

**CHAPTER 1140**

**APPROPRIATIONS — INFRASTRUCTURE AND CAPITAL PROJECTS**

*S.F. 2316*

**AN ACT** relating to and making appropriations to state departments and agencies from the rebuild Iowa infrastructure fund, the technology reinvestment fund, the endowment for Iowa’s health restricted capitals fund, and the mortgage servicing settlement fund, providing for related matters, and including effective date and retroactive applicability provisions.

*Be It Enacted by the General Assembly of the State of Iowa:*

**DIVISION I  
REBUILD IOWA INFRASTRUCTURE FUND**

Section 1. There is appropriated from the rebuild Iowa infrastructure fund to the following departments and agencies for the following fiscal years the following amounts, or so much thereof as is necessary, to be used for the purposes designated:

**1. DEPARTMENT OF ADMINISTRATIVE SERVICES**

a. For projects related to major repairs and major maintenance for state buildings and facilities:

FY 2012-2013 ..... \$ 10,250,000

The moneys appropriated in this lettered paragraph shall be used according to the department’s major maintenance project recommendation list submitted to the Governor’s vertical infrastructure advisory committee.

b. For renovations and related improvements to a cottage at the Iowa juvenile home at Toledo:

FY 2012-2013 ..... \$ 500,000

**2. DEPARTMENT OF CORRECTIONS**

For repairs and renovation of the hot water loop system at the Newton correctional facility:

FY 2012-2013 ..... \$ 425,000

**3. DEPARTMENT OF CULTURAL AFFAIRS**

a. For exterior and interior repairs and related improvements to the state historical building, including the addition of a visitor center:

FY 2012-2013 ..... \$ 1,450,000

FY 2013-2014 ..... \$ 1,000,000

b. For deposit into the Iowa great places program fund created in section 303.3D for Iowa great places program projects that meet the definition of the term “vertical infrastructure” in section 8.57, subsection 6, paragraph “c”:

FY 2012-2013 ..... \$ 1,000,000

**4. ECONOMIC DEVELOPMENT AUTHORITY**

a. For equal distribution to regional sports authority districts certified by the department pursuant to section 15E.321, notwithstanding section 8.57, subsection 6, paragraph “c”:

FY 2012-2013 ..... \$ 500,000

b. For administration and support of the world food prize including the Borlaug/Ruan scholar program, notwithstanding section 8.57, subsection 6, paragraph “c”:

FY 2012-2013 ..... \$ 100,000

c. For roof repairs, restoration of the chapel, and improvements and interior renovation to develop a collections room at the museum at Fort Des Moines:

FY 2012-2013 ..... \$ 100,000

d. For remodeling, renovations, and related improvements of a kitchen at a year-round camp for persons with disabilities in a central Iowa city with a population between one hundred ninety-five thousand and two hundred five thousand as determined by the 2010 federal decennial census:

FY 2012-2013 ..... \$ 125,000

Moneys appropriated in this lettered paragraph are contingent upon receipt of matching funds.

5. DEPARTMENT OF EDUCATION

For accelerated career education program capital projects at community colleges that are authorized under chapter 260G and that meet the definition of the term “vertical infrastructure” in section 8.57, subsection 6, paragraph “c”:

FY 2012-2013 ..... \$ 6,000,000

6. DEPARTMENT OF HUMAN SERVICES

For the renovation and construction of certain nursing facilities, consistent with the provisions of chapter 249K:

FY 2012-2013 ..... \$ 250,000

7. DEPARTMENT OF NATURAL RESOURCES

a. For implementation of lake projects that have established watershed improvement initiatives and community support in accordance with the department’s annual lake restoration plan and report, notwithstanding section 8.57, subsection 6, paragraph “c”:

FY 2012-2013 ..... \$ 6,000,000

b. For the restoration and reconstruction of a dam in a county with a population between seventeen thousand seven hundred and seventeen thousand eight hundred as determined by the 2010 federal decennial census, for a lake with public access that has the support of a benefited lake district:

FY 2012-2013 ..... \$ 2,500,000

FY 2013-2014 ..... \$ 2,500,000

The appropriations in this lettered paragraph are conditioned upon the completion of a plan by the benefited lake district to increase public access areas to the lake such as boat ramps and beaches, and to address wastewater treatment systems for homeowners in an effort to reduce pollution and increase the water quality at the lake. The plan shall be submitted to the general assembly no later than December 31, 2012.

c. For the administration of a water trails and low head dam public hazard statewide plan, including salaries, support, maintenance, and miscellaneous purposes, notwithstanding section 8.57, subsection 6, paragraph “c”:

FY 2012-2013 ..... \$ 1,000,000

8. DEPARTMENT OF PUBLIC DEFENSE

a. For major maintenance projects at national guard armories and facilities:

FY 2012-2013 ..... \$ 2,000,000

b. For construction improvement projects at statewide readiness centers:

FY 2012-2013 ..... \$ 2,050,000

c. For construction upgrades at Camp Dodge including sanitary system and sewer system improvements:

FY 2012-2013 ..... \$ 610,000

d. For renovation, repair, and related improvements at the joint forces headquarters building:

FY 2012-2013 ..... \$ 500,000

9. BOARD OF REGENTS

a. For allocation by the state board of regents to the state university of Iowa, Iowa state university of science and technology, and the university of northern Iowa to reimburse the institutions for deficiencies in the operating funds resulting from the pledging of tuition, student fees and charges, and institutional income to finance the cost of providing academic and administrative buildings and facilities and utility services at the institutions:

FY 2012-2013 ..... \$ 25,130,412

*\*b. To Iowa state university of science and technology to the college of veterinary medicine for renovations and improvements of facilities:*

FY 2012-2013 ..... \$ 400,000\*

c. To Iowa state university of science and technology to be used for the phase II expansion of a building at the science and technology research park:

FY 2012-2013 ..... \$ 1,000,000

10. DEPARTMENT OF TRANSPORTATION

a. For acquiring, constructing, and improving recreational trails within the state:

\* Item veto; see message at end of the Act

FY 2012-2013 .....	\$	3,000,000
b. For deposit into the public transit infrastructure grant fund created in section 324A.6A, for projects that meet the definition of “vertical infrastructure” in section 8.57, subsection 6, paragraph “c”:		
FY 2012-2013 .....	\$	1,500,000
c. For infrastructure improvements at the commercial service airports within the state:		
FY 2012-2013 .....	\$	1,500,000
d. For infrastructure improvements at general aviation airports within the state:		
FY 2012-2013 .....	\$	750,000
e. For deposit into the railroad revolving loan and grant fund created in section 327H.20A, notwithstanding section 8.57, subsection 6, paragraph “c”:		
FY 2012-2013 .....	\$	1,500,000
11. DEPARTMENT OF VETERANS AFFAIRS		
For a boiler replacement and related improvements at the Iowa veterans home:		
FY 2012-2013 .....	\$	975,919
12. STATE FAIR AUTHORITY		
For renovations and improvements including but not limited to the cultural center at the state fair:		
FY 2012-2013 .....	\$	250,000
FY 2013-2014 .....	\$	250,000
13. TREASURER OF STATE		
For distribution in accordance with chapter 174 to qualified fairs which belong to the association of Iowa fairs for county fair infrastructure improvements:		
FY 2012-2013 .....	\$	1,060,000

Sec. 2. REVERSION. For purposes of section 8.33, unless specifically provided otherwise, unencumbered or unobligated moneys made from an appropriation in this division of this Act shall not revert but shall remain available for expenditure for the purposes designated until the close of the fiscal year that ends three years after the end of the fiscal year for which the appropriation is made. However, if the project or projects for which such appropriation was made are completed in an earlier fiscal year, unencumbered or unobligated moneys shall revert at the close of that same fiscal year.

DIVISION II  
TECHNOLOGY REINVESTMENT FUND

Sec. 3. There is appropriated from the technology reinvestment fund created in section 8.57C to the following entities for the following fiscal years, the following amounts, or so much thereof as is necessary, to be used for the purposes designated:

1. DEPARTMENT OF CORRECTIONS		
a. For costs associated with the Iowa corrections offender network data system:		
FY 2012-2013 .....	\$	500,000
b. For the provision of land mobile radio communications equipment purchased by the department of corrections with the goal of achieving compliance with the federal communications commission’s narrowbanding mandate deadline, and for achieving interoperability as defined in section 80.28:		
FY 2012-2013 .....	\$	3,500,000

If the department of public safety enters into a public-private partnership, through a competitive bidding process, for the provision of the statewide network and the purchase of compatible equipment, the department of corrections shall join that effort.

As a condition of this appropriation, all land mobile radio communications equipment purchased by the department of corrections shall be compliant with the federal communications commission’s narrowbanding mandate and shall provide the maximum amount of statewide coverage and interoperability, throughout all phases of migration, to the department of public safety’s future statewide digital radio network utilizing P-25 standards.

2. DEPARTMENT OF CULTURAL AFFAIRS		
For providing a grant to the Grout museum district for the Sullivan brothers veterans		

museum for costs associated with the oral history exhibit including but not limited to exhibit information technology, computer connectivity, and interactive display technologies:

FY 2012-2013 .....	\$	150,000
FY 2013-2014 .....	\$	129,450

3. DEPARTMENT OF EDUCATION

a. For the continued development and implementation of an educational data warehouse that will be utilized by teachers, parents, school district administrators, area education agency staff, department of education staff, and policymakers:

FY 2012-2013 .....	\$	600,000
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The department may use a portion of the moneys appropriated in this lettered paragraph for an e-transcript data system capable of tracking students throughout their education via interconnectivity with multiple schools.

b. To the public broadcasting division for the purchase of eight high-powered transmitting tubes:

FY 2012-2013 .....	\$	320,000
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c. For maintenance and lease costs associated with connections for part III of the Iowa communications network:

FY 2013-2014 .....	\$	2,727,000
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4. DEPARTMENT OF HUMAN RIGHTS

For the cost of equipment and computer software for the continued development and implementation of Iowa’s criminal justice information system:

FY 2012-2013 .....	\$	1,714,307
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5. IOWA TELECOMMUNICATIONS AND TECHNOLOGY COMMISSION

\*a. For a comprehensive audit and appraisal, notwithstanding section 8.57C, subsection 2: FY 2012-2013 ..... \$ 500,000

*Prior to the sale or lease of the Iowa communications network, the network shall conduct a comprehensive accounting to include a complete inventory of all the components included in the network including all fiber, switching stations, end user equipment, and individual components purchased by the network and the state of Iowa since the creation of the network. The network shall then conduct an appraisal of the network to determine the market value of the assets listed in the accounting as well as the market value of the network’s current and future operations.*

*The inventory audit and appraisal shall be conducted by an independent professional firm selected through a competitive bidding process not associated with the network or any of its vendors. The selected firm shall be accredited in business valuation from either the American institute of certified public accountants or the American society of appraisers, be technology-based, and have extensive industry experience in telecommunications. In addition, the selected firm shall have experience and knowledge regarding the public markets for telecommunications companies, potential buyers of telecommunications networks, and specific attributes of telecommunications networks that impact their valuation.\**

b. For replacement of equipment for the Iowa communications network:

FY 2012-2013 .....	\$	2,198,653
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The commission may continue to enter into contracts pursuant to section 8D.13 for the replacement of equipment and for operations and maintenance costs of the network.

In addition to moneys appropriated in this lettered paragraph, the commission may use a financing agreement entered into by the treasurer of state in accordance with section 12.28 for the replacement of equipment for the network. For purposes of this lettered paragraph, the treasurer of state is not subject to the maximum principal limitation contained in section 12.28, subsection 6. Repayment of any amounts financed shall be made from receipts associated with fees charged for use of the network.

6. DEPARTMENT OF MANAGEMENT

a. For the continued development and implementation of a searchable database that can be placed on the internet for budget and financial information:

FY 2012-2013 .....	\$	45,000
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b. For completion of the comprehensive electronic grant management system:

\* Item veto; see message at end of the Act

FY 2012-2013 .....	\$	125,000
7. IOWA JUDICIAL BRANCH		
For costs associated with the continued development and implementation of the electronic document management system:		
FY 2012-2013 .....	\$	1,000,000
FY 2013-2014 .....	\$	3,000,000

Sec. 4. REVERSION. For purposes of section 8.33, unless specifically provided otherwise, unencumbered or unobligated moneys made from an appropriation in this division of this Act shall not revert but shall remain available for expenditure for the purposes designated until the close of the fiscal year that ends three years after the end of the fiscal year for which the appropriation was made. However, if the project or projects for which such appropriation was made are completed in an earlier fiscal year, unencumbered or unobligated moneys shall revert at the close of that same fiscal year.

DIVISION III

ENDOWMENT FOR IOWA'S HEALTH RESTRICTED CAPITALS FUND ACCOUNT — APPROPRIATION

Sec. 5. ENDOWMENT FOR IOWA'S HEALTH RESTRICTED CAPITALS FUND ACCOUNT. There is appropriated from the endowment for Iowa's health restricted capitals fund account to the department of corrections for the fiscal year beginning July 1, 2012, and ending June 30, 2013, the following amount, or so much thereof as is necessary, to be used for the purpose designated:

For the construction project and one-time furniture, fixture, and equipment costs at Fort Madison:  
 ..... \$ 2,000,000

Sec. 6. REVERSION. For purposes of section 8.33, unless specifically provided otherwise, unencumbered or unobligated moneys made from an appropriation in this division of this Act shall not revert but shall remain available for expenditure for the purposes designated until the close of the fiscal year that ends one year after the end of the fiscal year for which the appropriation is made. However, if the project or projects for which such appropriation was made are completed in an earlier fiscal year, unencumbered or unobligated moneys shall revert at the close of that same fiscal year.

DIVISION IV  
DEPARTMENT OF TRANSPORTATION — RADIOS

Sec. 7. DEPARTMENT OF TRANSPORTATION — RADIOS. All land mobile radio communications equipment purchased by the department of transportation shall be compliant with the federal communications commission's narrowbanding mandate and shall provide the maximum amount of statewide coverage and interoperability, throughout all phases of migration, to the department of public safety's future statewide digital radio network utilizing P-25 standards.

Sec. 8. EFFECTIVE UPON ENACTMENT. This division of this Act, being deemed of immediate importance, takes effect upon enactment.

Sec. 9. RETROACTIVE APPLICABILITY. This division of this Act applies retroactively to July 1, 2011.

DIVISION V

MORTGAGE SERVICING SETTLEMENT FUND — APPROPRIATION — DEPARTMENT OF EDUCATION

Sec. 10. MORTGAGE SERVICING SETTLEMENT FUND. There is appropriated from the mortgage servicing settlement fund to the department of education for the fiscal year beginning July 1, 2012, and ending June 30, 2013, the following amount, or so much thereof as is necessary, to be used for the purpose designated:

For major renovation and major repair needs, including health, life, and fire safety needs and for compliance with the federal Americans with Disabilities Act, and for routine maintenance and building operations, for buildings and facilities under the purview of the community colleges:

..... \$ 5,000,000

Sec. 11. REVERSION. For purposes of section 8.33, unless specifically provided otherwise, unencumbered or unobligated moneys made from an appropriation in this division of this Act shall not revert but shall remain available for expenditure for the purposes designated until the close of the fiscal year that ends three years after the end of the fiscal year for which the appropriation is made. However, if the project or projects for which such appropriation was made are completed in an earlier fiscal year, unencumbered or unobligated moneys shall revert at the close of that same fiscal year.

DIVISION VI

CHANGES TO PRIOR APPROPRIATIONS

Sec. 12. 2009 Iowa Acts, chapter 170, section 25, subsection 1, paragraph d, is amended to read as follows:

d. DEPARTMENT OF PUBLIC SAFETY

For construction of a state emergency response training facility to be located in merged area XI:

..... \$ 2,000,000  
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Sec. 13. 2011 Iowa Acts, chapter 128, section 19, subsection 2, is amended to read as follows:

2. a. The mobile radios purchased by the department of natural resources pursuant to subsection 1 shall be compatible with a statewide public safety radio network, ~~if created in legislation enacted by the 2011 regular session of the General Assembly, which may include provisions in 2011 Iowa Acts, Senate File 541, <sup>1</sup> if enacted 2011 Iowa Acts, ch. 133, section 3, subsection 8, paragraph a.~~ The department shall purchase the mobile radios after conducting a competitive bidding process.

b. As a condition of this appropriation, all land mobile radio communications equipment purchased by the department of natural resources shall be compliant with the federal communications commission's narrowbanding mandate and shall provide the maximum amount of statewide coverage and interoperability, throughout all phases of migration, to the department of public safety's future statewide digital radio network utilizing P-25 standards.

Sec. 14. 2011 Iowa Acts, chapter 133, section 1, subsection 3, paragraphs a and b, are amended to read as follows:

a. For the construction project and one-time furniture, fixture, and equipment costs at Fort Madison:

FY 2011-2012 .....	\$	5,155,077
FY 2012-2013 .....	\$	18,269,124
		<u>16,269,124</u>
FY 2013-2014 .....	\$	3,000,000

<sup>1</sup> Not enacted

b. For the construction project and one-time furniture, fixture, and equipment costs at the Iowa correctional facility for women at Mitchellville:

FY 2011-2012 .....	\$	3,061,556
FY 2012-2013 .....	\$	5,391,062
FY 2013-2014 .....	\$	26,769,040

Sec. 15. 2011 Iowa Acts, chapter 133, section 1, subsection 10, paragraphs c through f, are amended to read as follows:

c. For projects for immediate fire safety needs and for compliance with the federal Americans with Disabilities Act, at the regents institutions:

FY 2011-2012 .....	\$	2,000,000
FY 2012-2013 .....	\$	2,000,000

Of the amounts appropriated in this lettered paragraph, up to \$2,000,000 may be used to fund deductibles on property insurance and to provide the necessary match for funds which may be available from the federal emergency management agency for the cleanup, repair, and restoration of facilities at the state school for the deaf and the Iowa braille and sight saving school due to storm damage in the calendar year 2011, notwithstanding section 8.57, subsection 6, paragraph "c".

d. For construction, renovation, and related improvements for phase II of the agricultural and biosystems engineering complex, including classrooms, laboratories, and offices at Iowa state university of science and technology:

FY 2011-2012 .....	\$	1,000,000
FY 2012-2013 .....	\$	20,800,000
		<u>19,050,000</u>
FY 2013-2014 .....	\$	20,000,000
		<u>21,750,000</u>
FY 2014-2015 .....	\$	18,600,000

e. For the renovation and related improvements to the dental science building at the state university of Iowa including but not limited to renovation of clinical spaces and development of a multidisciplinary clinical area:

FY 2011-2012 .....	\$	1,000,000
FY 2012-2013 .....	\$	12,000,000
		<u>10,250,000</u>
FY 2013-2014 .....	\$	8,000,000
		<u>9,750,000</u>
FY 2014-2015 .....	\$	8,000,000

f. For renovation and related improvements for Bartlett hall at the university of northern Iowa including providing faculty offices, seminar rooms, and laboratories in the building and the associated demolition of Baker hall:

FY 2011-2012 .....	\$	1,000,000
FY 2012-2013 .....	\$	8,286,000
		<u>7,786,000</u>
FY 2013-2014 .....	\$	9,767,000
		<u>10,267,000</u>
FY 2014-2015 .....	\$	1,947,000

Sec. 16. 2011 Iowa Acts, chapter 133, section 1, subsection 13, paragraph b, is amended to read as follows:

b. For the Iowa veterans home to upgrade generator emissions controls to meet required stack emissions for four generators and related improvements for the construction of a building that secures vehicles during nonuse and inclement weather:

FY 2011-2012 .....	\$	250,000
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Sec. 17. 2011 Iowa Acts, chapter 133, section 3, subsection 5, paragraph a, is amended to read as follows:

a. To be used for medical contracts under the medical assistance program for technology upgrades necessary to support Medicaid claims and other health operations, worldwide

HIPAA claims transactions and coding requirements, and the Iowa automated benefits calculation system:

FY 2011-2012 .....	\$	3,494,176
FY 2012-2013 .....	\$	4,667,600
		<u>4,120,037</u>
FY 2013-2014 .....	\$	4,267,600
		<u>4,815,163</u>
FY 2014-2015 .....	\$	1,945,684

Sec. 18. 2011 Iowa Acts, chapter 133, section 3, subsection 8, is amended to read as follows:

8. DEPARTMENT OF PUBLIC SAFETY

a. For the provision of a statewide public safety radio network and the purchase of compatible radio communications equipment with the goal of achieving compliance with the federal communications commission’s narrowbanding mandate deadline, and for achieving “interoperability”, as defined in section 80.28:

FY 2011-2012 .....	\$	2,500,000
FY 2012-2013 .....	\$	2,500,000
FY 2013-2014 .....	\$	2,500,000

Of the amounts appropriated in this lettered paragraph, the department of public safety may enter into a public-private partnership, through a competitive bidding process, for the provision of the statewide network and the purchase of compatible equipment.

As a condition of this appropriation, all land mobile radio communications equipment purchased by the department of public safety shall be compliant with the federal communications commission’s narrowbanding mandate and shall provide the maximum amount of statewide coverage and interoperability, throughout all phases of migration, to the department of public safety’s future statewide digital radio network utilizing P-25 standards.

On or before January 13, 2012, the department of public safety shall provide a report to the legislative services agency and the department of management. The report shall detail the status of the funds appropriated in this subsection and shall include the estimated needs of the departments of public safety, corrections, and natural resources to achieve interoperability and to meet the federal narrowbanding mandate, any changes in estimated costs to meet those needs, and the status of requests for proposals to develop a public-private partnership.

b. For transfer to a firefighter association in a county with a population between ninety thousand and ninety-five thousand as determined by the 2010 federal decennial census for a driving simulator to enhance the association’s emergency vehicle operations course firearms training simulator:

FY 2011-2012 .....	\$	80,000
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Sec. 19. 2011 Iowa Acts, chapter 133, section 5, subsection 1, is amended to read as follows:

1. DEPARTMENT OF CORRECTIONS

For the construction project and one-time furniture, fixture, and equipment costs at the Iowa correctional facility for women at Mitchellville:

.....	\$	4,430,952
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Sec. 20. EFFECTIVE UPON ENACTMENT. This division of this Act, being deemed of immediate importance, takes effect upon enactment.

DIVISION VII  
MISCELLANEOUS CODE CHANGES

Sec. 21. Section 8.57, subsection 6, paragraph e, subparagraph (1), subparagraph division (d), subparagraph subdivision (ii), Code Supplement 2011, is amended to read as follows:

(ii) (A) However Except as otherwise provided in subparagraph part (B), in lieu of the deposit in subparagraph subdivision (i), for the fiscal year years beginning July 1, 2010, July 1, 2011, and July 1, 2013, and for each fiscal year thereafter until the principal and interest



on all bonds issued by the treasurer of state pursuant to section 12.87 are paid, as determined by the treasurer of state, sixty-four million seven hundred fifty thousand dollars of the excess moneys directed to be deposited in the rebuild Iowa infrastructure fund under subparagraph subdivision (i) shall be deposited in the general fund of the state.

(B) For the fiscal year beginning July 1, 2012, and ending June 30, 2013, thirty-eight million seven hundred fifty thousand dollars shall be deposited in the general fund of the state and the next twenty million dollars shall be deposited in the technology reinvestment fund.

Sec. 22. Section 8.57C, subsection 3, paragraph a, Code Supplement 2011, is amended to read as follows:

a. There is appropriated from the general fund of the state for the fiscal year beginning July 1, ~~2012~~ 2013, and for each subsequent fiscal year thereafter, the sum of seventeen million five hundred thousand dollars to the technology reinvestment fund.

Sec. 23. Section 15F.204, subsection 8, paragraph g, Code Supplement 2011, is amended to read as follows:

g. ~~For the each fiscal year for the fiscal period beginning July 1, 2012, and ending June 30, 2013~~ 2014, the sum of five million dollars.

*\*Sec. 24. Section 16.181A, subsection 1, Code 2011, is amended by striking the subsection.\**

*\*Sec. 25. Section 428A.8, subsection 2, paragraphs d, e, and f, Code 2011, are amended to read as follows:*

*d. For the fiscal year beginning July 1, 2012, ~~seventy-five~~ fifty-two and one-half percent of the receipts shall be deposited in the general fund, ~~twenty~~ forty-two and one-half percent of the receipts shall be transferred to the housing trust fund, and five percent of the receipts shall be transferred to the shelter assistance fund.*

*e. For the fiscal year beginning July 1, 2013, ~~seventy~~ forty-seven and one-half percent of the receipts shall be deposited in the general fund, ~~twenty-five~~ forty-seven and one-half percent of the receipts shall be transferred to the housing trust fund, and five percent of the receipts shall be transferred to the shelter assistance fund.*

*f. For the fiscal year beginning July 1, 2014, and each succeeding fiscal year, ~~sixty-five~~ forty-two and one-half percent of the receipts shall be deposited in the general fund, ~~thirty~~ fifty-two and one-half percent of the receipts shall be transferred to the housing trust fund, and five percent of the receipts shall be transferred to the shelter assistance fund.\**

*\*Sec. 26. Section 428A.8, subsection 3, Code 2011, is amended to read as follows:*

*3. Notwithstanding subsection 2, the amount of money that shall be transferred pursuant to this section to the housing trust fund in any one fiscal year shall not exceed ~~three~~ six million dollars. Any money that otherwise would be transferred pursuant to this section to the housing trust fund in excess of that amount shall be deposited in the general fund of the state.\**

Approved June 7, 2012, with exceptions noted.

TERRY E. BRANSTAD, Governor

Dear Mr. Secretary:

I hereby transmit Senate File 2316, an Act relating to and making appropriations to state departments and agencies from the Rebuild Iowa Infrastructure Fund, the Technology Reinvestment Fund, the Endowment for Iowa's Health Restricted Capitals Fund, and the Mortgage Servicing Settlement Fund, providing for related matters, and including effective date and retroactive applicability provisions.

\* Item veto; see message at end of the Act

Senate File 2316 is, therefore, signed on this date with the following exceptions, which I hereby disapprove.

I am unable to approve the item designated as Section 1, subsection 9, lettered paragraph b, in its entirety. This item allows \$400,000 to be used for Iowa State University (ISU) College of Veterinary Medicine to modernize animal care facilities. The Board of Regents did not request this item and was not a part of the budget recommendation I submitted to the General Assembly.

I am unable to approve the item designated as Section 3, subsection 5, lettered paragraph a, in its entirety. This item requires the Iowa Communications Network (ICN) to conduct an audit and appraisal prior to any sale or lease of the ICN. An audit and appraisal is premature and unnecessary. If such an audit is needed in the future one could be conducted at that time.

I am unable to approve the items designated as Sections 24, 25 and 26 in their entirety. These items create a permanent \$3 million revenue diversion out of the General Fund completely circumventing the annual appropriation process. This does not work to advance my goals of returning predictability and sustainability back to government budgeting. The Housing Trust Fund's funding level will remain approximately the same as the previous fiscal year. It is my goal to eliminate this bad budgeting practice of automatic diversions from General Fund revenue.

For the above reasons, I respectfully disapprove the designated items in accordance with Amendment IV of the Amendments of 1968 to the Constitution of the State of Iowa. All other items in Senate File 2316 are hereby approved as of this date.

Sincerely,  
TERRY E. BRANSTAD, *Governor*