

# House File 414 - Enrolled

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HOUSE FILE 414

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## AN ACT

1 4 RELATING TO PUBLIC FUNDING AND REGULATORY MATTERS AND  
1 5 MAKING, REDUCING, AND TRANSFERRING APPROPRIATIONS AND REVISING  
1 6 FUND AMOUNTS AND INCLUDING EFFECTIVE, RETROACTIVE, AND OTHER  
1 7 APPLICABILITY DATE PROVISIONS.

1 8

1 9 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 10

1 11 DIVISION I

1 12 JUMPSTART AND SMALL BUSINESS ASSISTANCE PROGRAMS  
1 13 Section 1. NEW SECTION. 15E.361 SMALL BUSINESS DISASTER  
1 14 RECOVERY FINANCIAL ASSISTANCE PROGRAM.

1 15 1. The department shall establish and administer a small  
1 16 business disaster recovery financial assistance program.  
1 17 Under the program, the department shall provide grants to  
1 18 administrative entities for purposes of providing financial  
1 19 assistance to eligible businesses that sustained physical  
1 20 damage or economic loss due to a natural disaster occurring  
1 21 after May 24, 2008, and before August 14, 2008. Moneys shall  
1 22 be allocated to administrative entities on the basis of the  
1 23 percentage of disaster loans awarded by the United States  
1 24 small business administration to businesses located within a  
1 25 city's jurisdiction or a disaster recovery area as defined by  
1 26 the department.

1 27 2. An eligible business is a business that sustained  
1 28 physical damage or economic loss due to a natural disaster  
1 29 occurring after May 24, 2008, and before August 14, 2008, and  
1 30 has executed loan documents for a disaster loan from an  
1 31 eligible lender as defined by the department. Financial  
1 32 assistance shall be in the form of forgivable loans and  
1 33 reimbursement for acquisition of energy=efficient equipment.

1 34 The maximum amount of a forgivable loan is twenty-five percent  
1 35 of the loan amount from the eligible lender up to a maximum of  
2 1 fifty thousand dollars. Up to an additional five thousand  
2 2 dollars of assistance shall be available for the reimbursement  
2 3 of energy=efficient purchases and installation.

2 4 3. As determined by the department, unused or unobligated  
2 5 moneys may be reclaimed and reallocated by the department to  
2 6 other administrative agencies.

2 7 4. For purposes of this section, "administrative entity"  
2 8 means cities identified by the department that administer  
2 9 local disaster recovery programs and councils of government.

2 10 Sec. 2. Section 15F.204, subsection 8, paragraph a,  
2 11 subparagraph (5), Code 2009, is amended to read as follows:

2 12 (5) For the fiscal year beginning July 1, 2008, and ending  
2 13 June 30, 2009, the sum of twelve million dollars.

2 14 Notwithstanding any provision to the contrary, of the amount  
2 15 appropriated in this subparagraph, one million nine hundred  
2 16 thousand dollars is transferred to the housing assistance fund  
2 17 to be used for the jumpstart housing assistance program

2 18 established pursuant to section 16.191.

2 19 Sec. 3. Section 15G.111, Code 2009, is amended by adding  
2 20 the following new subsection:

2 21 NEW SUBSECTION. 9A. Each appropriation made in  
2 22 subsections 1 through 9 for the fiscal year beginning July 1,  
2 23 2008, and ending June 30, 2009, is reduced by twenty percent.  
2 24 There is appropriated from the grow Iowa values fund created  
2 25 in section 15G.108 to the department of economic development  
2 26 for the fiscal year beginning July 1, 2008, and ending June  
2 27 30, 2009, ten million dollars to be used for the small  
2 28 business disaster recovery financial assistance program  
2 29 established pursuant to section 15E.361.

2 30 Sec. 4. NEW SECTION. 16.191 JUMPSTART HOUSING ASSISTANCE  
2 31 PROGRAM.

2 32 1. The Iowa finance authority shall establish and  
2 33 administer a jumpstart housing assistance program. Under the  
2 34 program, the authority shall provide grants to local  
2 35 government participants for purposes of distributing the  
3 1 moneys to eligible residents for eligible purposes which  
3 2 relate to disaster=affected homes.

3 3 2. An eligible resident is a person residing in a  
3 4 disaster=affected home who is the owner of record of a right,  
3 5 title, or interest in the disaster=affected home and who has  
3 6 been approved by the federal emergency management agency for  
3 7 housing assistance. An eligible resident must have a family  
3 8 income equal to or less than one hundred fifty percent of the  
3 9 area median family income.

3 10 3. Eligible purposes include forgivable loans for down  
3 11 payment assistance, emergency housing repair or  
3 12 rehabilitation, and interim mortgage assistance. An eligible  
3 13 resident who receives a forgivable loan may also receive  
3 14 energy efficiency assistance which shall be added to the  
3 15 principal of the forgivable loan.

3 16 4. A local government participant may retain a portion of  
3 17 the grant moneys for administrative purposes as provided in a  
3 18 grant agreement between the authority and the local government  
3 19 participant.

3 20 5. Any money paid to a local government participant by an  
3 21 eligible resident shall be remitted to the authority for  
3 22 deposit in the housing assistance fund created in section  
3 23 16.40.

3 24 6. As determined by the authority, unused or unobligated  
3 25 moneys may be reclaimed and reallocated by the authority to  
3 26 other local government participants.

3 27 7. As used in this section, unless the context otherwise  
3 28 requires:

3 29 a. "Disaster=affected home" means a primary residence that  
3 30 was destroyed or damaged due to a natural disaster occurring  
3 31 after May 24, 2008, and before August 14, 2008.

3 32 b. "Local government participant" means the cities of  
3 33 Ames, Cedar Falls, Cedar Rapids, Council Bluffs, Davenport,  
3 34 Des Moines, Dubuque, Iowa City, Waterloo, and West Des Moines;  
3 35 a council of governments whose territory includes at least one  
4 1 county that was declared a disaster area by the president of  
4 2 the United States after May 24, 2008, and before August 14,  
4 3 2008; and any county that is not part of any council of  
4 4 governments and was declared a disaster area by the president  
4 5 of the United States after May 24, 2008, and before August 14,  
4 6 2008.

4 7 Sec. 5. POWER FUND == HOUSING ASSISTANCE. Of the amount  
4 8 appropriated from the general fund of the state to the power  
4 9 fund pursuant to section 469.10, subsection 1, for the fiscal  
4 10 year beginning July 1, 2008, and ending June 30, 2009, the  
4 11 following amount, or so much thereof as is necessary, is  
4 12 transferred to the Iowa finance authority to be used for the  
4 13 purposes designated:

4 14 To be credited to the housing assistance fund to be used  
4 15 for the jumpstart housing assistance program established  
4 16 pursuant to section 16.191, as enacted by this Act,  
4 17 notwithstanding contrary provisions of section 469.9 or any  
4 18 other provision of law:

4 19 ..... \$ 2,500,000

4 20 Sec. 6. 2004 Iowa Acts, First Extraordinary Session,  
4 21 chapter 1002, section 2, subsection 1, paragraph d, is amended  
4 22 to read as follows:

4 23 d. (1) For deposit in the loan and credit guarantee fund  
4 24 created in section 15E.227:

4 25 ..... \$ 5,728,402

4 26 (2) Of the amount appropriated in subparagraph (1), \$1,785  
4 27 shall be expended pursuant to contracts or approved projects  
4 28 or activities validated in this division of this Act.

4 29 (3) Notwithstanding any provision to the contrary,

4 30 \$1,900,000 of the amount appropriated in subparagraph (1) is

4 31 transferred to the community attraction and tourism fund

4 32 created in section 15F.204.

4 33 Sec. 7. 2008 Iowa Acts, chapter 1178, section 20, is  
4 34 amended to read as follows:

4 35 SEC. 20. RIVER ENHANCEMENT COMMUNITY ATTRACTION AND  
5 1 TOURISM FUND == APPROPRIATION. There is appropriated from any  
5 2 interest or earnings on moneys in the federal economic  
5 3 stimulus and jobs holding fund for deposit in the river  
5 4 enhancement community attraction and tourism fund created in  
5 5 section 15F.205 for the fiscal year beginning July 1, 2008,  
5 6 and ending June 30, 2009, the following amount, or so much  
5 7 thereof as is necessary, to be used for the purpose  
5 8 designated:

5 9 For financial assistance to applicants under section  
5 10 15F.205:

5 11 ..... \$ 2,000,000

5 12 Notwithstanding any provision to the contrary, all of the  
5 13 amount appropriated in this section is transferred to the  
5 14 housing assistance fund to be used for the jumpstart housing  
5 15 assistance program established pursuant to section 16.191, if  
5 16 enacted by the Eighty-third General Assembly, 2009 Session.

5 17 Sec. 8. 2008 Iowa Acts, chapter 1179, section 1,  
5 18 subsection 1, paragraphs a and c, are amended to read as  
5 19 follows:

5 20 a. For routine maintenance of state buildings and  
5 21 facilities, notwithstanding section 8.57, subsection 6,  
5 22 paragraph "c":

5 23 ..... \$ 3,000,000

5 24 Notwithstanding any provision to the contrary, \$1,600,000  
5 25 of the amount appropriated in this lettered paragraph is  
5 26 transferred to the Iowa finance authority to be credited to  
5 27 the housing assistance fund to be used for the jumpstart  
5 28 housing assistance program established pursuant to section  
5 29 16.191, if enacted by the Eighty-third General Assembly, 2009  
5 30 Session.

5 31       c. To provide funding and related services for capitol  
5 32 complex property acquisition, notwithstanding section 8.57,  
5 33 subsection 6, paragraph "c":

5 34 ..... \$ 1,000,000

5 35       Notwithstanding any provision to the contrary, the amount  
6 1 appropriated in this lettered paragraph is transferred to the  
6 2 Iowa finance authority to be credited to the housing  
6 3 assistance fund to be used for the jumpstart housing  
6 4 assistance program established pursuant to section 16.191, if  
6 5 enacted by the Eighty-third General Assembly, 2009 Session.

6 6       Sec. 9. 2008 Iowa Acts, chapter 1179, section 1,  
6 7 subsection 5, paragraph e, is amended to read as follows:  
6 8       e. For deposit into the river enhancement community  
6 9 attraction and tourism fund created in 2008 Iowa Acts, Senate  
6 10 File 2430, if enacted section 15F.205:

6 11 ..... \$ 10,000,000

6 12       Notwithstanding any provision to the contrary, all of the  
6 13 amount appropriated in this section is transferred to the  
6 14 housing assistance fund to be used for the jumpstart housing  
6 15 assistance program established pursuant to section 16.191, if  
6 16 enacted by the Eighty-third General Assembly, 2009 Session.

6 17       Sec. 10. 2008 Iowa Acts, chapter 1179, section 1,  
6 18 subsection 9, paragraph a, is amended to read as follows:  
6 19       a. For purposes of supporting a lowhead dam public hazard  
6 20 improvement program, notwithstanding section 8.57, subsection  
6 21 6, paragraph "c":

6 22 ..... \$ 1,000,000

6 23       The department shall award grants to dam owners including  
6 24 counties, cities, state agencies, cooperatives, and  
6 25 individuals, to support projects approved by the department.

6 26       The department shall require each dam owner applying for a  
6 27 project grant to submit a project plan for the expenditure of  
6 28 the moneys, and file a report with the department regarding  
6 29 the project, as required by the department.

6 30       The funds can be used for signs, posts, and related  
6 31 cabling, and the department shall only award money on a  
6 32 matching basis, pursuant to the dam owner contributing at  
6 33 least 20 cents for every 80 cents awarded by the department,  
6 34 in order to finance the project. For the remainder of the  
6 35 funds, including any balance of money not awarded for signs,  
7 1 posts, and related cabling, the department shall only award  
7 2 moneys to a dam owner on a matching basis. A dam owner shall  
7 3 contribute one dollar for each dollar awarded by the  
7 4 department in order to finance a project.

7 5       Notwithstanding any provision to the contrary, the  
7 6 department of natural resources shall defer implementation of  
7 7 the lowhead dam public hazard improvement program unless other  
7 8 funding is made available for the program. The amount  
7 9 appropriated in this lettered paragraph is transferred to the  
7 10 Iowa finance authority to be credited to the housing trust  
7 11 fund to be used for the jumpstart housing assistance program  
7 12 established pursuant to section 16.191, if enacted by the  
7 13 Eighty-third General Assembly, 2009 Session.

7 14       Sec. 11. EFFECTIVE DATE == APPLICABILITY.

7 15       1. This division of this Act, being deemed of immediate  
7 16 importance, takes effect upon enactment, and is retroactively  
7 17 applicable to July 1, 2008, for the fiscal year beginning on  
7 18 that date.

7 19       2. The appropriations and transfers made in this division

7 20 of this Act apply in lieu of any transfers for the jumpstart  
7 21 housing assistance and small business assistance programs or  
7 22 from the loan and credit guarantee fund made by the executive  
7 23 branch, as reported by the department of management in the  
7 24 fiscal year beginning July 1, 2008.

7 25 3. Notwithstanding section 8.33, moneys appropriated or  
7 26 allocated in this division of this Act to the department of  
7 27 economic development for purposes of the small business  
7 28 disaster recovery and financial assistance program that remain  
7 29 unencumbered or unobligated at the close of the fiscal year  
7 30 shall not revert but shall remain available for expenditure  
7 31 for the purposes designated until the close of the succeeding  
7 32 fiscal year.

7 33 DIVISION II

7 34 CAPITAL APPROPRIATION REVISIONS

7 35 REBUILD IOWA INFRASTRUCTURE FUND == APPROPRIATION REDUCTION

8 1 Sec. 12. 2004 Iowa Acts, chapter 1175, section 288,  
8 2 subsection 4, paragraph b, as amended by 2006 Iowa Acts,  
8 3 chapter 1179, section 29, is amended to read as follows:  
8 4 b. For construction of a community-based correctional  
8 5 facility, including district offices, in Davenport:  
8 6 FY 2004=2005..... \$ 3,000,000  
8 7 FY 2005=2006..... \$ 3,750,000  
8 8 291,783  
8 9 FY 2006=2007..... \$ 0

8 10 NEW STATE OFFICE BUILDING == APPROPRIATIONS

8 11 ELIMINATED AND REDUCED

8 12 Sec. 13. 2006 Iowa Acts, chapter 1179, section 5, as  
8 13 amended by 2007 Iowa Acts, chapter 219, section 22, 2008 Iowa  
8 14 Acts, chapter 1176, section 6, and 2008 Iowa Acts, chapter  
8 15 1179, section 29, is amended to read as follows:

8 16 SEC. 5. DEPARTMENT OF ADMINISTRATIVE SERVICES. There is  
8 17 appropriated from the rebuild Iowa infrastructure fund to the  
8 18 department of administrative services for the designated  
8 19 fiscal years, the following amounts, or so much thereof as is  
8 20 necessary, to be used for the purposes designated:

8 21 For planning, design, and construction of a new state  
8 22 office building, including costs associated with furnishing  
8 23 the building:

8 24 FY 2007=2008..... \$ 0  
8 25 FY 2008=2009..... \$ 0  
8 26 FY 2009=2010..... \$ 12,657,100  
8 27 0

8 28 ~~The location, design, plans and specifications, and~~  
~~occupants of the building shall be determined jointly by the~~  
~~executive council and the department of administrative~~  
~~services in consultation with the capitol planning commission~~  
~~following an analysis of space needs to be completed no later~~  
~~than January 1, 2009. Recommendations for the design, plans~~  
~~and specifications, and occupants shall be presented to the~~  
~~general assembly and the governor for approval by the start of~~  
~~the 2009 legislative session.~~

9 2 ~~Notwithstanding section 8.33, moneys appropriated in this~~  
~~section shall not revert at the close of the fiscal year for~~  
~~which they were appropriated but shall remain available for~~  
~~the purposes designated until the close of the fiscal year~~  
~~that begins July 1, 2011, or until the project for which the~~  
~~appropriation was made is completed, whichever is earlier.~~

9 8 ~~The design specifications of the new state office building~~

9 9 shall include, at a minimum, energy efficiency specifications  
9 10 that exceed state building code requirements and have the  
9 11 potential for leadership in energy and environmental design  
9 12 silver certification from the United States green building  
9 13 council.

9 14 Effective December 9, 2008, the department shall cancel  
9 15 existing activities pertaining to the new state office  
9 16 building addressed by this section and shall defer further  
9 17 activities until specifically authorized by law.

9 18 Sec. 14. 2006 Iowa Acts, chapter 1179, section 16,  
9 19 subsection 1, paragraph b, as amended by 2007 Iowa Acts,  
9 20 chapter 219, section 23, is amended to read as follows:  
9 21 b. For planning, design, and construction costs associated  
9 22 with the construction of a new approximately  
9 23 350,000=gross=square=foot state office building:

9 24 ..... \$ 37,585,000  
9 25 661,102

9 26 (1) Of the amount appropriated in this lettered paragraph,  
9 27 up to \$750,000 may be used by the department to provide an  
9 28 earnest deposit on the purchase of no more than ten acres of  
9 29 certain property adjacent to the capitol complex and generally  
9 30 located north of grand avenue and between east 12th and east  
9 31 14th street, if such purchase is made; to provide for parking  
9 32 lot improvements necessary to facilitate an exchange of  
9 33 property consistent with the planned construction of the new  
9 34 state office building; and to provide for the demolition of a  
9 35 structure located on the property to be used for the  
10 1 construction of the new state office building or to provide  
10 2 for the sale by auction and relocation of such structure in an  
10 3 effort to reduce or eliminate the costs associated with the  
10 4 removal of such structure from the property. Any amount  
10 5 received from the sale of a structure as permitted under this  
10 6 lettered paragraph shall be retained by the department for the  
10 7 use specified for the moneys appropriated pursuant to this  
10 8 lettered paragraph.

10 9 (2) Upon the department's decision to purchase property as  
10 10 described in subparagraph (1), the department shall determine  
10 11 the feasibility of including all or a portion of any amount  
10 12 expended pursuant to subparagraph (1) in the financing  
10 13 mechanism to be used by the department to complete such  
10 14 purchase. The department shall provide a report to the  
10 15 department of management and the legislative services agency  
10 16 that includes the results of the department's determination.

10 17 Notwithstanding provisions of law to the contrary, the  
10 18 department is hereby authorized to honor and maintain existing  
10 19 leases located on property to be acquired by the department if  
10 20 such property is acquired, as long as such leased property is  
10 21 used for providing health care and pharmaceutical services to  
10 22 citizens in the community. Such leases may be maintained for  
10 23 a period deemed appropriate by the director of the department,  
10 24 but in no case shall such leases continue or be renewed for a  
10 25 period of more than ten years or if a lessee of the property  
10 26 ceases to occupy such property or provide such services.

10 27 REBUILD IOWA INFRASTRUCTURE FUND == APPROPRIATIONS  
10 28 ELIMINATED AND REDUCED

10 29 Sec. 15. 2007 Iowa Acts, chapter 219, section 1,  
10 30 subsection 1, paragraph j, is amended to read as follows:  
10 31 j. For costs associated with the relocation of the vehicle  
10 32 dispatch fueling station:

10 33 ..... \$ 350,000  
10 34 839

10 35 Sec. 16. 2007 Iowa Acts, chapter 219, section 1,  
11 1 subsection 3, paragraph b, is amended to read as follows:  
11 2 b. For capital improvement projects at correctional  
11 3 facilities:  
11 4 ..... \$ 5,495,000  
11 5 2,697,624

11 6 Sec. 17. 2007 Iowa Acts, chapter 219, section 1,  
11 7 subsection 5, paragraph b, unnumbered paragraph 1, is amended  
11 8 to read as follows:  
11 9 For accelerated career education program capital projects  
11 10 at community colleges that are authorized under chapter 260G  
11 11 and that meet the definition of "vertical infrastructure" in  
11 12 section 8.57, subsection 6, paragraph "c":  
11 13 ..... \$ 5,500,000  
11 14 1,275,000

11 15 Sec. 18. 2007 Iowa Acts, chapter 219, section 1,  
11 16 subsection 12, paragraph b, is amended to read as follows:  
11 17 b. For construction of a state emergency response training  
11 18 facility to be located in merged area XI:  
11 19 ..... \$ 2,000,000  
11 20 0

11 21 Sec. 19. 2007 Iowa Acts, chapter 219, section 1,  
11 22 subsection 14, paragraph b, is amended to read as follows:  
11 23 b. For costs associated with the establishment of the Iowa  
11 24 institute for biomedical discovery at the state university of  
11 25 Iowa:  
11 26 ..... \$ 10,000,000  
11 27 9,450,000

11 28 Sec. 20. 2007 Iowa Acts, chapter 219, section 7,  
11 29 subsection 1 and subsection 2, unnumbered paragraph 1, are  
11 30 amended to read as follows:  
11 31 1. For costs associated with the establishment of the Iowa  
11 32 institute for biomedical discovery at the state university of  
11 33 Iowa:  
11 34 FY 2008=2009..... \$ 10,000,000  
11 35 0

12 1 FY 2009=2010..... \$ 10,000,000  
12 2 For planning, design, and construction costs associated  
12 3 with the construction of a new renewable fuels building at  
12 4 Iowa state university of science and technology:  
12 5 FY 2008=2009..... \$ 14,756,000  
12 6 3,479,000

12 7 FY 2009=2010..... \$ 11,597,000

12 8 Sec. 21. 2008 Iowa Acts, chapter 1179, section 1,  
12 9 subsection 5, paragraph a, is amended to read as follows:  
12 10 a. For accelerated career education program capital  
12 11 projects at community colleges that are authorized under  
12 12 chapter 260G and that meet the definition of "vertical  
12 13 infrastructure" in section 8.57, subsection 6, paragraph "c":  
12 14 ..... \$ 900,000  
12 15 0

12 16 The moneys appropriated in this lettered paragraph shall be  
12 17 allocated equally among the community colleges in the state.  
12 18 If any portion of the equal allocation to a community college  
12 19 is not obligated or encumbered by April 1, 2009, the  
12 20 unobligated and unencumbered portions shall be made available  
12 21 by the department for use by other community colleges.

12 22 NEW STATE OFFICE BUILDING == APPROPRIATION ELIMINATED  
12 23 Sec. 22. 2008 Iowa Acts, chapter 1179, section 18,  
12 24 subsection 1, paragraph a, is amended to read as follows:  
12 25 a. For the planning, design, and construction of a new  
12 26 state office building, including costs associated with the  
12 27 furnishing of the building:  
12 28 ..... \$ 20,000,000  
12 29 0

12 30 ~~The location, design, plans and specifications, and~~  
12 31 ~~occupants of the building shall be determined jointly by the~~  
12 32 ~~executive council and the department of administrative~~  
12 33 ~~services in consultation with the capitol planning commission~~  
12 34 ~~following an analysis of space needs to be completed no later~~  
12 35 ~~than January 1, 2009. Recommendations for design, plans and~~  
13 1 ~~specifications, and occupants shall be presented to the~~  
13 2 ~~general assembly and the governor for approval by the start of~~  
13 3 ~~the 2009 legislative session.~~

13 4 Effective December 9, 2008, the department shall cancel  
13 5 existing activities pertaining to the new state office  
13 6 building addressed by this paragraph and shall defer further  
13 7 activities until specifically authorized by law.

13 8 FY 2009 TAX=EXEMPT BOND PROCEEDS  
13 9 RESTRICTED CAPITAL FUNDS ACCOUNT == HONEY  
13 10 CREEK APPROPRIATION ELIMINATED  
13 11 Sec. 23. 2008 Iowa Acts, chapter 1179, section 18,  
13 12 subsection 5, paragraph c, is amended to read as follows:  
13 13 e. For the construction of the cabins, activity building,  
13 14 picnic shelters, and other costs associated with the opening  
13 15 of the Honey creek premier destination park:  
13 16 ..... \$ 4,900,000

13 17 ~~The department shall not obligate any funding under this~~  
13 18 ~~appropriation without approval from the department of~~  
13 19 ~~management. The department shall provide quarterly updates to~~  
13 20 ~~the Honey creek premier destination park authority and the~~  
13 21 ~~legislative services agency on the obligation and spending of~~  
13 22 ~~this appropriation.~~

13 23 ~~In light of this appropriation, the department shall not~~  
13 24 ~~request additional appropriations for funding the construction~~  
13 25 ~~of future additional amenities at the Honey creek destination~~  
13 26 ~~park beyond the fiscal year ending June 30, 2009. In the~~  
13 27 ~~event that the chairperson of the authority delivers a~~  
13 28 ~~certificate to the governor, pursuant to section 463C.13,~~  
13 29 ~~stating the amounts necessary to restore bond reserve funds,~~  
13 30 ~~it is the general assembly's intent upon consideration of the~~  
13 31 ~~governor's request to first seek refunding from the~~  
13 32 ~~department's budget.~~

13 33 REBUILD IOWA INFRASTRUCTURE FUND == TRANSFER  
13 34 TO GENERAL FUND  
13 35 Sec. 24. TRANSFER TO GENERAL FUND. There is transferred  
14 1 from the rebuild Iowa infrastructure fund to the general fund  
14 2 of the state for the fiscal year beginning July 1, 2008, and  
14 3 ending June 30, 2009, the following amount:  
14 4 ..... \$ 37,000,000

14 5 REPLACEMENT APPROPRIATIONS  
14 6 Sec. 25. ENDOWMENT FOR IOWA'S HEALTH RESTRICTED CAPITAL  
14 7 FUNDS ACCOUNT.

14 8 1. There is appropriated from the endowment for Iowa's  
14 9 health restricted capitals fund account to the following  
14 10 departments and agencies for the fiscal year beginning July 1,

14 11 2008, and ending June 30, 2009, the following amounts, or so  
14 12 much thereof as is necessary, to be used for the purposes  
14 13 designated:

14 14 a. DEPARTMENT OF CORRECTIONS

14 15 (1) For construction of a community-based correctional  
14 16 facility, including district offices, in Davenport:

14 17 ..... \$ 3,458,217

14 18 (2) For capital improvement projects at correctional  
14 19 facilities:

14 20 ..... \$ 2,797,376

14 21 b. DEPARTMENT OF ECONOMIC DEVELOPMENT

14 22 For accelerated career education program capital projects  
14 23 at community colleges that are authorized under chapter 260G:

14 24 ..... \$ 5,125,000

14 25 c. DEPARTMENT OF NATURAL RESOURCES

14 26 For the construction of the cabins, activity building,  
14 27 picnic shelters, and other costs associated with the opening  
14 28 of the Honey creek premier destination park:

14 29 ..... \$ 4,900,000

14 30 (1) The department shall not obligate any funding under  
14 31 this appropriation without approval from the department of  
14 32 management. The department shall provide quarterly updates to  
14 33 the Honey creek premier destination park authority and the  
14 34 legislative services agency on the obligation and spending of  
14 35 this appropriation.

15 1 (2) In light of this appropriation, the department shall  
15 2 not request additional appropriations for funding the  
15 3 construction of future additional amenities at the Honey creek  
15 4 destination park beyond the fiscal year ending June 30, 2009.  
15 5 In the event that the chairperson of the authority delivers a  
15 6 certificate to the governor, pursuant to section 463C.13,  
15 7 stating the amounts necessary to restore bond reserve funds,  
15 8 it is the general assembly's intent upon consideration of the  
15 9 governor's request to first seek refunding from the  
15 10 department's budget.

15 11 d. DEPARTMENT OF PUBLIC SAFETY

15 12 For construction of a state emergency response training  
15 13 facility to be located in merged area XI:

15 14 ..... \$ 2,000,000

15 15 e. BOARD OF REGENTS

15 16 (1) For costs associated with the establishment of the  
15 17 Iowa institute for biomedical discovery at the state  
15 18 university of Iowa:

15 19 ..... \$ 10,550,000

15 20 (2) For planning, design, and construction costs  
15 21 associated with the construction of a new renewable fuels  
15 22 building at Iowa state university of science and technology:

15 23 ..... \$ 11,277,000

15 24 Moneys appropriated in this subparagraph are contingent  
15 25 upon the state board of regents or Iowa state university of  
15 26 science and technology actively pursuing the hiring of new  
15 27 research teams to provide world-class expertise in the area of  
15 28 biorenewable fuels research.

15 29 2. Payment of moneys from the appropriations made in this  
15 30 section shall be made in a manner that does not adversely  
15 31 affect the tax-exempt status of any outstanding bonds issued  
15 32 by the tobacco settlement authority.

15 33 3. For purposes of section 8.33, unless specifically  
15 34 provided otherwise, unencumbered or unobligated moneys made

15 35 from an appropriation in this section shall not revert but  
16 1 shall remain available for expenditure for the purposes  
16 2 designated until the close of the fiscal year that ends three  
16 3 years after the end of the fiscal year for which the  
16 4 appropriation was made. However, if the project or projects  
16 5 for which such appropriation was made are completed in an  
16 6 earlier fiscal year, unencumbered or unobligated moneys shall  
16 7 revert at the close of that same fiscal year.

EFFECTIVE DATE == APPLICABILITY

16 9 Sec. 26. EFFECTIVE DATE == APPLICABILITY.

16 10 1. This division of this Act, being deemed of immediate  
16 11 importance, takes effect upon enactment.

16 12 2. The sections of this division of this Act that address  
16 13 a new state office building are retroactively applicable to  
16 14 December 9, 2008.

### DIVISION III

#### ADDITIONAL APPROPRIATION REDUCTIONS

16 17 Sec. 27. 2008 Iowa Acts, chapter 1182, section 1,  
16 18 subsection 1, is amended to read as follows:

16 19       1. There is appropriated from the general fund of the  
16 20 state to the judicial branch for the fiscal year beginning  
16 21 July 1, 2008, and ending June 30, 2009, the following amount,  
16 22 or so much thereof as is necessary, to be used for the  
16 23 purposes designated:

16 24 For salaries of supreme court justices, appellate court  
16 25 judges, district court judges, district associate judges,  
16 26 judicial magistrates and staff, state court administrator,  
16 27 clerk of the supreme court, district court administrators,  
16 28 clerks of the district court, juvenile court officers, board  
16 29 of law examiners and board of examiners of shorthand reporters  
16 30 and judicial qualifications commission; receipt and  
16 31 disbursement of child support payments; reimbursement of the  
16 32 auditor of state for expenses incurred in completing audits of  
16 33 the offices of the clerks of the district court during the  
16 34 fiscal year beginning July 1, 2008; and maintenance,  
16 35 equipment, and miscellaneous purposes:

17 1 ..... \$144,745,322  
17 2 140,959,432

17 3 Sec. 28. 2008 Iowa Acts, chapter 1191, section 3, is  
17 4 amended to read as follows:

17 5 SEC. 3. GENERAL ASSEMBLY. The appropriations made  
17 6 pursuant to section 2.12 for the expenses of the general  
17 7 assembly and legislative agencies for the fiscal year  
17 8 beginning July 1, 2008, and ending June 30, 2009, are reduced  
17 9 by the following amount:

17 10 ..... \$ 1,400,261  
17 11 2,356,851

17 12 Sec. 29. GENERAL REDUCTIONS.

17 13 1. The amounts appropriated from the general fund of the  
17 14 state to executive branch agencies for operational purposes in  
17 15 enactments made for the fiscal year beginning July 1, 2008,  
17 16 and ending June 30, 2009, and standing limited and unlimited  
17 17 appropriations from the general fund of the state for the  
17 18 fiscal year beginning July 1, 2008, and ending June 30, 2009,  
17 19 are reduced by \$25,606,746. For the purposes of this  
17 20 subsection, "operational purposes" means salary, support,  
17 21 administrative expenses, or other personnel-related costs.  
17 22 The appropriations made for the designated fiscal year to the  
17 23 following executive branch agencies are not subject to this

17 24 section: department of commerce divisions of banking, credit  
17 25 union, and utilities, and the racing and gaming commission.  
17 26 2. The reduction in appropriations made pursuant to  
17 27 subsection 1 shall be carried out by the governor in the  
17 28 manner specified in section 8.31, subsection 5. However,  
17 29 provided that the total amount of the reductions required by  
17 30 this section remains unchanged, the governor may approve the  
17 31 exercise of transfer authority under section 8.39 between  
17 32 operational appropriations as necessary to prudently adjust  
17 33 the reductions made to individual appropriations and the  
17 34 report required under this section shall constitute the notice  
17 35 and report otherwise required under section 8.39, subsections  
18 1 3 and 4.

18 2 3. Upon implementation of the appropriations reductions  
18 3 specified in subsection 1, the department of management shall  
18 4 submit a report to the chairpersons and ranking members of the  
18 5 appropriations committees of each chamber of the general  
18 6 assembly and the legislative services agency specifying how  
18 7 the reductions were applied and if any transfers were  
18 8 authorized.

18 9 4. Moneys which become available as a result of the  
18 10 appropriations reductions made pursuant to this section shall  
18 11 be considered to have reverted to the general fund of the  
18 12 state on the effective date of this section.

18 13 Sec. 30. EFFECTIVE DATE == APPLICABILITY.

18 14 1. This division of this Act, being deemed of immediate  
18 15 importance, takes effect upon enactment.

18 16 2. The appropriation reductions made pursuant to this  
18 17 division of this Act shall be applied after applying the  
18 18 reductions made pursuant to executive order number 10 issued  
18 19 December 22, 2008.

18 20 DIVISION IV  
18 21 TRANSFERS

18 22 Sec. 31. INNOVATIONS FUND. There is transferred from the  
18 23 innovations fund created in section 8.63 for the fiscal year  
18 24 beginning July 1, 2008, and ending June 30, 2009, the  
18 25 following amount, or so much thereof as is necessary, to be  
18 26 used for the purpose designated:

18 27 Notwithstanding section 8.63, subsection 1, to be credited  
18 28 to the general fund of the state:

18 29 ..... \$ 4,500,000

18 30 Sec. 32. LOCAL GOVERNMENT INNOVATION FUND. There is  
18 31 transferred from the local government innovation fund created  
18 32 in section 8.67 for the fiscal year beginning July 1, 2008,  
18 33 and ending June 30, 2009, the following amount, or so much  
18 34 thereof as is necessary, to be used for the purpose  
18 35 designated:

19 1 Notwithstanding section 8.67, subsection 1, to be credited  
19 2 to the general fund of the state:

19 3 ..... \$ 844,182

19 4 Sec. 33. IOWA COMPREHENSIVE PETROLEUM UNDERGROUND STORAGE  
19 5 TANK FUND. There is transferred from the Iowa comprehensive  
19 6 petroleum underground storage tank fund created in section  
19 7 455G.3 for the fiscal year beginning July 1, 2008, and ending  
19 8 June 30, 2009, the following amount, or so much thereof as is  
19 9 necessary, to be used for the purpose designated:

19 10 Notwithstanding section 455G.3, subsection 1, to be  
19 11 credited to the general fund of the state:

19 12 ..... \$ 5,655,818

19 13 Sec. 34. EFFECTIVE DATE. This division of this Act, being  
19 14 deemed of immediate importance, takes effect upon enactment.

19 15 DIVISION V

19 16 APPROPRIATION RESTORATIONS AND SUPPLEMENTS

19 17 Sec. 35. DEPARTMENT OF CORRECTIONS. After applying the  
19 18 reduction made pursuant to executive order number 10 issued  
19 19 December 22, 2008, to the appropriations made for the  
19 20 following designated purposes, there is appropriated from the  
19 21 general fund of the state to the department of corrections for  
19 22 the fiscal year beginning July 1, 2008, and ending June 30,  
19 23 2009, the following amounts, or so much thereof as is  
19 24 necessary, to supplement the appropriations made for the  
19 25 following designated purposes:

19 26 1. For the operation of adult correctional institutions in  
19 27 2008 Iowa Acts, chapter 1180, section 3, subsection 1, to be  
19 28 allocated as follows:

19 29 a. For the operation of the Fort Madison correctional  
19 30 facility in 2008 Iowa Acts, chapter 1180, section 3,  
19 31 subsection 1, paragraph "a":

19 32 ..... \$ 684,867

19 33 b. For the operation of the Anamosa correctional facility  
19 34 in 2008 Iowa Acts, chapter 1180, section 3, subsection 1,  
19 35 paragraph "b":

20 1 ..... \$ 483,143

20 2 c. For the operation of the Oakdale correctional facility  
20 3 in 2008 Iowa Acts, chapter 1180, section 3, subsection 1,  
20 4 paragraph "c":

20 5 ..... \$ 906,708

20 6 d. For the operation of the Newton correctional facility  
20 7 in 2008 Iowa Acts, chapter 1180, section 3, subsection 1,  
20 8 paragraph "d":

20 9 ..... \$ 434,340

20 10 e. For the operation of the Mt. Pleasant correctional  
20 11 facility in 2008 Iowa Acts, chapter 1180, section 3,  
20 12 subsection 1, paragraph "e":

20 13 ..... \$ 419,962

20 14 f. For the operation of the Rockwell City correctional  
20 15 facility in 2008 Iowa Acts, chapter 1180, section 3,  
20 16 subsection 1, paragraph "f":

20 17 ..... \$ 144,923

20 18 g. For the operation of the Clarinda correctional facility  
20 19 in 2008 Iowa Acts, chapter 1180, section 3, subsection 1,  
20 20 paragraph "g":

20 21 ..... \$ 390,790

20 22 h. For the operation of the Mitchellville correctional  
20 23 facility in 2008 Iowa Acts, chapter 1180, section 3,  
20 24 subsection 1, paragraph "h":

20 25 ..... \$ 246,868

20 26 i. For the operation of the Fort Dodge correctional  
20 27 facility in 2008 Iowa Acts, chapter 1180, section 3,  
20 28 subsection 1, paragraph "i":

20 29 ..... \$ 464,129

20 30 j. For reimbursement of counties for certain confinement  
20 31 costs in 2008 Iowa Acts, chapter 1180, section 3, subsection  
20 32 1, paragraph "j":

20 33 ..... \$ 14,520

20 34 k. For federal prison reimbursement, reimbursements for  
20 35 out-of-state placements, and miscellaneous contracts in 2008  
21 1 Iowa Acts, chapter 1180, section 3, subsection 1, paragraph

21 2 "k":  
21 3 ..... \$ 3,619  
21 4 2. For department of corrections general administration in  
21 5 2008 Iowa Acts, chapter 1180, section 4, to be allocated as  
21 6 follows:  
21 7 a. For department of corrections general administration in  
21 8 2008 Iowa Acts, chapter 1180, section 4, subsection 1,  
21 9 paragraph "a":  
21 10 ..... \$ 77,403  
21 11 b. For educational programs for inmates at state penal  
21 12 institutions in 2008 Iowa Acts, chapter 1180, section 4,  
21 13 subsection 1, paragraph "b":  
21 14 ..... \$ 29,172  
21 15 c. For development of the Iowa corrections offender  
21 16 network (ICON) data system in 2008 Iowa Acts, chapter 1180,  
21 17 section 4, subsection 1, paragraph "c":  
21 18 ..... \$ 6,416  
21 19 d. For offender mental health and substance abuse  
21 20 treatment in 2008 Iowa Acts, chapter 1180, section 4,  
21 21 subsection 1, paragraph "d":  
21 22 ..... \$ 375  
21 23 e. For viral hepatitis prevention and treatment in 2008  
21 24 Iowa Acts, chapter 1180, section 4, subsection 1, paragraph  
21 25 "e":  
21 26 ..... \$ 2,820  
21 27 3. For the judicial district departments of correctional  
21 28 services in 2008 Iowa Acts, chapter 1180, section 5,  
21 29 subsection 1, to be allocated as follows:  
21 30 a. For the first judicial district department of  
21 31 correctional services in 2008 Iowa Acts, chapter 1180, section  
21 32 5, subsection 1, paragraph "a":  
21 33 ..... \$ 203,607  
21 34 b. For the second judicial district department of  
21 35 correctional services in 2008 Iowa Acts, chapter 1180, section  
22 1 5, subsection 1, paragraph "b":  
22 2 ..... \$ 169,214  
22 3 c. For third judicial district department of correctional  
22 4 services in 2008 Iowa Acts, chapter 1180, section 5,  
22 5 subsection 1, paragraph "c":  
22 6 ..... \$ 93,453  
22 7 d. For the fourth judicial district department of  
22 8 correctional services in 2008 Iowa Acts, chapter 1180, section  
22 9 5, subsection 1, paragraph "d":  
22 10 ..... \$ 85,788  
22 11 e. For the fifth judicial district department of  
22 12 correctional services in 2008 Iowa Acts, chapter 1180, section  
22 13 5, subsection 1, paragraph "e":  
22 14 ..... \$ 294,421  
22 15 f. For the sixth judicial district department of  
22 16 correctional services in 2008 Iowa Acts, chapter 1180, section  
22 17 5, subsection 1, paragraph "f":  
22 18 ..... \$ 218,496  
22 19 g. For the seventh judicial district department of  
22 20 correctional services in 2008 Iowa Acts, chapter 1180, section  
22 21 5, subsection 1, paragraph "g":  
22 22 ..... \$ 111,216  
22 23 h. For the eighth judicial district department of  
22 24 correctional services in 2008 Iowa Acts, chapter 1180, section  
22 25 5, subsection 1, paragraph "h":

22 26 ..... \$ 108,830  
22 27 Sec. 36. DEPARTMENT OF PUBLIC SAFETY. After applying the  
22 28 reduction made pursuant to executive order number 10 issued  
22 29 December 22, 2008, to the appropriations made for the  
22 30 following designated purposes, there is appropriated from the  
22 31 general fund of the state to the department of public safety  
22 32 for the fiscal year beginning July 1, 2008, and ending June  
22 33 30, 2009, the following amounts, or so much thereof as is  
22 34 necessary, to supplement the appropriations made for the  
22 35 following designated purposes:  
23 1 1. For the department's administrative functions in 2008  
23 2 Iowa Acts, chapter 1180, section 14, subsection 1:  
23 3 ..... \$ 68,484  
23 4 2. For the division of criminal investigation in 2008 Iowa  
23 5 Acts, chapter 1180, section 14, subsection 2:  
23 6 ..... \$ 329,310  
23 7 3. For the criminalistics laboratory fund created in  
23 8 section 691.9 in 2008 Iowa Acts, chapter 1180, section 14,  
23 9 subsection 3:  
23 10 ..... \$ 5,130  
23 11 4. For the division of narcotics enforcement in 2008 Iowa  
23 12 Acts, chapter 1180, section 14, subsection 4, paragraph "a":  
23 13 ..... \$ 99,534  
23 14 5. For the state fire marshal's office for fire protection  
23 15 services in 2008 Iowa Acts, chapter 1180, section 14,  
23 16 subsection 5:  
23 17 ..... \$ 62,186  
23 18 6. For the division of state patrol in 2008 Iowa Acts,  
23 19 chapter 1180, section 14, subsection 6:  
23 20 ..... \$ 780,362  
23 21 7. For costs associated with the training and equipment  
23 22 needs of volunteer fire fighters in 2008 Iowa Acts, chapter  
23 23 1180, section 14, subsection 8:  
23 24 ..... \$ 10,504  
23 25 Notwithstanding section 8.33, moneys appropriated in this  
23 26 subsection that remain unencumbered or unobligated at the  
23 27 close of the fiscal year shall not revert but shall remain  
23 28 available for expenditure for the purposes designated until  
23 29 the close of the succeeding fiscal year.  
23 30 Sec. 37. DEPARTMENT OF COMMERCE. After applying the  
23 31 reduction made pursuant to executive order number 10 issued  
23 32 December 22, 2008, to the appropriations made for the  
23 33 following designated purposes, there is appropriated from the  
23 34 general fund of the state to the department of commerce for  
23 35 the fiscal year beginning July 1, 2008, and ending June 30,  
24 1 2009, the following amounts, or so much thereof as is  
24 2 necessary, to supplement the appropriations made for the  
24 3 following designated purposes:  
24 4 1. For the banking division, in 2008 Iowa Acts, chapter  
24 5 1184, section 7, subsection 2, paragraph "a":  
24 6 ..... \$ 131,578  
24 7 2. For the credit union division, in 2008 Iowa Acts,  
24 8 chapter 1184, section 7, subsection 3:  
24 9 ..... \$ 26,097  
24 10 3. For the utilities division, in 2008 Iowa Acts, chapter  
24 11 1184, section 7, subsection 5:  
24 12 ..... \$ 128,675  
24 13 Sec. 38. RACING AND GAMING COMMISSION. After applying the  
24 14 reduction made pursuant to executive order number 10 issued

24 15 December 22, 2008, to the appropriations made for the  
24 16 following designated purposes, there is appropriated from the  
24 17 general fund of the state to the racing and gaming commission  
24 18 for the fiscal year beginning July 1, 2008, and ending June  
24 19 30, 2009, the following amounts, or so much thereof as is  
24 20 necessary, to supplement the appropriations made for the  
24 21 following designated purposes:

24 22 1. For racetrack regulation, in 2008 Iowa Acts, chapter  
24 23 1184, section 13, subsection 1:  
24 24 ..... \$ 44,799

24 25 2. For excursion boat and gambling structure regulation,  
24 26 in 2008 Iowa Acts, chapter 1184, section 13, subsection 2:  
24 27 ..... \$ 53,856

24 28 Sec. 39. DEPARTMENT OF PUBLIC HEALTH == INFECTIOUS  
24 29 DISEASES. After applying the reduction made pursuant to  
24 30 executive order number 10 issued December 22, 2008, there is  
24 31 appropriated from the general fund of the state to the  
24 32 department of public health for the fiscal year beginning July  
24 33 1, 2008, and ending June 30, 2009, the following amount, or so  
24 34 much thereof as is necessary, to supplement the appropriation  
24 35 made for the following designated purpose:

25 1 For reducing the incidence and prevalence of communicable  
25 2 diseases in 2008 Iowa Acts, chapter 1187, section 2,  
25 3 subsection 7:  
25 4 ..... \$ 992,915

25 5 Sec. 40. COUNTY MENTAL HEALTH, MENTAL RETARDATION, AND  
25 6 DEVELOPMENTAL DISABILITIES SERVICES.

25 7 1. After applying the reduction made pursuant to executive  
25 8 order number 10 issued December 22, 2008, to the  
25 9 appropriations made for the following designated purposes,  
25 10 there is appropriated from the general fund of the state to  
25 11 the department of human services for the fiscal year beginning  
25 12 July 1, 2008, and ending June 30, 2009, the following amounts,  
25 13 or so much thereof as is necessary, to supplement the  
25 14 appropriations made for the following designated purposes:

25 15 a. For the property tax relief fund appropriation made in  
25 16 section 426B.1, subsection 2:  
25 17 ..... \$ 1,326,000

25 18 All of the appropriation made in this lettered paragraph  
25 19 shall be distributed to counties as necessary to restore the  
25 20 amounts that would have been paid to counties in accordance  
25 21 with section 426B.2 for the fiscal year beginning July 1,  
25 22 2008, but for the reduction applied to the property tax relief  
25 23 fund appropriation pursuant to executive order number 10.

25 24 b. For the appropriation in 2008 Iowa Acts, chapter 1187,  
25 25 section 23, for distribution to counties for state case  
25 26 services for persons with mental illness, mental retardation,  
25 27 and developmental disabilities in accordance with section  
25 28 331.440:  
25 29 ..... \$ 203,372

25 30 c. For the appropriation in 2008 Iowa Acts, chapter 1187,  
25 31 section 24, for distribution to counties for mental health and  
25 32 developmental disabilities community services in accordance  
25 33 with subsection 2 of this section:  
25 34 ..... \$ 272,318

25 35 d. For the appropriation in 2007 Iowa Acts, chapter 215,  
26 1 section 1, as amended by 2008 Iowa Acts, chapter 1187, section  
26 2 58, for county mental health, mental retardation, and  
26 3 developmental disabilities allowed growth factor adjustment

26 4 for fiscal year 2008=2009:  
26 5 ..... \$ 811,220  
26 6 2. a. The appropriations made in this section are not  
26 7 subject to transfer. The appropriations made in subsection 1,  
26 8 paragraphs "c" and "d", shall be distributed to counties to  
26 9 restore the amounts that would have been paid to counties for  
26 10 the fiscal year beginning July 1, 2008, in accordance with  
26 11 2007 Iowa Acts, chapter 215, section 1, as amended by 2008  
26 12 Iowa Acts, chapter 1187, section 59, but for the reduction  
26 13 applied to the appropriations referred to in such paragraphs  
26 14 pursuant to executive order number 10.  
26 15 b. The department of human services shall calculate the  
26 16 amount of moneys due to counties in accordance with this  
26 17 section. The department shall authorize the issuance of  
26 18 warrants payable to the county treasurer for the amounts due  
26 19 and the warrants shall be issued not more than fifteen  
26 20 calendar days from the effective date of this section of this  
26 21 Act.  
26 22 Sec. 41. DEPARTMENT OF NATURAL RESOURCES. After applying  
26 23 the reduction made pursuant to executive order number 10  
26 24 issued December 22, 2008, there is appropriated from the  
26 25 general fund of the state to the department of natural  
26 26 resources for the fiscal year beginning July 1, 2008, and  
26 27 ending June 30, 2009, the following amount, or so much thereof  
26 28 as is necessary, to supplement the appropriation made for the  
26 29 following designated purposes:  
26 30 For supporting the department, as provided in this section,  
26 31 for administration, regulation, and programs, including for  
26 32 salaries, support, maintenance, and miscellaneous purposes in  
26 33 2008 Iowa Acts, chapter 1189, section 17:  
26 34 ..... \$ 1,958,000  
26 35 The appropriation made in this section is allocated to  
27 1 support the department's parks bureau for addressing flood  
27 2 damage to state parks and facilities and other extraordinary  
27 3 costs associated with the bureau's operations.  
27 4 Sec. 42. DEPARTMENT OF WORKFORCE DEVELOPMENT. After  
27 5 applying the reduction made pursuant to executive order number  
27 6 10 issued December 22, 2008, to the appropriations made for  
27 7 the following designated purposes, there is appropriated from  
27 8 the general fund of the state to the department of workforce  
27 9 development for the fiscal year beginning July 1, 2008, and  
27 10 ending June 30, 2009, the following amounts, or so much  
27 11 thereof as is necessary, to supplement the appropriations made  
27 12 for the following designated purposes:  
27 13 1. For the division of labor services in 2008 Iowa Acts,  
27 14 chapter 1190, section 16, subsection 1:  
27 15 ..... \$ 65,735  
27 16 2. For the division of workers' compensation in 2008 Iowa  
27 17 Acts, chapter 1190, section 16, subsection 2:  
27 18 ..... \$ 44,152  
27 19 3. For the operation of field offices, the workforce  
27 20 development board, and new Iowans centers in 2008 Iowa Acts,  
27 21 chapter 1190, section 16, subsection 3:  
27 22 ..... \$ 189,367  
27 23 4. For conducting integrated basic education and skills  
27 24 training demonstration projects in 2008 Iowa Acts, chapter  
27 25 1190, section 16, subsection 4:  
27 26 ..... \$ 7,500  
27 27 5. For the development and administration of an offender

27 28 reentry program in 2008 Iowa Acts, chapter 1190, section 16,  
27 29 subsection 5:  
27 30 ..... \$ 5,625  
27 31 6. For purposes of administration of a security employee  
27 32 pilot project training program in 2008 Iowa Acts, chapter  
27 33 1190, section 16, subsection 6:  
27 34 ..... \$ 225  
27 35 Sec. 43. FISH AND GAME PROTECTION FUND. There is  
28 1 transferred from the general fund of the state to the  
28 2 department of natural resources for the fiscal year beginning  
28 3 July 1, 2008, and ending June 30, 2009, the following amount,  
28 4 or so much thereof as is necessary, to be used for the  
28 5 purposes designated:  
28 6 To be credited to the state fish and game protection fund  
28 7 and used for addressing flood damage to public lands and  
28 8 facilities administered by the department of natural  
28 9 resources:  
28 10 ..... \$ 4,070,000  
28 11 Sec. 44. COMMUNITY DEVELOPMENT BLOCK GRANT.  
28 12 1. There is appropriated from the fund created by section  
28 13 8.41 to the department of economic development for the federal  
28 14 fiscal year beginning October 1, 2007, and ending September  
28 15 30, 2008, the following amount:  
28 16 ..... \$156,690,815  
28 17 2. Funds appropriated in this section are community  
28 18 development block grant funds awarded to the state under Pub.  
28 19 L. No. 110-252, Supplemental Appropriations Act, 2008.  
28 20 3. The department of economic development shall expend the  
28 21 funds appropriated in this section for disaster relief,  
28 22 long-term recovery, and restoration of infrastructure as  
28 23 provided in the federal law making the funds available and in  
28 24 conformance with chapter 17A. An amount not to exceed 3  
28 25 percent of the funds appropriated in this section shall be  
28 26 used by the department for administrative expenses. From the  
28 27 funds set aside for administrative expenses, the department  
28 28 shall pay to the auditor of state an amount sufficient to pay  
28 29 the cost of auditing the use and administration of the state's  
28 30 portion of the funds appropriated in this section.  
28 31 Sec. 45. EFFECTIVE DATE.  
28 32 1. This division of this Act, being deemed of immediate  
28 33 importance, takes effect upon enactment.  
28 34 2. The section of this division of this Act appropriating  
28 35 federal community development block grant funds is  
29 1 retroactively applicable to June 30, 2008.  
29 2 DIVISION VI  
29 3 REPEAL OF FUNDS  
29 4 Sec. 46. Section 8.68, Code 2009, is amended to read as  
29 5 follows:  
29 6 8.68 FUTURE REPEAL OF COMMISSION AND FUND.  
29 7 Sections 8.64 through 8.67 and this section are repealed  
29 8 effective June 30, 2019 July 1, 2010.  
29 9 Sec. 47. Section 8A.123, subsection 2, Code 2009, is  
29 10 amended to read as follows:  
29 11 2. Internal service funds shall be administered by the  
29 12 department and shall consist of moneys collected by the  
29 13 department from billings issued in accordance with section  
29 14 8A.125 and any other moneys obtained or accepted by the  
29 15 department, including but not limited to gifts, loans,  
29 16 donations, grants, and contributions, which are designated to

29 17 support the activities of the individual internal service  
29 18 funds. The director may obtain loans from the innovations  
29 19 fund created in section 8.63 for deposit in an internal  
29 20 service fund established pursuant to this section to provide  
29 21 seed and investment capital to enhance the delivery of  
29 22 services provided by the department.

29 23 Sec. 48. Sections 8.63 and 8.69, Code 2009, are repealed.

29 24 Sec. 49. INNOVATIONS FUND AND LOCAL GOVERNMENT INNOVATION  
29 25 FUND == TRANSFER.

29 26 1. Notwithstanding any provision of law to the contrary,  
29 27 the unencumbered or unobligated balances of the innovations  
29 28 fund created in section 8.63 at the close of the fiscal year  
29 29 beginning July 1, 2009, and any moneys to be credited to the  
29 30 fund in any succeeding fiscal year shall be transferred to the  
29 31 general fund of the state.

29 32 2. Notwithstanding any provision of law to the contrary,  
29 33 the unencumbered or unobligated balances of the local  
29 34 government innovation fund created in section 8.67 at the  
29 35 close of the fiscal year beginning July 1, 2009, and any  
30 1 moneys to be credited to the fund in any succeeding fiscal  
30 2 year shall be transferred to the general fund of the state.

30 3 3. This section takes effect July 1, 2009.

30 4 Sec. 50. EFFECTIVE DATE. Except as otherwise provided in  
30 5 this division of this Act, this division of this Act takes  
30 6 effect July 1, 2010.

## 30 7 DIVISION VII 30 8 OTHER PROVISIONS

30 9 Sec. 51. IOWA PUBLIC EMPLOYEES' RETIREMENT SYSTEM ==  
30 10 TEMPORARY LAYOFFS == AVERAGE COVERED WAGE RECALCULATION.  
30 11 1. Notwithstanding any provision of chapter 97B to the  
30 12 contrary, a member of the Iowa public employees' retirement  
30 13 system who has an employer=mandated reduction in hours but  
30 14 remains on the employer's payroll, and who would receive a  
30 15 reduction in the member's three=year average covered wage as a  
30 16 result of the reduction in hours, may have the member's  
30 17 retirement allowance calculated based on the three=year  
30 18 average covered wage the member would have received, based on  
30 19 reasonable assumptions, if the member had not been subject to  
30 20 the employer=mandated reduction in hours, upon payment by the  
30 21 member of the applicable contribution amount. For purposes of  
30 22 this section, the applicable contribution amount is an amount  
30 23 equal to the employee and employer contributions that would  
30 24 have been paid to the system based on the wages that the  
30 25 member would have received but for the employer=mandated  
30 26 reduction in hours and would have been included in the  
30 27 member's three=year average covered wage.

30 28 2. The payment of the applicable contribution amount under  
30 29 this section shall be treated as pick=up contributions in  
30 30 addition to amounts picked up under section 97B.11A. The  
30 31 member must notify the Iowa public employees' retirement  
30 32 system and the member's employer prior to the member  
30 33 terminating employment covered under the system so that the  
30 34 appropriate calculations can be made and the applicable  
30 35 contribution amount for the member can be deducted from the  
31 1 member's wages. The Iowa public employees' retirement system  
31 2 shall have no liability for a member's failure to notify the  
31 3 system and the member's employer in time to make such  
31 4 calculations and deduct the applicable contribution amount  
31 5 from the member's remaining wage payments.

31 6 3. This section shall apply to employer-mandated  
31 7 reductions in hours during the period of time beginning on or  
31 8 after January 1, 2009, and ending no later than June 30, 2010.  
31 9 The system is authorized to adopt such rules, including  
31 10 emergency rules, as it deems necessary or prudent to implement  
31 11 this section.

31 12 Sec. 52. USE OF REVERSIONS == FY 2009. Notwithstanding  
31 13 section 8.62, at the close of the fiscal year beginning July  
31 14 1, 2008, any balance of an operational appropriation that  
31 15 remains unexpended or unencumbered shall not be encumbered or  
31 16 deposited in the cash reserve fund as provided in section  
31 17 8.62, but shall instead revert to the general fund of the  
31 18 state at the close of the fiscal year as provided in section  
31 19 8.33.

31 20 Sec. 53. USE OF REVERSIONS == FY 2010. Notwithstanding  
31 21 section 8.62, at the close of the fiscal year beginning July  
31 22 1, 2009, any balance of an operational appropriation that  
31 23 remains unexpended or unencumbered shall not be encumbered or  
31 24 deposited in the cash reserve fund as provided in section  
31 25 8.62, but shall instead revert to the general fund of the  
31 26 state at the close of the fiscal year as provided in section  
31 27 8.33.

31 28 Sec. 54. JUDICIAL APPOINTMENT == DELAY.

31 29 1. Notwithstanding section 46.12, the chief justice may  
31 30 order the state commissioner of elections to delay, for up to  
31 31 one hundred eighty days for budgetary reasons, the sending of  
31 32 a notification to the proper judicial nominating commission  
31 33 that a vacancy in the supreme court, court of appeals, or  
31 34 district court has occurred or will occur.

31 35 2. Notwithstanding sections 602.6304, 602.7103B, and  
32 1 633.20B, the chief justice may order any county magistrate  
32 2 appointing commission to delay, for up to one hundred eighty  
32 3 days for budgetary reasons, the certification of nominees to  
32 4 the chief judge of the judicial district for a district  
32 5 associate judgeship, associate juvenile judgeship, or  
32 6 associate probate judgeship.

32 7 3. Notwithstanding section 602.6403, subsection 3, the  
32 8 chief justice may order any county magistrate appointing  
32 9 commission to delay, for up to one hundred eighty days for  
32 10 budgetary reasons, the appointment of a magistrate to serve  
32 11 the remainder of an unexpired term.

32 12 4. The section is applicable for the period beginning on  
32 13 the effective date of this section and ending June 30, 2009.

32 14 Sec. 55. EFFECTIVE DATE. This division of this Act, being  
32 15 deemed of immediate importance, takes effect upon enactment.

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PATRICK J. MURPHY  
Speaker of the House

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JOHN P. KIBBIE  
President of the Senate

32 27 I hereby certify that this bill originated in the House and  
32 28 is known as House File 414, Eighty-third General Assembly.  
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MARK BRANDSGARD  
Chief Clerk of the House

32 34 Approved \_\_\_\_\_, 2009

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33 3 CHESTER J. CULVER

33 4 Governor