

Government Efficiency Bill
House File 2449
(formerly HF 2434)

Last Action:
House
Ways and Means
Committee

March 19, 2012

An Act relating to government operations and efficiency, school elections, eliminating certain tax credits, 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>
LSA Contacts: David Reynolds (515-281-6934) Mary Shipman (515-281-4617)

**HF 2449 - Government Efficiency Bill
Fiscal Summary**

Bill Div/Sec	Minimum Estimate	Maximum Estimate	Comments
Expenditure Reductions:			
1	\$ 138,000	\$ 138,000	DAS estimate. Annual savings.
2 & 3	0	0	Max. potential savings of \$10.9 million when fully implemented. May not all be General Fund savings.
4	undetermined	undetermined	Number of employees impacted is unknown.
6	178,775	178,775	Applies to legislators only. Annual savings.
7	undetermined	undetermined	Requires renegotiating contracts. Applies immediately to Legislative Branch.
Div. III	0	3,914,000	Cost avoidance as reported by pilot project vendor. Savings cannot be verified or disputed by DAS.
Div. IV	undetermined	undetermined	Savings may result but cannot be estimated. Requires action by ILEA.
35	undetermined	undetermined	Savings will result but cannot be estimated.
Div. X	227,000	227,000	Assumes a separate appropriation for records storage rent will not be made.
Div. XI	0	0	Local government savings of \$2.0 million in even-numbered years. One-time cost to Secretary of State.
68	undetermined	undetermined	No savings until FY 2015 at the earliest. Requires legislative action.
Div. XVI	15,000	15,000	This is a savings to the Wireles E911 Emergency Communications Fund.
	<u>\$ 558,775</u>	<u>\$ 4,472,775</u>	
Expenditure Increases:			
9	\$ 200,000	\$ 300,000	DAS estimate. One-time cost.
Div. III	510,000	510,000	Contingent appropriation of \$510,000 in SF 2313 (Admin/Reg Approps Bill) from Board of Pharmacy fees.
15	10,000	10,000	DAS estimate. One-time cost.
16	457,500	457,500	Costs for salaries and support of 3.25 FTE positions to complete the estimated property valuations.
Div. X	227,000	227,000	Increased cost to agencies for records storage billed through the Dept. of Cultural Affairs.
Div. XIII	33,000	33,000	A reduction in the Auditor's fee revenue. Assumes they will incur expense from General Fund budget.
	<u>\$ 1,437,500</u>	<u>\$ 1,537,500</u>	
	<u>\$ -878,725</u>	<u>\$ 2,935,275</u>	

NOTE: Provisions with no impact are not included.

House File 2449 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.440	
2	31	5	New	9.8	
3	1	6	Amend	97B.1A.26.a.(1).(d)	
3	17	7	Amend	97B.1A.26.a.(2).(h),(i)	
5	11	12	New	8A.441	
9	12	17	New	455A.14	
9	21	19	Strike	2.48.3.c.(5)	
9	24	20	Strike	15.119.2.b	
9	26	21	Strike	422.7.52	
9	28	22	Strike	422.33.23,24	
9	30	23	Strike	422.35.23	
9	32	24	Strike	422.60.10,11	
9	34	25	Strike	533.329.2.f,g	
10	1	26	Repeal	15.391,15.392,422.11T,422.11U,432.12J,432.12K	
10	32	32	Amend	225C.6.1.k	
11	7	33	Amend	426B.5.2.c	
12	6	34	Add	22.7.65	
12	24	36	Amend	96.11.11	
13	8	37	Amend	305.2.2	
13	15	38	Strike	305.2.3,5	
13	17	39	Add	305.2.4A	
13	21	40	Amend	305.2.10	
13	30	41	Amend	305.4.u1	
13	34	42	Amend	305.8.1.u1	
14	2	43	Add	305.8.1.0e	
14	7	44	Add	305.8.1.0f,00f,000f,0000f,00000f,000000f	
15	13	45	Add	305.8.1.0i	
15	21	46	Amend	305.8.2.u1	
15	24	47	Add	305.8.2.0g	
15	29	48	Amend	305.8.2.e	
16	1	49	New	305.8A	
17	6	50	Amend	305.10.1.c,d,e,f,j	
17	27	51	Amend	305.10.2	
17	33	52	Amend	305.11	
18	4	53	Amend	305.14	
18	12	54	Amend	305.15	
18	25	55	Amend	305.16.6.b.(1)	

House File 2449 provides for the following changes to the Code of Iowa.

Page #	Line #	Bill Section	Action	Code Section	Description
18	30	56	Amend	321.31.1.b	
19	12	57	Repeal	305.3,305.5,305.6,305.7,305.9	
20	12	60	Amend	39.2.4.c	
20	21	61	Amend	260C.12.1	
21	5	62	Amend	260C.13.1	
21	16	63	Amend	273.8.2.a,b	
22	4	64	Amend	273.8.4.a	
22	13	65	Amend	273.8.6	
22	22	66	Amend	277.1	
22	31	67	Amend	277.20	
24	2	70	Amend	182.18.1	
24	16	71	Amend	184.14.2	
24	32	72	Amend	184A.6.2	
25	7	73	Amend	184A.9	
25	15	74	Amend	185C.26	
26	10	76	New	8.71	
27	3	77	Amend	12.87.12	
27	12	78	Amend	16.193.1	
27	25	79	Amend	16.194.2	
27	33	80	Amend	16.194.4.u1	
28	3	81	Amend	16.194.7	
28	10	82	Amend	16.194.8.u1	
28	14	83	Amend	16.194.9.b	
28	22	84	Amend	16.194.10	
28	28	85	Amend	16.194A.2,7,9,10	
29	17	86	Amend	16.194A.4.u1	
29	22	87	Amend	16.194A.8.u1	
29	26	88	Amend	16.195	
30	15	89	Amend	16.196	
33	20	90	Amend	16.197	
34	10	92	Repeal	16.191,16.192	
34	14	93	Amend	34A.2A.2	
34	24	94	Amend	34A.7A.2.h	
34	35	95	Add	80.29.12A	
35	14	96	Amend	190A.3.4	
35	20	97	Strike	256.9.55.j	
35	22	98	Repeal	34A.15	
35	24	99	Repeal	190A.2	

House File 2449 provides for the following changes to the Code of Iowa.

Page #	Line #	Bill Section	Action	Code Section	Description
35	27	100	Strike	84A.5.7.a, c	
35	29	101	Strike	97B.1A.8.b.(8)	
35	32	102	Repeal	84A.7,84A.9,84A.10	
35	34	103	Repeal	15.112	
36	1	104	Repeal	15C,15D, 28K	
36	5	105	Amend Free-form	455B.481.1-3	
37	32	106	Strike	455B.481.4,5	
37	34	107	Add	455B.482.7A	
38	7	108	Add	455B.484.1A	
38	11	109	Strike	455B.484.2,3,4,6,7,9,10	
38	13	110	Amend	455B.484A.1.c	
38	20	111	Strike	455B.485.3,5	
38	22	112	Strike	455B.486.1	
38	24	113	Amend	455B.487.u1	
39	6	114	Strike	455B.487.u11	
39	8	115	Strike	455B.487.1-3	
39	10	116	Add	455D.1.4A	
40	2	117	Amend	455D.7.1	
40	7	118	Strike	455D.7.4	
40	9	119	Strike and Replace	455D.15.2	
40	15	120	Strike	455D.15.3	
40	17	121	Strike	455E.8.2,3	
40	19	122	Repeal	455B.516,455B.517,455B.518	

<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>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. This represents savings to all participating agencies that use DAS printing services. The savings will affect a variety of funding sources.</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>The DAS continues to proceed with consolidation of IT services. Consolidation of e-mail messaging is 80.00% complete. Other</p>
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2 6 2. In procuring information technology as provided in
 2 7 section 8A.207, the department of administrative services
 2 8 should explore strategies of procuring information technology
 2 9 through leasing.

functions are being addressed and potential savings or cost 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 PERSONNEL AND BENEFITS

2 12 Sec. 4.NEW SECTION 8A.440 GROUP HEALTH INSURANCE —
 2 13 FAMILY ENROLLMENT.

2 14 1. If a state employee covered by a collective bargaining
 2 15 agreement entered into pursuant to chapter 20 and the state
 2 16 employee's spouse, who is also a state employee, are both
 2 17 members of a state group health insurance plan for employees
 2 18 of the state established under chapter 509A, the employee and
 2 19 the spouse shall be required to enroll in a single family group
 2 20 health insurance plan.

2 21 2. If a state employee not covered by a collective
 2 22 bargaining agreement as provided in chapter 20 and the state
 2 23 employee's spouse, who is also a state employee, are both
 2 24 members of a state group health insurance plan for employees
 2 25 of the state established under chapter 509A, the employee and
 2 26 spouse shall be required to enroll in a single family group
 2 27 health insurance plan for both state employees in the same
 2 28 manner as is required under the collective bargaining agreement
 2 29 that covers the greatest number of state employees in the state
 2 30 government entity employing the state employee.

CODE: Requires collective bargaining agreements for State employees to include a requirement that married State employees be required to enroll in a single family group health insurance plan. This same requirement is also applied to noncontract employees in the same manner as required by members of the largest collective bargaining group contract.

DETAIL: The largest State employee bargaining group in Iowa is the American Federation of State, County, and Municipal Employees (AFSCME).

FISCAL IMPACT: Some cost savings will likely occur, but the amount cannot be determined because the State does not maintain records that indicate spousal relationships. The savings will also be impacted by the employee's choice of health insurance plan and the State cost for the plan. For example, under the health insurance plan provisions currently in effect, if married State employees were both enrolled in Wellmark Blue Advantage (the lowest cost State plan available), the cost to the State of a single plan is \$454 and the State cost of a family plan is \$1,063. So the cost of two single plans is the lowest cost option for the State. However, if one or both of the spouses has a family plan, the cost to the State would be lower if there was just one single family plan.

For Wellmark Blue Advantage: one single plan and one family plan converted to one family plan saves the State \$454. Two family plans converted to one family plan saves the State \$1,063. For Wellmark

	Deductible 3 Plus (most expensive State plan available): conversion of one single plan and one family plan to a single family plan saves the State \$760. Two family plans converted to one family plan saves the State \$1,500.
<p>2 31 Sec. 5. NEW SECTION 9.8 EMPLOYEE CLASSIFICATIONS. 2 32 In addition to public employees listed in section 20.4, 2 33 public employees of the secretary of state who hold positions 2 34 as information technology specialists are excluded from chapter 2 35 20.</p>	<p>Specifies that employees within the Office of the Secretary of State that are classified in the information technology series are excluded from the collective bargaining provisions under Chapter 20 of the Iowa Code.</p>
	<p>DETAIL: The Secretary of State's Office currently has 2.00 FTE positions classified under the information technology job classification series.</p> <p>FISCAL IMPACT: No fiscal impact anticipated.</p>
<p>3 1 Sec. 6. Section 97B.1A, subsection 26, paragraph a, 3 2 subparagraph (1), subparagraph division (d), Code Supplement 3 3 2011, is amended to read as follows: 3 4 (d) For a member of the general assembly, the total 3 5 compensation received by a member of the general assembly, 3 6 whether paid in the form of per diem or annual salary, 3 7 exclusive of expense expenses, per diem, and travel allowances 3 8 paid to a member of the general assembly except as otherwise 3 9 provided in this subparagraph division. Wages includes per 3 10 diem payments paid to members of the general assembly during 3 11 interim periods between sessions of the general assembly. 3 12 Wages also includes daily allowances to members of the general 3 13 assembly for nontravel expenses of office during a session of 3 14 the general assembly, but does not include the portion of the 3 15 daily allowance which exceeds the maximum established by law 3 16 for members from Polk county.</p>	<p>CODE: Eliminates the inclusion as Iowa Public Employees Retirement System (IPERS) covered wages for the purpose of determining contributions from the employer and the employee, and the payment of benefits for members of the General Assembly, interim per diem payments, and session daily allowance payments.</p> <p>FISCAL IMPACT: Savings will result to the General Fund due to the reduction in the employer's share of IPERS contribution. The savings is estimated to be \$178,775 annually (\$13,747 per legislator times the IPERS employer rate of 8.67% effective July 1, 2012).</p>
<p>3 17 Sec. 7. Section 97B.1A, subsection 26, paragraph a, 3 18 subparagraph (2), subparagraph divisions (h) and (i), Code 3 19 Supplement 2011, are amended to read as follows: 3 20 (h) Reimbursements of employee business expenses except for 3 21 those expenses included as wages for a member of the general 3 22 assembly. 3 23 (i) Payments for allowances except for those allowances 3 24 included as wages for a member of the general assembly.</p>	
<p>3 25 Sec. 8. GROUP HEALTH INSURANCE COVERAGE FOR STATE 3 26 EMPLOYEES.</p>	
<p>3 27 1. The state's executive and judicial branch authorities</p>	<p>Requires the Executive Branch and Judicial Branch authorities to</p>

3 28 responsible for negotiating the collective bargaining
 3 29 agreements entered into under chapter 20 shall engage in
 3 30 discussions with the applicable state employee organizations
 3 31 to renegotiate provisions involving health insurance coverage
 3 32 of state employees and their families in order to achieve cost
 3 33 savings for the state. The discussions shall include but
 3 34 are not limited to a requirement for a state employee who is
 3 35 covered by a collective bargaining agreement and whose spouse
 4 1 is also a state employee, where both the state employee covered
 4 2 by the agreement and the spouse are members of a state group
 4 3 health insurance plan for employees of the state established
 4 4 under chapter 509A, to enroll in a single family group health
 4 5 insurance plan for both state employees.

4 6 2. If collective bargaining agreements are renegotiated
 4 7 to achieve cost savings pursuant to subsection 1, the cost
 4 8 savings provisions shall also apply to state employees who are
 4 9 not covered by collective bargaining as provided in chapter
 4 10 20 and are members of a state group health insurance plan for
 4 11 employees of the state established under chapter 509A.

4 12 3. Beginning on the effective date of this section, a state
 4 13 legislator or legislative staff member whose spouse is a state
 4 14 employee, where both employees are members of a state group
 4 15 health insurance plan for employees of the state established
 4 16 under chapter 509A, shall be required to enroll in a single
 4 17 family group health insurance plan for both employees.

4 18 Sec. 9. DEPARTMENT OF ADMINISTRATIVE SERVICES —
 4 19 HUMAN RESOURCES ADMINISTRATION STUDY. The department of
 4 20 administrative services shall conduct a study to examine the
 4 21 feasibility of issuing a request for proposals to enter into
 4 22 a contract with a private entity for the provision of human
 4 23 resources services provided by the department of administrative
 4 24 services for state employees, to include management of
 4 25 human resources, employee benefits, payroll, payroll tax
 4 26 administration, and workers' compensation. The study shall
 4 27 identify potential cost savings, legal requirements, and other
 4 28 relevant issues, in considering entering into a contract with a
 4 29 private entity for the provision of human resources services
 4 30 for state employees. The department shall submit a report to

engage in discussions with the State employee unions concerning renegotiations involving health insurance coverage of State employees and their families to reduce costs to the State. The discussions are to include but not be limited to requiring employees that are married, and both spouses work for the State and are covered under a collective bargaining agreement, to have a single family health insurance policy rather than two separate policies.

FISCAL IMPACT: Savings will be contingent on completion of renegotiations.

Requires the health insurance provisions that apply to covered employees to also apply to noncovered employees if collective bargaining agreements are renegotiated and a cost savings is achieved.

Requires legislators and legislative staff that have spouses that are State employees, and both are members of a State group health insurance plan, to enroll in a single family group health insurance plan for both employees. This Subsection is effective on enactment for legislators and legislative staff regardless of any change in collective bargaining agreements.

FISCAL IMPACT: The fiscal impact cannot be determined because the State does not maintain records that indicate spousal relationships, unless the two State employees have selected a double spouse family plan.

Requires the DAS to study the feasibility of contracting with a private company to provide human resources services for State employees. The proposal is to include management of human resources, employee benefits, payroll, payroll tax administration, and workers' compensation. Requires the DAS to submit a report to the General Assembly by January 1, 2013.

FISCAL IMPACT: The DAS has received information from private sector consultants indicating that a feasibility study would cost \$200,000 to \$300,000.

4 31 the general assembly detailing the results of its study by
4 32 January 1, 2013.

4 33 Sec. 10. APPLICABILITY. The section of this division
4 34 of this Act enacting section 8A.440, applies to collective
4 35 bargaining agreements entered into on or after the effective
5 1 date of that section of this division of this Act.

5 2 Sec. 11. EFFECTIVE UPON ENACTMENT. The following sections
5 3 of this division of this Act, being deemed of immediate
5 4 importance, take effect upon enactment:
5 5 1. The section of this division enacting section 8A.440.
5 6 2. The section of this division relating to group health
5 7 insurance coverage for state employees.
5 8 3. The section of this division relating to applicability.

5 9 DIVISION III
5 10 MEDICATION THERAPY MANAGEMENT

5 11 Sec. 12. NEW SECTION 8A.441 MEDICATION THERAPY MANAGEMENT.

5 12 1. As used in this section, unless the context otherwise
5 13 requires:

5 14 a. "Eligible employee" means an employee of the state, with
5 15 the exception of an employee of the state board of regents or
5 16 institutions under the state board of regents, for whom group
5 17 health plans are established pursuant to chapter 509A providing
5 18 for third-party payment or prepayment for health or medical
5 19 expenses.

5 20 b. "Medication therapy management" means a systematic
5 21 process performed by a licensed pharmacist, designed to improve
5 22 quality outcomes for patients and lower health care costs,
5 23 including emergency room, hospital, provider, and other costs,
5 24 by optimizing appropriate medication use linked directly to
5 25 achievement of the clinical goals of therapy. Medication
5 26 therapy management shall include all of the following services:

5 27 (1) A medication therapy review and in-person consultation
5 28 relating to all medications, vitamins, and herbal supplements
5 29 currently being taken by an eligible individual.

5 30 (2) A medication action plan, subject to the limitations
5 31 specified in this section, communicated to the individual and
5 32 the individual's primary care physician or other appropriate
5 33 prescriber to address issues including appropriateness,
5 34 effectiveness, safety, drug interactions, and adherence. The
5 35 medication action plan may include drug therapy recommendations

Specifies that the Section of this Bill codifying the requirement that married State employees utilize a single-family health insurance plan, applies to collective bargaining agreements that take effect after the effective of that Section.

The following provisions are effective on enactment:

- The Section codifying the requirement that married State employees utilize a single-family health insurance plan.
- The Section requiring the Executive Branch to pursue renegotiations of collective bargaining agreements in regard to group health insurance premium costs for State employees.
- The applicability provision in Section 10.

Establishes the Medication Therapy Management (MTM) Program for State employees, excluding 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.

6 1 to prescribers that are needed to meet clinical goals and
 6 2 achieve optimal patient outcomes.
 6 3 (3) Documentation and follow-up to ensure consistent levels
 6 4 of pharmacy services and positive outcomes.

This provision could potentially result is similar cost avoidance/savings to the State.

NOTE: Senate File 2313 (Administration and Regulation Appropriations Bill) transfers \$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.

6 5 2. a. The department shall utilize a request for proposals
 6 6 process and shall enter into a contract for the provision of
 6 7 medication therapy management services for eligible employees
 6 8 who meet any of the following criteria:

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

6 9 (1) An individual who takes four or more prescription drugs
 6 10 to treat or prevent two or more chronic medical conditions.

6 11 (2) An individual with a prescription drug therapy problem
 6 12 who is identified by the prescribing physician or other
 6 13 appropriate prescriber, and referred to a pharmacist for
 6 14 medication therapy management services.

6 15 (3) An individual who meets other criteria established by
 6 16 the third-party payment provider contract, policy, or plan.

6 17 b. The contract shall require the entity to provide annual
 6 18 reports to the general assembly detailing the costs, savings,
 6 19 estimated cost avoidance and return on investment, and improved
 6 20 patient outcomes related to the medication therapy management
 6 21 services provided. The entity shall guarantee demonstrated
 6 22 annual savings for overall health care costs, including
 6 23 emergency room, hospital, provider, and other costs, with
 6 24 savings including associated cost avoidance, at least equal
 6 25 to the program's costs with any shortfall amount refunded to
 6 26 the state. The contract shall include terms, conditions,
 6 27 and applicable measurement standards associated with the
 6 28 demonstration of savings. The department shall verify the
 6 29 demonstrated savings reported by the entity were achieved in
 6 30 accordance with the agreed upon measurement standards. The
 6 31 entity shall be prohibited from using the entity's employees to
 6 32 provide the medication therapy management services and shall
 6 33 instead be required to contract with licensed pharmacies,
 6 34 pharmacists, or physicians.

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.

6 35 c. The department may establish an advisory committee
 7 1 comprised of an equal number of physicians and pharmacists
 7 2 to provide advice and oversight in evaluating the results of
 7 3 the program. The department shall appoint the members of the

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.

7 4 advisory committee based upon designees of the Iowa pharmacy
7 5 association, the Iowa medical society, and the Iowa osteopathic
7 6 medical association.

7 7 d. The fees for pharmacist-delivered medication therapy
7 8 management services shall be separate from the reimbursement
7 9 for prescription drug product or dispensing services; shall
7 10 be determined by each third-party payment provider contract,
7 11 policy, or plan; and must be reasonable based on the resources
7 12 and time required to provide the service.

7 13 e. A fee shall be established for physician reimbursement
7 14 for services delivered for medication therapy management as
7 15 determined by each third-party payment provider contract,
7 16 policy, or plan, and must be reasonable based on the resources
7 17 and time required to provide the service.

7 18 f. If any part of the medication therapy management
7 19 plan developed by a pharmacist incorporates services which
7 20 are outside the pharmacist's independent scope of practice
7 21 including the initiation of therapy, modification of dosages,
7 22 therapeutic interchange, or changes in drug therapy, the
7 23 express authorization of the individual's physician or other
7 24 appropriate prescriber is required.

7 25 Sec. 13. EFFECTIVE UPON ENACTMENT. This division of this
7 26 Act, being deemed of immediate importance, takes effect upon
7 27 enactment.

7 28 DIVISION IV
7 29 IOWA LAW ENFORCEMENT ACADEMY

7 30 Sec. 14. IOWA LAW ENFORCEMENT ACADEMY — CURRICULUM AND
7 31 COURSE EFFICIENCIES. The director of the Iowa law enforcement
7 32 academy, in consultation with the Iowa law enforcement academy
7 33 council, shall examine its course offerings to law enforcement
7 34 officers with the goal of offering core courses to all law
7 35 enforcement officers instead of offering distinct courses to
8 1 different groupings of law enforcement officers.

8 2 DIVISION V
8 3 STATE PHYSICAL RESOURCES

8 4 Sec. 15. STATE EMPLOYEE WORK ENVIRONMENT ANALYSIS
8 5 AND REPORT. By September 30, 2012, the department of
8 6 administrative services shall conduct a high level needs
8 7 analysis of state employee work stations and office standards,

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 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 Director of the Iowa Law Enforcement Academy to establish a goal of offering courses to all law enforcement officers instead of distinct courses to individual groups of law enforcement officers.

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

8 8 assessing square footage needs, and focusing on reducing
 8 9 state office space costs while creating healthy, productive,
 8 10 and efficient work environments. Overall objectives of the
 8 11 analysis shall include improving employee density; properly
 8 12 allocating space for individual and group work; improving
 8 13 worker health and safety; improving technology integration;
 8 14 and improving energy efficiency and sustainability in
 8 15 state offices. The department shall submit findings and
 8 16 recommendations to the capitol planning commission and to the
 8 17 legislative government oversight committees by October 30,
 8 18 2012.

8 19 Sec. 16. DEPARTMENT OF NATURAL RESOURCES — REAL PROPERTY
 8 20 INVENTORY AND REPORT.

8 21 1. The department of natural resources shall conduct
 8 22 an inventory of all real property under the control of the
 8 23 department and shall submit a report to the general assembly
 8 24 providing detailed information relative to this inventory by
 8 25 January 1, 2013.

8 26 2. The inventory and report submitted by the department
 8 27 shall include all of the following information concerning real
 8 28 property owned by or under the control of the department of
 8 29 natural resources:

8 30 a. The location and acreage of each parcel of real property.

8 31 b. The approximate fair market value of each parcel of real
 8 32 property.

8 33 c. Current utilization of each parcel of real property, to
 8 34 include whether the land has been used for farming, hunting, or
 8 35 other recreational purposes, and the extent of each use for a
 9 1 particular purpose in the previous five years.

9 2 d. Information on whether a particular parcel of real
 9 3 property is leased and if the parcel is leased, information
 9 4 on the process used to lease the property and the terms of
 9 5 the lease, including the length of the lease, rental payment
 9 6 requirements, and any other provisions relative to terminating
 9 7 or extending the lease.

9 8 e. How the department acquired each parcel of real property,
 9 9 such as through gift, devise, or purchase by the department,
 9 10 and whether any restrictions exist on the department's ability
 9 11 to sell the real property.

9 12 Sec. 17. NEW SECTION 455A.14 AGRICULTURAL LAND —
 9 13 RESTRICTIONS.

9 14 The department shall not purchase real property that is
 9 15 agricultural land as defined in section 9H.1.

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 Government Oversight 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.

Requires the Department of Natural Resources (DNR) to conduct an
 inventory of real estate under the control of the Department and submit
 a report to the General Assembly by January 1, 2013. The inventory is
 to include the following:

- The location and number of acres of each parcel.
- The estimated fair market value of each parcel.
- How each parcel is being used.
- Information concerning any leases associated with each parcel.
- How each parcel was acquired and any restrictions associated
 with selling the property.

FISCAL IMPACT: The DNR estimates that approximating the fair
 market value for each parcel of property will cost an estimated
 \$457,500 for salaries and support of 3.25 FTE positions to conduct the
 valuations in FY 2013.

The DNR also indicated that the information for the remaining
 reporting requirements in this Section is currently available and can be
 provided with existing resources.

CODE: Prohibits the DNR from purchasing agricultural land.

9 16 Sec. 18. EFFECTIVE UPON ENACTMENT. This division of this
 9 17 Act, being deemed of immediate importance, takes effect upon
 9 18 enactment.

This Division is effective on enactment.

9 19 DIVISION VI
 9 20 FILM PROJECT AND TAX CREDIT PROGRAM

9 21 Sec. 19. Section 2.48, subsection 3, paragraph c,
 9 22 subparagraph (5), Code 2011, is amended by striking the
 9 23 subparagraph.

9 24 Sec. 20. Section 15.119, subsection 2, paragraph b, Code
 9 25 Supplement 2011, is amended by striking the paragraph.

9 26 Sec. 21. Section 422.7, subsection 52, Code Supplement
 9 27 2011, is amended by striking the subsection.

9 28 Sec. 22. Section 422.33, subsections 23 and 24, Code
 9 29 Supplement 2011, are amended by striking the subsections.

9 30 Sec. 23. Section 422.35, subsection 23, Code Supplement
 9 31 2011, is amended by striking the subsection.

9 32 Sec. 24. Section 422.60, subsections 10 and 11, Code
 9 33 Supplement 2011, are amended by striking the subsections.

9 34 Sec. 25. Section 533.329, subsection 2, paragraphs f and g,
 9 35 Code Supplement 2011, are amended by striking the paragraphs.

10 1 Sec. 26. REPEAL. Sections 15.391, 15.392, 15.393, 422.11T,
 10 2 422.11U, 432.12J, and 432.12K, Code and Code Supplement 2011,
 10 3 are repealed.

10 4 Sec. 27. EFFECTIVE UPON ENACTMENT. This division of this
 10 5 Act, being deemed of immediate importance, takes effect upon
 10 6 enactment.

10 7 Sec. 28. RETROACTIVE APPLICABILITY. This division of this
 10 8 Act applies retroactively to January 1, 2012, for tax years
 10 9 beginning on or after that date.

10 10 Sec. 29. APPLICABILITY. This division of this Act does not
 10 11 apply to contracts or agreements entered into on or before the
 10 12 effective date of this division of this Act.

10 13 DIVISION VII
 10 14 HUMAN SERVICES — FOOD ASSISTANCE PROGRAM

10 15 Sec. 30. FOOD ASSISTANCE PROGRAM — AUTHORITY TO RESTRICT
 10 16 USE OF BENEFITS. The department of human services shall submit
 10 17 a request to the United States department of agriculture for
 10 18 authorization for a waiver, pilot project, or other approach
 10 19 for restricting the use of food assistance benefits, as
 10 20 administered by the state under the federal supplemental
 10 21 nutrition assistance program, for food items with a low
 10 22 nutritional value. The request shall be submitted within 60
 10 23 days of the effective date of this division of this Act. The

CODE: This Division repeals the Film, Television, and Video Project Promotion Program and makes conforming changes throughout the Code. The repeal is effective on enactment and applies retroactively to January 1, 2012. Specifies that this Division does not apply to contracts or agreements entered into on or before the effective date of this Bill.

FISCAL IMPACT: This Division will not result in savings to the General Fund. The Film, Television, and Video Project Credit is currently suspended and is one of several tax credits subject to an aggregate spending cap. It is anticipated that the aggregate tax credit cap will be reached with or without the Film Tax Credit and no State savings are anticipated.

Requires the Department of Human Services (DHS) to request a waiver from the U.S. Department of Agriculture to authorize the DHS to restrict the use of food assistance benefits under the Federal Supplemental Nutrition Assistance Program for food with a low nutritional value. Requires the request to be submitted within 60 days of the effective date of this Division and requires the DHS to regularly report the status of the request to the Health and Human Services Appropriations Subcommittee and the Legislative Services Agency. This Division is effective on enactment.

10 24 department shall regularly report on the status of the request
 10 25 to the members of the joint appropriations subcommittee on
 10 26 health and human services and the legislative services agency.
 10 27 Sec. 31. EFFECTIVE UPON ENACTMENT. This division of this
 10 28 Act, being deemed of immediate importance, takes effect upon
 10 29 enactment.

FISCAL IMPACT: No fiscal impact.

10 30 DIVISION VIII
 10 31 MENTAL HEALTH SERVICES

10 32 Sec. 32. Section 225C.6, subsection 1, paragraph k, Code
 10 33 Supplement 2011, is amended to read as follows:
 10 34 k. Coordinate activities with the governor's developmental
 10 35 disabilities council and the mental health planning council,
 11 1 created pursuant to federal law. The commission shall receive
 11 2 any official reports from the two councils and shall consider
 11 3 any recommendations made in the reports. The commission shall
 11 4 work with other state agencies on coordinating, collaborating,
 11 5 and communicating concerning activities involving persons with
 11 6 disabilities.

CODE: Eliminates the Risk Pool Board and transfers the Board's responsibilities to the Mental Health and Disability Services Commission. Permits the Commission to appoint a Risk Pool Advisory Committee to make recommendations to the Commission concerning Risk Pool Board decisions.

DETAIL: The Risk Pool Board is comprised of nine members. Five of the members are county representatives and their expenses are paid by the county of origin. The other four members are statewide appointments and their expenses are paid by the State.

11 7 Sec. 33. Section 426B.5, subsection 2, paragraph c, Code
 11 8 Supplement 2011, is amended to read as follows:
 11 9 c.—A The mental health and disability services commission
 11 10 created in section 225C.5 shall serve as the risk pool board
 11 11 is created and shall fulfill the duties of the risk pool board
 11 12 in accordance with this section. ~~The board shall consist of~~
 11 13 ~~two county supervisors, two county auditors, a member of the~~
 11 14 ~~mental health and disability services commission who is not a~~
 11 15 ~~member of a county board of supervisors, a member of the county~~
 11 16 ~~finance committee created in chapter 333A who is not an elected~~
 11 17 ~~official, a representative of a provider of mental health or~~
 11 18 ~~developmental disabilities services selected from nominees~~
 11 19 ~~submitted by the Iowa association of community providers, and~~
 11 20 ~~two central point of coordination process administrators,~~
 11 21 ~~all appointed by the governor, and one member appointed by~~
 11 22 ~~the director of human services. All members appointed by~~
 11 23 ~~the governor shall be subject to confirmation by the senate.~~
 11 24 ~~Members shall serve for three year terms. A vacancy shall~~
 11 25 ~~be filled in the same manner as the original appointment.~~
 11 26 ~~Expenses and other costs of the risk pool board members~~
 11 27 ~~representing counties shall be paid by the county of origin.~~
 11 28 ~~Expenses and other costs of risk pool board members who do~~
 11 29 ~~not represent counties shall be paid from a source determined~~
 11 30 ~~by the governor. The mental health and disability services~~
 11 31 ~~commission may appoint a risk pool advisory committee which may~~
 11 32 ~~include the interests comprising the risk pool board under this~~
 11 33 ~~section, Code 2011, to make recommendations to the commission~~

FISCAL IMPACT: Minimal fiscal impact.

11 34 regarding the risk pool board decisions and other functions
 11 35 required by this section. Staff assistance ~~to the~~ for risk
 12 1 pool board decision making shall be provided by the department
 12 2 of human services and counties. Actuarial expenses and other
 12 3 direct administrative costs shall be charged to the pool.

12 4 DIVISION IX
 12 5 ELECTRONIC COMMUNICATIONS

12 6 Sec. 34. Section 22.7, Code Supplement 2011, is amended by
 12 7 adding the following new subsection:
 12 8 NEW SUBSECTION 65. Electronic mail addresses of
 12 9 individuals collected by state departments and agencies for the
 12 10 purpose of electronic communications.

CODE: Adds electronic mail 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.

12 11 Sec. 35. STATE DEPARTMENT AND AGENCY LIMITATIONS ON
 12 12 MAIL. Notwithstanding any provision of the law to the
 12 13 contrary, a state department or agency shall provide
 12 14 departmental or agency notices or information through the
 12 15 department's or agency's internet site or through electronic
 12 16 mail to the fullest extent possible. This requirement shall
 12 17 not apply to department and agency communications required for
 12 18 purposes of pursuing legal action or to comply with federal
 12 19 law. Departments and agencies shall have rulemaking authority
 12 20 to implement this section and to collect electronic mail
 12 21 addresses for the purpose of electronic communications.

Requires State agencies to distribute notices and information through the agencies' Internet site or through electronic mail 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.

12 22 DIVISION X
 12 23 STATE RECORDS

12 24 Sec. 36. Section 96.11, subsection 11, Code 2011, is amended
 12 25 to read as follows:
 12 26 11. DESTRUCTION OF RECORDS. The department may destroy
 12 27 or dispose of such original reports or records as have been
 12 28 properly recorded or summarized in the permanent records of
 12 29 the department and are deemed by the director and the ~~state~~
 12 30 ~~records commission~~ department of cultural affairs to be no
 12 31 longer necessary to the proper administration of this chapter.
 12 32 Wage records of the individual worker or transcripts therefrom
 12 33 may be destroyed or disposed of, if approved by the ~~state~~
 12 34 ~~records commission~~ department of cultural affairs, two years
 12 35 after the expiration of the period covered by such wage records
 13 1 or upon proof of the death of the worker. Such destruction
 13 2 or disposition shall be made only by order of the director in
 13 3 consultation with the ~~state records commission~~ department of
 13 4 cultural affairs. Any moneys received from the disposition of
 13 5 such records shall be deposited to the credit of the employment

CODE: This Division repeals the State Records Commission and transfers the responsibilities to the Department of Cultural Affairs. Sections 36 - 42 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 Division X is enacted.

13 6 security administration fund, subject to rules promulgated by
 13 7 the department.
 13 8 Sec. 37. Section 305.2, subsection 2, Code 2011, is amended
 13 9 to read as follows:
 13 10 2. "Archives" means records that have been appraised by
 13 11 the ~~state records commission~~ department as having sufficient
 13 12 historical, research, evidential, or informational value to
 13 13 warrant permanent preservation and that have been transferred
 13 14 to the custody of the state archives.
 13 15 Sec. 38. Section 305.2, subsections 3 and 5, Code 2011, are
 13 16 amended by striking the subsections.
 13 17 Sec. 39. Section 305.2, Code 2011, is amended by adding the
 13 18 following new subsection:
 13 19 NEW SUBSECTION 4A. "Department" means the department of
 13 20 cultural affairs.
 13 21 Sec. 40. Section 305.2, subsection 10, Code 2011, is amended
 13 22 to read as follows:
 13 23 10. "Records series retention and disposition schedule"
 13 24 means a timetable established by the ~~state records commission~~
 13 25 department that describes the length of time a records series
 13 26 of an agency or multiple agencies must be retained in active
 13 27 and inactive status and provides authorization for a final
 13 28 disposition of the records series by destruction or permanent
 13 29 retention.
 13 30 Sec. 41. Section 305.4, unnumbered paragraph 1, Code 2011,
 13 31 is amended to read as follows:
 13 32 The ~~commission~~ department shall adopt government information
 13 33 policies, standards, and guidelines to do all of the following:
 13 34 Sec. 42. Section 305.8, subsection 1, unnumbered paragraph
 13 35 1, Code 2011, is amended to read as follows:
 14 1 The ~~commission~~ department shall do all of the following:
 14 2 Sec. 43. Section 305.8, subsection 1, Code 2011, is amended
 14 3 by adding the following new paragraph:
 14 4 NEW PARAGRAPH 0e. Provide training, advice, and counsel
 14 5 to agencies on government information policies, standards, and
 14 6 guidelines.
 14 7 Sec. 44. Section 305.8, subsection 1, Code 2011, is amended
 14 8 by adding the following new paragraphs:
 14 9 NEW PARAGRAPH 0f. Develop and distribute operating
 14 10 procedures for agencies to use to implement the plans,
 14 11 policies, standards, and guidelines adopted by the department.
 14 12 NEW PARAGRAPH 00f. Manage any centralized records storage
 14 13 facility established by the department for the temporary
 14 14 storage of agency records prior to their final disposition by
 14 15 destruction or permanent preservation in accordance with the

CODE: Sections 43 and 44 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.

14 16 records series retention and disposition schedules.
 14 17 NEW PARAGRAPH 000f. Appoint a state archivist to head the
 14 18 state archives and records program.
 14 19 NEW PARAGRAPH 0000f. Manage the state archives and develop
 14 20 operating procedures for the transfer, accession, arrangement,
 14 21 description, preservation, protection, and public access of
 14 22 those records the department identifies as having permanent
 14 23 value.
 14 24 NEW PARAGRAPH 00000f. Maintain physical custody and legal
 14 25 custody of archives that have been transferred and delivered
 14 26 to the state archives.
 14 27 (1) Upon receipt by the state archivist, the archives shall
 14 28 not be removed without the state archivist's consent except in
 14 29 response to a subpoena of a court of record or in accordance
 14 30 with approved records series retention and disposition
 14 31 schedules or after review and approval of the department.
 14 32 (2) Upon request, the state archivist shall make a certified
 14 33 copy of any record in the legal custody or in the physical
 14 34 custody of the state archivist, or a certified transcript
 14 35 of any record if reproduction is inappropriate because of
 15 1 legal or physical considerations. If a copy or transcript is
 15 2 properly authenticated, it has the same legal effect as though
 15 3 certified by the officer from whose office it was transferred
 15 4 or by the secretary of state. The department shall establish
 15 5 reasonable fees for certified copies or certified transcripts
 15 6 of records in the legal custody or physical custody of the
 15 7 state archivist.
 15 8 NEW PARAGRAPH 000000f. Establish, maintain, and administer
 15 9 an archive of records created and maintained in electronic
 15 10 format in order to preserve and provide public access to state
 15 11 government records identified as having permanent historical
 15 12 value by the department.

15 13 Sec. 45. Section 305.8, subsection 1, Code 2011, is amended
 15 14 by adding the following new paragraph:
 15 15 NEW PARAGRAPH 0i. Establish rates to be charged an agency
 15 16 by the department for storage and retention of records of
 15 17 the agency in a records storage facility maintained by the
 15 18 department. Rates established shall be reviewed annually by
 15 19 the department and shall be reasonably related to the cost of
 15 20 storing and retaining records of an agency.

15 21 Sec. 46. Section 305.8, subsection 2, unnumbered paragraph
 15 22 1, Code 2011, is amended to read as follows:
 15 23 The ~~commission~~ department may do all of the following:

- 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.

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

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

15 24 Sec. 47. Section 305.8, subsection 2, Code 2011, is amended
15 25 by adding the following new paragraph:
15 26 NEW PARAGRAPH 0g. Upon written consent of the state
15 27 archivist, accept records of political subdivisions that are
15 28 voluntarily transferred to the state archives.

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

15 29 Sec. 48. Section 305.8, subsection 2, paragraph e, Code
15 30 2011, is amended to read as follows:
15 31 e. Make, or cause to be made, preservation duplicates of
15 32 records, which may include existing copies of original state
15 33 records. Any preservation duplicate record shall be durable,
15 34 accurate, complete, and clear, and shall be made by means
15 35 designated by the ~~commission~~ department.

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

16 1 Sec. 49. NEW SECTION 305.8A RECORDS RETENTION AND STORAGE
16 2 COSTS — BILLING — INTERNAL SERVICE FUND.
16 3 1. The department may bill an agency for records storage
16 4 and retention services rendered by the department pursuant to
16 5 the rates established by the department for these services.
16 6 The department shall periodically render a billing statement
16 7 to an agency outlining the cost of services provided. The
16 8 amount indicated on the statement shall be paid by the agency
16 9 and amounts received by the department shall be considered
16 10 repayment receipts as defined in section 8.2, and deposited
16 11 into the accounts of the department.
16 12 2. a. The department may establish and maintain an internal
16 13 service fund in accordance with generally accepted accounting
16 14 principles, as defined in section 8.57, for the records storage
16 15 and retention activities of the department which are primarily
16 16 funded from billings to agencies for services rendered by the
16 17 department.
16 18 b. The internal service fund shall be administered by
16 19 the department and shall consist of moneys collected by the
16 20 department from billings issued in accordance with this section
16 21 and any other moneys obtained or accepted by the department,
16 22 including but not limited to gifts, loans, donations, grants,
16 23 and contributions, which are designated to support the
16 24 activities of the internal service fund.
16 25 c. The proceeds of the internal service fund established
16 26 pursuant to this section shall be used by the department
16 27 for the operations of the department in records storage and
16 28 retention consistent with this chapter.
16 29 d. Section 8.33 does not apply to any moneys in the
16 30 internal service fund established pursuant to this section.
16 31 Notwithstanding section 12C.7, subsection 2, interest or
16 32 earnings on moneys deposited in the fund shall be credited to

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.

16 33 the fund.
 16 34 e. The director of the department shall annually provide
 16 35 financial information and reports relative to the internal
 17 1 service fund established pursuant to this section to the
 17 2 department of management and the general assembly. The
 17 3 information provided may include the recommendation that a
 17 4 portion of unexpended net income be periodically returned to
 17 5 the appropriate funding source.

17 6 Sec. 50. Section 305.10, subsection 1, paragraphs c, d, e,
 17 7 f, and j, Code 2011, are amended to read as follows:
 17 8 c. Cooperate with the ~~state records commission~~ department
 17 9 and the state archives and records program in the development
 17 10 and implementation of government information policies,
 17 11 standards, and guidelines, and in the development and
 17 12 implementation of records series retention and disposition
 17 13 schedules.
 17 14 d. Comply with requests from the ~~state records commission~~
 17 15 ~~or department and~~ the state archives and records program to
 17 16 examine records in the possession, constructive possession, or
 17 17 control of the agency in order to carry out the purposes of
 17 18 this chapter.
 17 19 e. Inventory agency records in accordance with ~~state~~
 17 20 ~~records commission~~ department policies to draft records series
 17 21 retention and disposition schedules.
 17 22 f. Identify vital operating records in accordance with
 17 23 the policies, standards, and guidelines of the ~~state records~~
 17 24 ~~commission~~ department.
 17 25 j. Provide for compliance with this chapter and the rules
 17 26 adopted by the ~~state records commission~~ department.

17 27 Sec. 51. Section 305.10, subsection 2, Code 2011, is amended
 17 28 to read as follows:

17 29 2. Agency heads may petition the ~~state records commission~~
 17 30 department to create or modify government information policies,
 17 31 standards, and guidelines, and to create or modify records
 17 32 series retention and disposition schedules.

17 33 Sec. 52. Section 305.11, Code 2011, is amended to read as
 17 34 follows:

17 35 305.11 TERMINATION OF STATE AGENCY — RECORDS TRANSFER.

18 1 Upon the termination of a state agency whose functions have
 18 2 not been transferred to another agency, custody of the records
 18 3 of the agency shall transfer to the ~~commission~~ department.

18 4 Sec. 53. Section 305.14, Code 2011, is amended to read as
 18 5 follows:

18 6 305.14 LIABILITY PRECLUDED.

18 7 No ~~member~~ employee of the ~~commission~~ department or head of

CODE: Sections 50 - 56 of this Bill make conforming changes that are associated with transferring the duties of the State Records Commission to the Department of Cultural Affairs.

18 8 an agency shall be held liable for damages or loss, or civil
18 9 or criminal liability, because of the destruction of public
18 10 records pursuant to the provisions of this chapter or any other
18 11 law authorizing their destruction.
18 12 Sec. 54. Section 305.15, Code 2011, is amended to read as
18 13 follows:
18 14 305.15 EXEMPTIONS — DUTIES OF STATE DEPARTMENT OF
18 15 TRANSPORTATION AND STATE BOARD OF REGENTS.
18 16 The state department of transportation and the agencies and
18 17 institutions under the control of the state board of regents
18 18 are exempt from the state records manual and the provisions of
18 19 this chapter. However, the state department of transportation
18 20 and the state board of regents shall adopt rules pursuant to
18 21 chapter 17A for their employees, agencies, and institutions
18 22 that are consistent with the objectives of this chapter.
18 23 The rules shall be approved by the ~~state records commission~~
18 24 department.
18 25 Sec. 55. Section 305.16, subsection 6, paragraph b,
18 26 subparagraph (1), Code 2011, is amended to read as follows:
18 27 (1) Serve in an advisory capacity to the ~~state records~~
18 28 ~~commission~~ department, the state archives and records program,
18 29 and other statewide archival or records agencies.
18 30 Sec. 56. Section 321.31, subsection 1, paragraph b, Code
18 31 2011, is amended to read as follows:
18 32 b. The department may make photostatic, microfilm, or other
18 33 photographic copies of certificates of title, registration
18 34 receipts, or other records, reports or documents which are
18 35 required to be retained by the department. When copies have
19 1 been made, the department may destroy the original records in
19 2 such manner as prescribed by the director. The photostatic,
19 3 microfilm, or other photographic copies, when no longer of use,
19 4 may be destroyed in the manner prescribed by the director,
19 5 subject to the approval of the ~~state records commission~~
19 6 department of cultural affairs. Photostatic, microfilm, or
19 7 other photographic copies of records shall be admissible in
19 8 evidence when duly certified and authenticated by the officer
19 9 having custody and control of the copies of records. Records
19 10 of vehicle certificates of title may be destroyed seven years
19 11 after the date of issue.

19 12 Sec. 57. REPEAL. Sections 305.3, 305.5, 305.6, 305.7, and
19 13 305.9, 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.

19 14 Sec. 58. IOWA BUILDING — CENTRALIZED RECORDS STORAGE
 19 15 FACILITY. The department of cultural affairs shall utilize the
 19 16 Iowa building as the centralized records storage facility for
 19 17 records received by the department upon the conclusion of the
 19 18 existing lease for the building currently utilized for this
 19 19 purpose. The department, in collaboration with the department
 19 20 of administrative services, shall conduct an assessment of the
 19 21 Iowa building and shall identify space within the building
 19 22 that can be utilized for this purpose. If modifications
 19 23 or renovations to the Iowa building are necessary for the
 19 24 department to utilize space in the building for a centralized
 19 25 records storage facility, the department, in collaboration with
 19 26 the department of administrative services, shall determine the
 19 27 estimated cost of the modifications or renovations needed and
 19 28 shall provide this information to the general assembly.

Requires the Department of Cultural Affairs to use the Iowa Building as the central records storage facility after the existing Records Center lease expires.

DETAIL: The current lease of the Records Center will expire on July 31, 2015. This requirement could result in a savings to the State, but would require an investment for the relocation of records and any necessary renovation costs of the Iowa Building

19 29 Sec. 59. ADMINISTRATIVE RULES — TRANSITION PROVISIONS.
 19 30 1. Any rule, regulation, form, order, or directive
 19 31 promulgated by the state records commission relative to the
 19 32 provisions of this Act in existence on the effective date of
 19 33 this division of this Act shall continue in full force and
 19 34 effect until amended, repealed, or supplemented by affirmative
 19 35 action of the department of cultural affairs under the duties
 20 1 and powers established in this division of this Act and under
 20 2 the procedure established in subsection 2.
 20 3 2. In regard to updating references and format in the Iowa
 20 4 administrative code in order to correspond to the transferring
 20 5 of duties as established in this division of this Act, the
 20 6 administrative rules coordinator and the administrative rules
 20 7 review committee, in consultation with the administrative code
 20 8 editor, shall jointly develop a schedule for the necessary
 20 9 updating of the Iowa administrative code.

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.

20 10 DIVISION XI
 20 11 LOCAL GOVERNMENT

20 12 Sec. 60. Section 39.2, subsection 4, paragraph c, Code 2011,
 20 13 is amended to read as follows:
 20 14 c. For a school district or merged area, in the odd-numbered
 20 15 year, the first Tuesday in February, the first Tuesday in
 20 16 April, the last Tuesday in June, or the ~~second~~ first Tuesday
 20 17 ~~in September after the first Monday in November.~~ For a school
 20 18 district or merged area, in the even-numbered year, the first
 20 19 Tuesday in February, the first Tuesday in April, the second
 20 20 Tuesday in September, or the first Tuesday in December.
 20 21 Sec. 61. Section 260C.12, subsection 1, Code 2011, is

CODE: This Division changes the date of regular school elections for local school districts, merged areas, and area education agencies to the date of regular city elections in odd numbered years. This Division also makes corresponding statutory changes necessary to reflect the change in election dates, such as election publication dates and organizational board meeting dates. This Division takes effect on January 1, 2014.

DETAIL: The costs for local governments will be reduced by an estimated \$2,000,000 in each even numbered fiscal year, beginning

with FY 2016, for the elections that take place in calendar year 2015.

20 22 amended to read as follows:

20 23 1. The board of directors of the merged area shall organize
20 24 at the first regular meeting in ~~October~~ December following the
20 25 regular school election. Organization of the board shall be
20 26 effected by the election of a president and other officers from
20 27 the board membership as board members determine. The board
20 28 of directors shall appoint a secretary and a treasurer who
20 29 shall each give bond as prescribed in section 291.2 and who
20 30 shall each receive the salary determined by the board. The
20 31 secretary and treasurer shall perform duties under chapter 291
20 32 and additional duties the board of directors deems necessary.
20 33 However, the board may appoint one person to serve as the
20 34 secretary and treasurer. If one person serves as the secretary
20 35 and treasurer, only one bond is necessary for that person. The
21 1 frequency of meetings other than organizational meetings shall
21 2 be as determined by the board of directors but the president
21 3 or a majority of the members may call a special meeting at any
21 4 time.

21 5 Sec. 62. Section 260C.13, subsection 1, Code 2011, is
21 6 amended to read as follows:

21 7 1. The board of a merged area may change the number of
21 8 directors on the board and shall make corresponding changes
21 9 in the boundaries of director districts. Changes shall be
21 10 completed not later than ~~June~~ August 1 of the year of the
21 11 regular school election. As soon as possible after adoption
21 12 of the boundary changes, notice of changes in the director
21 13 district boundaries shall be submitted by the merged area to
21 14 the county commissioner of elections in all counties included
21 15 in whole or in part in the merged area.

21 16 Sec. 63. Section 273.8, subsection 2, paragraphs a and b,
21 17 Code 2011, are amended to read as follows:

21 18 a. Notice of the election shall be published by the area
21 19 education agency administrator not later than ~~July~~ September 15
21 20 of the odd-numbered year in at least one newspaper of general
21 21 circulation in the director district. The cost of publication
21 22 shall be paid by the area education agency.

21 23 b. A candidate for election to the area education agency
21 24 board shall file a statement of candidacy with the area
21 25 education agency secretary not later than ~~August~~ October 15 of
21 26 the odd-numbered year, on forms prescribed by the department
21 27 of education. The statement of candidacy shall include the
21 28 candidate's name, address, and school district. The list of
21 29 candidates shall be sent by the secretary of the area education
21 30 agency in ballot form by certified mail to the presidents of
21 31 the boards of directors of all school districts within the
21 32 director district not later than ~~September~~ November 1. In

21 33 order for the ballot to be counted, the ballot must be received
21 34 in the secretary's office by the end of the normal business
21 35 day on ~~September~~ November 30 or be clearly postmarked by an
22 1 officially authorized postal service not later than ~~September~~
22 2 November 29 and received by the secretary not later than noon
22 3 on the first Monday following ~~September~~ November 30.

22 4 Sec. 64. Section 273.8, subsection 4, paragraph a, Code
22 5 2011, is amended to read as follows:

22 6 a. The board of directors of each area education agency
22 7 shall meet and organize at the first regular meeting in ~~October~~
22 8 December following the regular school election at a suitable
22 9 place designated by the president. Directors whose terms
22 10 commence at the organizational meeting shall qualify by taking
22 11 the oath of office required by section 277.28 at or before the
22 12 organizational meeting.

22 13 Sec. 65. Section 273.8, subsection 6, Code 2011, is amended
22 14 to read as follows:

22 15 6. CHANGE IN DIRECTORS. The board of an area education
22 16 agency may change the number of directors on the board and
22 17 shall make corresponding changes in the boundaries of director
22 18 districts. Changes shall be completed not later than ~~July~~
22 19 September 1 of a ~~fiscal~~ the odd-numbered year for the director
22 20 district conventions to be held the following ~~September~~
22 21 November.

22 22 Sec. 66. Section 277.1, Code 2011, is amended to read as
22 23 follows:

22 24 277.1 REGULAR ELECTION.

22 25 The regular election shall be held biennially on the ~~second~~
22 26 first Tuesday in ~~September~~ after the first Monday in November
22 27 of each odd-numbered year in each school district for the
22 28 election of officers of the district and merged area and for
22 29 the purpose of submitting to the voters any matter authorized
22 30 by law.

22 31 Sec. 67. Section 277.20, Code 2011, is amended to read as
22 32 follows:

22 33 277.20 CANVASSING RETURNS.

22 34 ~~On the next Friday after~~ After the regular school election,
22 35 the county board of supervisors shall canvass the returns
23 1 made to the county commissioner of elections from the several
23 2 precinct polling places and the absentee ballot counting board,
23 3 ascertain the result of the voting with regard to every matter
23 4 voted upon and cause a record to be made thereof, all as
23 5 required by section 50.24. Special elections held in school
23 6 districts shall be canvassed at the time and in the manner
23 7 required by that section. The board shall declare the results
23 8 of the voting for members of boards of directors of school

23 9 corporations nominated pursuant to section 277.4, and the
 23 10 commissioner shall at once issue a certificate of election to
 23 11 each person declared elected. The board shall also declare the
 23 12 results of the voting on any public question submitted to the
 23 13 voters of a single school district, and the commissioner shall
 23 14 certify the result as required by section 50.27.

23 15 The abstracts of the votes cast for members of the board
 23 16 of directors of any merged area, and of the votes cast on any
 23 17 public question submitted to the voters of any merged area,
 23 18 shall be promptly certified by the commissioner to the county
 23 19 commissioner of elections who is responsible under section 47.2
 23 20 for conducting the elections held for that merged area.

23 21 Sec. 68. EFFECTIVE DATE. This division of this Act takes
 23 22 effect January 1, 2014.

23 23 DIVISION XII
 23 24 LOCAL GOVERNMENTS — ELECTRONIC PAYMENT

23 25 Sec. 69. LOCAL GOVERNMENTS — ELECTRONIC PAYMENT. Local
 23 26 governments shall encourage persons to pay fees and taxes
 23 27 collected by local governments by credit or debit card or
 23 28 other electronic means of payment. In authorizing payment
 23 29 by electronic means, a local government shall seek to reduce
 23 30 convenience or other handling fees charged by the local
 23 31 government if electronic means of payment are used. Handling
 23 32 or other fees charged should be limited to the actual cost of
 23 33 authorizing that means of payment and should not be utilized to
 23 34 raise additional revenue.

Requires local governments to encourage individuals to pay fees and taxes through electronic means of payment. Also encourages local governments to reduce convenience and handling fees associated with electronic payments.

23 35 DIVISION XIII
 24 1 COMMODITY ORGANIZATION AUDITS

24 2 Sec. 70. Section 182.18, subsection 1, Code 2011, is amended
 24 3 to read as follows:

24 4 1. Moneys collected under this chapter are subject to audit
 24 5 by the auditor of state and shall be used by the Iowa sheep and
 24 6 wool promotion board first for the payment of collection and
 24 7 refund expenses, second for payment of the costs and expenses
 24 8 arising in connection with conducting referendums, and third
 24 9 for the purposes identified in section 182.11, ~~and fourth for~~
 24 10 ~~the cost of audits for the auditor of state.~~ Moneys of the
 24 11 board remaining after a referendum is held at which a majority
 24 12 of the voters favor termination of the board and the assessment
 24 13 shall continue to be expended in accordance with this chapter
 24 14 until exhausted. ~~The auditor of state may seek reimbursement~~
 24 15 ~~for the cost of the audit.~~

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

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.

24 16 Sec. 71. Section 184.14, subsection 2, Code 2011, is amended
24 17 to read as follows:

24 18 2. Moneys collected, deposited in the fund, and transferred
24 19 to the council as provided in this chapter are subject to
24 20 audit by the auditor of state. ~~The auditor of state may~~
24 21 ~~seek reimbursement for the cost of the audit.~~ The moneys
24 22 transferred to the council shall be used by the council first
24 23 for the payment of collection expenses, second for payment of
24 24 the costs and expenses arising in connection with conducting
24 25 referendums, and third to perform the functions and carry out
24 26 the duties of the council as provided in this chapter, ~~and~~
24 27 ~~fourth for the cost of audits by the auditor of state.~~ Moneys
24 28 remaining after the council is abolished and the imposition of
24 29 an assessment is terminated pursuant to a referendum conducted
24 30 pursuant to section 184.5 shall continue to be expended in
24 31 accordance with this chapter until exhausted.

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

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.

24 32 Sec. 72. Section 184A.6, subsection 2, Code 2011, is amended
24 33 to read as follows:

24 34 2. The council shall expend moneys from the account first
24 35 for the payment of expenses for the collection of assessments,
25 1 ~~second and then~~ for the payment of expenses related to
25 2 conducting a referendum as provided in section 184A.12;
25 3 ~~and third for the cost of audits by the auditor of state as~~
25 4 ~~required in section 184A.9.~~ The council shall expend remaining
25 5 moneys for market development, producer education, and the
25 6 payment of refunds to producers as provided in this chapter.

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.

25 7 Sec. 73. Section 184A.9, Code 2011, is amended to read as
25 8 follows:

25 9 184A.9 AUDIT.
25 10 Moneys required to be deposited in the turkey council
25 11 account as provided in section 184A.4 shall be subject to
25 12 audit by the auditor of state. ~~The auditor of state may seek~~
25 13 ~~reimbursement for the cost of the audit from moneys deposited~~
25 14 ~~in the turkey council account.~~

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.

25 15 Sec. 74. Section 185C.26, Code 2011, is amended to read as
25 16 follows:

25 17 185C.26 DEPOSIT OF MONEYS — CORN PROMOTION FUND.
25 18 A state assessment collected by the board from a sale of corn
25 19 shall be deposited in the office of the treasurer of state in
25 20 a special fund known as the corn promotion fund. The fund may
25 21 include any gifts, rents, royalties, interest, license fees,
25 22 or a federal or state grant received by the board. Moneys
25 23 collected, deposited in the fund, and transferred to the board
25 24 as provided in this chapter shall be subject to audit by the

25 25 auditor of state. The auditor of state may seek reimbursement
 25 26 for the cost of the audit from moneys deposited in the fund as
 25 27 provided in this chapter. The department of administrative
 25 28 services shall transfer moneys from the fund to the board
 25 29 for deposit into an account established by the board in a
 25 30 qualified financial institution. The department shall transfer
 25 31 the moneys as provided in a resolution adopted by the board.
 25 32 However, the department is only required to transfer moneys
 25 33 once during each day and only during hours when the offices of
 25 34 the state are open. From moneys collected, the board shall
 25 35 first pay all the direct and indirect costs incurred by the
 26 1 secretary and the costs of referendums, elections, and other
 26 2 expenses incurred in the administration of this chapter, before
 26 3 moneys may be expended for the purpose of carrying out the
 26 4 purposes of this chapter as provided in section 185C.11.

26 5 Sec. 75. EFFECTIVE UPON ENACTMENT. This division of this
 26 6 Act, being deemed of immediate importance, takes effect upon
 26 7 enactment.

This Division is effective on enactment.

26 8 DIVISION XIV
 26 9 ONGOING PROGRAM REVIEW

26 10 Sec. 76. NEW SECTION 8.71 ONGOING PROGRAM REVIEW — REPEAL
 26 11 DATES.

CODE: Requires the State Government Efficiency Review Committee to propose legislation for consideration during the 2014 Legislative Session establishing an automatic repeal date for each program or project administered by State departments and agencies on a staggered schedule over the succeeding five-year period. Requires the Committee to consult with the Governor and the Department of Management to establish the five-year schedule. All programs or projects subsequently reauthorized by law will be subject to automatic repeal five years after reauthorization.

26 12 1. The general assembly finds that a regular review of
 26 13 the programs and projects administered by state government is
 26 14 necessary to determine whether each program and project is
 26 15 effectively and efficiently meeting the needs for which created
 26 16 and whether the needs remain applicable. The general assembly
 26 17 further finds that a regular, systematic review process can
 26 18 identify the programs and projects that are no longer relevant
 26 19 or functioning at a desirable level and can eliminate or
 26 20 reorganize those programs and projects so that state resources
 26 21 can be used most effectively or diverted to other priorities.
 26 22 2. The state government efficiency review committee
 26 23 established in section 2.69 shall propose legislation for
 26 24 consideration by the Eighty-fifth General Assembly, 2014
 26 25 session, providing a staggered schedule for establishing an
 26 26 automatic repeal date for each program or project administered
 26 27 by a department of state government over the succeeding
 26 28 five-year period. The review committee shall consult with
 26 29 the office of the governor and the department of management
 26 30 in formulating the staggered schedule and the office and
 26 31 department shall cooperate in providing necessary information
 26 32 requested by the committee. The repeal date provisions shall

FISCAL IMPACT: No fiscal impact will occur until at least FY 2015 and will be dependent on action by the General Assembly.

26 33 be implemented in a manner so that any program or project that
 26 34 is reauthorized by law is again subject to automatic repeal
 26 35 five years after reauthorization.

27 1 DIVISION XV
 27 2 IOWA JOBS BOARD

27 3 Sec. 77. Section 12.87, subsection 12, Code Supplement
 27 4 2011, is amended to read as follows:

27 5 12. Neither the treasurer of state, the ~~lowa jobs board~~
 27 6 finance authority, nor any person acting on behalf of the
 27 7 treasurer of state or the ~~lowa jobs board~~ finance authority
 27 8 while acting within the scope of their employment or agency, is
 27 9 subject to personal liability resulting from carrying out the
 27 10 powers and duties conferred by this section and sections 12.88
 27 11 through 12.90.

27 12 Sec. 78. Section 16.193, subsection 1, Code Supplement
 27 13 2011, is amended to read as follows:

27 14 ~~—1. The lowa finance authority, subject to approval by the~~
 27 15 ~~lowa jobs board,~~ shall adopt administrative rules pursuant to
 27 16 chapter 17A necessary to administer the lowa jobs program and
 27 17 lowa jobs II program. The authority shall ~~provide the board~~
 27 18 ~~with assistance in implementing administrative functions, be~~
 27 19 responsible for providing technical assistance and application
 27 20 assistance to applicants under the programs, negotiating
 27 21 contracts, and providing project follow up. ~~The authority, in~~
 27 22 ~~cooperation with the board, may conduct negotiations on behalf~~
 27 23 ~~of the board with applicants regarding terms and conditions~~
 27 24 ~~applicable to awards under the program.~~

27 25 Sec. 79. Section 16.194, subsection 2, Code 2011, is amended
 27 26 to read as follows:

27 27 2. A city or county or a public organization in this
 27 28 state may submit an application to the ~~lowa jobs board~~
 27 29 authority for financial assistance for a local infrastructure
 27 30 competitive grant for an eligible project under the program,
 27 31 notwithstanding any limitation on the state's percentage in
 27 32 funding as contained in section 29C.6, subsection 17.

27 33 Sec. 80. Section 16.194, subsection 4, unnumbered paragraph
 27 34 1, Code 2011, is amended to read as follows:

27 35 The ~~board~~ authority shall consider the following criteria in
 28 1 evaluating eligible projects to receive financial assistance
 28 2 under the program:

28 3 Sec. 81. Section 16.194, subsection 7, Code 2011, is amended
 28 4 to read as follows:

28 5 7. In order for a project to be eligible to receive
 28 6 financial assistance from the ~~board~~ authority, the project

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 diems expenses were assumed within the IFA operating budget. 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

28 7 must be a public construction project pursuant to subsection 1
 28 8 with a demonstrated substantial local, regional, or statewide
 28 9 economic impact.

28 10 Sec. 82. Section 16.194, subsection 8, unnumbered paragraph
 28 11 1, Code 2011, is amended to read as follows:

28 12 The ~~board~~ authority shall not approve an application for
 28 13 assistance for any of the following purposes:

28 14 Sec. 83. Section 16.194, subsection 9, paragraph b, Code
 28 15 2011, is amended to read as follows:

28 16 b. Any portion of an amount allocated for projects
 28 17 that remains unexpended or unencumbered one year after the
 28 18 allocation has been made may be reallocated to another project
 28 19 category, at the discretion of the ~~board~~ authority. The ~~board~~
 28 20 authority shall ensure that all bond proceeds be expended
 28 21 within three years from when the allocation was initially made.

28 22 Sec. 84. Section 16.194, subsection 10, Code 2011, is
 28 23 amended to read as follows:

28 24 10. The ~~board~~ authority shall ensure that funds obligated
 28 25 under this section are coordinated with other federal program
 28 26 funds received by the state, and that projects receiving funds
 28 27 are located in geographically diverse areas of the state.

28 28 Sec. 85. Section 16.194A, subsections 2, 7, 9, and 10, Code
 28 29 2011, are amended to read as follows:

28 30 2. A city or county in this state that applies the smart
 28 31 planning principles and guidelines pursuant to sections 18B.1
 28 32 and 18B.2 may submit an application to the ~~Iowa jobs board~~
 28 33 authority for financial assistance for a local infrastructure
 28 34 competitive grant for an eligible project under the program,
 28 35 notwithstanding any limitation on the state's percentage in
 29 1 funding as contained in section 29C.6, subsection 17.

29 2 7. In order for a project to be eligible to receive
 29 3 financial assistance from the ~~board~~ authority, the project
 29 4 must be a public construction project pursuant to subsection 1
 29 5 with a demonstrated substantial local, regional, or statewide
 29 6 economic impact.

29 7 9. Any portion of an amount allocated for projects
 29 8 that remains unexpended or unencumbered one year after the
 29 9 allocation has been made may be reallocated to another project
 29 10 category, at the discretion of the ~~board~~ authority. The ~~board~~
 29 11 authority shall ensure that all bond proceeds be expended
 29 12 within three years from when the allocation was initially made.

29 13 10. The ~~board~~ authority shall ensure that funds obligated
 29 14 under this section are coordinated with other federal program
 29 15 funds received by the state, and that projects receiving funds
 29 16 are located in geographically diverse areas of the state.

29 17 Sec. 86. Section 16.194A, subsection 4, unnumbered

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.

29 18 paragraph 1, Code 2011, is amended to read as follows:

29 19 The ~~board authority~~ shall consider the following criteria in
29 20 evaluating eligible projects to receive financial assistance
29 21 under the program:

29 22 Sec. 87. Section 16.194A, subsection 8, unnumbered
29 23 paragraph 1, Code 2011, is amended to read as follows:

29 24 The ~~board authority~~ shall not approve an application for
29 25 assistance for any of the following purposes:

29 26 Sec. 88. Section 16.195, Code Supplement 2011, is amended
29 27 to read as follows:

29 28 16.195 IOWA JOBS PROGRAM APPLICATION REVIEW.

29 29 1. Applications for assistance under the Iowa jobs program
29 30 and Iowa jobs II program shall be submitted to the ~~Iowa finance~~
29 31 ~~authority for review and approval. The authority shall provide~~
29 32 ~~a staff review and evaluation of applications to the Iowa jobs~~
29 33 ~~program review committee referred to in subsection 2 and to the~~
29 34 ~~Iowa jobs board.~~

29 35 2.—A review committee composed of members of the board
30 1 as determined by the board shall review Iowa jobs program
30 2 applications submitted to the board and make recommendations
30 3 regarding the applications to the board. When reviewing the
30 4 applications, the ~~review committee and the~~ authority shall
30 5 consider the project criteria specified in sections 16.194 and
30 6 16.194A. The ~~board authority~~ shall develop the appropriate
30 7 level of transparency regarding project fund allocations.

30 8 3. Upon approval of an application for financial assistance
30 9 under the program, the ~~board authority~~ shall notify the
30 10 treasurer of state regarding the amount of moneys needed to
30 11 satisfy the award of financial assistance and the terms of the
30 12 award. The treasurer of state shall notify the ~~Iowa finance~~
30 13 ~~authority~~ any time moneys are disbursed to a recipient of
30 14 financial assistance under the program.

30 15 Sec. 89. Section 16.196, Code 2011, is amended to read as
30 16 follows:

30 17 16.196 IOWA JOBS ~~RESTRICTED CAPITALS FUND~~ — APPROPRIATIONS.

30 18 ~~—1. An Iowa jobs restricted capitals fund is created and~~
30 19 ~~established as a separate and distinct fund in the state~~
30 20 ~~treasury. The fund consists of moneys appropriated from~~
30 21 ~~the revenue bonds capitals fund created in section 12.88.~~
30 22 ~~The moneys in the fund are appropriated to the Iowa jobs~~
30 23 ~~board for purposes of the Iowa jobs program established in~~
30 24 ~~section 16.194. Moneys in the fund shall not be subject to~~
30 25 ~~appropriation for any other purpose by the general assembly;~~
30 26 ~~but shall be used only for the purposes of the Iowa jobs~~
30 27 ~~program. The treasurer of state shall act as custodian of the~~
30 28 ~~fund and disburse moneys contained in the fund. The fund shall~~

30 29 be administered by the board which shall make allocations from
30 30 ~~the fund consistent with the purposes of the Iowa jobs program.~~
30 31 ~~—2. 1.~~ There is appropriated from the revenue bonds capitals
30 32 fund created in section 12.88, ~~to the Iowa jobs restricted~~
30 33 ~~capitals fund~~, for the fiscal year beginning July 1, 2009, and
30 34 ending June 30, 2010, one hundred sixty-five million dollars to
30 35 be allocated as follows:

31 1 a. One hundred eighteen million five hundred thousand
31 2 dollars for competitive grants for local infrastructure
31 3 projects relating to disaster rebuilding, reconstruction
31 4 and replacement of local buildings, flood control and flood
31 5 protection, and future flood prevention public projects. An
31 6 applicant for a local infrastructure grant shall not receive
31 7 more than fifty million dollars in financial assistance from
31 8 the fund.

31 9 b. Forty-six million five hundred thousand dollars for
31 10 disaster relief and mitigation and local infrastructure
31 11 grants for the following renovation and construction projects,
31 12 notwithstanding any limitation on the state's percentage
31 13 participation in funding as contained in section 29C.6,
31 14 subsection 17:

31 15 (1) For grants to a county with a population between
31 16 one hundred eighty-nine thousand and one hundred ninety-six
31 17 thousand in the latest preceding certified federal census, to
31 18 be distributed as follows:

31 19 (a) Ten million dollars for the construction of a new,
31 20 shared facility between nonprofit human service organizations
31 21 serving the public, especially the needs of low-income Iowans,
31 22 including those displaced as a result of the disaster of 2008.

31 23 (b) Five million dollars for the construction or renovation
31 24 of a facility for a county-funded workshop program serving
31 25 the public and particularly persons with mental illness or
31 26 developmental disabilities.

31 27 (2) For grants to a city with a population between one
31 28 hundred ten thousand and one hundred twenty thousand in the
31 29 latest preceding certified federal census, to be distributed
31 30 as follows:

31 31 (a) Five million dollars for an economic redevelopment
31 32 project benefiting the public by improving energy efficiency
31 33 and the development of alternative and renewable energy
31 34 technologies.

31 35 (b) Ten million dollars for a museum serving the public and
32 1 dedicated to the preservation of an eastern European cultural
32 2 heritage through the collection, exhibition, preservation, and
32 3 interpretation of historical artifacts.

32 4 (c) Five million dollars for a theater serving the public

32 5 and promoting culture, entertainment, and tourism.
32 6 (d) Five million dollars for a public library.
32 7 (e) Five million dollars for a public works building.
32 8 (3) One million five hundred thousand dollars, to be
32 9 distributed as follows:
32 10 (a) Five hundred thousand dollars to a city with a
32 11 population between six hundred and six hundred fifty in the
32 12 latest preceding certified federal census, for a public fire
32 13 station.
32 14 (b) Five hundred thousand dollars to a city with a
32 15 population between one thousand four hundred and one thousand
32 16 five hundred in the latest preceding certified federal census,
32 17 for a public fire station.
32 18 (c) Five hundred thousand dollars for a city with a
32 19 population between seven thousand eight hundred and seven
32 20 thousand eight hundred fifty, for a public fire station.
32 21 ~~3. 2.~~ Grant awards for a project under subsection 2,
32 22 paragraph "b", are contingent upon submission of a plan for
32 23 each project by the applicable county or city governing board
32 24 or in the case of a project submitted pursuant to subsection
32 25 2, paragraph "b", subparagraph (2), subparagraph division (b),
32 26 by the board of directors, to the ~~Iowa jobs board~~ authority,
32 27 no later than September 1, 2009, detailing a description of
32 28 the project, the plan to rebuild, and the amount or percentage
32 29 of federal, state, local, or private matching moneys which
32 30 will be or have been provided for the project. Funds not
32 31 utilized in accordance with subsection 2, paragraph "b", due
32 32 to failure to file a plan by the September 1 deadline shall
32 33 revert to the ~~Iowa jobs restricted~~ revenue bonds capitals fund
32 34 to be available for local infrastructure competitive grants. A
32 35 grant recipient under subsection 2, paragraph "b", shall not be
33 1 precluded from applying for a local infrastructure competitive
33 2 grant pursuant to this section and section 16.195.
33 3 ~~4. Moneys in the fund are not subject to section 8.33.~~
33 4 ~~Notwithstanding section 12C.7, subsection 2, interest or~~
33 5 ~~earnings on moneys in the fund shall be credited to the fund.~~
33 6 ~~5. 3.~~ Annually, on or before January 15 of each year, the
33 7 ~~board~~ authority shall report to the legislative services agency
33 8 and the department of management the status of all projects
33 9 receiving moneys from the fund completed or in progress. The
33 10 report shall include a description of the project, the progress
33 11 of work completed, the total estimated cost of the project, a
33 12 list of all revenue sources being used to fund the project, the
33 13 amount of funds expended, the amount of funds obligated, and
33 14 the date the project was completed or an estimated completion
33 15 date of the project, where applicable.

33 16 6. ~~4.~~ Payment of moneys appropriated from the fund shall be
 33 17 made in a manner that does not adversely affect the tax-exempt
 33 18 status of any outstanding bonds issued by the treasurer of
 33 19 state.

33 20 Sec. 90. Section 16.197, Code 2011, is amended to read as
 33 21 follows:

33 22 16.197 LIMITATION OF LIABILITY.

33 23 ~~—A member of the Iowa jobs board, a person acting on behalf of~~
 33 24 ~~the board while acting within the scope of their employment or~~
 33 25 ~~agency, The authority~~ or the treasurer of state, shall not be
 33 26 subject to personal liability resulting from carrying out the
 33 27 powers and duties of the ~~board~~ authority or the treasurer, as
 33 28 applicable, in sections ~~16.192~~ 16.193 through 16.196.

33 29 Sec. 91. IOWA JOBS BOARD — TRANSITION PROVISIONS —
 33 30 LIMITATION OF LIABILITY.

33 31 1. Any contract or agreement issued or entered into by the
 33 32 Iowa jobs board relating to the provisions of this division
 33 33 of this Act, in effect on the effective date of this division
 33 34 of this Act, shall continue in full force and effect and
 33 35 any responsibility of the board relative to the contracts or
 34 1 agreements as provided in those contracts or agreements shall
 34 2 be transferred to the Iowa finance authority.

34 3 2. A member of the Iowa jobs board or a person acting on
 34 4 behalf of the board while acting within the scope of that
 34 5 person's employment or agency shall not be subject to personal
 34 6 liability resulting from carrying out the powers and duties
 34 7 of the board prior to the effective date of this division of
 34 8 this Act, as applicable, in sections 12.87 through 12.90 and in
 34 9 sections 16.192 through 16.196, Code and Code Supplement 2011.

34 10 Sec. 92. REPEAL. Sections 16.191 and 16.192, Code
 34 11 Supplement 2011, are repealed.

34 12 DIVISION XVI
 34 13 BOARDS AND COMMISSIONS

34 14 Sec. 93. Section 34A.2A, subsection 2, Code 2011, is amended
 34 15 to read as follows:

34 16 2. The E911 program manager shall act under the supervisory
 34 17 control of the administrator of the homeland security and
 34 18 emergency management division of the department of public
 34 19 defense, and in consultation with the ~~E911 communications~~
 34 20 ~~council~~ state interoperable communications system board
 34 21 established in section 80.28, and perform the duties
 34 22 specifically set forth in this chapter and as assigned by the
 34 23 administrator.

34 24 Sec. 94. Section 34A.7A, subsection 2, paragraph h, Code

CODE: Conforming changes related to transferring the duties of the
 E911 Communications Council to the State Interoperable
 Communications System Board.

34 25 2011, is amended to read as follows:
 34 26 h. The administrator, in consultation with the program
 34 27 manager and the ~~E911 communications council~~ state interoperable
 34 28 communications system board established in section 80.28, shall
 34 29 adopt rules pursuant to chapter 17A governing the distribution
 34 30 of the surcharge collected and distributed pursuant to this
 34 31 subsection. The rules shall include provisions that all joint
 34 32 E911 service boards and the department of public safety which
 34 33 answer or service wireless E911 calls are eligible to receive
 34 34 an equitable portion of the receipts.

34 35 Sec. 95. Section 80.29, Code 2011, is amended by adding the
 35 1 following new subsection:
 35 2 NEW SUBSECTION 12A. Advise and make recommendations
 35 3 to the administrator of the homeland security and emergency
 35 4 management division of the department of public defense and
 35 5 the E911 program manager appointed pursuant to section 34A.2A
 35 6 regarding the implementation of chapter 34A. Such advice and
 35 7 recommendations shall be provided on issues at the request of
 35 8 the administrator or program manager or as deemed necessary
 35 9 by the board. However, the authority of the board as to this
 35 10 duty is limited to the issues specifically identified in this
 35 11 subsection and does not preempt the authority of the utilities
 35 12 board, created in section 474.1, to act on issues within the
 35 13 jurisdiction of the utilities board.

35 14 Sec. 96. Section 190A.3, subsection 4, Code 2011, is amended
 35 15 to read as follows:
 35 16 4. The ~~farm-to-school council~~ department of agriculture and
 35 17 land stewardship and the department of education shall actively
 35 18 seek financial or in-kind contributions from organizations or
 35 19 persons to support the program.

35 20 Sec. 97. Section 256.9, subsection 55, paragraph j, Code
 35 21 Supplement 2011, is amended by striking the paragraph.

35 22 Sec. 98. REPEAL. Section 34A.15, Code Supplement 2011, is
 35 23 repealed.

35 24 Sec. 99. REPEAL. Section 190A.2, Code 2011, is repealed.

CODE: Requires the State Interoperable Communications System Board, under the purview of the Department of Public Safety, to provide advice and recommendations to the Homeland Security and Emergency Management Division 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 99 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 E911 Communications 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.

35 25 DIVISION XVII
35 26 OBSOLETE PROVISIONS

35 27 Sec. 100. Section 84A.5, subsection 7, paragraphs a and c,
35 28 Code Supplement 2011, are amended by striking the paragraphs.

CODE: Removes references to the Iowa Conservation Corps and the Statewide Mentoring Program from the list of programs that are overseen by the Workforce Development Coordinating Committee. This change conforms to changes in this Division that repeal these Programs.

FISCAL IMPACT: No fiscal impact. These Programs have not been funded for more than 10 years.

35 29 Sec. 101. Section 97B.1A, subsection 8, paragraph b,
35 30 subparagraph (8), Code Supplement 2011, is amended by striking
35 31 the subparagraph.

CODE: Removes a reference to the Iowa Conservation Corps from the IPERS Code Chapter to conform with the repeal of the Program.

FISCAL IMPACT: No fiscal impact.

35 32 Sec. 102. REPEAL. Sections 84A.7, 84A.9, 84A.10, 303.3E,
35 33 and 303.17, Code 2011, are repealed.

CODE: Repeals the Iowa Conservation Corps, the Statewide Mentoring Program, and the New Employment Opportunity Program.

FISCAL IMPACT: No fiscal impact. These Programs have not been funded in more than 10 years.

35 34 Sec. 103. REPEAL. Section 15.112, Code Supplement 2011, is
35 35 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.

36 1 Sec. 104. REPEAL. Chapters 15C, 15D, and 28K, Code 2011,
36 2 are repealed.

CODE: Repeals the Code chapters pertaining to the State's participation in the World Trade Center, the Midwest Nuclear Compact, and the Mid-America Port Commission.

FISCAL IMPACT: No fiscal impact.

36 3 DIVISION XVIII
36 4 POLLUTION PREVENTION AND WASTE MANAGEMENT ASSISTANCE

36 5 Sec. 105. Section 455B.481, subsections 1 through 3, Code
36 6 2011, are amended to read as follows:

36 7 1. The purpose of this part is to promote the proper and
36 8 ~~safe storage, treatment, and disposal~~ management of solid,
36 9 hazardous, and low-level radioactive wastes in Iowa. The
36 10 ~~management of these wastes generated within Iowa is the~~
36 11 ~~responsibility of Iowans. It is the intent of the general~~
36 12 ~~assembly that Iowans assume this responsibility to the extent~~
36 13 ~~consistent with the protection of public health, safety, and~~
36 14 ~~the environment, and that Iowans insure that waste management~~
36 15 ~~practices, as alternatives to land disposal, including source~~
36 16 ~~reduction, recycling, compaction, incineration, and other forms~~
36 17 ~~of waste reduction, are employed.~~

36 18 —2.—It is also the intent of the general assembly that a
36 19 comprehensive waste management plan be established by the
36 20 department which includes the determination of need and
36 21 adequate regulatory controls prior to the initiation of site
36 22 selection; the process for selecting a superior site determined
36 23 to be necessary; the establishment of a process for a site
36 24 community to submit or present data, views, or arguments
36 25 regarding the selection of the operator and the technology
36 26 that best ensures proper facility operation; the prohibition
36 27 of shallow land burial of hazardous and low-level radioactive
36 28 wastes; the establishment of a regulatory framework for a
36 29 facility; and the establishment of provisions for the safe
36 30 and orderly development, operation, closure, postclosure, and
36 31 long-term monitoring and maintenance of the facility.

36 32 —3. 2.—In order to meet capacity assurance requirements
36 33 of section 104k of the federal Superfund Amendments and
36 34 Reauthorization Act of 1986, Pub.L. No.99-499, and further
36 35 the objectives of waste minimization, the The department,
37 1 in cooperation with the small business assistance center at
37 2 the university of northern Iowa, shall work with generators
37 3 of hazardous wastes in the state to develop and implement
37 4 aggressive waste minimization programs. The goal of these
37 5 programs is to reduce the volume of hazardous waste generated
37 6 in the state as a whole by twenty-five percent of the amount
37 7 generated as of January 1, 1987, as reported in the biennial
37 8 reports collected by the United States environmental protection
37 9 agency. The twenty-five percent reduction goal shall be
37 10 reached as expeditiously as possible and no later than July

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

37 11 ~~1, 1994. In meeting the reduction goal, elements "a" through~~
 37 12 ~~"d" of the hazardous waste management hierarchy shall be~~
 37 13 ~~utilized. The department, in cooperation with the small~~
 37 14 ~~business assistance center, shall reassess the twenty-five~~
 37 15 ~~percent reduction goal in 1994. The department shall promote~~
 37 16 ~~research and development, provide and promote educational~~
 37 17 ~~and informational programs, promote and encourage provide~~
 37 18 ~~confidential, voluntary technical assistance to hazardous waste~~
 37 19 ~~generators, promote assistance by the small business assistance~~
 37 20 ~~center, and promote other activities by the public and private~~
 37 21 ~~sectors that support this goal. In the promotion of the goal,~~
 37 22 ~~the following hazardous waste management pollution prevention~~
 37 23 ~~hierarchy, in descending order of preference, is established~~
 37 24 ~~by the department:~~
 37 25 a. Source reduction for waste elimination.
 37 26 b. Reuse.
 37 27 ~~c.~~ On-site recycling.
 37 28 ~~e.~~ d. Off-site recycling.
 37 29 ~~d.~~ e. Waste treatment.
 37 30 ~~e.~~ f. ~~Incineration~~ Combustion with energy recovery.
 37 31 ~~f.~~ g. Land disposal.

37 32 Sec. 106. Section 455B.481, subsections 4 and 5, Code 2011,
 37 33 are amended by striking the subsections.

CODE: Repeals reporting requirements related to recycled hazardous waste materials.

37 34 Sec. 107. Section 455B.482, Code 2011, is amended by adding
 37 35 the following new subsection:
 38 1 NEW SUBSECTION 7A. "Pollution prevention" means employment
 38 2 of a practice that reduces the industrial use of toxic
 38 3 substances or reduces the environmental and health hazards
 38 4 associated with an environmental waste without diluting or
 38 5 concentrating the waste before the release, handling, storage,
 38 6 transport, treatment, or disposal of the waste.

CODE: Adds a definition for pollution prevention as it relates to duties of the DNR.

38 7 Sec. 108. Section 455B.484, Code 2011, is amended by adding
 38 8 the following new subsection:
 38 9 NEW SUBSECTION 1A. Implement the waste management policy
 38 10 provided in section 455B.481.

CODE: Adds waste management policy to the list of duties required by the DNR.

38 11 Sec. 109. Section 455B.484, subsections 2, 3, 4, 6, 7, 9,
 38 12 and 10, Code 2011, are amended by striking the subsections.

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

38 13 Sec. 110. Section 455B.484A, subsection 1, paragraph c,
 38 14 Code 2011, is amended to read as follows:
 38 15 c. "Assistance program" means the ~~waste reduction assistance~~

CODE: Defines the DNR's assistance program as the Pollution Prevention Program.

38 16 pollution prevention program of the department or of the Iowa
38 17 waste reduction center for safe and economic management of
38 18 solid waste and hazardous substances conducted pursuant to
38 19 section 268.4.

38 20 Sec. 111. Section 455B.485, subsections 3 and 5, Code 2011,
38 21 are amended by striking the subsections.

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

38 22 Sec. 112. Section 455B.486, subsection 1, Code 2011, is
38 23 amended by striking the subsection.

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

38 24 Sec. 113. Section 455B.487, unnumbered paragraph 1, Code
38 25 2011, is amended to read as follows:

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

38 26 The commission shall adopt rules establishing criteria for
38 27 the identification of land areas or sites which are suitable
38 28 for the operation of facilities for the management of ~~hazardous~~
38 29 ~~and~~ low-level radioactive wastes. Upon request, the department
38 30 shall assist in locating suitable sites for the location of
38 31 a facility. The commission may purchase or condemn land to
38 32 be leased or used for the operation of a facility subject to
38 33 chapter 6A. Consideration for a contract for purchase of land
38 34 shall not be in excess of funds appropriated by the general
38 35 assembly for that purpose. The commission may lease land
39 1 purchased under this section to any person including the state
39 2 or a state agency. This section authorizes the state to own or
39 3 operate ~~hazardous waste facilities and~~ low-level radioactive
39 4 waste facilities, subject to the approval of the general
39 5 assembly.

39 6 Sec. 114. Section 455B.487, unnumbered paragraph 11, Code
39 7 2011, is amended by striking the unnumbered paragraph.

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

39 8 Sec. 115. Section 455B.487, subsections 1 through 3, Code
39 9 2011, are amended by striking the subsections.

39 10 Sec. 116. Section 455D.1, Code 2011, is amended by adding
39 11 the following new subsection:
39 12 NEW SUBSECTION 4A. "Pollution prevention techniques" means
39 13 any of the following practices employed by the user of a toxic
39 14 substance:
39 15 a. Input substitution, which is the replacement of a toxic
39 16 substance or raw material used in a production process with a
39 17 nontoxic or less toxic substance.
39 18 b. Product reformulation, which is the substitution of an
39 19 end product which is nontoxic or less toxic upon use or release
39 20 for an existing end product.

CODE: Outlines pollution prevention techniques for toxic substances.

<p>39 21 c. Production process redesign or modification, which is 39 22 the development and use of production processes of a different 39 23 design other than those currently in use. 39 24 d. Production process modernization, which is the upgrading 39 25 or replacing of existing production process equipment or 39 26 methods with other equipment or methods based on the same 39 27 production process. 39 28 e. Improved operation and maintenance of existing production 39 29 process equipment and methods, which is the modification or 39 30 addition to existing equipment or methods, including but not 39 31 limited to such techniques as improved housekeeping practices, 39 32 system adjustments, product and process inspections, and 39 33 production process control equipment or methods. 39 34 f. Recycling, reuse, or extended use of toxic substances by 39 35 using equipment or methods that become an integral part of the 40 1 production process.</p>	
<p>40 2 Sec. 117. Section 455D.7, subsection 1, Code 2011, is 40 3 amended to read as follows: 40 4 1. Unless otherwise specified in this chapter, adopt rules 40 5 necessary to implement this chapter pursuant to chapter 17A. 40 6 Initial rules shall be adopted no later than April 1, 1992.</p>	<p>CODE: Eliminates an outdated requirement for the DNR to adopt administrative rules as the rules have been adopted.</p>
<p>40 7 Sec. 118. Section 455D.7, subsection 4, Code 2011, is 40 8 amended by striking the subsection.</p>	<p>CODE: Eliminates the annual report for waste abatement fees, rebates, and deposits.</p>
<p>40 9 Sec. 119. Section 455D.15, subsection 2, Code Supplement 40 10 2011, is amended by striking the subsection and inserting in 40 11 lieu thereof the following: 40 12 2. The fund shall be utilized by the department for 40 13 providing technical assistance to Iowa businesses in developing 40 14 and implementing pollution prevention techniques.</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>40 15 Sec. 120. Section 455D.15, subsection 3, Code Supplement 40 16 2011, is amended by striking the subsection.</p>	<p>CODE: Repeals language related to the Waste Volume Reduction and Recycling Fund.</p>
<p>40 17 Sec. 121. Section 455E.8, subsections 2 and 3, Code 2011, 40 18 are amended by striking the subsections.</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 ground water. • Any data concerning the contamination of ground water by a contaminant not regulated under the federal Safe Drinking Water Act.
<p>40 19 Sec. 122. REPEAL. Sections 455B.516, 455B.517, and</p>	<p>CODE: Repeals language related to the Toxic Pollution Program.</p>

40 20 455B.518, Code 2011, are repealed.

40 21 DIVISION XIX

40 22 HOMELAND SECURITY AND EMERGENCY MANAGEMENT ORGANIZATION

40 23 Sec. 123. LEGISLATIVE INTENT — HOMELAND SECURITY AND
40 24 EMERGENCY MANAGEMENT ORGANIZATION. It is the intent of
40 25 the general assembly to enact legislation providing for the
40 26 establishment of a homeland security and emergency management
40 27 department separate from the department of public defense.

Specifies the intent of the General Assembly to establish the
Homeland Security and Emergency Management Division as a
separate and distinct department in State government.