

Government Efficiency Bill Senate File 2338

Last Action:

Senate Floor

April 19, 2012

An Act relating to government operations and efficiency and other related matters and including effective date and applicability provisions.

**Fiscal Services Division
Legislative Services Agency**

NOTES ON BILLS AND AMENDMENTS (NOBA)

Available on line at <http://www.legis.iowa.gov/LSAReports/noba.aspx>
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SF 2338 - Senate Government Efficiency Bill

Fiscal Summary

Bill Div/Sec	Minimum Estimate	Maximum Estimate	Comments
<i>Expenditure Reductions:</i>			
1 Duplex Printing (DAS)	\$ 138,000	\$ 138,000	DAS estimate. Annual savings.
2 & 3 IT Coordination (DAS)	0	0	Max. potential savings of \$10.9 million when fully implemented. May not all be General Fund savings.
Div. II Medication Therapy Management (MTM)	0	3,914,000	Cost avoidance as reported by pilot project vendor. Savings cannot be verified or disputed by DAS.
82 Electronic Notification (Limitation on Mail)	undetermined	undetermined	Savings will result but cannot be estimated.
Div. VIII State Records	227,000	227,000	Assumes a separate appropriation for records storage rent will not be made.
107 Electric Motor Vehicle Registration Fees	1,365	1,365	Changes the annual flat fee to the weight/value calculation.
132-135 Eliminate E911 Communications System Board	15,000	15,000	This is a savings to the Wireless E911 Emergency Communications Fund.
Total Expenditure Reductions	<u>\$ 381,365</u>	<u>\$ 4,295,365</u>	
<i>Expenditure Increases:</i>			
Div. II MTM Program	\$ 0	\$ 510,000	Contingent appropriation of \$510,000 in Admin/Reg Approps Bill from Board of Pharmacy fees.
Div. III Employee Work Environment Analysis	10,000	10,000	DAS estimate. One-time cost.
Div. IV State Auditor Loss of Revenue	33,000	33,000	A reduction in the Auditor's fee revenue. Assumes they will incur expense from General Fund budget.
Div. VIII State Records	227,000	227,000	Increased cost to agencies for records storage billed through the Dept. of Cultural Affairs.
Total Expenditure Increases	<u>\$ 270,000</u>	<u>\$ 780,000</u>	
<i>Overall Impact (Reductions less Increases)</i>	<u><u>\$ 111,365</u></u>	<u><u>\$ 3,515,365</u></u>	

NOTE: Provisions with minimal or no impact are not listed on this table.

Senate File 2338 provides for the following changes to the Code of Iowa.

Page #	Line #	Bill Section	Action	Code Section	Description
1	3	1	Amend Free-form	8A.205.2.g	
2	12	4	New	8A.441	
5	12	7	Amend	11.6.10	
5	26	8	Amend	182.18.1	
6	5	9	Amend	184.14.2	
6	21	10	Amend	184A.6.2	
6	31	11	Amend	184A.9	
7	4	12	Amend	185C.26	
7	34	14	Amend	7E.5.1.p	
8	4	15	Add	7E.5.1.w	
8	14	16	Amend	8A.202.5.e	
8	30	17	Amend	8D.2.5.b	
9	6	18	Amend	8D.9.3	
9	31	19	Amend	16.191.2.e	
10	1	20	Amend	22.7.45	
10	30	21	Amend	23A.2.10.m	
11	1	22	Amend	29.1	
11	15	23	Amend	29.2A	
11	21	24	Amend	29A.3A.4.a	
11	28	25	Amend	29A.12.1	
12	15	26	Amend	29A.56	
12	24	27	Amend	29C.1.1	
12	31	28	Add	29C.2.1A,1B	
13	2	29	Amend	29C.5	
13	23	30	Amend	29C.8	
17	5	31	Amend	29C.8A.2	
17	11	32	Amend Free-form	29C.9.1,5,7,8,10	
18	24	33	Amend	29C.11.1	
19	1	34	Amend	29C.12	
19	12	35	Amend	29C.12A	
19	23	36	Amend	29C.14	
19	33	37	Amend	29C.18.1	
20	6	38	Amend	29C.20B	
21	6	39	Amend	29C.22.3.c	
21	15	40	Amend	29C.22.11.b,c	
21	34	41	Amend	30.2.1,2	
22	31	42	Amend	30.5.2	
23	7	43	Amend	30.9	

Senate File 2338 provides for the following changes to the Code of Iowa.

Page #	Line #	Bill Section	Action	Code Section	Description
24	4	44	Amend	34A.2.2	
24	9	45	Amend	34A.2A	
24	23	46	Amend	34A.6.3	
24	29	47	Amend	34A.7A.1.a	
25	3	48	Amend	34A.7A.2.a,h	
25	20	49	Amend	34A.15.3	
25	28	50	Amend	35A.5.16	
26	2	51	Amend	80.28.2.a.(3)	
26	6	52	Amend	80B.11C	
26	29	53	Amend	97B.49B.1.e.(8)	
26	34	54	Amend	100B.22.1.a	
28	20	55	Amend	135.141.2.a,j	
29	4	56	Amend	135.145.1,2	
29	24	57	Amend	163.3A.2	
29	34	58	Amend	163.51.2.b	
30	12	59	Amend	305.8.1.b	
30	21	60	Amend	455B.266.1.d	
30	27	61	Amend	455B.385	
31	7	62	Amend	466B.3.4.d	
31	12	63	Repeal	29.2,29.3,29C.7	
31	29	65	Amend	12.87.12	
32	3	66	Amend	16.193.1	
32	16	67	Amend	16.194.2	
32	24	68	Amend	16.194.4.u1	
32	29	69	Amend	16.194.7	
33	1	70	Amend	16.194.8.u1	
33	5	71	Amend	16.194.9.b	
33	13	72	Amend	16.194.10	
33	19	73	Amend	16.194A.2,7,9,10	
34	8	74	Amend	16.194A.4.u1	
34	13	75	Amend	16.194A.8.u1	
34	17	76	Amend	16.195	
35	6	77	Amend	16.196	
38	11	78	Amend	16.197	
39	1	80	Repeal	16.191,16.192	
39	5	81	Add	22.7.65	
39	23	83	Amend	96.11.11	
40	7	84	Amend	305.2.2	

Senate File 2338 provides for the following changes to the Code of Iowa.

Page #	Line #	Bill Section	Action	Code Section	Description
40	14	85	Strike	305.2.3,5	
40	16	86	Add	305.2.4A	
40	20	87	Amend	305.2.10	
40	29	88	Amend	305.4.u1	
40	33	89	Amend	305.8.1.u1	
41	1	90	Add	305.8.1.0e	
41	6	91	Add	305.8.1.0f,00f,000f,0000f,00000f,000000f	
42	12	92	Add	305.8.1.0i	
42	20	93	Amend	305.8.2.u1	
42	23	94	Add	305.8.2.0g	
42	28	95	Amend	305.8.2.e	
42	35	96	New	305.8A	
44	5	97	Amend	305.10.1.c,d,e,f,j	
44	26	98	Amend	305.10.2	
44	32	99	Amend	305.11	
45	3	100	Amend	305.14	
45	11	101	Amend	305.15	
45	24	102	Amend	305.16.6.b.(1)	
45	29	103	Amend	321.31.1.b	
46	11	104	Repeal	305.3,305.5,305.6,305.7,305.9	
46	31	106	Amend	321.196.4	
47	15	107	Repeal	321.116	
48	14	112	Amend Free-form	455B.481.1-3	
50	6	113	Strike	455B.481.4,5	
50	8	114	Add	455B.482.7A	
50	16	115	Add	455B.484.1A	
50	20	116	Strike	455B.484.2,3,4,6,7,9,10	
50	22	117	Amend	455B.484A.1.c	
50	29	118	Strike	455B.485.3,5	
50	31	119	Strike	455B.486.1	
50	33	120	Amend	455B.487.u1	
51	15	121	Strike	455B.487.u11	
51	17	122	Strike	455B.487.1-3	
51	19	123	Add	455D.1.4A	
52	11	124	Amend	455D.5.2.h	
52	21	125	Amend	455D.7.1	
52	26	126	Strike	455D.7.4	
52	28	127	Strike and Replace	455D.15.2	

Senate File 2338 provides for the following changes to the Code of Iowa.

Page #	Line #	Bill Section	Action	Code Section	Description
52	34	128	Strike	455D.15.3	
53	1	129	Strike	455E.8.2,3	
53	3	130	Repeal	455B.516,455B.517,455B.518	
53	7	131	Add	2.69.4.0c	
53	19	132	Amend	34A.2A.2	
53	29	133	Amend	34A.7A.2.h	
54	5	134	Amend	34A.15.3	
54	15	135	Add	80.29.12A	
54	30	136	Amend	190A.3.4	
55	1	137	Strike	256.9.55.j	
55	3	138	Repeal	190A.2	
55	18	140	Repeal	15.112	
55	20	141	Repeal	15C,15D, 28K	

<p>1 1 DIVISION I</p> <p>1 2 GOVERNMENT INFORMATION TECHNOLOGY SERVICES</p> <p>1 3 Section 1. Section 8A.205, subsection 2, paragraph g, Code</p> <p>1 4 2011, is amended to read as follows:</p> <p>1 5 g. Encourage participating agencies to utilize <u>duplex</u></p> <p>1 6 <u>printing and</u> a print on demand strategy to reduce <u>printing</u></p> <p>1 7 <u>costs</u>, publication overruns, excessive inventory, and obsolete</p> <p>1 8 printed materials.</p> <p>1 9 Sec. 2. DEPARTMENT OF ADMINISTRATIVE SERVICES —</p> <p>1 10 INFORMATION TECHNOLOGY DEVICE INVENTORY.</p> <p>1 11 1. The department of administrative services shall complete</p> <p>1 12 an inventory of information technology devices utilized by the</p> <p>1 13 department and participating agencies, as defined in section</p> <p>1 14 8A.201. The department shall conduct the inventory with the</p> <p>1 15 goal of identifying potential information technology device</p> <p>1 16 upgrades, changes, or other efficiencies that will meet the</p> <p>1 17 information technology needs of the applicable department or</p> <p>1 18 agency at reduced cost to the state.</p> <p>1 19 2. The department shall submit a report to the general</p> <p>1 20 assembly by January 1, 2013, describing the department's</p> <p>1 21 actions as required by this section. The report shall,</p> <p>1 22 if applicable, identify any statutory barriers or needed</p> <p>1 23 technology investments for pursuing efforts described in this</p> <p>1 24 section and shall include in the report its findings and any</p> <p>1 25 recommendations for legislative action.</p> <p>1 26 Sec. 3. DEPARTMENT OF ADMINISTRATIVE SERVICES —</p> <p>1 27 INFORMATION TECHNOLOGY COORDINATION AND MANAGEMENT.</p> <p>1 28 1. The department of administrative services, in accordance</p> <p>1 29 with the requirements of 2010 Acts, chapter 1031, and Code</p> <p>1 30 section 8A.202, subsection 2, paragraph "g", to coordinate and</p> <p>1 31 manage information technology services within the department,</p> <p>1 32 shall establish a schedule by which all departments subject</p> <p>1 33 to the requirements of that Act and chapter 8A shall comply</p> <p>1 34 with these requirements. The schedule shall provide for</p> <p>1 35 implementation of the requirements to all affected state</p> <p>2 1 agencies and departments by December 31, 2013. The department</p> <p>2 2 shall submit a copy of the schedule to the general assembly</p> <p>2 3 by July 31, 2012, and shall provide periodic updates to the</p> <p>2 4 general assembly on the progress of meeting the time deadlines</p> <p>2 5 contained in the schedule.</p> <p>2 6 2. In procuring information technology as provided in</p>	<p>Encourages State agencies to use duplex printing to reduce printing costs.</p> <p>FISCAL IMPACT: The Department of Administrative Services (DAS) estimates potential annual savings of \$138,000. The estimated savings affects multiple funding sources. The savings associated with the General Fund cannot be separated out from the estimated.</p> <p>Requires the DAS to complete an inventory of information technology (IT) devices and equipment with a goal of identifying efficiencies to reduce costs. Requires the DAS to submit a status report to the General Assembly by January 1, 2013, that also identifies any statutory barriers and additional technology investments that may be needed to improve efficiencies and reduce costs.</p> <p>Requires the DAS to coordinate and manage IT services and to establish an implementation schedule for IT consolidation. The schedule is to be submitted to the General Assembly by July 31, 2012, and requires implementation by affected departments and agencies by December 31, 2013. Directs the DAS to explore procuring information technology through leasing.</p> <p>DETAIL: Since the enactment of SF 2088 (FY 2011 Government Reorganization Act), the DAS has been implementing consolidation of the State's information technology. The DAS reported savings of \$149,000 in FY 2010 and an annual cost avoidance of \$1,000,000 since FY 2011.</p> <p>BACKGROUND: The DAS continues to proceed with consolidation of IT services. Consolidation of e-mail messaging is 80.00% complete. Other functions are being addressed and potential savings or cost</p>
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2 7 section 8A.207, the department of administrative services
 2 8 should explore strategies of procuring information technology
 2 9 through leasing.

avoidance have been estimated. The DAS has revised statewide estimates for consolidations as follows:

- IT personnel: \$7,240,000
- Desktop, laptop, and related purchasing: \$840,000
- Servers: \$600,000
- Networks: \$1,060,000
- Printers and printing: \$200,000
- Data centers, server farms, and data storage and backup: \$1,000,000

The estimated annual savings totals \$10,940,000 and represents statewide savings to all agencies from multiple funding sources once fully implemented.

2 10 DIVISION II
 2 11 MEDICATION THERAPY MANAGEMENT

2 12 Sec. 4. NEW SECTION 8A.441 MEDICATION THERAPY MANAGEMENT.

2 13 1. As used in this section, unless the context otherwise
 2 14 requires:

2 15 a. "Eligible employee" means an employee of the state, with
 2 16 the exception of an employee of the state board of regents or
 2 17 institutions under the state board of regents, for whom group
 2 18 health plans are established pursuant to chapter 509A providing
 2 19 for third-party payment or prepayment for health or medical
 2 20 expenses.

2 21 b. "Medication therapy management" means a systematic
 2 22 process performed by a licensed pharmacist, designed to improve
 2 23 quality outcomes for patients and lower health care costs,
 2 24 including emergency room, hospital, provider, and other costs,
 2 25 by optimizing appropriate medication use linked directly to
 2 26 achievement of the clinical goals of therapy. Medication
 2 27 therapy management shall include all of the following services:

2 28 (1) A medication therapy review and in-person consultation
 2 29 relating to all medications, vitamins, and herbal supplements
 2 30 currently being taken by an eligible individual.

2 31 (2) A medication action plan, subject to the limitations
 2 32 specified in this section, communicated to the individual and
 2 33 the individual's primary care physician or other appropriate
 2 34 prescriber to address issues including appropriateness,
 2 35 effectiveness, safety, drug interactions, and adherence. The
 3 1 medication action plan may include drug therapy recommendations
 3 2 to prescribers that are needed to meet clinical goals and
 3 3 achieve optimal patient outcomes.

CODE: Establishes the Medication Therapy Management (MTM) Program for State employees, except for employees of the Board of Regents. Defines medication therapy management as a systematic process performed by a licensed pharmacist, designed to optimize therapeutic outcomes through improved medication use and reduced risk of adverse drug events including:

- A review of all medications, vitamins, and supplements being taken by an eligible individual.
- A medication action plan communicated to the individual and the individual's primary health physician. The action plan may include recommendations to the prescriber for drug therapy.
- Documentation and follow-up to ensure consistent levels of pharmacy services and positive outcomes.

DETAIL: An MTM pilot project was implemented in FY 2011. The DAS entered into a contract with a private vendor to implement the requirements of the legislation in July 2010. The vendor provided periodic updates throughout the fiscal year detailing the activity of the Program.

FISCAL IMPACT: At the end of FY 2011, the results reported by the vendor to the DAS indicated a total estimated cost avoidance of \$3,914,000 to the State. The DAS stated that the cost avoidance estimate reported by the vendor could not be validated nor disputed. It is possible that the establishment of the Program on a permanent basis would, at least initially, yield similar results in terms of cost

3 4 (3) Documentation and follow-up to ensure consistent levels
3 5 of pharmacy services and positive outcomes.

avoidance.

NOTE: Senate File 2313 (Administration and Regulation Appropriations Bill) makes a contingent transfer of \$510,000 from the fees collected by the Board of Pharmacy, to the DAS, for the MTM Program. The transfer is contingent on enactment of legislation authorizing the Program during the 2012 Legislative Session.

3 6 2. a. The department shall utilize a request for proposals
3 7 process and shall enter into a contract for the provision of
3 8 medication therapy management services for eligible employees
3 9 who meet any of the following criteria:

3 10 (1) An individual who takes four or more prescription drugs
3 11 to treat or prevent two or more chronic medical conditions.

3 12 (2) An individual with a prescription drug therapy problem
3 13 who is identified by the prescribing physician or other
3 14 appropriate prescriber, and referred to a pharmacist for
3 15 medication therapy management services.

3 16 (3) An individual who meets other criteria established by
3 17 the third-party payment provider contract, policy, or plan.

CODE: Requires the DAS to enter into a contract for MTM services for employees that meet certain eligibility criteria.

3 18 b. The contract shall require the entity to provide annual
3 19 reports to the general assembly detailing the costs, savings,
3 20 estimated cost avoidance and return on investment, and improved
3 21 patient outcomes related to the medication therapy management
3 22 services provided. The entity shall guarantee demonstrated
3 23 annual savings for overall health care costs, including
3 24 emergency room, hospital, provider, and other costs, with
3 25 savings including associated cost avoidance, at least equal
3 26 to the program's costs with any shortfall amount refunded to
3 27 the state. The contract shall include terms, conditions,
3 28 and applicable measurement standards associated with the
3 29 demonstration of savings. The department shall verify the
3 30 demonstrated savings reported by the entity were achieved in
3 31 accordance with the agreed upon measurement standards. The
3 32 entity shall be prohibited from using the entity's employees to
3 33 provide the medication therapy management services and shall
3 34 instead be required to contract with licensed pharmacies,
3 35 pharmacists, or physicians.

CODE: Requires the contractor that administers the Program to provide annual reports to the General Assembly concerning costs, savings, estimated cost avoidance, and return on investment. Requires the contractor to guarantee an annual savings associated with cost avoidance that is at least equal to the Program's cost. Any shortfall between the calculated cost avoidance and the Program's cost is to be refunded to the State. Requires the DAS to verify that the demonstrated savings reported by the contractor were achieved.

4 1 c. The department may establish an advisory committee
4 2 comprised of an equal number of physicians and pharmacists
4 3 to provide advice and oversight in evaluating the results of
4 4 the program. The department shall appoint the members of the
4 5 advisory committee based upon designees of the Iowa pharmacy

Permits the DAS to form an advisory committee comprised of physicians and pharmacists to provide advice and oversight regarding the request for proposals and the program evaluation process.

4 6 association, the Iowa medical society, and the Iowa osteopathic
4 7 medical association.

4 8 d. The fees for pharmacist-delivered medication therapy
4 9 management services shall be separate from the reimbursement
4 10 for prescription drug product or dispensing services; shall
4 11 be determined by each third-party payment provider contract,
4 12 policy, or plan; and must be reasonable based on the resources
4 13 and time required to provide the service.

4 14 e. A fee shall be established for physician reimbursement
4 15 for services delivered for medication therapy management as
4 16 determined by each third-party payment provider contract,
4 17 policy, or plan, and must be reasonable based on the resources
4 18 and time required to provide the service.

4 19 f. If any part of the medication therapy management
4 20 plan developed by a pharmacist incorporates services which
4 21 are outside the pharmacist's independent scope of practice
4 22 including the initiation of therapy, modification of dosages,
4 23 therapeutic interchange, or changes in drug therapy, the
4 24 express authorization of the individual's physician or other
4 25 appropriate prescriber is required.

4 26 Sec. 5. EFFECTIVE UPON ENACTMENT. This division of this
4 27 Act, being deemed of immediate importance, takes effect upon
4 28 enactment.

4 29 DIVISION III
4 30 STATE PHYSICAL RESOURCES

4 31 Sec. 6. STATE EMPLOYEE WORK ENVIRONMENT ANALYSIS
4 32 AND REPORT. By September 30, 2012, the department of
4 33 administrative services shall conduct a high level needs
4 34 analysis of state employee work stations and office standards,
4 35 assessing adequate square footage needs, and creating healthy,
5 1 productive, and efficient work environments in an economical
5 2 manner. Overall objectives of the analysis shall include
5 3 improving employee density; properly allocating space for
5 4 individual and group work; improving worker health and
5 5 safety; improving technology integration; and improving energy
5 6 efficiency and sustainability in state offices. The department
5 7 shall submit findings and recommendations to the capitol
5 8 planning commission and to the legislative fiscal committee by
5 9 October 30, 2012.

5 10 DIVISION IV

Specifies that the fees for pharmacist-related MTM services be separate from the reimbursement for pharmacy-related services. Requires the fees to be reasonable and to be determined by each third-party payment provider contract.

Specifies that the fees for physician-related MTM services to be reasonable and to be determined by each third-party payment provider contract.

Specifies that if any part of the MTM plan developed by a pharmacist incorporates services outside the pharmacist's scope of practice, authorization of an individual's physician is required.

This Division is effective on enactment.

Requires the DAS to analyze State employee work stations and office standards with the objective of making recommendations for improving employee work space density, properly allocating individual and group work space, improving worker health and safety, improving technology integration, and energy efficiency and sustainability in state offices. Requires the DAS to submit a report to the Capitol Planning Commission and to the Legislative Fiscal Committees by October 30, 2012.

FISCAL IMPACT: The DAS has indicated they may need to hire a consultant to evaluate State employee work environments relative to market trends and private sector standards. The cost of a consultant is estimated at \$10,000.

<p>5 11 AUDITS</p> <p>5 12 Sec. 7. Section 11.6, subsection 10, Code Supplement 2011, 5 13 is amended to read as follows:</p> <p>5 14 10. The auditor of state shall adopt rules in accordance 5 15 with chapter 17A to establish and collect a filing fee for 5 16 the filing of each report of audit or examination conducted 5 17 pursuant to subsections 1 through 3 <u>subsection 1, paragraphs "a"</u> 5 18 <u>and "c", subsection 2, and subsection 3.</u> The funds collected 5 19 shall be maintained in a segregated account for use by the 5 20 office of the auditor of state in performing audits conducted 5 21 pursuant to subsection 4 and for work paper reviews conducted 5 22 pursuant to subsection 5. Any funds collected by the auditor 5 23 pursuant to subsection 4 shall be deposited in this account. 5 24 Notwithstanding section 8.33, the funds in this account shall 5 25 not revert at the end of any fiscal year.</p> <p>5 26 Sec. 8. Section 182.18, subsection 1, Code 2011, is amended 5 27 to read as follows:</p> <p>5 28 1. Moneys collected under this chapter are subject to audit 5 29 by the auditor of state and shall be used by the Iowa sheep and 5 30 wool promotion board first for the payment of collection and 5 31 refund expenses, second for payment of the costs and expenses 5 32 arising in connection with conducting referendums, <u>and</u> third 5 33 for the purposes identified in section 182.11, and fourth 5 34 for the cost of audits for the auditor of state. Moneys of 5 35 the board remaining after a referendum is held at which a 6 1 majority of the voters favor termination of the board and the 6 2 assessment shall continue to be expended in accordance with 6 3 this chapter until exhausted. The auditor of state may seek 6 4 reimbursement for the cost of the audit.</p> <p>6 5 Sec. 9. Section 184.14, subsection 2, Code 2011, is amended 6 6 to read as follows:</p> <p>6 7 2. Moneys collected, deposited in the fund, and transferred 6 8 to the council as provided in this chapter are subject to 6 9 audit by the auditor of state. The auditor of state may 6 10 seek reimbursement for the cost of the audit. The moneys 6 11 transferred to the council shall be used by the council first 6 12 for the payment of collection expenses, second for payment of 6 13 the costs and expenses arising in connection with conducting 6 14 referendums, <u>and</u> third to perform the functions and carry out 6 15 the duties of the council as provided in this chapter, and 6 16 fourth for the cost of audits by the auditor of state. Moneys 6 17 remaining after the council is abolished and the imposition of 6 18 an assessment is terminated pursuant to a referendum conducted</p>	<p>CODE: Exempts community mental health centers (established in Chapter 230A), substance abuse programs (established in Chapter 125), and community action agencies from being charged a filing fee by the Auditor of State.</p> <p>DETAIL: This Section makes a corrective change to the Iowa Code that was enacted in HF 536 (Audits of Public Financial Activities Act) during the 2011 Legislative Session, and inadvertently charged these organizations an audit report filing fee.</p> <p>CODE: Prohibits the Auditor of State from charging a fee for audit services to the Iowa Sheep and Wool Promotion Board.</p> <p>FISCAL IMPACT: It is estimated that this provision will reduce the Auditor of State's fee revenue by \$5,500 annually and will require the Auditor to use other resources to cover the audit costs.</p> <p>CODE: Prohibits the Auditor of State from charging a fee for audit services to the Iowa Egg Council.</p> <p>FISCAL IMPACT: It is estimated that this provision will reduce the Auditor of State's fee revenue by \$8,500 annually and will require the Auditor to use other resources to cover the audit costs.</p>
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6 19 pursuant to section 184.5 shall continue to be expended in
6 20 accordance with this chapter until exhausted.

6 21 Sec. 10. Section 184A.6, subsection 2, Code 2011, is amended
6 22 to read as follows:

6 23 2. The council shall expend moneys from the account first
6 24 for the payment of expenses for the collection of assessments,
6 25 ~~second and then~~ for the payment of expenses related to
6 26 conducting a referendum as provided in section 184A.12,
6 27 ~~and third for the cost of audits by the auditor of state as~~
6 28 ~~required in section 184A.9.~~ The council shall expend remaining
6 29 moneys for market development, producer education, and the
6 30 payment of refunds to producers as provided in this chapter.

6 31 Sec. 11. Section 184A.9, Code 2011, is amended to read as
6 32 follows:

6 33 184A.9 AUDIT.

6 34 Moneys required to be deposited in the turkey council
6 35 account as provided in section 184A.4 shall be subject to
7 1 audit by the auditor of state. ~~The auditor of state may seek~~
7 2 ~~reimbursement for the cost of the audit from moneys deposited~~
7 3 ~~in the turkey council account.~~

7 4 Sec. 12. Section 185C.26, Code 2011, is amended to read as
7 5 follows:

7 6 185C.26 DEPOSIT OF MONEYS — CORN PROMOTION FUND.

7 7 A state assessment collected by the board from a sale of corn
7 8 shall be deposited in the office of the treasurer of state in
7 9 a special fund known as the corn promotion fund. The fund may
7 10 include any gifts, rents, royalties, interest, license fees,
7 11 or a federal or state grant received by the board. Moneys
7 12 collected, deposited in the fund, and transferred to the board
7 13 as provided in this chapter shall be subject to audit by the
7 14 auditor of state. ~~The auditor of state may seek reimbursement~~
7 15 ~~for the cost of the audit from moneys deposited in the fund as~~
7 16 ~~provided in this chapter.~~ The department of administrative
7 17 services shall transfer moneys from the fund to the board
7 18 for deposit into an account established by the board in a
7 19 qualified financial institution. The department shall transfer
7 20 the moneys as provided in a resolution adopted by the board.
7 21 However, the department is only required to transfer moneys
7 22 once during each day and only during hours when the offices of
7 23 the state are open. From moneys collected, the board shall
7 24 first pay all the direct and indirect costs incurred by the
7 25 secretary and the costs of referendums, elections, and other
7 26 expenses incurred in the administration of this chapter, before
7 27 moneys may be expended for the purpose of carrying out the

CODE: Prohibits the Auditor of State from charging a fee for audit services to the Iowa Turkey Marketing Council.

FISCAL IMPACT: It is estimated that this provision will reduce the Auditor of State's fee revenue by \$8,000 annually and will require the Auditor to use other resources to cover the audit costs.

CODE: Prohibits the Auditor of State from charging a fee for audit services to the Iowa Corn Promotion Board.

FISCAL IMPACT: It is estimated that this provision will reduce the Auditor of State's fee revenue by \$11,000 annually and will require the Auditor to use other resources to cover the audit costs.

7 28 purposes of this chapter as provided in section 185C.11.

7 29 Sec. 13. EFFECTIVE UPON ENACTMENT. This division of this
7 30 Act, being deemed of immediate importance, takes effect upon
7 31 enactment.

This Division is effective on enactment.

7 32 DIVISION V
7 33 HOMELAND SECURITY AND EMERGENCY MANAGEMENT ORGANIZATION

7 34 Sec. 14. Section 7E.5, subsection 1, paragraph p, Code
7 35 Supplement 2011, is amended to read as follows:

8 1 p. The department of public defense, created in section
8 2 29.1, which has primary responsibility for state military
8 3 forces ~~and emergency management~~.

8 4 Sec. 15. Section 7E.5, subsection 1, Code Supplement 2011,
8 5 is amended by adding the following new paragraph:

8 6 NEW PARAGRAPH w. The department of homeland security
8 7 and emergency management, created in section 29C.5, which has
8 8 primary responsibility for the administration of emergency
8 9 planning matters, including emergency resource planning in
8 10 this state, homeland security activities, and coordination of
8 11 available services and resources in the event of a disaster to
8 12 include those services and resources of the federal government
8 13 and private entities.

8 14 Sec. 16. Section 8A.202, subsection 5, paragraph e, Code
8 15 2011, is amended to read as follows:

8 16 e. (1) ~~The department of public defense, including both~~
8 17 ~~the military division and the homeland security and emergency~~
8 18 ~~management division,~~ shall not be required to obtain any
8 19 information technology services pursuant to this subchapter for
8 20 the department of public defense ~~or its divisions~~ that is
8 21 provided by the department pursuant to this chapter without the
8 22 consent of the adjutant general.

8 23 (2) The department of homeland security and emergency
8 24 management shall not be required to obtain any information
8 25 technology services pursuant to this subchapter for the
8 26 department of homeland security and emergency management that
8 27 is provided by the department pursuant to this chapter without
8 28 the consent of the director of the department of homeland
8 29 security and emergency management.

8 30 Sec. 17. Section 8D.2, subsection 5, paragraph b, Code
8 31 Supplement 2011, is amended to read as follows:

8 32 b. For the purposes of this chapter, "public agency" also
8 33 includes any homeland security or defense facility or disaster
8 34 response agency established by the ~~administrator~~ director of
8 35 the department of homeland security and emergency management

CODE: This Division changes the Division of Homeland Security and
Emergency Management Agency of the Department of Public Defense
to a stand alone department within State government. This Division
makes the technical statutory changes to the Iowa Code to conform
with the designation change.

9 1 ~~division of the department of public defense~~ or the governor
9 2 or any facility connected with a security or defense system or
9 3 disaster response as required by the ~~administrator~~ director of
9 4 the department of homeland security and emergency management
9 5 ~~division of the department of public defense~~ or the governor.
9 6 Sec. 18. Section 8D.9, subsection 3, Code Supplement 2011,
9 7 is amended to read as follows:
9 8 3. A facility that is considered a public agency pursuant
9 9 to section 8D.2, subsection 5, paragraph "b", shall be
9 10 authorized to access the Iowa communications network strictly
9 11 for homeland security communication purposes and disaster
9 12 communication purposes. Any utilization of the network that
9 13 is not related to communications concerning homeland security
9 14 or a disaster, as defined in section 29C.2, is expressly
9 15 prohibited. Access under this subsection shall be available
9 16 only if a state of disaster emergency is proclaimed by the
9 17 governor pursuant to section 29C.6 or a homeland security
9 18 or disaster event occurs requiring connection of disparate
9 19 communications systems between public agencies to provide
9 20 for a multiagency or multijurisdictional response. Access
9 21 shall continue only for the period of time the homeland
9 22 security or disaster event exists. For purposes of this
9 23 subsection, disaster communication purposes includes training
9 24 and exercising for a disaster if public notice of the training
9 25 and exercising session is posted on the ~~website~~ internet site
9 26 of the department of homeland security and emergency management
9 27 ~~division of the department of public defense~~. A scheduled and
9 28 noticed training and exercising session shall not exceed five
9 29 days. Interpretation and application of the provisions of this
9 30 subsection shall be strictly construed.
9 31 Sec. 19. Section 16.191, subsection 2, paragraph e, Code
9 32 Supplement 2011, is amended to read as follows:
9 33 e. The ~~administrator~~ director of the department of homeland
9 34 security and emergency management ~~division of the department of~~
9 35 ~~public defense~~ or the ~~administrator's~~ director's designee.
10 1 Sec. 20. Section 22.7, subsection 45, Code Supplement 2011,
10 2 is amended to read as follows:
10 3 45. The critical asset protection plan or any part of the
10 4 plan prepared pursuant to section 29C.8 and any information
10 5 held by the department of homeland security and emergency
10 6 management ~~division~~ that was supplied to the ~~division~~
10 7 department by a public or private agency or organization and
10 8 used in the development of the critical asset protection plan
10 9 to include, but not be limited to, surveys, lists, maps, or
10 10 photographs. However, the ~~administrator~~ director shall make
10 11 the list of assets available for examination by any person.

10 12 A person wishing to examine the list of assets shall make
10 13 a written request to the ~~administrator~~ director on a form
10 14 approved by the ~~administrator~~ director. The list of assets may
10 15 be viewed at the ~~division's~~ department's offices during normal
10 16 working hours. The list of assets shall not be copied in any
10 17 manner. Communications and asset information not required by
10 18 law, rule, or procedure that are provided to the ~~administrator~~
10 19 director by persons outside of government and for which the
10 20 ~~administrator~~ director has signed a nondisclosure agreement are
10 21 exempt from public disclosures. The department of homeland
10 22 security and emergency management ~~division~~ may provide all or
10 23 part of the critical asset plan to federal, state, or local
10 24 governmental agencies which have emergency planning or response
10 25 functions if the ~~administrator~~ director is satisfied that
10 26 the need to know and intended use are reasonable. An agency
10 27 receiving critical asset protection plan information from the
10 28 ~~division~~ department shall not disseminate the information
10 29 without prior approval of the ~~administrator~~ director.

10 30 Sec. 21. Section 23A.2, subsection 10, paragraph m, Code
10 31 2011, is amended to read as follows:

10 32 m. The repair, calibration, or maintenance of radiological
10 33 detection equipment by the department of homeland security
10 34 and emergency management ~~division of the department of public~~
10 35 ~~defense~~.

11 1 Sec. 22. Section 29.1, Code 2011, is amended to read as
11 2 follows:

11 3 29.1 DEPARTMENT OF PUBLIC DEFENSE.

11 4 The department of public defense is composed of the ~~military~~
11 5 ~~division and the homeland security and emergency management~~
11 6 ~~division~~ office of the adjutant general and the military forces
11 7 of the state of Iowa. The adjutant general is the director of
11 8 the department of public defense and ~~the budget and personnel~~
11 9 ~~of all of the divisions are subject to the approval of the~~
11 10 ~~adjutant general shall perform all functions, responsibilities,~~
11 11 ~~powers, and duties over the military forces of the state of~~
11 12 ~~Iowa as provided in the laws of the state~~. The Iowa emergency
11 13 response commission established by section 30.2 is attached to
11 14 the ~~department of public defense for organizational purposes~~.

11 15 Sec. 23. Section 29.2A, Code 2011, is amended to read as
11 16 follows:

11 17 29.2A AIRPORT FIRE FIGHTERS — MAXIMUM AGE.

11 18 The maximum age for a person to be employed as an airport
11 19 fire fighter by the ~~military division of the department of~~
11 20 public defense is sixty-five years of age.

11 21 Sec. 24. Section 29A.3A, subsection 4, paragraph a, Code
11 22 2011, is amended to read as follows:

11 23 a. Operations and administration of the civil air patrol
11 24 relating to missions not qualifying for federal mission status
11 25 shall be funded by the state from moneys appropriated to the
11 26 department of homeland security and emergency management
11 27 ~~division of the department of public defense~~ for that purpose.
11 28 Sec. 25. Section 29A.12, subsection 1, Code 2011, is amended
11 29 to read as follows:
11 30 1. The adjutant general shall have command and control of
11 31 the ~~military division~~ department of public defense, and perform
11 32 such duties as pertain to the office of the adjutant general
11 33 under law and regulations, pursuant to the authority vested in
11 34 the adjutant general by the governor. The adjutant general
11 35 shall superintend the preparation of all letters and reports
12 1 required by the United States from the state, and perform all
12 2 the duties prescribed by law. The adjutant general shall
12 3 have charge of the state military reservations, and all other
12 4 property of the state kept or used for military purposes. The
12 5 adjutant general may accept and expend nonappropriated funds
12 6 in accordance with law and regulations. The adjutant general
12 7 shall cause an inventory to be taken at least once each year
12 8 of all military stores, property, and funds under the adjutant
12 9 general's jurisdiction. In each year preceding a regular
12 10 session of the general assembly, the adjutant general shall
12 11 prepare a detailed report of the transactions of that office,
12 12 its expenses, and other matters required by the governor for
12 13 the period since the last preceding report, and the governor
12 14 may at any time require a similar report.
12 15 Sec. 26. Section 29A.56, Code 2011, is amended to read as
12 16 follows:
12 17 29A.56 SPECIAL POLICE.
12 18 The adjutant general may by order entered of record
12 19 commission one or more of the employees of the ~~military~~
12 20 ~~division~~ department of public defense as special police. Such
12 21 special police shall on the premises of any state military
12 22 reservation or other state military property have and exercise
12 23 the powers of regular peace officers.
12 24 Sec. 27. Section 29C.1, subsection 1, Code 2011, is amended
12 25 to read as follows:
12 26 1. To establish a department of homeland security
12 27 and emergency management ~~division of the department of~~
12 28 ~~public defense~~ and to authorize the establishment of local
12 29 organizations for emergency management in the political
12 30 subdivisions of the state.
12 31 Sec. 28. Section 29C.2, Code Supplement 2011, is amended by
12 32 adding the following new subsections:
12 33 NEW SUBSECTION 1A. "Department" means the department of

12 34 homeland security and emergency management.

12 35 NEW SUBSECTION 1B. "Director" means the director of the
13 1 department of homeland security and emergency management.
13 2 Sec. 29. Section 29C.5, Code 2011, is amended to read as
13 3 follows:

13 4 ~~29C.5—HOMELAND DEPARTMENT OF HOMELAND SECURITY AND~~
13 5 ~~EMERGENCY MANAGEMENT—DIVISION .~~

13 6 ~~—A~~ The department of homeland security and emergency
13 7 management division is created within the department of public
13 8 defense. The department of homeland security and emergency
13 9 management division shall be responsible for the administration
13 10 of emergency planning matters, including emergency resource
13 11 planning in this state, cooperation with, support of, funding
13 12 for, and tasking of the civil air patrol for missions not
13 13 qualifying for federal mission status as described in section
13 14 29A.3A in accordance with operational and funding criteria
13 15 developed with the adjutant general and coordinated with
13 16 the civil air patrol, homeland security activities, and
13 17 coordination of available services and resources in the event
13 18 of a disaster to include those services and resources of the
13 19 federal government and private entities. The Iowa emergency
13 20 response commission established by section 30.2 is attached to
13 21 the department of homeland security and emergency management
13 22 for organizational purposes.

13 23 Sec. 30. Section 29C.8, Code Supplement 2011, is amended to
13 24 read as follows:

13 25 29C.8 POWERS AND DUTIES OF ~~—ADMINISTRATOR~~ DIRECTOR .

13 26 1. The department of homeland security and emergency
13 27 management division shall be under the management of an
13 28 administrator a director appointed by the governor.

13 29 2. The ~~administrator~~ director shall be vested with the
13 30 authority to administer emergency management and homeland
13 31 security affairs in this state and shall be responsible for
13 32 preparing and executing the emergency management and homeland
13 33 security programs of this state subject to the direction of the
13 34 ~~adjutant general~~ governor. In the event of a disaster beyond
13 35 local control, the director may assume direct operational
14 1 control over all or any part of the emergency management
14 2 functions within this state.

14 3 3. The ~~administrator~~ director, upon the direction of
14 4 the governor ~~and supervisory control of the director of the~~
14 5 ~~department of public defense~~, shall:

14 6 a. Prepare a comprehensive emergency plan and emergency
14 7 management program for homeland security, disaster
14 8 preparedness, response, recovery, mitigation, emergency
14 9 operation, and emergency resource management of this state.

14 10 The plan and program shall be integrated into and coordinated
14 11 with the homeland security and emergency plans of the federal
14 12 government and of other states to the fullest possible extent
14 13 ~~and. The director shall also~~ coordinate the preparation of
14 14 plans and programs for emergency management of the political
14 15 subdivisions and various state departments of this state.
14 16 The plans shall be integrated into and coordinated with a
14 17 comprehensive state homeland security and emergency program for
14 18 this state as coordinated by the ~~administrator of the homeland~~
14 19 ~~security and emergency management division~~ director to the
14 20 fullest possible extent.

14 21 b. Make such studies and surveys of the industries,
14 22 resources, and facilities in this state as may be necessary to
14 23 ascertain the vulnerabilities of critical state infrastructure
14 24 and assets to attack and the capabilities of the state for
14 25 disaster recovery, disaster planning and operations, and
14 26 emergency resource management, and to plan for the most
14 27 efficient emergency use thereof.

14 28 c. Provide technical assistance to any commission requiring
14 29 the assistance in the development of an emergency management
14 30 or homeland security program.

14 31 d. Implement planning and training for emergency response
14 32 teams as mandated by the federal government under the
14 33 Comprehensive Environmental Response, Compensation, and
14 34 Liability Act of 1980 as amended by the Superfund Amendments
14 35 and Reauthorization Act of 1986, 42 U.S.C. §9601 et seq.

15 1 e. Prepare a critical asset protection plan that contains
15 2 an inventory of infrastructure, facilities, systems, other
15 3 critical assets, and symbolic landmarks; an assessment of the
15 4 criticality, vulnerability, and level of threat to the assets;
15 5 and information pertaining to the mobilization, deployment, and
15 6 tactical operations involved in responding to or protecting the
15 7 assets.

15 8 f. Approve and support the development and ongoing
15 9 operations of homeland security and emergency response teams to
15 10 be deployed as a resource to supplement and enhance disrupted
15 11 or overburdened local emergency and disaster operations and
15 12 deployed as available to provide assistance to other states
15 13 pursuant to the interstate emergency management assistance
15 14 compact described in section 29C.21. The following shall apply
15 15 to homeland security and emergency response teams:

15 16 (1) A member of a homeland security and emergency response
15 17 team acting under this section upon the directive of the
15 18 ~~administrator~~ director or pursuant to a governor's disaster
15 19 proclamation as provided in section 29C.6 shall be considered
15 20 an employee of the state for purposes of section 29C.21 and

15 21 chapter 669 and shall be afforded protection as an employee
15 22 of the state under section 669.21. Disability, workers'
15 23 compensation, and death benefits for team members working
15 24 under the authority of the ~~administrator~~ director or pursuant
15 25 to the provisions of section 29C.6 shall be paid by the
15 26 state in a manner consistent with the provisions of chapter
15 27 85, 410, or 411 as appropriate, depending on the status of
15 28 the member, provided that the member is registered with the
15 29 ~~homeland security and emergency management division~~ department
15 30 as a member of an approved team and is participating as a
15 31 team member in a response or recovery operation initiated
15 32 by the ~~administrator~~ director or governor pursuant to this
15 33 section or in a training or exercise activity approved by the
15 34 ~~administrator~~ director.

15 35 (2) Each approved homeland security and emergency
16 1 management response team shall establish standards for team
16 2 membership, shall provide the division with a listing of all
16 3 team members, and shall update the list each time a member is
16 4 removed from or added to the team. Individuals so identified
16 5 as team members shall be considered to be registered as team
16 6 members for purposes of subparagraph (1).

16 7 (3) Upon notification of a compensable loss to a member of
16 8 a homeland security and emergency management response team, the
16 9 department of administrative services shall process the claim
16 10 and seek authorization from the executive council to pay as
16 11 an expense paid from the appropriations addressed in section
16 12 7D.29 those costs associated with covered benefits.

16 13 g. Implement and support the national incident management
16 14 system as established by the United States department of
16 15 homeland security to be used by state agencies and local and
16 16 tribal governments to facilitate efficient and effective
16 17 assistance to those affected by emergencies and disasters.

16 18 4. The ~~administrator~~ director, with the approval of the
16 19 governor ~~and upon recommendation of the adjutant general~~, may
16 20 employ a deputy ~~administrator~~ director and such technical,
16 21 clerical, stenographic, and other personnel and make such
16 22 expenditures within the appropriation or from other funds made
16 23 available to the department of ~~public defense for purposes of~~
16 24 ~~emergency management~~, as may be necessary to administer this
16 25 chapter.

16 26 5. The ~~homeland security and emergency management division~~
16 27 department may charge fees for the repair, calibration, or
16 28 maintenance of radiological detection equipment and may expend
16 29 funds in addition to funds budgeted for the servicing of the
16 30 radiological detection equipment. The ~~division~~ department
16 31 shall adopt rules pursuant to chapter 17A providing for the

16 32 establishment and collection of fees for radiological detection
16 33 equipment repair, calibration, or maintenance services and
16 34 for entering into agreements with other public and private
16 35 entities to provide the services. Fees collected for repair,
17 1 calibration, or maintenance services shall be treated as
17 2 repayment receipts as defined in section 8.2 and shall be used
17 3 for the operation of the ~~division's~~ department's radiological
17 4 maintenance facility or radiation incident response training.
17 5 Sec. 31. Section 29C.8A, subsection 2, Code Supplement
17 6 2011, is amended to read as follows:
17 7 2. The emergency response fund shall be administered by the
17 8 ~~homeland security and emergency management division~~ department
17 9 to carry out planning and training for the emergency response
17 10 teams.
17 11 Sec. 32. Section 29C.9, subsections 1, 5, 7, 8, and 10, Code
17 12 Supplement 2011, are amended to read as follows:
17 13 1. The county boards of supervisors, city councils, and
17 14 the sheriff in each county shall cooperate with the ~~homeland~~
17 15 ~~security and emergency management division of the department of~~
17 16 ~~public defense~~ department to establish a commission to carry
17 17 out the provisions of this chapter.
17 18 5. The commission shall model its bylaws and conduct its
17 19 business according to the guidelines provided in the ~~state~~
17 20 ~~division's~~ department's administrative rules.
17 21 7. The commission shall delegate to the emergency
17 22 management coordinator the authority to fulfill the
17 23 commission duties as described in the ~~division's~~ department's
17 24 administrative rules. Each commission shall appoint a
17 25 local emergency management coordinator who shall meet the
17 26 qualifications specified in the administrative rules by the
17 27 ~~administrator of the homeland security and emergency management~~
17 28 ~~division~~ director. Additional emergency management personnel
17 29 may be appointed at the discretion of the commission.
17 30 8. The commission shall develop, adopt, and submit
17 31 for approval by local governments within the commission's
17 32 jurisdiction, a comprehensive emergency plan which meets
17 33 standards adopted by the ~~division~~ department in accordance
17 34 with chapter 17A. If an approved comprehensive emergency
17 35 plan has not been prepared according to established standards
18 1 and the ~~administrator of the homeland security and emergency~~
18 2 ~~management division~~ director finds that satisfactory progress
18 3 is not being made toward the completion of the plan, or if
18 4 the ~~administrator~~ director finds that a commission has failed
18 5 to appoint a qualified emergency management coordinator as
18 6 provided in this chapter, the ~~administrator~~ director shall
18 7 notify the governing bodies of the counties and cities affected

18 8 by the failure and the governing bodies shall not appropriate
18 9 any moneys to the local emergency management fund until the
18 10 comprehensive emergency plan is prepared and approved or a
18 11 qualified emergency management coordinator is appointed.

18 12 If the ~~administrator~~ director finds that a commission has
18 13 appointed an unqualified emergency management coordinator,
18 14 the ~~administrator~~ director shall notify the commission citing
18 15 the qualifications which are not met and the commission shall
18 16 not approve the payment of the salary or expenses of the
18 17 unqualified emergency management coordinator.

18 18 10. Two or more commissions may, upon review by the
18 19 ~~state administrator~~ director and with the approval of their
18 20 respective boards of supervisors and cities, enter into
18 21 agreements pursuant to chapter 28E for the joint coordination
18 22 and administration of emergency management services throughout
18 23 the multicounty area.

18 24 Sec. 33. Section 29C.11, subsection 1, Code Supplement
18 25 2011, is amended to read as follows:

18 26 1. The local emergency management commission shall, in
18 27 collaboration with other public and private agencies within
18 28 this state, develop mutual aid arrangements for reciprocal
18 29 disaster services and recovery aid and assistance in case
18 30 of disaster too great to be dealt with unassisted. The
18 31 arrangements shall be consistent with the ~~homeland security and~~
18 32 ~~emergency management division~~ department plan and program, and
18 33 in time of emergency each local emergency management agency
18 34 shall render assistance in accordance with the provisions of
18 35 the mutual aid arrangements.

19 1 Sec. 34. Section 29C.12, Code 2011, is amended to read as
19 2 follows:

19 3 29C.12 USE OF EXISTING FACILITIES.

19 4 In carrying out the provisions of this chapter, the
19 5 ~~governor, and the director of the department of public defense,~~
19 6 and the executive officers or governing boards of political
19 7 subdivisions of the state shall utilize, to the maximum extent
19 8 practicable, the services, equipment, supplies, and facilities
19 9 of existing departments, officers, and agencies of the state
19 10 and of political subdivisions at their respective levels of
19 11 responsibility.

19 12 Sec. 35. Section 29C.12A, Code 2011, is amended to read as
19 13 follows:

19 14 29C.12A PARTICIPATION IN FUNDING DISASTER RECOVERY FACILITY.

19 15 All state government departments and agencies may
19 16 participate in sharing the cost of the design, construction,
19 17 and operation of a disaster recovery facility located in the
19 18 ~~STARC joint forces headquarters~~ armory at Camp Dodge. State

19 19 departments and agencies may use funds from any source,
19 20 including but not limited to user fees and appropriations
19 21 for operational or capital purposes, to participate in the
19 22 facility.

19 23 Sec. 36. Section 29C.14, Code 2011, is amended to read as
19 24 follows:

19 25 29C.14 DIRECTOR OF THE DEPARTMENT OF ADMINISTRATIVE SERVICES
19 26 TO ISSUE WARRANTS.

19 27 The director of the department of administrative services
19 28 shall draw warrants on the treasurer of state for the purposes
19 29 specified in this chapter, upon duly itemized and verified
19 30 vouchers that have been approved by the ~~administrator~~ director
19 31 of the department of homeland security and emergency management
19 32 ~~division~~.

19 33 Sec. 37. Section 29C.18, subsection 1, Code 2011, is amended
19 34 to read as follows:

19 35 1. Every organization for homeland security and emergency
20 1 management established pursuant to this chapter and its
20 2 officers shall execute and enforce the orders or rules made by
20 3 the governor, or under the governor's authority and the orders
20 4 or rules made by subordinate organizations and not contrary or
20 5 inconsistent with the orders or rules of the governor.

20 6 Sec. 38. Section 29C.20B, Code Supplement 2011, is amended
20 7 to read as follows:

20 8 29C.20B DISASTER CASE MANAGEMENT.

20 9 1. The department of homeland security and emergency
20 10 management ~~division~~ shall work with the department of
20 11 human services and nonprofit, voluntary, and faith-based
20 12 organizations active in disaster recovery and response in
20 13 coordination with the department of human services to establish
20 14 a statewide system of disaster case management to be activated
20 15 following the governor's proclamation of a disaster emergency
20 16 or the declaration of a major disaster by the president of
20 17 the United States for individual assistance purposes. Under
20 18 the system, the department of homeland security and emergency
20 19 management ~~division~~ shall coordinate case management services
20 20 locally through local committees as established in each
20 21 commission's emergency plan.

20 22 2. The department of homeland security and emergency
20 23 management ~~division~~, in conjunction with the department of
20 24 human services and an Iowa representative to the national
20 25 voluntary organizations active in disaster, shall adopt rules
20 26 pursuant to chapter 17A to create coordination mechanisms
20 27 and standards for the establishment and implementation of
20 28 a statewide system of disaster case management which shall
20 29 include at least all of the following:

20 30 a. Disaster case management standards.
20 31 b. Disaster case management policies.
20 32 c. Reporting requirements.
20 33 d. Eligibility criteria.
20 34 e. Coordination mechanisms necessary to carry out the
20 35 services provided.
21 1 f. Development of formal working relationships with
21 2 agencies and creation of interagency agreements for those
21 3 considered to provide disaster case management services.
21 4 g. Coordination of all available services for individuals
21 5 from multiple agencies.
21 6 Sec. 39. Section 29C.22, subsection 3, paragraph c, Code
21 7 Supplement 2011, is amended to read as follows:
21 8 c. The authorized representative of a participating
21 9 government may initiate a request by contacting the department
21 10 of homeland security and emergency management ~~division of the~~
21 11 ~~state department of public defense~~. When a request is received
21 12 by the ~~division~~ department, the ~~division~~ department shall
21 13 directly contact other participating governments to coordinate
21 14 the provision of mutual aid.
21 15 Sec. 40. Section 29C.22, subsection 11, paragraphs b and c,
21 16 Code Supplement 2011, are amended to read as follows:
21 17 b. Any participating government may withdraw from this
21 18 compact by adopting an ordinance or resolution repealing the
21 19 same, but a withdrawal shall not take effect until thirty days
21 20 after the governing body of the withdrawing participating
21 21 government has given notice in writing of the withdrawal to the
21 22 ~~administrator~~ director of the department of homeland security
21 23 and emergency management ~~division~~ who shall notify all other
21 24 participating governments. The action shall not relieve the
21 25 withdrawing political subdivision from obligations assumed
21 26 under this compact prior to the effective date of withdrawal.
21 27 c. Duly authenticated copies of this compact and any
21 28 supplementary agreements as may be entered into shall
21 29 be deposited, at the time of their approval, with the
21 30 ~~administrator~~ director of the department of homeland security
21 31 and emergency management ~~division~~ who shall notify all
21 32 participating governments and other appropriate agencies of
21 33 state government.
21 34 Sec. 41. Section 30.2, subsections 1 and 2, Code Supplement
21 35 2011, are amended to read as follows:
22 1 1. The Iowa emergency response commission is established.
22 2 The commission is responsible directly to the governor. The
22 3 commission is attached to the department of ~~public defense~~
22 4 homeland security and emergency management for routine
22 5 administrative and support services only.

22 6 2. a. The commission is composed of fifteen ~~sixteen~~ members
22 7 appointed by the governor. One member shall be appointed to
22 8 represent the department of homeland security and emergency
22 9 management, one to represent the department of agriculture and
22 10 land stewardship, one to represent the department of workforce
22 11 development, one to represent the department of justice, one to
22 12 represent the department of natural resources, one to represent
22 13 the department of public defense, one to represent the Iowa
22 14 department of public health, one to represent the department
22 15 of public safety, one to represent the state department of
22 16 transportation, one to represent the state fire service and
22 17 emergency response council, one to represent a local emergency
22 18 planning committee, one to represent the Iowa hazardous
22 19 materials task force, and one to represent the office of the
22 20 governor. Three representatives from private industry shall
22 21 also be appointed by the governor, subject to confirmation by
22 22 the senate.

22 23 b. The commission members representing the departments
22 24 of homeland security and emergency management, workforce
22 25 development, natural resources, public defense, public safety,
22 26 and transportation, a local emergency planning committee,
22 27 and one private industry representative designated by the
22 28 commission shall be voting members of the commission. The
22 29 remaining members of the commission shall serve as nonvoting,
22 30 advisory members.

22 31 Sec. 42. Section 30.5, subsection 2, Code 2011, is amended
22 32 to read as follows:

22 33 2. The commission may enter into agreements pursuant to
22 34 chapter 28E to accomplish any duty imposed upon the commission
22 35 by the Emergency Planning and Community Right-to-know Act,
23 1 but the commission shall not compensate any governmental unit
23 2 for the performance of duties pursuant to such an agreement.
23 3 Funding for administering the duties of the commission under
23 4 sections 30.7, 30.8, and 30.9 shall be included in the budgets
23 5 of the department of natural resources and the department of
23 6 ~~public defense~~ homeland security and emergency management.

23 7 Sec. 43. Section 30.9, Code Supplement 2011, is amended to
23 8 read as follows:

23 9 30.9 DUTIES TO BE ALLOCATED TO DEPARTMENT OF ~~PUBLIC DEFENSE~~
23 10 HOMELAND SECURITY AND EMERGENCY MANAGEMENT .

23 11 Agreements negotiated by the commission and the department
23 12 of ~~public defense~~ homeland security and emergency management
23 13 shall provide for the allocation of duties to the department
23 14 of ~~public defense~~ homeland security and emergency management
23 15 as follows:

23 16 1. Comprehensive emergency plans required to be developed

23 17 under section 303 of the Emergency Planning and Community
23 18 ~~Right-to-Know~~ Right-to-know Act, 42 U.S.C. §11003, shall
23 19 be submitted to the department of ~~public defense homeland~~
23 20 security and emergency management. Committee submission to
23 21 that department constitutes compliance with the requirement for
23 22 reporting to the commission. After initial submission, a plan
23 23 need not be resubmitted unless revisions are requested by the
23 24 commission. The department of ~~public defense homeland security~~
23 25 and emergency management shall review the plan on behalf of the
23 26 commission and shall incorporate the provisions of the plan
23 27 into its responsibilities under chapter 29C.

23 28 2. The department of ~~public defense homeland security and~~
23 29 emergency management shall advise the commission of the failure
23 30 of any committee to submit an initial comprehensive ~~emergency~~
23 31 response and recovery plan or a revised plan requested by the
23 32 commission.

23 33 3. The department of ~~public defense homeland security and~~
23 34 emergency management shall make available to the public upon
23 35 request during normal working hours the information in its
24 1 possession pursuant to section 324 of the Emergency Planning
24 2 and Community ~~Right-to-Know~~ Right-to-know Act, 42 U.S.C.
24 3 §11044.

24 4 Sec. 44. Section 34A.2, subsection 2, Code 2011, is amended
24 5 to read as follows:

24 6 —2. ~~3A.~~ “~~Administrator~~” “Director” means the ~~administrator~~
24 7 director of the ~~department of~~ department of homeland security and emergency
24 8 management ~~division of the department of public defense~~.

24 9 Sec. 45. Section 34A.2A, Code 2011, is amended to read as
24 10 follows:

24 11 34A.2A PROGRAM MANAGER — APPOINTMENT — DUTIES.

24 12 1. The ~~administrator~~ director of the ~~department of~~ department of homeland
24 13 security and emergency management ~~division of the department~~
24 14 ~~of public defense~~ shall appoint an E911 program manager to
24 15 administer this chapter.

24 16 2. The E911 program manager shall act under the supervisory
24 17 control of the ~~administrator~~ director of the ~~department of~~
24 18 homeland security and emergency management ~~division of the~~
24 19 ~~department of public defense~~, and in consultation with the
24 20 E911 communications council, and ~~shall~~ perform the duties
24 21 specifically set forth in this chapter and as assigned by the
24 22 ~~administrator~~ director.

24 23 Sec. 46. Section 34A.6, subsection 3, Code 2011, is amended
24 24 to read as follows:

24 25 3. The secretary of state, in consultation with the
24 26 ~~administrator~~ director, shall adopt rules for the conduct of
24 27 joint E911 service referendums as required by and consistent

24 28 with subsections 1 and 2.
24 29 Sec. 47. Section 34A.7A, subsection 1, paragraph a, Code
24 30 2011, is amended to read as follows:
24 31 a. Notwithstanding section 34A.6, the ~~administrator~~ director
24 32 shall adopt by rule a monthly surcharge of up to sixty-five
24 33 cents to be imposed on each wireless communications service
24 34 number provided in this state. The surcharge shall be imposed
24 35 uniformly on a statewide basis and simultaneously on all
25 1 wireless communications service numbers as provided by rule of
25 2 the ~~administrator~~ director.
25 3 Sec. 48. Section 34A.7A, subsection 2, paragraphs a and h,
25 4 Code 2011, are amended to read as follows:
25 5 a. An amount as appropriated by the general assembly to the
25 6 ~~administrator~~ director shall be allocated to the ~~administrator~~
25 7 director and program manager for implementation, support, and
25 8 maintenance of the functions of the ~~administrator~~ director and
25 9 program manager and to employ the auditor of state to perform
25 10 an annual audit of the wireless E911 emergency communications
25 11 fund.
25 12 h. The ~~administrator~~ director, in consultation with the
25 13 program manager and the E911 communications council, shall
25 14 adopt rules pursuant to chapter 17A governing the distribution
25 15 of the surcharge collected and distributed pursuant to this
25 16 subsection. The rules shall include provisions that all joint
25 17 E911 service boards and the department of public safety which
25 18 answer or service wireless E911 calls are eligible to receive
25 19 an equitable portion of the receipts.
25 20 Sec. 49. Section 34A.15, subsection 3, Code Supplement
25 21 2011, is amended to read as follows:
25 22 3. The council shall advise and make recommendations to
25 23 the ~~administrator~~ director and program manager regarding
25 24 the implementation of this chapter. Such advice and
25 25 recommendations shall be provided on issues at the request of
25 26 the ~~administrator~~ director or program manager or as deemed
25 27 necessary by the council.
25 28 Sec. 50. Section 35A.5, subsection 16, Code Supplement
25 29 2011, is amended to read as follows:
25 30 16. In coordination with the ~~military division of the~~
25 31 department of public defense, advise service members prior to,
25 32 and after returning from, deployment on active duty service
25 33 outside the United States of issues related to the filing
25 34 of tax returns and the payment of taxes due and encourage a
25 35 service member who has not filed a return or who owes taxes to
26 1 contact the department of revenue prior to deployment.
26 2 Sec. 51. Section 80.28, subsection 2, paragraph a,
26 3 subparagraph (3), Code 2011, is amended to read as follows:

26 4 (3) One member representing the department of homeland
26 5 security and emergency management ~~division~~.

26 6 Sec. 52. Section 80B.11C, Code 2011, is amended to read as
26 7 follows:

26 8 80B.11C TELECOMMUNICATOR TRAINING STANDARDS.

26 9 The director of the academy, subject to the approval of
26 10 the council, in consultation with the Iowa state sheriffs'
26 11 and deputies' association, the Iowa police executive forum,
26 12 the Iowa association of chiefs of police and peace officers,
26 13 the Iowa state police association, the Iowa association
26 14 of professional fire fighters, the Iowa emergency medical
26 15 services association, the joint council of Iowa fire service
26 16 organizations, the Iowa department of public safety, the Iowa
26 17 chapter of the association of public safety communications
26 18 officials-international, inc., the Iowa chapter of the
26 19 national emergency number association, the department of
26 20 homeland security and emergency management ~~division of the Iowa~~
26 21 ~~department of public defense~~, and the Iowa department of public
26 22 health, shall adopt rules pursuant to chapter 17A establishing
26 23 minimum standards for training of telecommunicators. For
26 24 purposes of this section, "telecommunicator" means a person who
26 25 receives requests for, or dispatches requests to, emergency
26 26 response agencies which include, but are not limited to, law
26 27 enforcement, fire, rescue, and emergency medical services
26 28 agencies.

26 29 Sec. 53. Section 97B.49B, subsection 1, paragraph e,
26 30 subparagraph (8), Code Supplement 2011, is amended to read as
26 31 follows:

26 32 (8) An airport fire fighter employed by the ~~military~~
26 33 ~~division of the~~ department of public defense.

26 34 Sec. 54. Section 100B.22, subsection 1, paragraph a, Code
26 35 2011, is amended to read as follows:

27 1 a. Regional emergency response training centers shall be
27 2 established to provide training to fire fighters and other
27 3 emergency responders. The lead public agency for the training
27 4 centers shall be the following community colleges for the
27 5 following merged areas:

27 6 (1) Northeast Iowa community college for merged area I
27 7 in partnership with the Dubuque county firemen's association
27 8 and to provide advanced training in agricultural emergency
27 9 response as such advanced training is funded by the department
27 10 of homeland security and emergency management ~~division of the~~
27 11 ~~department of public defense~~.

27 12 (2) North Iowa area community college for merged area II in
27 13 partnership with the Mason City fire department.

27 14 (3) Iowa lakes community college for merged area III and

27 15 northwest Iowa community college for merged area IV.
27 16 (4) Iowa central community college for merged area V and to
27 17 provide advanced training in homeland security as such advanced
27 18 training is funded by the department of homeland security and
27 19 emergency management ~~division of the department of public~~
27 20 ~~defense~~.
27 21 (5) Hawkeye community college for merged area VII in
27 22 partnership with the Waterloo regional hazardous materials
27 23 training center and to provide advanced training in hazardous
27 24 materials emergency response as such advanced training is
27 25 funded by the department of homeland security and emergency
27 26 management ~~division of the department of public defense~~.
27 27 (6) Eastern Iowa community college for merged area IX in
27 28 partnership with the city of Davenport fire department.
27 29 (7) Kirkwood community college for merged area X in
27 30 partnership with the city of Coralville fire department and the
27 31 Iowa City fire department and to provide advanced training in
27 32 agricultural terrorism response and mass casualty and fatality
27 33 response as such advanced training is funded by the department
27 34 of homeland security and emergency management ~~division of the~~
27 35 ~~department of public defense~~.
28 1 (8) Des Moines area community college for merged area XI and
28 2 Iowa valley community college for merged area VI and to provide
28 3 advanced training in operations integration in compliance
28 4 with the national incident management system as such advanced
28 5 training is funded by the department of homeland security and
28 6 emergency management ~~division of the department of public~~
28 7 ~~defense~~.
28 8 (9) Western Iowa technical community college for merged
28 9 area XII in partnership with the Sioux City fire department
28 10 and to provide advanced training in emergency responder
28 11 communications as such advanced training is funded by the
28 12 department of homeland security and emergency management
28 13 ~~division of the department of public defense~~.
28 14 (10) Iowa western community college for merged areas XIII
28 15 and XIV in partnership with southwestern community college and
28 16 the Council Bluffs fire department.
28 17 (11) Southeastern Iowa community college for merged areas
28 18 XV and XVI in partnership with Indian hills community college
28 19 and the city of Fort Madison fire department.
28 20 Sec. 55. Section 135.141, subsection 2, paragraphs a and j,
28 21 Code 2011, are amended to read as follows:
28 22 a. Coordinate with the department of homeland security
28 23 and emergency management ~~division of the department of public~~
28 24 ~~defense~~ the administration of emergency planning matters
28 25 which involve the public health, including development,

28 26 administration, and execution of the public health components
28 27 of the comprehensive emergency plan and emergency management
28 28 program pursuant to section 29C.8.
28 29 j. Adopt rules pursuant to chapter 17A for the
28 30 administration of this division of this chapter including rules
28 31 adopted in cooperation with the Iowa pharmacy association
28 32 and the Iowa hospital association for the development of a
28 33 surveillance system to monitor supplies of drugs, antidotes,
28 34 and vaccines to assist in detecting a potential public health
28 35 disaster. Prior to adoption, the rules shall be approved by
29 1 the state board of health and the ~~administrator~~ director of
29 2 the department of homeland security and emergency management
29 3 ~~division of the department of public defense~~.
29 4 Sec. 56. Section 135.145, subsections 1 and 2, Code 2011,
29 5 are amended to read as follows:
29 6 1. When the department of public safety or other federal,
29 7 state, or local law enforcement agency learns of a case of a
29 8 disease or health condition, unusual cluster, or a suspicious
29 9 event that may be the cause of a public health disaster, the
29 10 department or agency shall immediately notify the department,
29 11 the ~~administrator~~ director of the department of homeland
29 12 security and emergency management ~~division of the department~~
29 13 ~~of public defense~~, the department of agriculture and land
29 14 stewardship, and the department of natural resources as
29 15 appropriate.
29 16 2. When the department learns of a case of a disease
29 17 or health condition, an unusual cluster, or a suspicious
29 18 event that may be the cause of a public health disaster, the
29 19 department shall immediately notify the department of public
29 20 safety, the department of homeland security and emergency
29 21 management ~~division of the department of public defense~~, and
29 22 other appropriate federal, state, and local agencies and
29 23 officials.
29 24 Sec. 57. Section 163.3A, subsection 2, Code Supplement
29 25 2011, is amended to read as follows:
29 26 2. The services shall be performed under the direction of
29 27 the department and may be part of measures authorized by the
29 28 governor under a declaration or proclamation issued pursuant to
29 29 chapter 29C. In such case, the department shall cooperate with
29 30 the Iowa department of public health under chapter 135, and the
29 31 department of ~~public defense~~, homeland security and emergency
29 32 management ~~division~~, and local emergency management agencies as
29 33 provided in chapter 29C.
29 34 Sec. 58. Section 163.51, subsection 2, paragraph b, Code
29 35 2011, is amended to read as follows:
30 1 b. If the department confirms an outbreak of foot and

30 2 mouth disease in this state, the department shall cooperate
30 3 with the governor; federal agencies, including the United
30 4 States department of agriculture; and state agencies, including
30 5 the department of homeland security and emergency management
30 6 ~~division of the department of public defense~~, in order to
30 7 provide the public with timely and accurate information
30 8 regarding the outbreak. The department shall cooperate with
30 9 organizations representing agricultural producers in order to
30 10 provide all necessary information to agricultural producers
30 11 required to control the outbreak.

30 12 Sec. 59. Section 305.8, subsection 1, paragraph b, Code
30 13 2011, is amended to read as follows:

30 14 b. In consultation with the department of homeland security
30 15 and emergency management ~~division of the department of public~~
30 16 ~~defense~~, establish policies, standards, and guidelines for
30 17 the identification, protection, and preservation of records
30 18 essential for the continuity or reestablishment of governmental
30 19 functions in the event of an emergency arising from a natural
30 20 or other disaster.

30 21 Sec. 60. Section 455B.266, subsection 1, paragraph d, Code
30 22 2011, is amended to read as follows:

30 23 d. Determination by the department in conjunction with
30 24 the department of homeland security and emergency management
30 25 ~~division of the department of public defense~~ of a local crisis
30 26 which affects availability of water.

30 27 Sec. 61. Section 455B.385, Code 2011, is amended to read as
30 28 follows:

30 29 455B.385 STATE HAZARDOUS CONDITION CONTINGENCY PLAN.

30 30 All public agencies, as defined in chapter 28E, shall
30 31 cooperate in the development and implementation of a state
30 32 hazardous condition contingency plan. The plan shall detail
30 33 the manner in which public agencies shall participate in the
30 34 response to a hazardous condition. The director may enter
30 35 into agreements, with approval of the commission, with any
31 1 state agency or unit of local government or with the federal
31 2 government, as necessary to develop and implement the plan.

31 3 The plan shall be coordinated with the department of homeland
31 4 security and emergency management ~~division of the department~~
31 5 ~~of public defense~~ and any joint emergency management agencies
31 6 established pursuant to chapter 29C.

31 7 Sec. 62. Section 466B.3, subsection 4, paragraph d, Code
31 8 Supplement 2011, is amended to read as follows:

31 9 d. The ~~administrator~~ director of the department of homeland
31 10 security and emergency management ~~division of the department of~~
31 11 ~~public defense~~ or the ~~administrator's~~ director's designee.

31 12 Sec. 63. REPEAL. Sections 29.2, 29.3, and 29C.7, Code and

31 13 Code Supplement 2011, are repealed.
 31 14 Sec. 64. TRANSITION PROVISIONS.
 31 15 1. Any rule, regulation, form, order, or directive
 31 16 promulgated by the division of homeland security and
 31 17 emergency management of the department of public defense shall
 31 18 continue in full force and effect until amended, repealed,
 31 19 or supplemented by affirmative action of the department of
 31 20 homeland security and emergency management as established in
 31 21 this Act.
 31 22 2. All employees of the division of homeland security and
 31 23 emergency management of the department of public defense shall
 31 24 be considered employees of the department of homeland security
 31 25 and emergency management upon the elimination of the former and
 31 26 creation of the latter as provided in this Act.

31 27 DIVISION VI
 31 28 IOWA JOBS BOARD

31 29 Sec. 65. Section 12.87, subsection 12, Code Supplement
 31 30 2011, is amended to read as follows:

31 31 12. Neither the treasurer of state, the Iowa ~~jobs board~~
 31 32 finance authority, nor any person acting on behalf of the
 31 33 treasurer of state or the Iowa ~~jobs board~~ finance authority
 31 34 while acting within the scope of their employment or agency, is
 31 35 subject to personal liability resulting from carrying out the
 32 1 powers and duties conferred by this section and sections 12.88
 32 2 through 12.90.

32 3 Sec. 66. Section 16.193, subsection 1, Code Supplement
 32 4 2011, is amended to read as follows:

32 5 ~~1. The Iowa finance authority, subject to approval by the~~
 32 6 ~~Iowa jobs board,~~ shall adopt administrative rules pursuant to
 32 7 chapter 17A necessary to administer the Iowa jobs program and
 32 8 Iowa jobs II program. The authority shall ~~provide the board~~
 32 9 ~~with assistance in implementing administrative functions, be~~
 32 10 responsible for providing technical assistance and application
 32 11 assistance to applicants under the programs, negotiating
 32 12 contracts, and providing project follow up. ~~The authority, in~~
 32 13 ~~cooperation with the board, may conduct negotiations on behalf~~
 32 14 ~~of the board with applicants regarding terms and conditions~~
 32 15 ~~applicable to awards under the program.~~

32 16 Sec. 67. Section 16.194, subsection 2, Code 2011, is amended
 32 17 to read as follows:

32 18 2. A city or county or a public organization in this
 32 19 state may submit an application to the ~~Iowa jobs board~~
 32 20 authority for financial assistance for a local infrastructure
 32 21 competitive grant for an eligible project under the program,

CODE: This Division repeals the Iowa Jobs (IJOBS) Board and changes the statutory references in the IJOBS Program and IJOBS Program II from the Board to the Iowa Finance Authority (IFA). Repeals the IJOBS Restricted Capitals Fund.

DETAIL: This Division transfers all duties from the IJOBS Board to the IFA. The IJOBS Board was established in SF 376 (Revenue Bonding and IJOBS Program Act) during the 2009 Legislative Session and is comprised of 11 members. A total of \$225,900,000 in appropriations from the Revenue Bonds Capitals Fund (RBC) and Revenue Bonds Capitals II Fund (RBC2) was overseen by the Board. Of that amount, \$148,500,000 was allocated through competitive grants for local infrastructure and disaster prevention infrastructure approved by the Board and \$77,400,000 was allocated by the Board to specified targeted rebuilding and flood mitigation projects.

While the Board has completed its work granting the funds to local recipients, it does meet occasionally and continues to oversee the projects. For example, if a project has a change in scope, funding, or timing, the amendment to the grant agreement is approved by the Board. The IFA staffs the Board, administers the programs under the Board, and pays per diem and expenses for the Board. For FY 2010 and FY 2011, the IFA received a standing appropriation of \$200,000 from the Rebuild Iowa Infrastructure Fund (RIIF) for administration of the IJOBS Programs and for per diem expenses for the Board. This appropriation was eliminated in HF 648 (FY 2012 Infrastructure Appropriations Act) and costs of administering the two Programs and per diem expenses were assumed within the IFA operating budget.

32 22 notwithstanding any limitation on the state's percentage in
32 23 funding as contained in section 29C.6, subsection 17.
32 24 Sec. 68. Section 16.194, subsection 4, unnumbered paragraph
32 25 1, Code 2011, is amended to read as follows:
32 26 The ~~board~~ authority shall consider the following criteria in
32 27 evaluating eligible projects to receive financial assistance
32 28 under the program:
32 29 Sec. 69. Section 16.194, subsection 7, Code 2011, is amended
32 30 to read as follows:
32 31 7. In order for a project to be eligible to receive
32 32 financial assistance from the ~~board~~ authority, the project must
32 33 be a public construction project pursuant to subsection 1 with a
32 34 demonstrated substantial local, regional, or statewide economic
32 35 impact.
33 1 Sec. 70. Section 16.194, subsection 8, unnumbered paragraph
33 2 1, Code 2011, is amended to read as follows:
33 3 The ~~board~~ authority shall not approve an application for
33 4 assistance for any of the following purposes:
33 5 Sec. 71. Section 16.194, subsection 9, paragraph b, Code
33 6 2011, is amended to read as follows:
33 7 b. Any portion of an amount allocated for projects
33 8 that remains unexpended or unencumbered one year after the
33 9 allocation has been made may be reallocated to another project
33 10 category, at the discretion of the ~~board~~ authority. The ~~board~~
33 11 authority shall ensure that all bond proceeds be expended
33 12 within three years from when the allocation was initially made.
33 13 Sec. 72. Section 16.194, subsection 10, Code 2011, is
33 14 amended to read as follows:
33 15 10. The ~~board~~ authority shall ensure that funds obligated
33 16 under this section are coordinated with other federal program
33 17 funds received by the state, and that projects receiving funds
33 18 are located in geographically diverse areas of the state.
33 19 Sec. 73. Section 16.194A, subsections 2, 7, 9, and 10, Code
33 20 2011, are amended to read as follows:
33 21 2. A city or county in this state that applies the smart
33 22 planning principles and guidelines pursuant to sections
33 23 18B.1 and 18B.2 may submit an application to the ~~Iowa jobs board~~
33 24 authority for financial assistance for a local infrastructure
33 25 competitive grant for an eligible project under the program,
33 26 notwithstanding any limitation on the state's percentage in
33 27 funding as contained in section 29C.6, subsection 17.
33 28 7. In order for a project to be eligible to receive
33 29 financial assistance from the ~~board~~ authority, the project must
33 30 be a public construction project pursuant to subsection 1 with a
33 31 demonstrated substantial local, regional, or statewide economic
33 32 impact.

The IFA operating budget is estimated at \$63,400,000 for FY 2012 and is derived solely from income from its financings. The Authority does not receive General Fund moneys for operations. Costs for administration and per diem expenses of the Board were \$169,470 in FY 2011 and are estimated at \$36,350 for FY 2012.

FISCAL IMPACT: The changes in this Division have no impact on the General Fund. The elimination of the Board may result in some savings to the IFA operating budget, but it is not expected to be significant. Additionally, there is no impact from the repeal of the IJOBS Restricted Capitals Fund. In practice, the \$165,000,000 in appropriations from the RBC that was overseen by the IJOBS Board were not deposited in the IJOBS Restricted Capitals Fund, but were appropriated directly from the RBC. This was due to advice from the Treasurer of State and bond counsel regarding accounting practices for the bond proceeds. Iowa Code section 16.196 was not changed to reflect what was in practice. The repeal of the unused IJOBS Restricted Capitals Fund does not affect the \$165,000,000 from the RBC or the grants and allocations made from the Fund.

33 33 9. Any portion of an amount allocated for projects
33 34 that remains unexpended or unencumbered one year after the
33 35 allocation has been made may be reallocated to another project
34 1 category, at the discretion of the ~~board~~ authority. The ~~board~~
34 2 authority shall ensure that all bond proceeds be expended
34 3 within three years from when the allocation was initially made.

34 4 10. The ~~board~~ authority shall ensure that funds obligated
34 5 under this section are coordinated with other federal program
34 6 funds received by the state, and that projects receiving funds
34 7 are located in geographically diverse areas of the state.

34 8 Sec. 74. Section 16.194A, subsection 4, unnumbered
34 9 paragraph 1, Code 2011, is amended to read as follows:

34 10 The ~~board~~ authority shall consider the following criteria in
34 11 evaluating eligible projects to receive financial assistance
34 12 under the program:

34 13 Sec. 75. Section 16.194A, subsection 8, unnumbered
34 14 paragraph 1, Code 2011, is amended to read as follows:

34 15 The ~~board~~ authority shall not approve an application for
34 16 assistance for any of the following purposes:

34 17 Sec. 76. Section 16.195, Code Supplement 2011, is amended
34 18 to read as follows:

34 19 16.195 IOWA JOBS PROGRAM APPLICATION REVIEW.

34 20 1. Applications for assistance under the Iowa jobs program
34 21 and Iowa jobs II program shall be submitted to the ~~Iowa finance~~
34 22 authority for review and approval. ~~The authority shall provide~~
34 23 ~~a staff review and evaluation of applications to the Iowa jobs~~
34 24 ~~program review committee referred to in subsection 2 and to the~~
34 25 ~~Iowa jobs board.~~

34 26 2.—~~A review committee composed of members of the board~~
34 27 ~~as determined by the board shall review Iowa jobs program~~
34 28 ~~applications submitted to the board and make recommendations~~
34 29 ~~regarding the applications to the board.~~ When reviewing the
34 30 applications, the ~~review committee and the~~ authority shall
34 31 consider the project criteria specified in sections 16.194 and
34 32 16.194A. The ~~board~~ authority shall develop the appropriate
34 33 level of transparency regarding project fund allocations.

34 34 3. Upon approval of an application for financial assistance
34 35 under the program, the ~~board~~ authority shall notify the
35 1 treasurer of state regarding the amount of moneys needed to
35 2 satisfy the award of financial assistance and the terms of the
35 3 award. The treasurer of state shall notify the ~~Iowa finance~~
35 4 authority any time moneys are disbursed to a recipient of
35 5 financial assistance under the program.

35 6 Sec. 77. Section 16.196, Code 2011, is amended to read as
35 7 follows:

35 8 16.196 IOWA JOBS ~~RESTRICTED CAPITALS FUND~~ — APPROPRIATIONS.

35 9 1. An Iowa jobs restricted capitals fund is created and
35 10 ~~established as a separate and distinct fund in the state~~
35 11 ~~treasury. The fund consists of moneys appropriated from~~
35 12 ~~the revenue bonds capitals fund created in section 12.88.~~
35 13 ~~The moneys in the fund are appropriated to the Iowa jobs~~
35 14 ~~board for purposes of the Iowa jobs program established in~~
35 15 ~~section 16.194. Moneys in the fund shall not be subject to~~
35 16 ~~appropriation for any other purpose by the general assembly,~~
35 17 ~~but shall be used only for the purposes of the Iowa jobs~~
35 18 ~~program. The treasurer of state shall act as custodian of the~~
35 19 ~~fund and disburse moneys contained in the fund. The fund shall~~
35 20 ~~be administered by the board which shall make allocations from~~
35 21 ~~the fund consistent with the purposes of the Iowa jobs program.~~
35 22 ~~—2. 1. There is appropriated from the revenue bonds capitals~~
35 23 ~~fund created in section 12.88, to the Iowa jobs restricted~~
35 24 ~~capitals fund, for the fiscal year beginning July 1, 2009, and~~
35 25 ~~ending June 30, 2010, one hundred sixty-five million dollars to~~
35 26 ~~be allocated as follows:~~

35 27 a. One hundred eighteen million five hundred thousand
35 28 dollars for competitive grants for local infrastructure
35 29 projects relating to disaster rebuilding, reconstruction
35 30 and replacement of local buildings, flood control and flood
35 31 protection, and future flood prevention public projects. An
35 32 applicant for a local infrastructure grant shall not receive
35 33 more than fifty million dollars in financial assistance from
35 34 the fund.

35 35 b. Forty-six million five hundred thousand dollars for
36 1 disaster relief and mitigation and local infrastructure
36 2 grants for the following renovation and construction projects,
36 3 notwithstanding any limitation on the state's percentage
36 4 participation in funding as contained in section 29C.6,
36 5 subsection 17:

36 6 (1) For grants to a county with a population between
36 7 one hundred eighty-nine thousand and one hundred ninety-six
36 8 thousand in the latest preceding certified federal census, to
36 9 be distributed as follows:

36 10 (a) Ten million dollars for the construction of a new,
36 11 shared facility between nonprofit human service organizations
36 12 serving the public, especially the needs of low-income Iowans,
36 13 including those displaced as a result of the disaster of 2008.

36 14 (b) Five million dollars for the construction or renovation
36 15 of a facility for a county-funded workshop program serving
36 16 the public and particularly persons with mental illness or
36 17 developmental disabilities.

36 18 (2) For grants to a city with a population between one
36 19 hundred ten thousand and one hundred twenty thousand in the

36 20 latest preceding certified federal census, to be distributed
36 21 as follows:

36 22 (a) Five million dollars for an economic redevelopment
36 23 project benefiting the public by improving energy efficiency
36 24 and the development of alternative and renewable energy
36 25 technologies.

36 26 (b) Ten million dollars for a museum serving the public and
36 27 dedicated to the preservation of an eastern European cultural
36 28 heritage through the collection, exhibition, preservation, and
36 29 interpretation of historical artifacts.

36 30 (c) Five million dollars for a theater serving the public
36 31 and promoting culture, entertainment, and tourism.

36 32 (d) Five million dollars for a public library.

36 33 (e) Five million dollars for a public works building.

36 34 (3) One million five hundred thousand dollars, to be
36 35 distributed as follows:

37 1 (a) Five hundred thousand dollars to a city with a
37 2 population between six hundred and six hundred fifty in the
37 3 latest preceding certified federal census, for a public fire
37 4 station.

37 5 (b) Five hundred thousand dollars to a city with a
37 6 population between one thousand four hundred and one thousand
37 7 five hundred in the latest preceding certified federal census,
37 8 for a public fire station.

37 9 (c) Five hundred thousand dollars for a city with a
37 10 population between seven thousand eight hundred and seven
37 11 thousand eight hundred fifty, for a public fire station.

37 12 ~~3.~~ 2. Grant awards for a project under subsection 2,
37 13 paragraph "b", are contingent upon submission of a plan for
37 14 each project by the applicable county or city governing board
37 15 or in the case of a project submitted pursuant to subsection
37 16 2, paragraph "b", subparagraph (2), subparagraph division (b),
37 17 by the board of directors, to the ~~Iowa jobs board~~ authority,
37 18 no later than September 1, 2009, detailing a description of
37 19 the project, the plan to rebuild, and the amount or percentage
37 20 of federal, state, local, or private matching moneys which
37 21 will be or have been provided for the project. Funds not
37 22 utilized in accordance with subsection 2, paragraph "b", due
37 23 to failure to file a plan by the September 1 deadline shall
37 24 revert to the ~~Iowa jobs restricted~~ revenue bonds capitals fund
37 25 to be available for local infrastructure competitive grants. A
37 26 grant recipient under subsection 2, paragraph "b", shall not be
37 27 precluded from applying for a local infrastructure competitive
37 28 grant pursuant to this section and section 16.195.

37 29 ~~4. Moneys in the fund are not subject to section 8.33.~~

37 30 ~~Notwithstanding section 12C.7, subsection 2, interest of~~

37 31 earnings on moneys in the fund shall be credited to the fund.
37 32 —~~5.~~ 3. Annually, on or before January 15 of each year, the
37 33 ~~board authority~~ shall report to the legislative services agency
37 34 and the department of management the status of all projects
37 35 receiving moneys from the fund completed or in progress. The
38 1 report shall include a description of the project, the progress
38 2 of work completed, the total estimated cost of the project, a
38 3 list of all revenue sources being used to fund the project, the
38 4 amount of funds expended, the amount of funds obligated, and
38 5 the date the project was completed or an estimated completion
38 6 date of the project, where applicable.
38 7 —~~6.~~ 4. Payment of moneys appropriated from the fund shall be
38 8 made in a manner that does not adversely affect the tax-exempt
38 9 status of any outstanding bonds issued by the treasurer of
38 10 state.
38 11 Sec. 78. Section 16.197, Code 2011, is amended to read as
38 12 follows:
38 13 16.197 LIMITATION OF LIABILITY.
38 14 —~~A member of the Iowa jobs board, a person acting on behalf of~~
38 15 ~~the board while acting within the scope of their employment or~~
38 16 ~~agency; The authority~~ or the treasurer of state, shall not be
38 17 subject to personal liability resulting from carrying out the
38 18 powers and duties of the ~~board authority~~ or the treasurer, as
38 19 applicable, in sections ~~16.192~~ 16.193 through 16.196.
38 20 Sec. 79. IOWA JOBS BOARD — TRANSITION PROVISIONS —
38 21 LIMITATION OF LIABILITY.
38 22 1. Any contract or agreement issued or entered into by the
38 23 Iowa jobs board relating to the provisions of this division
38 24 of this Act, in effect on the effective date of this division
38 25 of this Act, shall continue in full force and effect and
38 26 any responsibility of the board relative to the contracts or
38 27 agreements as provided in those contracts or agreements shall
38 28 be transferred to the Iowa finance authority.
38 29 2. A member of the Iowa jobs board or a person acting on
38 30 behalf of the board while acting within the scope of that
38 31 person's employment or agency shall not be subject to personal
38 32 liability resulting from carrying out the powers and duties
38 33 of the board prior to the effective date of this division of
38 34 this Act, as applicable, in sections 12.87 through 12.90 and in
38 35 sections 16.192 through 16.196, Code and Code Supplement 2011.
39 1 Sec. 80. REPEAL. Sections 16.191 and 16.192, Code
39 2 Supplement 2011, are repealed.

39 3
39 4

DIVISION VII
ELECTRONIC COMMUNICATIONS

39 5 Sec. 81. Section 22.7, Code Supplement 2011, is amended by
 39 6 adding the following new subsection:
 39 7 NEW SUBSECTION 65. Electronic mail addresses of
 39 8 individuals collected by state departments and agencies for the
 39 9 purpose of electronic communications.

CODE: Adds electronic mail (email) addresses of individuals, that are collected by State agencies, to the list of confidential information under the Iowa Code chapter pertaining to the Examination of Public Records.

39 10 Sec. 82. STATE DEPARTMENT AND AGENCY LIMITATIONS ON
 39 11 MAIL. Notwithstanding any provision of the law to the
 39 12 contrary, a state department or agency shall provide
 39 13 departmental or agency notices or information through the
 39 14 department's or agency's internet site or through electronic
 39 15 mail to the fullest extent possible. This requirement shall
 39 16 not apply to department and agency communications required for
 39 17 purposes of pursuing legal action or to comply with federal
 39 18 law. Departments and agencies shall have rulemaking authority
 39 19 to implement this section and to collect electronic mail
 39 20 addresses for the purpose of electronic communications.

Requires State agencies to distribute notices and information through the agencies' Internet site or through email to the fullest extent possible. The requirement does not apply notices concerning legal action or requirements relating to compliance with federal law.

FISCAL IMPACT: This item will result in some savings but a specific amount cannot be estimated.

39 21 DIVISION VIII
 39 22 STATE RECORDS

39 23 Sec. 83. Section 96.11, subsection 11, Code 2011, is amended
 39 24 to read as follows:
 39 25 11. DESTRUCTION OF RECORDS. The department may destroy
 39 26 or dispose of such original reports or records as have been
 39 27 properly recorded or summarized in the permanent records of
 39 28 the department and are deemed by the director and the ~~state~~
 39 29 ~~records commission~~ department of cultural affairs to be no
 39 30 longer necessary to the proper administration of this chapter.
 39 31 Wage records of the individual worker or transcripts therefrom
 39 32 may be destroyed or disposed of, if approved by the ~~state~~
 39 33 ~~records commission~~ department of cultural affairs, two years
 39 34 after the expiration of the period covered by such wage records
 39 35 or upon proof of the death of the worker. Such destruction
 40 1 or disposition shall be made only by order of the director in
 40 2 consultation with the ~~state records commission~~ department of
 40 3 cultural affairs. Any moneys received from the disposition of
 40 4 such records shall be deposited to the credit of the employment
 40 5 security administration fund, subject to rules promulgated by
 40 6 the department.

CODE: This Division repeals the State Records Commission and transfers the responsibilities to the Department of Cultural Affairs. Sections 83 through 89 of this Bill make conforming changes that are associated with transferring the duties of the Commission to the Department.

FISCAL IMPACT: This Division will shift the cost of records storage and retention from the Department of Cultural Affairs to other State agencies that utilize the records storage services of the Department. The Department of Cultural Affairs receives an annual appropriation to pay the facility lease where State records are stored and for support costs associated with records storage and retention. For FY 2012, the appropriation was \$227,000. This Section allows the Department to bill other agencies for the cost of records storage in an amount similar to the appropriation received in FY 2012. It is assumed that the annual appropriation will be discontinued beginning in FY 2013, if this Division is enacted.

40 7 Sec. 84. Section 305.2, subsection 2, Code 2011, is amended
 40 8 to read as follows:
 40 9 2. "Archives" means records that have been appraised by
 40 10 the ~~state records commission~~ department as having sufficient
 40 11 historical, research, evidential, or informational value to
 40 12 warrant permanent preservation and that have been transferred

40 13 to the custody of the state archives.
 40 14 Sec. 85. Section 305.2, subsections 3 and 5, Code 2011, are
 40 15 amended by striking the subsections.
 40 16 Sec. 86. Section 305.2, Code 2011, is amended by adding the
 40 17 following new subsection:
 40 18 NEW SUBSECTION 4A. "Department" means the department of
 40 19 cultural affairs.
 40 20 Sec. 87. Section 305.2, subsection 10, Code 2011, is amended
 40 21 to read as follows:
 40 22 10. "Records series retention and disposition schedule" means
 40 23 a timetable established by the ~~state records commission~~
 40 24 department that describes the length of time a records series
 40 25 of an agency or multiple agencies must be retained in active
 40 26 and inactive status and provides authorization for a final
 40 27 disposition of the records series by destruction or permanent
 40 28 retention.
 40 29 Sec. 88. Section 305.4, unnumbered paragraph 1, Code 2011,
 40 30 is amended to read as follows:
 40 31 The ~~commission~~ department shall adopt government information
 40 32 policies, standards, and guidelines to do all of the following:
 40 33 Sec. 89. Section 305.8, subsection 1, unnumbered paragraph
 40 34 1, Code 2011, is amended to read as follows:
 40 35 The ~~commission~~ department shall do all of the following:

41 1 Sec. 90. Section 305.8, subsection 1, Code 2011, is amended
 41 2 by adding the following new paragraph:
 41 3 NEW PARAGRAPH 0e. Provide training, advice, and counsel
 41 4 to agencies on government information policies, standards, and
 41 5 guidelines.
 41 6 Sec. 91. Section 305.8, subsection 1, Code 2011, is amended
 41 7 by adding the following new paragraphs:
 41 8 NEW PARAGRAPH 0f. Develop and distribute operating
 41 9 procedures for agencies to use to implement the plans,
 41 10 policies, standards, and guidelines adopted by the department.
 41 11 NEW PARAGRAPH 00f. Manage any centralized records storage
 41 12 facility established by the department for the temporary
 41 13 storage of agency records prior to their final disposition by
 41 14 destruction or permanent preservation in accordance with the
 41 15 records series retention and disposition schedules.
 41 16 NEW PARAGRAPH 000f. Appoint a state archivist to head the
 41 17 state archives and records program.
 41 18 NEW PARAGRAPH 0000f. Manage the state archives and develop
 41 19 operating procedures for the transfer, accession, arrangement,
 41 20 description, preservation, protection, and public access of
 41 21 those records the department identifies as having permanent
 41 22 value.

CODE: Sections 90 and 91 of this Bill provide additional requirements for the Department of Cultural Affairs relating to the management and storage of State records. The new provisions require the Department to:

- Provide training to agencies relating to policies and guidelines of records storage and retention.
- Develop operating procedures for agencies to use.
- Manage all records storage facilities.
- Appoint a State Archivist.
- Manage the State archives and develop operating procedures pertaining to archived records.
- Maintain physical and legal custody of archives that have been transferred to the State archives.
- Consider establishing a reasonable fee for providing certified copies and transcripts or records that are in the legal or physical custody of the State Archivist.
- Establish and maintain an electronic archive of records to preserve and provide public access to State government records that have permanent historical value.

41 23 NEW PARAGRAPH 00000f. Maintain physical custody and legal
 41 24 custody of archives that have been transferred and delivered
 41 25 to the state archives.

41 26 (1) Upon receipt by the state archivist, the archives shall
 41 27 not be removed without the state archivist's consent except in
 41 28 response to a subpoena of a court of record or in accordance
 41 29 with approved records series retention and disposition
 41 30 schedules or after review and approval of the department.

41 31 (2) Upon request, the state archivist shall make a certified
 41 32 copy of any record in the legal custody or in the physical
 41 33 custody of the state archivist, or a certified transcript
 41 34 of any record if reproduction is inappropriate because of
 41 35 legal or physical considerations. If a copy or transcript is
 42 1 properly authenticated, it has the same legal effect as though
 42 2 certified by the officer from whose office it was transferred
 42 3 or by the secretary of state. The department shall establish
 42 4 reasonable fees for certified copies or certified transcripts
 42 5 of records in the legal custody or physical custody of the
 42 6 state archivist.

42 7 NEW PARAGRAPH 000000f. Establish, maintain, and administer
 42 8 an archive of records created and maintained in electronic
 42 9 format in order to preserve and provide public access to state
 42 10 government records identified as having permanent historical
 42 11 value by the department.

42 12 Sec. 92. Section 305.8, subsection 1, Code 2011, is amended
 42 13 by adding the following new paragraph:
 42 14 NEW PARAGRAPH 0i. Establish rates to be charged an agency
 42 15 by the department for storage and retention of records of
 42 16 the agency in a records storage facility maintained by the
 42 17 department. Rates established shall be reviewed annually by
 42 18 the department and shall be reasonably related to the cost of
 42 19 storing and retaining records of an agency.

CODE: Allows the Department of Cultural Affairs to establish rates for the purpose of billing State agencies for the storage and retention of records.

42 20 Sec. 93. Section 305.8, subsection 2, unnumbered paragraph
 42 21 1, Code 2011, is amended to read as follows:
 42 22 The ~~commission~~ department may do all of the following:

CODE: Makes a conforming change associated with transferring the duties of the State Records Commission to the Department of Cultural Affairs.

42 23 Sec. 94. Section 305.8, subsection 2, Code 2011, is amended
 42 24 by adding the following new paragraph:
 42 25 NEW PARAGRAPH 0g. Upon written consent of the state
 42 26 archivist, accept records of political subdivisions that are
 42 27 voluntarily transferred to the state archives.

CODE: Allows the Department to accept records of political subdivisions that are voluntarily transferred to the State archives.

42 28 Sec. 95. Section 305.8, subsection 2, paragraph e, Code
 42 29 2011, is amended to read as follows:

CODE: Makes a conforming change associated with transferring the duties of the State Records Commission to the Department of Cultural

42 30 e. Make, or cause to be made, preservation duplicates of
 42 31 records, which may include existing copies of original state
 42 32 records. Any preservation duplicate record shall be durable,
 42 33 accurate, complete, and clear, and shall be made by means
 42 34 designated by the ~~commission~~ department.

Affairs.

42 35 Sec. 96.NEW SECTION 305.8A RECORDS RETENTION AND STORAGE
 43 1 COSTS — BILLING — INTERNAL SERVICE FUND.

CODE: Allows the Department of Cultural Affairs to establish an internal service fund for records storage and retention services and to bill State agencies for the costs associated with storage and retention of records. Requires interest earnings of the internal service fund to remain in the fund.

43 2 1. The department may bill an agency for records storage
 43 3 and retention services rendered by the department pursuant to
 43 4 the rates established by the department for these services.
 43 5 The department shall periodically render a billing statement
 43 6 to an agency outlining the cost of services provided. The
 43 7 amount indicated on the statement shall be paid by the agency
 43 8 and amounts received by the department shall be considered
 43 9 repayment receipts as defined in section 8.2, and deposited
 43 10 into the accounts of the department.

43 11 2. a. The department may establish and maintain an internal
 43 12 service fund in accordance with generally accepted accounting
 43 13 principles, as defined in section 8.57, for the records storage
 43 14 and retention activities of the department which are primarily
 43 15 funded from billings to agencies for services rendered by the
 43 16 department.

43 17 b. The internal service fund shall be administered by
 43 18 the department and shall consist of moneys collected by the
 43 19 department from billings issued in accordance with this section
 43 20 and any other moneys obtained or accepted by the department,
 43 21 including but not limited to gifts, loans, donations, grants,
 43 22 and contributions, which are designated to support the
 43 23 activities of the internal service fund.

43 24 c. The proceeds of the internal service fund established
 43 25 pursuant to this section shall be used by the department
 43 26 for the operations of the department in records storage and
 43 27 retention consistent with this chapter.

43 28 d. Section 8.33 does not apply to any moneys in the
 43 29 internal service fund established pursuant to this section.
 43 30 Notwithstanding section 12C.7, subsection 2, interest or
 43 31 earnings on moneys deposited in the fund shall be credited to
 43 32 the fund.

43 33 e. The director of the department shall annually provide
 43 34 financial information and reports relative to the internal
 43 35 service fund established pursuant to this section to the
 44 1 department of management and the general assembly. The
 44 2 information provided may include the recommendation that a
 44 3 portion of unexpended net income be periodically returned to
 44 4 the appropriate funding source.

44 5 Sec. 97. Section 305.10, subsection 1, paragraphs c, d, e,
 44 6 f, and j, Code 2011, are amended to read as follows:
 44 7 c. Cooperate with the ~~state records commission~~ department
 44 8 and the state archives and records program in the development
 44 9 and implementation of government information policies,
 44 10 standards, and guidelines, and in the development and
 44 11 implementation of records series retention and disposition
 44 12 schedules.
 44 13 d. Comply with requests from the ~~state records commission~~
 44 14 or department and the state archives and records program to
 44 15 examine records in the possession, constructive possession, or
 44 16 control of the agency in order to carry out the purposes of
 44 17 this chapter.
 44 18 e. Inventory agency records in accordance with ~~state~~
 44 19 ~~records commission~~ department policies to draft records series
 44 20 retention and disposition schedules.
 44 21 f. Identify vital operating records in accordance with
 44 22 the policies, standards, and guidelines of the ~~state records~~
 44 23 ~~commission~~ department.
 44 24 j. Provide for compliance with this chapter and the rules
 44 25 adopted by the ~~state records commission~~ department.
 44 26 Sec. 98. Section 305.10, subsection 2, Code 2011, is amended
 44 27 to read as follows:
 44 28 2. Agency heads may petition the ~~state records commission~~
 44 29 department to create or modify government information policies,
 44 30 standards, and guidelines, and to create or modify records
 44 31 series retention and disposition schedules.
 44 32 Sec. 99. Section 305.11, Code 2011, is amended to read as
 44 33 follows:
 44 34 305.11 TERMINATION OF STATE AGENCY — RECORDS TRANSFER.
 44 35 Upon the termination of a state agency whose functions have
 45 1 not been transferred to another agency, custody of the records
 45 2 of the agency shall transfer to the ~~commission~~ department.
 45 3 Sec. 100. Section 305.14, Code 2011, is amended to read as
 45 4 follows:
 45 5 305.14 LIABILITY PRECLUDED.
 45 6 No ~~member~~ employee of the ~~commission~~ department or head of
 45 7 an agency shall be held liable for damages or loss, or civil
 45 8 or criminal liability, because of the destruction of public
 45 9 records pursuant to the provisions of this chapter or any other
 45 10 law authorizing their destruction.
 45 11 Sec. 101. Section 305.15, Code 2011, is amended to read as
 45 12 follows:
 45 13 305.15 EXEMPTIONS — DUTIES OF STATE DEPARTMENT OF
 45 14 TRANSPORTATION AND STATE BOARD OF REGENTS.
 45 15 The state department of transportation and the agencies and

CODE: Sections 97 through 103 of this Bill make conforming changes that are associated with transferring the duties of the State Records Commission to the Department of Cultural Affairs.

45 16 institutions under the control of the state board of regents
45 17 are exempt from the state records manual and the provisions of
45 18 this chapter. However, the state department of transportation
45 19 and the state board of regents shall adopt rules pursuant to
45 20 chapter 17A for their employees, agencies, and institutions
45 21 that are consistent with the objectives of this chapter.
45 22 The rules shall be approved by the ~~state records commission~~
45 23 department.

45 24 Sec. 102. Section 305.16, subsection 6, paragraph b,
45 25 subparagraph (1), Code 2011, is amended to read as follows:

45 26 (1) Serve in an advisory capacity to the ~~state records~~
45 27 ~~commission~~ department, the state archives and records program,
45 28 and other statewide archival or records agencies.

45 29 Sec. 103. Section 321.31, subsection 1, paragraph b, Code
45 30 2011, is amended to read as follows:

45 31 b. The department may make photostatic, microfilm, or other
45 32 photographic copies of certificates of title, registration
45 33 receipts, or other records, reports or documents which are
45 34 required to be retained by the department. When copies have
45 35 been made, the department may destroy the original records in
46 1 such manner as prescribed by the director. The photostatic,
46 2 microfilm, or other photographic copies, when no longer of use,
46 3 may be destroyed in the manner prescribed by the director,
46 4 subject to the approval of the ~~state records commission~~
46 5 department of cultural affairs. Photostatic, microfilm, or
46 6 other photographic copies of records shall be admissible in
46 7 evidence when duly certified and authenticated by the officer
46 8 having custody and control of the copies of records. Records
46 9 of vehicle certificates of title may be destroyed seven years
46 10 after the date of issue.

46 11 Sec. 104. REPEAL. Sections 305.3, 305.5, 305.6, 305.7, and
46 12 305.9, Code 2011, are repealed.

CODE: Repeals the State Records Commission.

DETAIL: The duties of the State Records Commission are transferred to the Department of Cultural Affairs.

46 13 Sec. 105. ADMINISTRATIVE RULES — TRANSITION PROVISIONS.

46 14 1. Any rule, regulation, form, order, or directive
46 15 promulgated by the state records commission relative to the
46 16 provisions of this Act in existence on the effective date of
46 17 this division of this Act shall continue in full force and
46 18 effect until amended, repealed, or supplemented by affirmative
46 19 action of the department of cultural affairs under the duties
46 20 and powers established in this division of this Act and under
46 21 the procedure established in subsection 2.

46 22 2. In regard to updating references and format in the Iowa

Establishes a process for updating the Administrative Rules as it relates to the transfer of the State Records Commission duties to the Department of Cultural Affairs.

46 23 administrative code in order to correspond to the transferring
 46 24 of duties as established in this division of this Act, the
 46 25 administrative rules coordinator and the administrative rules
 46 26 review committee, in consultation with the administrative code
 46 27 editor, shall jointly develop a schedule for the necessary
 46 28 updating of the Iowa administrative code.

46 29 DIVISION IX
 46 30 DEPARTMENT OF TRANSPORTATION PROVISIONS

46 31 Sec. 106. Section 321.196, subsection 4, Code 2011, is
 46 32 amended to read as follows:
 46 33 4. The department in its discretion may authorize the
 46 34 renewal of a valid driver's license other than a commercial
 46 35 driver's license upon application without an examination
 47 1 provided that the applicant meets one of the following
 47 2 conditions:
 47 3 a. The applicantsatisfactorily passes a vision test as
 47 4 prescribed by the department ~~or~~.
 47 5 b. The applicantfiles a vision report in accordance with
 47 6 section 321.186A which shows that the applicant's visual acuity
 47 7 level meets or exceeds those required by the department.
 47 8 c. The applicant is eligible for license renewal
 47 9 electronically, pursuant to rules adopted by the department.
 47 10 4A. An application for renewal of a driver's license shall
 47 11 include a statement for the applicant to sign that acknowledges
 47 12 the applicant's knowledge of the requirement to notify the
 47 13 department of a mailing address change under section 321.182,
 47 14 subsection 1.

CODE: Allows the Department of Transportation (DOT) to waive the vision screening requirements for persons eligible to renew a driver's license online.

FISCAL IMPACT: The DOT estimates a three-year average of 403,825 individuals ranging from 18 to 65 years may be eligible to renew a driver's license online. In addition, the DOT states there are no additional start-up expenses to design and implement a driver's license online renewal system. The number of individuals eligible to renew a driver's license online that would take advantage of the electronic renewal over a DOT driver's license station and the resulting employee hours saved cannot be estimated at this time.

The DOT has indicated that any personnel savings experienced as a result of online renewal implementation will be applied towards the 35.0 FTE positions currently being held vacant in the Motor Vehicle Division due to budget constraints. The DOT states that Nebraska adopted an online driver's license renewal system and experienced an average renewal transfer of 10.0% to 15.0% during the start-up period. The amount of online renewals increased to an average of 35.0% after a period of heavy promotion by the Nebraska Department of Transportation. The DOT will experience a "sign-on" expense from the DAS for an authentication service before proceeding to the DOT's online renewal service. The DAS will charge the DOT two cents for each authentication. The DOT estimates this charge to be approximately \$2,500 per year for the service.

47 15 Sec. 107. REPEAL. Section 321.116, Code 2011, is repealed.

CODE: Repeals the annual fee for electric motor vehicles.

DETAIL: The current annual fee is \$25 for electric motor vehicles that are five years and newer and \$15 for those older than five years. The repeal of this Iowa Code section will require the electric motor vehicle registration fee to be based on the current weight/value formula, which averages \$130 per vehicle per year.

FISCAL IMPACT: Currently, there are 13 electric motor vehicles

registered in Iowa and it is estimated that the average registration fee for these vehicles would increase by \$105 per year. This would generate an additional \$1,365 to the Road Use Tax Fund.

Allows the DOT to adopt emergency rules to implement the issuance of online driver's license renewals.

47 16 Sec. 108. EMERGENCY RULES. The department of
47 17 transportation may adopt emergency rules under section 17A.4,
47 18 subsection 3, and section 17A.5, subsection 2, paragraph "b",
47 19 to implement section 321.196, subsection 4, paragraph "c",
47 20 as enacted in this division of this Act, and the rules shall
47 21 be effective immediately upon filing unless a later date is
47 22 specified in the rules. Any rules adopted in accordance with
47 23 this section shall also be published as a notice of intended
47 24 action as provided in section 17A.4.

The following provisions are effective on enactment:

47 25 Sec. 109. EFFECTIVE UPON ENACTMENT. The following
47 26 provisions of this division of this Act, being deemed of
47 27 immediate importance, take effect upon enactment:
47 28 1. The section of this division of this Act amending section
47 29 321.196, subsection 4.
47 30 2. The section of this division of this Act authorizing the
47 31 adoption of emergency rules.

- The Section that allows the DOT to waive vision screening for certain person renewing a driver's license.
- The Section that allows the DOT to adopt emergency rules.

47 32 Sec. 110. APPLICABILITY. The section of this division of
47 33 this Act that repeals section 321.116 applies for registration
47 34 years beginning on or after January 1, 2013.

Specifies that repeal the annual fee for electric motor vehicles applies to registration years beginning on or after January 1, 2013.

47 35 DIVISION X
48 1 REPORT — STATE DEBT COORDINATOR

48 2 Sec. 111. DEPARTMENT OF REVENUE AND OFFICE OF THE STATE
48 3 DEBT COORDINATOR — REPORT. The director of the department
48 4 of revenue shall develop and recommend legislative proposals
48 5 deemed necessary for the continued efficiency of the functions
48 6 of the office of the state debt coordinator established in
48 7 section 421C.1, and shall prepare and file a report detailing
48 8 the recommendations. The report shall be filed by the director
48 9 of the department of revenue with the department of management,
48 10 the governor, and the general assembly no later than January
48 11 14, 2013.

Requires the Department of Revenue to develop proposals to make the Office of the State Debt Coordinator more efficient and to submit a report of the recommendations to the Department of Management, the Governor, and the General Assembly by January 14, 2013.

48 12 DIVISION XI
48 13 POLLUTION PREVENTION AND WASTE MANAGEMENT ASSISTANCE

48 14 Sec. 112. Section 455B.481, subsections 1 through 3, Code
48 15 2011, are amended to read as follows:
48 16 1. The purpose of this part is to promote the proper ~~and~~

CODE: Amends Iowa Code language related to the management of solid, hazardous, and low-level radioactive waste in Iowa. The Department of Natural Resources (DNR) will continue to work with the

48 17 safe storage, treatment, and disposal management of solid,
 48 18 hazardous, and low-level radioactive wastes in Iowa. The
 48 19 ~~management of these wastes generated within Iowa is the~~
 48 20 ~~responsibility of Iowans. It is the intent of the general~~
 48 21 ~~assembly that Iowans assume this responsibility to the extent~~
 48 22 ~~consistent with the protection of public health, safety, and~~
 48 23 ~~the environment, and that Iowans insure that waste management~~
 48 24 ~~practices, as alternatives to land disposal, including source~~
 48 25 ~~reduction, recycling, compaction, incineration, and other forms~~
 48 26 ~~of waste reduction, are employed.~~
 48 27 ~~—2.—It is also the intent of the general assembly that a~~
 48 28 ~~comprehensive waste management plan be established by the~~
 48 29 ~~department which includes:the determination of need and~~
 48 30 ~~adequate regulatory controls prior to the initiation of site~~
 48 31 ~~selection; the process for selecting a superior site determined~~
 48 32 ~~to be necessary; the establishment of a process for a site~~
 48 33 ~~community to submit or present data, views, or arguments~~
 48 34 ~~regarding the selection of the operator and the technology~~
 48 35 ~~that best ensures proper facility operation; the prohibition~~
 49 1 ~~of shallow land burial of hazardous and low-level radioactive~~
 49 2 ~~wastes; the establishment of a regulatory framework for a~~
 49 3 ~~facility; and the establishment of provisions for the safe~~
 49 4 ~~and orderly development, operation, closure, postclosure, and~~
 49 5 ~~long-term monitoring and maintenance of the facility.~~
 49 6 ~~—3. 2.—In order to meet capacity assurance requirements~~
 49 7 ~~of section 104k of the federal Superfund Amendments and~~
 49 8 ~~Reauthorization Act of 1986, Pub.L. No.99-499, and further~~
 49 9 ~~the objectives of waste minimization, the The department, in~~
 49 10 ~~cooperation with the small business assistance Iowa waste~~
 49 11 ~~reduction center at the university of northern Iowa, shall work~~
 49 12 ~~with generators of hazardous wastes in the state to develop and~~
 49 13 ~~implement aggressive waste minimization programs. The goal~~
 49 14 ~~of these programs is to reduce the volume of hazardous waste~~
 49 15 ~~generated in the state as a whole by twenty five percent of~~
 49 16 ~~the amount generated as of January 1, 1987, as reported in the~~
 49 17 ~~biennial reports collected by the United States environmental~~
 49 18 ~~protection agency. The twenty five percent reduction goal~~
 49 19 ~~shall be reached as expeditiously as possible and no later than~~
 49 20 ~~July 1, 1994. In meeting the reduction goal, elements “a”~~
 49 21 ~~through “d” of the hazardous waste management hierarchy shall~~
 49 22 ~~be utilized. The department, in cooperation with the small~~
 49 23 ~~business assistance center, shall reassess the twenty five~~
 49 24 ~~percent reduction goal in 1994. The department shall promote~~
 49 25 ~~research and development, provide and promote educational~~
 49 26 ~~and informational programs, promote and encourage provide~~
 49 27 ~~confidential, voluntary technical assistance to hazardous waste~~

University of Northern Iowa Small Business Center to develop and implement waste minimization programs. These are voluntary programs that will develop a pollution prevention hierarchy. Removes outdated references in the Iowa Code.

FISCAL IMPACT: This Division has no fiscal impact to the State.

<p>49 28 generators, promote assistance by the small business assistance 49 29 <u>Iowa waste reduction</u> center, and promote other activities by 49 30 the public and private sectors that support this goal. In 49 31 the promotion of the goal, the following hazardous waste 49 32 management <u>pollution prevention</u> hierarchy, in descending order 49 33 of preference, is established by the department: 49 34 a. Source reduction for waste elimination. 49 35 b. <u>Reuse</u>. 50 1 <u>c.</u> On-site recycling. 50 2 e. <u>d.</u> Off-site recycling. 50 3 d. <u>e.</u> Waste treatment. 50 4 e. <u>f.</u> Incineration <u>Combustion with energy recovery</u>. 50 5 f. <u>g.</u> Land disposal.</p> <p>50 6 Sec. 113. Section 455B.481, subsections 4 and 5, Code 2011, 50 7 are amended by striking the subsections.</p> <p>50 8 Sec. 114. Section 455B.482, Code 2011, is amended by adding 50 9 the following new subsection: 50 10 NEW SUBSECTION 7A. "Pollution prevention" means employment 50 11 of a practice that reduces the industrial use of toxic 50 12 substances or reduces the environmental and health hazards 50 13 associated with an environmental waste without diluting or 50 14 concentrating the waste before the release, handling, storage, 50 15 transport, treatment, or disposal of the waste.</p> <p>50 16 Sec. 115. Section 455B.484, Code 2011, is amended by adding 50 17 the following new subsection: 50 18 NEW SUBSECTION 1A. Implement the waste management policy 50 19 provided in section 455B.481.</p> <p>50 20 Sec. 116. Section 455B.484, subsections 2, 3, 4, 6, 7, 9, 50 21 and 10, Code 2011, are amended by striking the subsections.</p> <p>50 22 Sec. 117. Section 455B.484A, subsection 1, paragraph c, 50 23 Code 2011, is amended to read as follows: 50 24 c. "Assistance program" means the waste reduction assistance 50 25 <u>pollution prevention</u> program of the department or of the Iowa 50 26 waste reduction center for safe and economic management of 50 27 solid waste and hazardous substances conducted pursuant to 50 28 section 268.4.</p>	<p>CODE: Repeals reporting requirements related to recycled hazardous waste materials.</p> <p>CODE: Adds a definition for pollution prevention as it relates to duties of the DNR.</p> <p>CODE: Adds waste management policy to the list of duties required by the DNR.</p> <p>CODE: Eliminates activities related to the Hazardous Waste Management Assistance Fund that were never implemented.</p> <p>CODE: Defines the DNR's assistance program as the Pollution Prevention Program.</p> <p>CODE: Authorizes the DOT to establish rules for the electronic completion and issuance of salvage vehicle theft examination certificates and affidavits.</p> <p>FISCAL IMPACT: The amount of time needed to develop the technology to implement this requirement has not yet been determined by the DOT, but the Department expects the project to be completed in-house without additional expense to the DOT.</p>
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50 29 Sec. 118. Section 455B.485, subsections 3 and 5, Code 2011,
50 30 are amended by striking the subsections.

CODE: Eliminates activities related to the Hazardous Waste Management Assistance Fund that were never implemented.

50 31 Sec. 119. Section 455B.486, subsection 1, Code 2011, is
50 32 amended by striking the subsection.

CODE: Eliminates the DNR's responsibility for facility siting for treatment, disposal, or storage of hazardous waste.

50 33 Sec. 120. Section 455B.487, unnumbered paragraph 1, Code
50 34 2011, is amended to read as follows:

CODE: Removes the term hazardous from sites or land areas where facilities can be located.

50 35 The commission shall adopt rules establishing criteria for
51 1 the identification of land areas or sites which are suitable
51 2 for the operation of facilities for the management of ~~hazardous~~
51 3 ~~and~~ low-level radioactive wastes. Upon request, the department
51 4 shall assist in locating suitable sites for the location of
51 5 a facility. The commission may purchase or condemn land to
51 6 be leased or used for the operation of a facility subject to
51 7 chapter 6A. Consideration for a contract for purchase of land
51 8 shall not be in excess of funds appropriated by the general
51 9 assembly for that purpose. The commission may lease land
51 10 purchased under this section to any person including the state
51 11 or a state agency. This section authorizes the state to own or
51 12 operate ~~hazardous waste facilities and~~ low-level radioactive
51 13 waste facilities, subject to the approval of the general
51 14 assembly.

51 15 Sec. 121. Section 455B.487, unnumbered paragraph 11, Code
51 16 2011, is amended by striking the unnumbered paragraph.

CODE: Removes language related to the operation of a hazardous waste facility.

51 17 Sec. 122. Section 455B.487, subsections 1 through 3, Code
51 18 2011, are amended by striking the subsections.

51 19 Sec. 123. Section 455D.1, Code 2011, is amended by adding
51 20 the following new subsection:

CODE: Outlines pollution prevention techniques for toxic substances.

51 21 NEW SUBSECTION 4A. "Pollution prevention techniques" means
51 22 any of the following practices employed by the user of a toxic
51 23 substance:

51 24 a. Input substitution, which is the replacement of a toxic
51 25 substance or raw material used in a production process with a
51 26 nontoxic or less toxic substance.

51 27 b. Product reformulation, which is the substitution of an
51 28 end product which is nontoxic or less toxic upon use or release
51 29 for an existing end product.

51 30 c. Production process redesign or modification, which is
51 31 the development and use of production processes of a different
51 32 design other than those currently in use.

51 33 d. Production process modernization, which is the upgrading
51 34 or replacing of existing production process equipment or

<p>51 35 methods with other equipment or methods based on the same 52 1 production process. 52 2 e. Improved operation and maintenance of existing production 52 3 process equipment and methods, which is the modification or 52 4 addition to existing equipment or methods, including but not 52 5 limited to such techniques as improved housekeeping practices, 52 6 system adjustments, product and process inspections, and 52 7 production process control equipment or methods. 52 8 f. Recycling, reuse, or extended use of toxic substances by 52 9 using equipment or methods that become an integral part of the 52 10 production process. 52 11 Sec. 124. Section 455D.5, subsection 2, paragraph h, Code 52 12 2011, is amended to read as follows: 52 13 h. Promotion of the concentration of the efforts of the 52 14 business and industry resource search service by the small 52 15 business assistance <u>Iowa waste reduction</u> center for the safe 52 16 and economic management of solid waste and hazardous substances 52 17 at the university of northern Iowa, to locate existing waste 52 18 streams and materials from businesses and industries which 52 19 generate small amounts of waste and to catalyze the reuse of 52 20 these materials in the production of goods and services.</p> <p>52 21 Sec. 125. Section 455D.7, subsection 1, Code 2011, is 52 22 amended to read as follows: 52 23 1. Unless otherwise specified in this chapter, adopt rules 52 24 necessary to implement this chapter pursuant to chapter 17A. 52 25 Initial rules shall be adopted no later than April 1, 1992.</p> <p>52 26 Sec. 126. Section 455D.7, subsection 4, Code 2011, is 52 27 amended by striking the subsection.</p> <p>52 28 Sec. 127. Section 455D.15, subsection 2, Code Supplement 52 29 2011, is amended by striking the subsection and inserting in 52 30 lieu thereof the following: 52 31 2. The fund shall be utilized by the department for 52 32 providing technical assistance to Iowa businesses in developing 52 33 and implementing pollution prevention techniques.</p> <p>52 34 Sec. 128. Section 455D.15, subsection 3, Code Supplement 52 35 2011, is amended by striking the subsection.</p> <p>53 1 Sec. 129. Section 455E.8, subsections 2 and 3, Code 2011, 53 2 are amended by striking the subsections.</p>	<p>CODE: Eliminates an outdated requirement for the DNR to adopt administrative rules as the rules have been adopted.</p> <p>CODE: Eliminates the annual report for waste abatement fees, rebates, and deposits.</p> <p>CODE: Removes the issuance of grants by the DNR and allows the Department to use money in the Waste Volume Reduction and Recycling Fund for providing technical assistance to Iowa businesses for pollution prevention techniques.</p> <p>CODE: Repeals language related to the Waste Volume Reduction and Recycling Fund.</p> <p>CODE: Repeals the following from the duties of the DNR Director:</p> <ul style="list-style-type: none"> • Annual report on the number and concentration of contaminants detected in groundwater. • Any data concerning the contamination of groundwater by a
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		contaminant not regulated under the federal Safe Drinking Water Act.
53 3	Sec. 130. REPEAL. Sections 455B.516, 455B.517, and	
53 4	455B.518, Code 2011, are repealed.	CODE: Repeals language related to the Toxic Pollution Program.
53 5		
53 6	DIVISION XII ONGOING PROGRAM REVIEW	
53 7	Sec. 131. Section 2.69, subsection 4, Code 2011, is amended	
53 8	by adding the following new paragraph:	CODE: Requires the State Government Efficiency Review Committee
53 9	NEW PARAGRAPH 0c. Comprehensively review on a regular	to regularly review programs administered by the State to determine if
53 10	basis the programs and projects administered by state	programs are meeting the needs as designed and whether or not the
53 11	government to determine whether each program and project	programs could be modified to be more effective.
53 12	reviewed is effectively and efficiently meeting the needs for	
53 13	which created, and whether the needs remain applicable. The	
53 14	review shall consider whether modifications to the program or	
53 15	project reviewed could better meet the needs identified in a	
53 16	more effective manner.	
53 17		
53 18	DIVISION XIII BOARDS AND COMMISSIONS	
53 19	Sec. 132. Section 34A.2A, subsection 2, Code 2011, is	
53 20	amended to read as follows:	CODE: Conforming changes related to transferring the duties of the
53 21	2. The E911 program manager shall act under the supervisory	E911 Communications Council to the State Interoperable
53 22	control of the administrator of the homeland security and	Communications System Board.
53 23	emergency management division of the department of public	
53 24	defense, and in consultation with the E911 communications	
53 25	council <u>state interoperable communications system board</u>	
53 26	<u>established in section 80.28</u> , and perform the duties	
53 27	specifically set forth in this chapter and as assigned by the	
53 28	administrator.	
53 29	Sec. 133. Section 34A.7A, subsection 2, paragraph h, Code	
53 30	2011, is amended to read as follows:	
53 31	h. The administrator, in consultation with the program	
53 32	manager and the E911 communications council <u>state interoperable</u>	
53 33	<u>communications system board established in section 80.28</u> , shall	
53 34	adopt rules pursuant to chapter 17A governing the distribution	
53 35	of the surcharge collected and distributed pursuant to this	
54 1	subsection. The rules shall include provisions that all joint	
54 2	E911 service boards and the department of public safety which	
54 3	answer or service wireless E911 calls are eligible to receive	
54 4	an equitable portion of the receipts.	
54 5	Sec. 134. Section 34A.15, subsection 3, Code Supplement	
54 6	2011, is amended to read as follows:	

54 7 3. The council shall advise and make recommendations to
 54 8 the ~~administrator and program manager~~ state interoperable
 54 9 communications system board established in section 80.28
 54 10 regarding the implementation of this chapter. Such advice and
 54 11 recommendations shall be provided on issues at the request
 54 12 of the ~~administrator or program manager~~ state interoperable
 54 13 communications system board established in section 80.28 or as
 54 14 deemed necessary by the council.

54 15 Sec. 135. Section 80.29, Code 2011, is amended by adding the
 54 16 following new subsection:
 54 17 NEW SUBSECTION 12A. Advise and make recommendations, in
 54 18 consultation with the E911 communications council established
 54 19 in section 34A.15, to the director of the department of
 54 20 homeland security and emergency management and the E911 program
 54 21 manager appointed pursuant to section 34A.2A regarding the
 54 22 implementation of chapter 34A. Such advice and recommendations
 54 23 shall be provided on issues at the request of the director or
 54 24 program manager or as deemed necessary by the board. However,
 54 25 the authority of the board as to this duty is limited to the
 54 26 issues specifically identified in this subsection and does
 54 27 not preempt the authority of the utilities board, created in
 54 28 section 474.1, to act on issues within the jurisdiction of the
 54 29 utilities board.

54 30 Sec. 136. Section 190A.3, subsection 4, Code 2011, is
 54 31 amended to read as follows:
 54 32 4. The ~~farm-to-school council~~ department of agriculture and
 54 33 land stewardship and the department of education shall actively
 54 34 seek financial or in-kind contributions from organizations or
 54 35 persons to support the program.

55 1 Sec. 137. Section 256.9, subsection 55, paragraph j, Code
 55 2 Supplement 2011, is amended by striking the paragraph.

55 3 Sec. 138. REPEAL. Section 190A.2, Code 2011, is repealed.

CODE: Requires the State Interoperable Communications System Board to provide advice and recommendations, in consultation with the E911 Communications Council, to the Department of Homeland Security and Emergency Management and the E911 Program Manager concerning implementation of the Enhanced 911 Emergency Telephone System.

FISCAL IMPACT: Eliminating the E911 Communications Council and transferring the duties to the State Interoperable Communications System Board will result in an estimated annual savings of \$15,000 to the Wireless E911 Emergency Communications Fund.

CODE: Eliminates reference to the Farm-to-School Council. The Council is eliminated in Section 138 of this Bill.

CODE: Removes the representative associated with the Farm-to-School Council from membership on the Nutrition Advisory Panel. This change conforms to the repeal of the Farm-to-School Council.

CODE: Repeals the Farm-to-School Council that was created to establish partnerships with public agencies and nonprofit organizations to facilitate communication between farmers and schools.

DETAIL: The Farm-to-School Program was established to encourage and promote the purchase of locally and regionally produced or processed food in order to improve child nutrition and strengthen local and regional farm economies. The Program is administered jointly by the Department of Agriculture and Land Stewardship and the Department of Education.

FISCAL IMPACT: Minimal fiscal impact.

Provides that any necessary technical changes to the Iowa Code will be made in order to conform to the amendments in Division VI relating to changing the Division of Homeland Security and Emergency Management Agency to a stand-alone Department.

55 4 Sec. 139. MULTIPLE AMENDMENTS — HARMONIZATION AND
55 5 PREVALENCE.

55 6 1. The amendments in this division of this Act and in
55 7 the division of this Act creating a department of homeland
55 8 security and emergency management to section 34A.2A, subsection
55 9 2, and section 34A.7A, subsection 2, paragraph "h", shall be
55 10 harmonized by the Code editor in accordance with section 2B.13.

55 11 2. If section 34A.15, subsection 3, is amended in this
55 12 division of this Act and in the division of this Act creating a
55 13 department of homeland security and emergency management, the
55 14 amendments are deemed irreconcilable and the amendment in this
55 15 division of this Act shall prevail.

55 16 DIVISION XIV
55 17 OBSOLETE PROVISIONS

55 18 Sec. 140. REPEAL. Section 15.112, Code Supplement 2011, is
55 19 repealed.

CODE: Repeals a requirement that the Iowa Economic Development Authority (IEDA) provide a State match in the event federal funds are provided for the Farmworks National Demonstration Project. Current statutory language requires the State IEDA to provide a match from the Rural Enterprise Fund or another fund equal to 4.00% of the federal funding received for a three-year period on a dollar-for-dollar matching basis with local or private contributions.

FISCAL IMPACT: No fiscal impact.

55 20 Sec. 141. REPEAL. Chapters 15C and 15D, Code 2011, are
55 21 repealed.

CODE: Repeals the Code chapters pertaining to the State's participation in the World Trade Center and the Midwest Nuclear Compact.

FISCAL IMPACT: No fiscal impact.