standings

## General Fund

	Actual FY 2011 (1)	Estimated FY 2012 (2)	Enacted FY 2013 (3)	House Action FY 2013 (4)	FY 2013 House Action (5)	House Act vs FY 12 Est (6)
<u>Cultural Affairs, Dept. of</u>						
Cultural Affairs, Dept. of						
County Endowment Funding - DCA Grants	\$ 443,300	\$ 416,702	\$ 208,351	\$ 166,264	\$ 374,615	\$ -42,087
<b>Total Cultural Affairs, Dept. of</b>	<b>\$ 443,300</b>	<b>\$ 416,702</b>	<b>\$ 208,351</b>	<b>\$ 166,264</b>	<b>\$ 374,615</b>	<b>\$ -42,087</b>
<u>Economic Development Authority</u>						
Economic Development Authority						
Tourism Marketing - Adjusted Gross Receipts	\$ 856,229	\$ 810,306	\$ 405,153	\$ 323,312	\$ 728,465	\$ -81,841
<b>Total Economic Development Authority</b>	<b>\$ 856,229</b>	<b>\$ 810,306</b>	<b>\$ 405,153</b>	<b>\$ 323,312</b>	<b>\$ 728,465</b>	<b>\$ -81,841</b>
<u>Education, Dept. of</u>						
Education, Dept. of						
Child Development	\$ 11,493,891	\$ 10,728,891	\$ 5,364,446	\$ 4,280,827	\$ 9,645,273	\$ -1,083,618
State Foundation School Aid	2,444,144,299	2,624,519,013	2,659,200,000	-10,000,000	2,649,200,000	24,680,987
<b>Total Education, Dept. of</b>	<b>\$ 2,455,638,190</b>	<b>\$ 2,635,247,904</b>	<b>\$ 2,664,564,446</b>	<b>\$ -5,719,173</b>	<b>\$ 2,658,845,273</b>	<b>\$ 23,597,369</b>
<u>Legislative Branch</u>						
Legislative Services Agency						
Legislative Branch	\$ 33,583,681	\$ 35,750,000	\$ 35,900,000	\$ -2,150,000	\$ 33,750,000	\$ -2,000,000
<b>Total Legislative Branch</b>	<b>\$ 33,583,681</b>	<b>\$ 35,750,000</b>	<b>\$ 35,900,000</b>	<b>\$ -2,150,000</b>	<b>\$ 33,750,000</b>	<b>\$ -2,000,000</b>
<u>Public Health, Dept. of</u>						
Public Health, Dept. of						
Congenital & Inherited Disorders Registry	\$ 182,044	\$ 171,121	\$ 85,560	\$ 146,940	\$ 232,500	\$ 61,379
<b>Total Public Health, Dept. of</b>	<b>\$ 182,044</b>	<b>\$ 171,121</b>	<b>\$ 85,560</b>	<b>\$ 146,940</b>	<b>\$ 232,500</b>	<b>\$ 61,379</b>
<u>Human Services, Dept. of</u>						
Assistance						
Child Abuse Prevention	\$ 217,772	\$ 217,772	\$ 108,886	\$ 123,614	\$ 232,500	\$ 14,728
<b>Total Human Services, Dept. of</b>	<b>\$ 217,772</b>	<b>\$ 217,772</b>	<b>\$ 108,886</b>	<b>\$ 123,614</b>	<b>\$ 232,500</b>	<b>\$ 14,728</b>

# Unassigned Standings

## General Fund

	Actual FY 2011 (1)	Estimated FY 2012 (2)	Enacted FY 2013 (3)	House Action FY 2013 (4)	FY 2013 House Action (5)	House Act vs FY 12 Est (6)
<u>Management, Dept. of</u>						
Management, Dept. of Health Care-Employee Contribution	\$ 0	\$ 0	\$ 0	\$ -46,700,000	\$ -46,700,000	\$ -46,700,000
Total Management, Dept. of	\$ 0	\$ 0	\$ 0	\$ -46,700,000	\$ -46,700,000	\$ -46,700,000
<u>Natural Resources, Dept. of</u>						
Natural Resources REAP GF Standing	\$ 0	\$ 0	\$ 20,000,000	\$ -8,000,000	\$ 12,000,000	\$ 12,000,000
Total Natural Resources, Dept. of	\$ 0	\$ 0	\$ 20,000,000	\$ -8,000,000	\$ 12,000,000	\$ 12,000,000
<u>Revenue, Dept. of</u>						
Revenue, Dept. of Tobacco Reporting Requirements	\$ 19,591	\$ 18,416	\$ 9,208	\$ 7,348	\$ 16,556	\$ -1,860
Total Revenue, Dept. of	\$ 19,591	\$ 18,416	\$ 9,208	\$ 7,348	\$ 16,556	\$ -1,860
Total Unassigned Standings	\$ 2,490,940,807	\$ 2,672,632,221	\$ 2,721,281,604	\$ -61,801,695	\$ 2,659,479,909	\$ -13,152,312

Summary Data  
Other Fund

	Actual FY 2011 (1)	Estimated FY 2012 (2)	Enacted FY 2013 (3)	House Action FY 2013 (4)	FY 2013 House Action (5)	House Act vs FY 12 Est (6)
Unassigned Standings	\$ 0	\$ 0	\$ 0	\$ -62,000,000	\$ -62,000,000	\$ -62,000,000
Grand Total	\$ 0	\$ 0	\$ 0	\$ -62,000,000	\$ -62,000,000	\$ -62,000,000

# Unassigned Standings

Other Fund

	Actual FY 2011 (1)	Estimated FY 2012 (2)	Enacted FY 2013 (3)	House Action FY 2013 (4)	FY 2013 House Action (5)	House Act vs FY 12 Est (6)
<u>Management, Dept. of</u>						
Management, Dept. of						
Health Care - Employee Contribution (OF)	\$ 0	\$ 0	\$ 0	\$ -62,000,000	\$ -62,000,000	\$ -62,000,000
Total Management, Dept. of	\$ 0	\$ 0	\$ 0	\$ -62,000,000	\$ -62,000,000	\$ -62,000,000
Total Unassigned Standings	\$ 0	\$ 0	\$ 0	\$ -62,000,000	\$ -62,000,000	\$ -62,000,000