

HSB 259

APPROPRIATIONS

...JC.  
SF 10742

SENATE/HOUSE FILE \_\_\_\_\_

BY (PROPOSED COMMITTEE ON APPROPRIATIONS  
BILL BY JOINT APPROPRIATIONS SUBCOMMITTEE  
ON TRANSPORTATION, INFRASTRUCTURE AND  
CAPITALS)

Passed Senate, Date \_\_\_\_\_ Passed House, Date \_\_\_\_\_

Vote: Ayes \_\_\_\_\_ Nays \_\_\_\_\_ Vote: Ayes \_\_\_\_\_ Nays \_\_\_\_\_

Approved \_\_\_\_\_

**A BILL FOR**

1 An Act relating to and making appropriations from the rebuild  
2 Iowa infrastructure fund to state departments and agencies,  
3 including the department of agriculture and land stewardship,  
4 the department of corrections, the department of cultural  
5 affairs, the department of economic development, the  
6 department of general services, the Iowa state fair  
7 foundation, the legislative council, the department of natural  
8 resources, the department of public defense, the department of  
9 public safety, the state board of regents, the state  
10 department of transportation, and the office of treasurer of  
11 state, and making appropriations from the environment first  
12 fund for environmental purposes to the department of  
13 agriculture and land stewardship, the department of economic  
14 development, the department of natural resources, the state  
15 department of transportation, and the Iowa resources  
16 enhancement and protection fund, making related statutory  
17 changes, and providing effective dates.

18 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

19

20

21

22

DIVISION I

REBUILD IOWA INFRASTRUCTURE FUND

DEPARTMENT OF AGRICULTURE AND LAND STEWARDSHIP

1 Section 1. There is appropriated from the rebuild Iowa  
2 infrastructure fund to the department of agriculture and land  
3 stewardship for the fiscal year beginning July 1, 2001, and  
4 ending June 30, 2002, the following amount, or so much thereof  
5 as is necessary, to be used for the purpose designated:

6 To provide financial assistance for the establishment of  
7 permanent soil and water conservation practices,  
8 notwithstanding section 8.57, subsection 5, paragraph "c":  
9 ..... \$ 5,500,000

10 1. Not more than 5 percent of the moneys appropriated in  
11 this section may be allocated for cost-sharing to abate  
12 complaints filed under section 161A.47.

13 2. Of the moneys appropriated in this section, 5 percent  
14 shall be allocated for financial incentives to establish  
15 practices to protect watersheds above publicly owned lakes of  
16 the state from soil erosion and sediment as provided in  
17 section 161A.73.

18 3. Not more than 30 percent of a district's allocation of  
19 moneys as financial incentives may be provided for the purpose  
20 of establishing management practices to control soil erosion  
21 on land that is row-cropped, including but not limited to no-  
22 till planting, ridge-till planting, contouring, and contour  
23 strip-cropping as provided in section 161A.73.

24 4. The state soil conservation committee created in  
25 section 161A.4 may allocate moneys appropriated in this  
26 section to conduct research and demonstration projects to  
27 promote conservation tillage and nonpoint source pollution  
28 control practices.

29 5. The financial incentive payments may be used in  
30 combination with department of natural resources moneys.

31 DEPARTMENT OF CORRECTIONS

32 Sec. 2. There is appropriated from the rebuild Iowa

1 infrastructure fund to the department of corrections for the  
2 fiscal year beginning July 1, 2001, and ending June 30, 2002,  
3 the following amounts, or so much thereof as is necessary, to  
4 be used for the purposes designated:

5 1. To supplement funds appropriated in 1998 Iowa Acts,  
6 chapter 1219, section 2, subsection 3, for construction of a  
7 200-bed facility at the Iowa state penitentiary at Fort  
8 Madison:

9 ..... \$ 6,400,000

10 2. For costs associated with connecting the correctional  
11 facility at Oakdale to the city of Coralville water system:

12 ..... \$ 100,000

13 3. For the final phase of the state's share of the  
14 construction costs associated with the Mitchellville waste  
15 water treatment plant:

16 ..... \$ 364,400

17 4. For costs associated with connecting the electrical  
18 system supporting the special needs unit at Fort Madison:

19 ..... \$ 333,168

20 Sec. 3. 2000 Iowa Acts, chapter 1225, section 2,  
21 unnumbered paragraph 2, is amended to read as follows:

22 The first \$300,000 of the amount appropriated in this  
23 subsection shall be allocated for community-based corrections  
24 projects in Council Bluffs. The next \$600,000 of the amount  
25 appropriated in this subsection shall be allocated for  
26 community-based corrections projects in the judicial district  
27 in which the city of Davenport is located. These moneys may  
28 be used by the department to enter into lease-purchasing  
29 agreements or the payment of rent for such projects.

30 Sec. 4. 1999 Iowa Acts, chapter 204, section 1, subsection  
31 1, is amended to read as follows:

32 1. For purchase and planning, design, and construction of  
33 a 170-bed facility at the Iowa medical and classification  
34 center at Oakdale:

35 FY 1999-2000 ..... \$ 3,750,000

1 .....	\$	<u>1,050,000</u>
2 FY 2000-2001 .....	\$	2,750,000
3 .....	\$	<u>0</u>

4 DEPARTMENT OF CULTURAL AFFAIRS

5 Sec. 5. There is appropriated from the rebuild Iowa  
6 infrastructure fund to the department of cultural affairs for  
7 the fiscal year beginning July 1, 2001, and ending June 30,  
8 2002, the following amounts, or so much thereof as is  
9 necessary, to be used for the purposes designated:

10 1. For historical site preservation grants, to be used for  
11 the restoration, preservation, and development of historical  
12 sites:

13 .....	\$	2,000,000
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14 Historical site preservation grants shall only be awarded  
15 for projects which meet the definition of "vertical  
16 infrastructure" in section 8.57, subsection 5, paragraph "c".

17 In making grants pursuant to this subsection, the  
18 department shall consider the existence and amount of other  
19 funds available to an applicant for the designated project.  
20 Each grant awarded from moneys appropriated in this subsection  
21 shall not exceed \$100,000 per project. Not more than two  
22 grants may be awarded in each county.

23 2. For continuation of the project recommended by the Iowa  
24 battle flag advisory committee to stabilize the condition of  
25 the battle flag collection, notwithstanding section 8.57,  
26 subsection 5, paragraph "c":

27 .....	\$	275,000
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28 DEPARTMENT OF ECONOMIC DEVELOPMENT

29 Sec. 6. There is appropriated from the rebuild Iowa  
30 infrastructure fund to the department of economic development  
31 for the fiscal year beginning July 1, 2001, and ending June  
32 30, 2002, the following amounts, or so much thereof as is  
33 necessary, to be used for the purposes designated:

34 1. To be deposited in the physical infrastructure  
35 assistance fund created in section 15E.175:

1 ..... \$ 2,000,000

2 The moneys appropriated in this subsection shall be used  
3 for projects which cumulatively result in the creation of  
4 "vertical infrastructure", as defined in section 8.57,  
5 subsection 5, paragraph "c", having a total value of at least  
6 \$2,000,000. The department shall report to the general  
7 assembly by March 31 of the fiscal year for which funds are  
8 appropriated in this subsection regarding the amount of such  
9 funds used for "vertical infrastructure" projects and the  
10 amount of such funds used for projects which result in the  
11 creation of "vertical infrastructure".

12 2. For accelerated career education program capital  
13 projects at community colleges that are authorized under  
14 chapter 260G and that meet the definition of "vertical  
15 infrastructure" in section 8.57, subsection 5, paragraph "c":  
16 ..... \$ 5,300,000

17 The moneys appropriated in this subsection shall be  
18 allocated equally among the community colleges in the state.  
19 If any portion of the equal allocation to a community college  
20 is not obligated or encumbered by April 1, 2002, the  
21 unobligated and unencumbered portions shall be available for  
22 use by other community colleges.

23 DEPARTMENT OF GENERAL SERVICES

24 Sec. 7. There is appropriated from the rebuild Iowa  
25 infrastructure fund to the department of general services for  
26 the fiscal year beginning July 1, 2001, and ending June 30,  
27 2002, the following amounts, or so much thereof as is  
28 necessary, to be used for the purposes designated:

29 1. For capitol interior restoration:  
30 ..... \$ 1,700,000

31 2. For relocation expenses associated with remodeling  
32 projects on the capitol complex, notwithstanding section 8.57,  
33 subsection 5, paragraph "c":  
34 ..... \$ 1,579,000

35 3. For routine maintenance of state buildings and

1 facilities under the purview of the department,  
2 notwithstanding section 8.57, subsection 5, paragraph "c":  
3 ..... \$ 2,500,000

4 The department shall quarterly file a report with the  
5 legislative fiscal bureau detailing the use and disposition of  
6 funds appropriated in this subsection.

7 4. For major renovation and major repair needs including  
8 health, life, and fire safety needs, and for compliance with  
9 the federal Americans With Disabilities Act, for state-owned  
10 buildings and facilities:

11 ..... \$ 15,000,000

12 a. In accordance with section 8.57, subsection 5,  
13 paragraph "c", the moneys appropriated in this subsection  
14 shall not be used for project management services provided by  
15 the department.

16 b. Of the amount appropriated in this subsection, \$200,000  
17 may be used for costs associated with the vertical  
18 infrastructure program, notwithstanding section 8.57,  
19 subsection 5, paragraph "c".

20 5. For relocation costs associated with renovation of the  
21 state records center, notwithstanding section 8.57, subsection  
22 5, paragraph "c":

23 ..... \$ 1,028,000

24 6. For the purchase of land and improvements to properties  
25 in the vicinity of the capitol complex:

26 ..... \$ 400,000

27 Funds appropriated in this subsection may be expended to  
28 prepare purchased property for utilization by the state.

29 7. For the planning, design, and construction of a  
30 facility, or for the purchase and renovation of the  
31 metropolitan medical center property in Des Moines, which  
32 shall be used as a multipurpose laboratory facility, pursuant  
33 to approval by the legislative council, notwithstanding  
34 section 8.57, subsection 5, paragraph "c":

35 ..... \$ 8,200,000

1 Sec. 8. There is appropriated from the rebuild Iowa  
2 infrastructure fund to the department of general services for  
3 the fiscal years designated, the following amounts, or so much  
4 thereof as is necessary, to be used for the purposes  
5 designated:

6 1. For the construction of a pedestrian bridge across  
7 Court avenue to provide pedestrian access across the capitol  
8 complex:

9	FY 2001-2002.....	\$	500,000
10	FY 2002-2003.....	\$	550,000

11 2. For costs associated with renovation of the state  
12 records center:

13	FY 2001-2002.....	\$	1,215,000
14	FY 2002-2003.....	\$	8,500,000
15	FY 2003-2004.....	\$	1,300,000

16 IOWA STATE FAIR FOUNDATION

17 Sec. 9. There is appropriated from the rebuild Iowa  
18 infrastructure fund to the Iowa state fair foundation for the  
19 fiscal year beginning July 1, 2001, and ending June 30, 2002,  
20 the following amounts, or so much thereof as is necessary, to  
21 be used for the purposes designated:

22 1. For replacement of the roof of the livestock pavilion:  
23 ..... \$ 500,000

24 2. For upgrades to the sewer and water systems:  
25 ..... \$ 300,000

26 3. For electrical upgrades:  
27 ..... \$ 200,000

28 LEGISLATIVE COUNCIL

29 Sec. 10. 1999 Iowa Acts, chapter 204, section 14, is  
30 amended by adding the following new unnumbered paragraph:

31 NEW UNNUMBERED PARAGRAPH. Notwithstanding anything to the  
32 contrary in this section of this Act or section 8.33, the  
33 moneys appropriated in section 7 of this Act shall remain  
34 available for the purposes designated until June 30, 2006.

35 DEPARTMENT OF NATURAL RESOURCES

1 Sec. 11. There is appropriated from the rebuild Iowa  
2 infrastructure fund to the department of natural resources for  
3 the fiscal year beginning July 1, 2001, and ending June 30,  
4 2002, the following amounts, or so much thereof as is  
5 necessary, to be used for the purposes designated:

6 1. For costs associated with the planning and design of a  
7 premier destination park, notwithstanding section 8.57,  
8 subsection 5, paragraph "c":

9 ..... \$ 1,000,000

10 2. To upgrade electrical systems at state parks throughout  
11 the state:

12 ..... \$ 500,000

13 DEPARTMENT OF PUBLIC DEFENSE

14 Sec. 12. There is appropriated from the rebuild Iowa  
15 infrastructure fund to the department of public defense for  
16 the fiscal years designated, the following amounts, or so much  
17 thereof as is necessary, to be used for the purposes  
18 designated:

19 1. For maintenance and repair of national guard armories  
20 and facilities:

21 FY 2001-2002..... \$ 700,000

22 2. For construction of a new national guard armory at  
23 Estherville:

24 FY 2001-2002..... \$ 400,000

25 FY 2002-2003..... \$ 400,000

26 FY 2003-2004..... \$ 400,000

27 DEPARTMENT OF PUBLIC SAFETY

28 Sec. 13. There is appropriated from the rebuild Iowa  
29 infrastructure fund to the department of public safety for the  
30 fiscal year beginning July 1, 2001, and ending June 30, 2002,  
31 the following amount, or so much thereof as is necessary, to  
32 be used for the purpose designated:

33 For construction of a new Iowa state patrol post in Mason  
34 City:

35 ..... \$ 1,700,000

STATE BOARD OF REGENTS

1  
2 Sec. 14. There is appropriated from the rebuild Iowa  
3 infrastructure fund to the state board of regents for the  
4 fiscal period beginning July 1, 2001, and ending June 30,  
5 2004, the following amounts, or so much thereof as is  
6 necessary, to be used for the purposes designated:

7 1. For construction of a new business college building at  
8 Iowa state university of science and technology:

9	FY 2001-2002.....	\$	4,200,000
10	FY 2002-2003.....	\$	6,700,000
11	FY 2003-2004.....	\$	0

12 2. For phase I of construction of the art building at the  
13 state university of Iowa:

14	FY 2001-2002.....	\$	4,453,000
15	FY 2002-2003.....	\$	7,910,000
16	FY 2003-2004.....	\$	3,653,000

17 3. For upgrading the steam distribution system at the  
18 university of northern Iowa:

19	FY 2001-2002.....	\$	3,990,000
20	FY 2002-2003.....	\$	4,320,000
21	FY 2003-2004.....	\$	4,390,000

22 4. For utility system replacement at the Iowa school for  
23 the deaf:

24	FY 2001-2002.....	\$	250,000
25	FY 2002-2003.....	\$	0
26	FY 2003-2004.....	\$	0

27 5. For tuckpointing at the Iowa school for the deaf:

28	FY 2001-2002.....	\$	185,000
29	FY 2002-2003.....	\$	0
30	FY 2003-2004.....	\$	0

31 6. For upgrading the heating, ventilation, and air  
32 conditioning system at the Iowa braille and sight-saving  
33 school:

34	FY 2001-2002.....	\$	400,000
35	FY 2002-2003.....	\$	0

1 FY 2003-2004..... \$ 0

2 The state board of regents is authorized to enter into  
3 contracts for the full cost of carrying out the projects  
4 listed in subsections 1 through 3, for which appropriations  
5 are made in those subsections. The state shall not be  
6 obligated for costs associated with contracts identified in  
7 this paragraph in excess of the funds appropriated by the  
8 general assembly.

9 STATE DEPARTMENT OF TRANSPORTATION

10 Sec. 15. There is appropriated from the rebuild Iowa  
11 infrastructure fund to the state department of transportation  
12 for the fiscal year beginning July 1, 2001, and ending June  
13 30, 2002, the following amounts, or so much thereof as is  
14 necessary, to be used for the purposes designated:

15 1. For vertical infrastructure improvements at all 10 of  
16 the commercial air service airports within the state:  
17 ..... \$ 1,000,000

18 One-half of the funds appropriated in this subsection shall  
19 be allocated equally between each commercial service airport,  
20 40 percent of the funds shall be allocated based on the  
21 percentage that the number of enplaned passengers at each  
22 commercial service airport bears to the total number of  
23 enplaned passengers in the state during the previous fiscal  
24 year, and 10 percent of the funds shall be allocated based on  
25 the percentage that the air cargo tonnage at each commercial  
26 service airport bears to the total air cargo tonnage in the  
27 state during the previous fiscal year. In order for a  
28 commercial service airport to receive funding under this  
29 subsection, the airport shall be required to submit  
30 applications for funding of specific projects to the  
31 department for approval by the state transportation  
32 commission.

33 2. For deposit in the aviation hangar revolving loan fund,  
34 created in section 330.2, for improvements to and design and  
35 construction of hangars at general aviation airports within

1 the state:

2 ..... \$ 500,000

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

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

6 Of the amount appropriated in this subsection, \$1,000,000  
7 shall be used for funding, on a matching basis, recreational  
8 trail projects, with priority given to completion of trail  
9 connections and sections between existing trails and parks  
10 within the established state recreational trails system. Such  
11 projects shall be matched by \$1 of private or other funds for  
12 each \$3 of state funds.

13 Of the amount appropriated in this subsection, \$50,000  
14 shall be allocated for planning and development of the Iowa  
15 portion of the Mississippi river trail.

16 4. For an economic assistance program for capital  
17 improvements at commercial air service and general service  
18 airports including hangars, terminals, parking lots, and fuel  
19 facilities:

20 ..... \$ 500,000

21 The state department of transportation shall adopt rules  
22 for the implementation of the program described in this  
23 subsection. The rules shall include a provision allowing  
24 commercial air service and general service airports to apply  
25 for assistance under the program when immediate action is  
26 necessary in order to attract or retain an economic  
27 development opportunity in the region served by the airport.  
28 The rules shall also include a provision giving economic  
29 assistance preference to projects that maximize local  
30 community investment and jobs. Economic assistance may be in  
31 the form of a grant, loan, or combination of both.

32 OFFICE OF TREASURER OF STATE

33 Sec. 16. There is appropriated from the rebuild Iowa  
34 infrastructure fund to the office of treasurer of state for  
35 the fiscal year beginning July 1, 2001, and ending June 30,

1 2002, the following amount, or so much thereof as is  
2 necessary, to be used for the purpose designated:

3 For county fair infrastructure improvements for  
4 distribution in accordance with chapter 174 to qualified fairs  
5 which belong to the association of Iowa fairs:

6 ..... \$ 1,060,000

7 Sec. 17. REVERSION. Notwithstanding section 8.33, moneys  
8 appropriated in this division of this Act shall not revert at  
9 the close of the fiscal year for which they were appropriated  
10 but shall remain available for the purposes designated until  
11 the close of the fiscal year that begins July 1, 2004, or  
12 until the project for which the appropriation was made is  
13 completed, whichever is earlier.

14 Sec. 18. EFFECTIVE DATE. Sections 4 and 10 of this  
15 division of this Act, amending 1999 Iowa Acts, chapter 204,  
16 sections 1 and 14, respectively, being deemed of immediate  
17 importance, take effect upon enactment.

18 DIVISION II

19 ENVIRONMENT FIRST FUND

20 DEPARTMENT OF AGRICULTURE AND LAND STEWARDSHIP

21 Sec. 19. There is appropriated from the environment first  
22 fund to the department of agriculture and land stewardship for  
23 the fiscal year beginning July 1, 2001, and ending June 30,  
24 2002, the following amounts, or so much thereof as is  
25 necessary, to be used for the purposes designated:

26 1. For the conservation reserve enhancement program to  
27 restore and construct wetlands for the purposes of  
28 intercepting tile line runoff, reducing nutrient loss,  
29 improving water quality, and enhancing agricultural production  
30 practices:

31 ..... \$ 1,500,000

32 2. For continuation of a program that provides multi-  
33 objective resource protections for flood control, water  
34 quality, erosion control, and natural resource conservation:

35 ..... \$ 2,700,000

1 3. For continuation of a statewide voluntary farm  
 2 management demonstration program to demonstrate the  
 3 effectiveness and adaptability of emerging practices in  
 4 agronomy that protect water resources and provide other  
 5 environmental benefits:  
 6 ..... \$ 850,000

7 4. For deposit in the alternative drainage system  
 8 assistance fund created in section 159.29A to be used for  
 9 purposes of supporting the alternative drainage system  
 10 assistance program as provided in section 159.29B:  
 11 ..... \$ 1,000,000

12 Of the amount appropriated in this section, \$300,000 shall  
 13 be allocated to drainage district 176 to provide cost-share  
 14 assistance for closing agricultural drainage wells and  
 15 constructing alternative drainage systems in order to assist  
 16 in raising the level of cost-share payments to 75 percent of  
 17 the cost of the projects.

18 5. To provide financial assistance for the establishment  
 19 of permanent soil and water conservation practices:  
 20 ..... \$ 2,000,000

21 a. Not more than 5 percent of the moneys appropriated in  
 22 this subsection may be allocated for cost-sharing to abate  
 23 complaints filed under section 161A.47.

24 b. Of the moneys appropriated in this subsection, 5  
 25 percent shall be allocated for financial incentives to  
 26 establish practices to protect watersheds above publicly owned  
 27 lakes of the state from soil erosion and sediment as provided  
 28 in section 161A.73.

29 c. Not more than 30 percent of a district's allocation of  
 30 moneys as financial incentives may be provided for the purpose  
 31 of establishing management practices to control soil erosion  
 32 on land that is row-cropped, including but not limited to no-  
 33 till planting, ridge-till planting, contouring, and contour  
 34 strip-cropping as provided in section 161A.73.

35 d. The state soil conservation committee created in

1 section 161A.4 may allocate moneys appropriated in this  
2 subsection to conduct research and demonstration projects to  
3 promote conservation tillage and nonpoint source pollution  
4 control practices.

5 e. The financial incentive payments may be used in  
6 combination with department of natural resources moneys.

7 6. To encourage and assist farmers in enrolling in the  
8 continuous sign-up federal conservation reserve program and  
9 work with them to enhance their revegetation efforts to  
10 improve water quality and habitat:

11 ..... \$ 1,500,000

12 7. For deposit in the hungry canyons account of the loess  
13 hills development and conservation fund created in section  
14 161D.2, to be allocated as provided in chapter 161D:

15 ..... \$ 750,000

16 8. For deposit in the loess hills alliance account of the  
17 loess hills development and conservation fund created in  
18 section 161D.2, to be allocated as provided in chapter 161D:

19 ..... \$ 250,000

20 9. For allocation to the southern Iowa conservation and  
21 development authority for protection of road structures:

22 ..... \$ 250,000

23 10. For deposit in the agrichemical remediation fund  
24 created in section 161.7, to be used as described in section  
25 161.7:

26 ..... \$ 1,000,000

27 DEPARTMENT OF ECONOMIC DEVELOPMENT

28 Sec. 20. There is appropriated from the environment first  
29 fund to the department of economic development for the fiscal  
30 year beginning July 1, 2001, and ending June 30, 2002, the  
31 following amount, or so much thereof as is necessary, to be  
32 used for the purpose designated:

33 For deposit in the brownfield redevelopment fund created in  
34 section 15.293 to provide assistance under the brownfield  
35 redevelopment program:

1 ..... \$ 3,000,000

2 DEPARTMENT OF NATURAL RESOURCES

3 Sec. 21. There is appropriated from the environment first  
4 fund to the department of natural resources for the fiscal  
5 year beginning July 1, 2001, and ending June 30, 2002, the  
6 following amounts, or so much thereof as is necessary, to be  
7 used for the purposes designated:

8 1. To provide local watershed managers with geographic  
9 information system data for their use in developing,  
10 monitoring, and displaying results of their watershed work:  
11 ..... \$ 195,000

12 2. For statewide coordination of volunteer efforts under  
13 the water quality and keepers of the land programs:  
14 ..... \$ 130,000

15 3. For continuing the establishment and operation of water  
16 quality monitoring stations:  
17 ..... \$ 3,000,000

18 4. For contracting to assist department staff with the  
19 review of national pollutant discharge elimination system  
20 permits:  
21 ..... \$ 250,000

22 5. For additional efforts to reduce the department's  
23 floodplain permit backlog:  
24 ..... \$ 200,000

25 6. For continuation of the waste tire abatement program:  
26 ..... \$ 500,000  
27 7. To complete natural resource inventories and protection  
28 plans to identify and safeguard unique landforms and  
29 ecosystems:  
30 ..... \$ 125,000

31 8. For a community-based grant distribution program to  
32 provide funding for the planting of trees throughout the  
33 state:  
34 ..... \$ 250,000

35 9. For the dredging of lakes, including necessary

1 preparation for dredging, in accordance with the department's  
2 classification of Iowa lakes restoration report:

3 ..... \$ 500,000

4 10. For recreational grants to be used for the restoration  
5 or construction of recreational complexes or facilities under  
6 the recreational grant matching program:

7 ..... \$ 2,100,000

8 Matching grants awarded from the funds appropriated in this  
9 subsection shall be awarded on a matching basis of one dollar  
10 for every two dollars the applicant had raised.

11 The department shall give special consideration to  
12 recreational complex or facility projects which involve public  
13 and private sector participation.

14 11. For purposes of funding capital projects for the  
15 purposes specified in section 452A.79, and for expenditures  
16 for the local cost share grants to be used for capital  
17 expenditures to local governmental units for boating  
18 accessibility:

19 ..... \$ 2,300,000

20 If the amount appropriated in this subsection exceeds the  
21 amount of marine fuel tax receipts deposited into the rebuild  
22 Iowa infrastructure fund for the fiscal year ending June 30,  
23 2002, the difference between the amount appropriated in this  
24 subsection from the environment first fund and the actual  
25 marine fuel tax receipts deposited into the rebuild Iowa  
26 infrastructure fund is appropriated to the rebuild Iowa  
27 infrastructure fund from the accumulated balance of marine  
28 fuel tax receipts in the general fund of the state which is  
29 tracked by the department of management pursuant to section  
30 8.60, subsection 14.

31 12. For a contribution toward the development of the Lewis  
32 and Clark rural water system:

33 ..... \$ 60,000

34 STATE DEPARTMENT OF TRANSPORTATION

35 Sec. 22. There is appropriated from the environment first

1 fund to the state department of transportation for the fiscal  
2 year beginning July 1, 2001, and ending June 30, 2002, the  
3 following amount, or so much thereof as is necessary, to be  
4 used for the purpose designated:

5 For a grant to the Grundy county conservation board for a  
6 borrow pit recreational area project:

7 ..... \$ 90,000

8 The grant made pursuant to this section shall be awarded on  
9 a matching basis of one dollar for every two dollars the  
10 Grundy county conservation board has raised. The moneys  
11 appropriated in this section shall not be used for  
12 administrative costs.

13 Sec. 23. 2000 Iowa Acts, chapter 1225, is amended by  
14 adding the following new section after section 28:

15 NEW SECTION. SEC. 28A. REVERSION. Notwithstanding  
16 section 8.33, moneys appropriated in sections 25 through 27 of  
17 this division of this Act shall not revert at the close of the  
18 fiscal year for which they were appropriated but shall remain  
19 available for the purposes designated until the close of the  
20 fiscal year beginning July 1, 2003, or until the project for  
21 which the appropriation was made is completed, whichever is  
22 earlier.

23 RESOURCES ENHANCEMENT AND PROTECTION FUND

24 Sec. 24. Notwithstanding the amount of the standing  
25 appropriation from the general fund of the state under section  
26 455A.18, subsection 3, there is appropriated from the  
27 environment first fund to the Iowa resources enhancement and  
28 protection fund, in lieu of the appropriation made in section  
29 455A.18, for the fiscal year beginning July 1, 2001, and  
30 ending June 30, 2002, the following amount, to be allocated as  
31 provided in section 455A.19:

32 ..... \$ 10,500,000

33 Sec. 25. REVERSION. Notwithstanding section 8.33, moneys  
34 appropriated in this division of this Act shall not revert at  
35 the close of the fiscal year for which they were appropriated

1 but shall remain available for the purposes designated until  
2 the close of the fiscal year beginning July 1, 2002, or until  
3 the project for which the appropriation was made is completed,  
4 whichever is earlier.

5 Sec. 26. EFFECTIVE DATE. Section 23 of this division of  
6 this Act, amending 2000 Acts, chapter 1225, being deemed of  
7 immediate importance, takes effect upon enactment.

8 DIVISION III  
9 STATUTORY CHANGES AND RELATED MATTERS

10 Sec. 27. Section 7E.5A, Code 2001, is amended to read as  
11 follows:

12 7E.5A BUILDINGS AND INFRASTRUCTURE -- IDENTIFICATION OF  
13 MAINTENANCE FUNDING NEEDS.

14 1. For each new vertical infrastructure project undertaken  
15 ~~on or after July 1, 1997~~, the department in control of the  
16 vertical infrastructure shall identify and recommend to the  
17 general assembly funding sufficient to meet the projected  
18 maintenance, repair, and replacement needs of the vertical  
19 infrastructure.

20 2. A department shall, within its five-year capital budget  
21 request, identify specific instances where the failure to  
22 address deferred maintenance has had a negative impact on the  
23 department's ability to implement its mission and the proposed  
24 costs for annual routine and preventive maintenance based on  
25 an industry standard of one percent of the estimated  
26 replacement cost of the department's facilities.

27 3. A department requesting state moneys for a vertical  
28 infrastructure project shall actively pursue any federal funds  
29 for which the proposed project may be eligible and shall  
30 demonstrate such pursuit prior to receiving state moneys for  
31 the project. The department shall report the receipt of any  
32 such federal funds to the department of management and the  
33 legislative fiscal bureau in the manner described in section  
34 8.23.

35 ~~2-~~ 4. As used in this section, "vertical infrastructure"

1 means the same as defined in section 8.57, subsection 5,  
2 paragraph "c".

3 Sec. 28. Section 15F.203, Code 2001, is amended by adding  
4 the following new subsection:

5 NEW SUBSECTION. 3A. An application for financial  
6 assistance under the program may be approved by the board to  
7 buy down or refinance an existing loan on a project that  
8 otherwise meets the eligibility requirements for financial  
9 assistance under the program.

10 Sec. 29. Section 461A.3A, subsection 2, unnumbered  
11 paragraph 1, Code 2001, is amended to read as follows:

12 There is appropriated from the rebuild Iowa infrastructure  
13 fund for each fiscal year of the fiscal period beginning July  
14 1, 1997, and ending June 30, ~~2001~~ 2004, the sum of three  
15 million dollars to the department for use in the restore the  
16 outdoors program. Notwithstanding section 8.33, unencumbered  
17 or unobligated moneys remaining at the end of a fiscal year  
18 shall not revert but shall remain available for expenditure  
19 during the following fiscal year for purposes of the restore  
20 the outdoors program.

21 EXPLANATION

22 This bill makes appropriations from the rebuild Iowa  
23 infrastructure fund for various capital and other projects.  
24 These appropriations include capital projects for the  
25 departments of agriculture and land stewardship, corrections,  
26 cultural affairs, economic development, general services,  
27 natural resources, public defense, public safety, and  
28 transportation, and for the state board of regents, office of  
29 treasurer of state, legislative council, and the Iowa state  
30 fair foundation.

31 The bill appropriates funds from the environment first fund  
32 to the departments of agriculture and land stewardship,  
33 economic development, natural resources, and transportation.  
34 The bill appropriates \$10.5 million from the environment first  
35 fund to the resources enhancement and protection fund in lieu

1 of the \$20 million appropriated from the general fund of the  
2 state.

3 The bill amends 2000 Iowa Acts, chapters 1225, by adding a  
4 provision allowing moneys appropriated from the environment  
5 first fund for the fiscal year that began July 1, 2000, to be  
6 used for the same purposes through the fiscal year that begins  
7 July 1, 2003. The provision is effective upon enactment.

8 The bill makes several Code language changes.

9 The bill amends Code section 7E.5A to require state  
10 agencies, within their five-year capital budget requests, to  
11 identify specific instances where the failure to address  
12 deferred maintenance has negatively impacted the agency's  
13 ability to implement its mission and the proposed costs for  
14 annual routine and preventive maintenance based on an industry  
15 standard of one percent of the estimated replacement cost of  
16 the agency's facilities.

17 The bill also amends Code section 7E.5A to require an  
18 agency requesting state moneys for a vertical infrastructure  
19 project to actively pursue any federal funds for which the  
20 project may be eligible and demonstrate such pursuit prior to  
21 receiving state moneys for the project.

22 The bill amends Code section 15F.203 to provide that  
23 financial assistance under the community attraction and  
24 tourism program may be approved to buy down or refinance a  
25 loan on a project that is otherwise eligible for financial  
26 assistance under the program.

27 The bill amends Code section 461A.3A to extend the standing  
28 appropriation from the rebuild Iowa infrastructure fund for  
29 the restore the outdoors program until 2004.

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APR 27 2001

## APPROPRIATIONS CALENDAR

HOUSE FILE 742  
BY COMMITTEE ON APPROPRIATIONS

(SUCCESSOR TO HSB 259)

Passed House, Date <sup>(P 1678)</sup> 5/1/01 Passed Senate, Date <sup>(P 1590)</sup> 5/8/01  
Vote: Ayes 70 Nays 28 Vote: Ayes 26 Nays 18  
Approved Item Veto 5/29/01

<sup>(P. 2008)</sup> Re Passed 92-4  
5/8/01

### A BILL FOR

1 An Act relating to and making appropriations from the rebuild  
2 Iowa infrastructure fund to state departments and agencies,  
3 including the department of corrections, the department of  
4 cultural affairs, the department of economic development, the  
5 department of general services, the Iowa state fair  
6 foundation, the legislative council, the department of natural  
7 resources, the department of public defense, the department of  
8 public safety, the state board of regents, the state  
9 department of transportation, and the office of treasurer of  
10 state, and making appropriations from the environment first  
11 fund for environmental purposes to the department of  
12 agriculture and land stewardship, the department of economic  
13 development, the department of natural resources, the state  
14 department of transportation, and the Iowa resources  
15 enhancement and protection fund, making related statutory  
16 changes, and providing effective dates.

17 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

18  
19  
20  
21  
22  
23

HF 742

1 DIVISION I  
2 REBUILD IOWA INFRASTRUCTURE FUND  
3 DEPARTMENT OF CORRECTIONS

4 Section 1. There is appropriated from the rebuild Iowa  
5 infrastructure fund to the department of corrections for the  
6 fiscal year beginning July 1, 2001, and ending June 30, 2002,  
7 the following amounts, or so much thereof as is necessary, to  
8 be used for the purposes designated:

9 1. To supplement funds appropriated in 1998 Iowa Acts,  
10 chapter 1219, section 2, subsection 3, for construction of a  
11 200-bed facility at the Iowa state penitentiary at Fort  
12 Madison:  
13 ..... \$ 6,400,000

14 2. For costs associated with connecting the correctional  
15 facility at Oakdale to the city of Coralville water system:  
16 ..... \$ 100,000

17 3. For the final phase of the state's share of the  
18 construction costs associated with the Mitchellville waste  
19 water treatment plant:  
20 ..... \$ 364,400

21 4. For costs associated with connecting the electrical  
22 system supporting the special needs unit at Fort Madison:  
23 ..... \$ 333,168

24 Sec. 2. 2000 Iowa Acts, chapter 1225, section 2,  
25 unnumbered paragraph 2, is amended to read as follows:

26 The first \$300,000 of the amount appropriated in this  
27 subsection shall be allocated for community-based corrections  
28 projects in Council Bluffs. The next \$600,000 of the amount  
29 appropriated in this subsection shall be allocated for  
30 community-based corrections projects in the judicial district  
31 in which the city of Davenport is located. These moneys may  
32 be used by the department to enter into lease-purchasing  
33 agreements or the payment of rent for such projects.

34 Sec. 3. 1999 Iowa Acts, chapter 204, section 1, subsection  
35 1, is amended to read as follows:

1 1. For purchase and planning, design, and construction of  
2 a 170-bed facility at the Iowa medical and classification  
3 center at Oakdale:

4	FY 1999-2000 .....	\$	3,750,000
5	.....	\$	<u>1,050,000</u>
6	FY 2000-2001 .....	\$	2,500,000
7	.....	\$	<u>0</u>

8 DEPARTMENT OF CULTURAL AFFAIRS

9 Sec. 4. There is appropriated from the rebuild Iowa  
10 infrastructure fund to the department of cultural affairs for  
11 the fiscal year beginning July 1, 2001, and ending June 30,  
12 2002, the following amounts, or so much thereof as is  
13 necessary, to be used for the purposes designated:

14 1. For historical site preservation grants, to be used for  
15 the restoration, preservation, and development of historical  
16 sites:

17	.....	\$	1,000,000
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18 Historical site preservation grants shall only be awarded  
19 for projects which meet the definition of "vertical  
20 infrastructure" in section 8.57, subsection 5, paragraph "c".

21 In making grants pursuant to this subsection, the  
22 department shall consider the existence and amount of other  
23 funds available to an applicant for the designated project.  
24 Each grant awarded from moneys appropriated in this subsection  
25 shall not exceed \$100,000 per project. Not more than two  
26 grants may be awarded in each county.

27 2. For continuation of the project recommended by the Iowa  
28 battle flag advisory committee to stabilize the condition of  
29 the battle flag collection, notwithstanding section 8.57,  
30 subsection 5, paragraph "c":

31	.....	\$	150,000
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32 DEPARTMENT OF ECONOMIC DEVELOPMENT

33 Sec. 5. There is appropriated from the rebuild Iowa  
34 infrastructure fund to the department of economic development  
35 for the fiscal year beginning July 1, 2001, and ending June

1 30, 2002, the following amount, or so much thereof as is  
2 necessary, to be used for the purpose designated:

3 For accelerated career education program capital projects  
4 at community colleges that are authorized under chapter 260G  
5 and that meet the definition of "vertical infrastructure" in  
6 section 8.57, subsection 5, paragraph "c":  
7 .....

..... \$ 2,500,000

8 The moneys appropriated in this section shall be allocated  
9 equally among the community colleges in the state. If any  
10 portion of the equal allocation to a community college is not  
11 obligated or encumbered by April 1, 2002, the unobligated and  
12 unencumbered portions shall be available for use by other  
13 community colleges.

14 DEPARTMENT OF GENERAL SERVICES

15 Sec. 6. There is appropriated from the rebuild Iowa  
16 infrastructure fund to the department of general services for  
17 the fiscal year beginning July 1, 2001, and ending June 30,  
18 2002, the following amounts, or so much thereof as is  
19 necessary, to be used for the purposes designated:

20 1. For relocation expenses associated with remodeling  
21 projects on the capitol complex, notwithstanding section 8.57,  
22 subsection 5, paragraph "c":  
23 .....

..... \$ 1,000,000

24 2. For routine maintenance of state buildings and  
25 facilities under the purview of the department,  
26 notwithstanding section 8.57, subsection 5, paragraph "c":  
27 .....

..... \$ 2,000,000

28 The department shall quarterly file a report with the  
29 legislative fiscal bureau detailing the use and disposition of  
30 funds appropriated in this subsection.

31 3. For major renovation and major repair needs including  
32 health, life, and fire safety needs, and for compliance with  
33 the federal Americans With Disabilities Act, for state-owned  
34 buildings and facilities:  
35 .....

..... \$ 11,500,000

1 a. In accordance with section 8.57, subsection 5,  
2 paragraph "c", the moneys appropriated in this subsection  
3 shall not be used for project management services provided by  
4 the department.

5 b. Of the amount appropriated in this subsection, \$200,000  
6 may be used for costs associated with the vertical  
7 infrastructure program, notwithstanding section 8.57,  
8 subsection 5, paragraph "c".

9 4. For the purchase of land and improvements to properties  
10 in the vicinity of the capitol complex:

11 ..... \$ 200,000

12 Funds appropriated in this subsection may be expended to  
13 prepare purchased property for utilization by the state.

14 Sec. 7. There is appropriated from the rebuild Iowa  
15 infrastructure fund to the department of general services for  
16 the fiscal years designated, the following amounts, or so much  
17 thereof as is necessary, to be used for the purposes  
18 designated:

19 1. For the construction of a pedestrian bridge across  
20 Court avenue to provide pedestrian access across the capitol  
21 complex:

22 FY 2001-2002..... \$ 400,000  
23 FY 2002-2003..... \$ 650,000

24 2. For capitol interior restoration:

25 FY 2001-2002 ..... \$ 1,700,000  
26 FY 2002-2003 ..... \$ 2,700,000

27 Sec. 8. 1996 Iowa Acts, chapter 1218, section 13,  
28 subsection 2, paragraph d, subparagraph (2), is amended to  
29 read as follows:

30 (2) For the fiscal year beginning July 1, 1997, and ending  
31 June 30, 1998:

32 ..... \$ ~~400,000~~  
33 185,000

34 IOWA STATE FAIR FOUNDATION

35 Sec. 9. There is appropriated from the rebuild Iowa

1 infrastructure fund to the Iowa state fair foundation for the  
2 fiscal year beginning July 1, 2001, and ending June 30, 2002,  
3 the following amount, or so much thereof as is necessary, to  
4 be used for the purpose designated:

5 For vertical infrastructure projects on the state  
6 fairgrounds:

7 ..... \$ 500,000

8 For purposes of this section, "vertical infrastructure"  
9 means the same as defined in section 8.57, subsection 5,  
10 paragraph "c".

11 LEGISLATIVE COUNCIL

12 Sec. 10. 1999 Iowa Acts, chapter 204, section 14, is  
13 amended by adding the following new unnumbered paragraph:

14 NEW UNNUMBERED PARAGRAPH. Notwithstanding anything to the  
15 contrary in this section of this Act or section 8.33, the  
16 moneys appropriated in section 7 of this Act shall remain  
17 available for the purposes designated until June 30, 2006.

18 DEPARTMENT OF NATURAL RESOURCES

19 Sec. 11. There is appropriated from the rebuild Iowa  
20 infrastructure fund to the department of natural resources for  
21 the fiscal year beginning July 1, 2001, and ending June 30,  
22 2002, the following amount, or so much thereof as is  
23 necessary, to be used for the purpose designated:

24 For costs associated with the planning and design of a  
25 premier destination park, notwithstanding section 8.57,  
26 subsection 5, paragraph "c", as follows:

27 ..... \$ 1,000,000

28 DEPARTMENT OF PUBLIC DEFENSE

29 Sec. 12. There is appropriated from the rebuild Iowa  
30 infrastructure fund to the department of public defense for  
31 the fiscal years designated, the following amounts, or so much  
32 thereof as is necessary, to be used for the purposes  
33 designated:

34 1. For maintenance and repair of national guard armories  
35 and facilities:

1 FY 2001-2002..... \$ 700,000  
 2 2. For construction of a new national guard armory at  
 3 Estherville:  
 4 FY 2001-2002..... \$ 400,000  
 5 FY 2002-2003..... \$ 400,000  
 6 FY 2003-2004..... \$ 461,000

7 DEPARTMENT OF PUBLIC SAFETY

8 Sec. 13. There is appropriated from the rebuild Iowa  
 9 infrastructure fund to the department of public safety for the  
 10 fiscal year beginning July 1, 2001, and ending June 30, 2002,  
 11 the following amount, or so much thereof as is necessary, to  
 12 be used for the purpose designated:

13 For the location and purchase of land, a site survey, soil  
 14 sampling, and site preparation for the construction of a new  
 15 Iowa state patrol post in Mason City:  
 16 ..... \$ 250,000

17 STATE BOARD OF REGENTS

18 Sec. 14. There is appropriated from the rebuild Iowa  
 19 infrastructure fund to the state board of regents for the  
 20 fiscal period beginning July 1, 2001, and ending June 30,  
 21 2004, the following amounts, or so much thereof as is  
 22 necessary, to be used for the purposes designated:

23 1. For construction of a new business college building at  
 24 Iowa state university of science and technology:  
 25 FY 2001-2002..... \$ 4,200,000  
 26 FY 2002-2003..... \$ 6,700,000  
 27 FY 2003-2004..... \$ 0

28 2. For phase I of construction of the art building at the  
 29 state university of Iowa:  
 30 FY 2001-2002..... \$ 4,453,000  
 31 FY 2002-2003..... \$ 7,910,000  
 32 FY 2003-2004..... \$ 3,653,000

33 3. For upgrading the steam distribution system at the  
 34 university of northern Iowa:  
 35 FY 2001-2002..... \$ 3,990,000

1	FY 2002-2003.....	\$ 4,320,000
2	FY 2003-2004.....	\$ 4,390,000
3	4. For utility system replacement at the Iowa school for	
4	the deaf:	
5	FY 2001-2002.....	\$ 250,000
6	FY 2002-2003.....	\$ 0
7	FY 2003-2004.....	\$ 0
8	5. For tuckpointing at the Iowa school for the deaf:	
9	FY 2001-2002.....	\$ 185,000
10	FY 2002-2003.....	\$ 0
11	FY 2003-2004.....	\$ 0
12	6. For upgrading the heating, ventilation, and air	
13	conditioning system at the Iowa braille and sight saving	
14	school:	
15	FY 2001-2002.....	\$ 400,000
16	FY 2002-2003.....	\$ 0
17	FY 2003-2004.....	\$ 0

18 The state board of regents is authorized to enter into  
19 contracts for the full cost of carrying out the projects  
20 listed in subsections 1 through 3, for which appropriations  
21 are made in those subsections. The state shall not be  
22 obligated for costs associated with contracts identified in  
23 this paragraph in excess of the funds appropriated by the  
24 general assembly.

25 STATE DEPARTMENT OF TRANSPORTATION

26 Sec. 15. There is appropriated from the rebuild Iowa  
27 infrastructure fund to the state department of transportation  
28 for the fiscal year beginning July 1, 2001, and ending June  
29 30, 2002, the following amounts, or so much thereof as is  
30 necessary, to be used for the purposes designated:

- 31 1. For vertical infrastructure improvements at all 10 of  
32 the commercial air service airports within the state:  
33 ..... \$ 1,000,000

34 One-half of the funds appropriated in this subsection shall  
35 be allocated equally between each commercial service airport,

1 40 percent of the funds shall be allocated based on the  
2 percentage that the number of enplaned passengers at each  
3 commercial service airport bears to the total number of  
4 enplaned passengers in the state during the previous fiscal  
5 year, and 10 percent of the funds shall be allocated based on  
6 the percentage that the air cargo tonnage at each commercial  
7 service airport bears to the total air cargo tonnage in the  
8 state during the previous fiscal year. In order for a  
9 commercial service airport to receive funding under this  
10 subsection, the airport shall be required to submit  
11 applications for funding of specific projects to the  
12 department for approval by the state transportation  
13 commission.

14 2. For an aviation hangar grant program for improvements  
15 to and design and construction of hangars at general aviation  
16 airports within the state:

17 ..... \$ 500,000

18 3. For acquiring, constructing, and improving recreational  
19 trails within the state:

20 ..... \$ 1,000,000

21 Of the amount appropriated in this subsection, \$500,000  
22 shall be used for funding, on a matching basis, recreational  
23 trail projects, with priority given to completion of trail  
24 connections and sections between existing trails and parks  
25 within the established state recreational trails system. Such  
26 projects shall be matched by \$1 of private or other funds for  
27 each \$3 of state funds.

28 Of the amount appropriated in this subsection, \$50,000  
29 shall be allocated for planning and development of the Iowa  
30 portion of the Mississippi river trail.

31 OFFICE OF TREASURER OF STATE

32 Sec. 16. There is appropriated from the rebuild Iowa  
33 infrastructure fund to the office of treasurer of state for  
34 the fiscal year beginning July 1, 2001, and ending June 30,  
35 2002, the following amount, or so much thereof as is

1 necessary, to be used for the purpose designated:

2 For county fair infrastructure improvements for  
3 distribution in accordance with chapter 174 to qualified fairs  
4 which belong to the association of Iowa fairs:

5 ..... \$ 1,060,000

6 Sec. 17. REVERSION. Notwithstanding section 8.33, moneys  
7 appropriated in this division of this Act shall not revert at  
8 the close of the fiscal year for which they were appropriated  
9 but shall remain available for the purposes designated until  
10 the close of the fiscal year that begins July 1, 2004, or  
11 until the project for which the appropriation was made is  
12 completed, whichever is earlier.

13 Sec. 18. EFFECTIVE DATE. Sections 3, 8, and 10 of this  
14 division of this Act, amending 1999 Iowa Acts, chapter 204,  
15 section 1; 1996 Iowa Acts, chapter 1218, section 13,  
16 subsection 2, paragraph "d", subparagraph (2); and 1999 Iowa  
17 Acts, chapter 204, section 14, respectively, being deemed of  
18 immediate importance, take effect upon enactment.

19 DIVISION II

20 ENVIRONMENT FIRST FUND

21 DEPARTMENT OF AGRICULTURE AND LAND STEWARDSHIP

22 Sec. 19. There is appropriated from the environment first  
23 fund to the department of agriculture and land stewardship for  
24 the fiscal year beginning July 1, 2001, and ending June 30,  
25 2002, the following amounts, or so much thereof as is  
26 necessary, to be used for the purposes designated:

27 1. For the conservation reserve enhancement program to  
28 restore and construct wetlands for the purposes of  
29 intercepting tile line runoff, reducing nutrient loss,  
30 improving water quality, and enhancing agricultural production  
31 practices:

32 ..... \$ 1,500,000

33 2. For continuation of a program that provides multi-  
34 objective resource protections for flood control, water  
35 quality, erosion control, and natural resource conservation:

1 ..... \$ 2,700,000

2 3. For continuation of a statewide voluntary farm  
3 management demonstration program to demonstrate the  
4 effectiveness and adaptability of emerging practices in  
5 agronomy that protect water resources and provide other  
6 environmental benefits:

7 ..... \$ 850,000

8 4. For deposit in the alternative drainage system  
9 assistance fund created in section 159.29A to be used for  
10 purposes of supporting the alternative drainage system  
11 assistance program as provided in section 159.29B:

12 ..... \$ 1,000,000

13 Of the amount appropriated in this section, \$300,000 shall  
14 be allocated to drainage district 176 to provide cost-share  
15 assistance for closing agricultural drainage wells and  
16 constructing alternative drainage systems in order to assist  
17 in raising the level of cost-share payments to 75 percent of  
18 the cost of the projects.

19 5. To provide financial assistance for the establishment  
20 of permanent soil and water conservation practices:

21 ..... \$ 7,500,000

22 a. Not more than 5 percent of the moneys appropriated in  
23 this subsection may be allocated for cost-sharing to abate  
24 complaints filed under section 161A.47.

25 b. Of the moneys appropriated in this subsection, 5  
26 percent shall be allocated for financial incentives to  
27 establish practices to protect watersheds above publicly owned  
28 lakes of the state from soil erosion and sediment as provided  
29 in section 161A.73.

30 c. Not more than 30 percent of a district's allocation of  
31 moneys as financial incentives may be provided for the purpose  
32 of establishing management practices to control soil erosion  
33 on land that is row-cropped, including but not limited to no-  
34 till planting, ridge-till planting, contouring, and contour  
35 strip-cropping as provided in section 161A.73.

1 d. The state soil conservation committee created in  
2 section 161A.4 may allocate moneys appropriated in this  
3 subsection to conduct research and demonstration projects to  
4 promote conservation tillage and nonpoint source pollution  
5 control practices.

6 e. The financial incentive payments may be used in  
7 combination with department of natural resources moneys.

8 6. To encourage and assist farmers in enrolling in the  
9 continuous sign-up federal conservation reserve program and  
10 work with them to enhance their revegetation efforts to  
11 improve water quality and habitat:

12 ..... \$ 1,500,000

13 7. For deposit in the loess hills development and  
14 conservation fund created in section 161D.2:

15 ..... \$ 750,000

16 Of the amount appropriated to the loess hills development  
17 and conservation fund in this subsection, \$500,000 shall be  
18 allocated to the hungry canyons account and \$250,000 shall be  
19 allocated to the loess hills alliance account.

20 8. For allocation to the southern Iowa conservation and  
21 development authority for protection of road structures:

22 ..... \$ 250,000

23 DEPARTMENT OF ECONOMIC DEVELOPMENT

24 Sec. 20. There is appropriated from the environment first  
25 fund to the department of economic development for the fiscal  
26 year beginning July 1, 2001, and ending June 30, 2002, the  
27 following amount, or so much thereof as is necessary, to be  
28 used for the purpose designated:

29 For deposit in the brownfield redevelopment fund created in  
30 section 15.293 to provide assistance under the brownfield  
31 redevelopment program:

32 ..... \$ 2,000,000

33 DEPARTMENT OF NATURAL RESOURCES

34 Sec. 21. There is appropriated from the environment first  
35 fund to the department of natural resources for the fiscal

1 year beginning July 1, 2001, and ending June 30, 2002, the  
2 following amounts, or so much thereof as is necessary, to be  
3 used for the purposes designated:

4 1. To provide local watershed managers with geographic  
5 information system data for their use in developing,  
6 monitoring, and displaying results of their watershed work:  
7 ..... \$ 195,000

8 2. For statewide coordination of volunteer efforts under  
9 the water quality and keepers of the land programs:  
10 ..... \$ 70,000

11 3. For continuing the establishment and operation of water  
12 quality monitoring stations:  
13 ..... \$ 2,500,000

14 4. For contracting to assist department staff with the  
15 review of national pollutant discharge elimination system  
16 permits:  
17 ..... \$ 180,000

18 5. For additional efforts to reduce the department's  
19 floodplain permit backlog:  
20 ..... \$ 180,000

21 6. For continuation of the waste tire abatement program:  
22 ..... \$ 500,000

23 7. To complete natural resource inventories and protection  
24 plans to identify and safeguard unique landforms and  
25 ecosystems:  
26 ..... \$ 125,000

27 8. For a community-based grant distribution program to  
28 provide funding for the planting of trees throughout the  
29 state:  
30 ..... \$ 250,000

31 9. For the dredging of lakes, including necessary  
32 preparation for dredging, in accordance with the department's  
33 classification of Iowa lakes restoration report:  
34 ..... \$ 500,000

35 10. For purposes of funding capital projects for the

1 purposes specified in section 452A.79, and for expenditures  
2 for the local cost share grants to be used for capital  
3 expenditures to local governmental units for boating  
4 accessibility:  
5 ..... \$ 2,300,000

6 If the amount appropriated in this subsection exceeds the  
7 amount of marine fuel tax receipts deposited into the rebuild  
8 Iowa infrastructure fund for the fiscal year ending June 30,  
9 2002, the difference between the amount appropriated in this  
10 subsection from the environment first fund and the actual  
11 marine fuel tax receipts deposited into the rebuild Iowa  
12 infrastructure fund is appropriated to the rebuild Iowa  
13 infrastructure fund from the accumulated balance of marine  
14 fuel tax receipts in the general fund of the state which is  
15 tracked by the department of management pursuant to section  
16 8.60, subsection 14.

17 11. For a contribution toward the development of the Lewis  
18 and Clark rural water system:  
19 ..... \$ 60,000

20 STATE DEPARTMENT OF TRANSPORTATION

21 Sec. 22. There is appropriated from the environment first  
22 fund to the state department of transportation for the fiscal  
23 year beginning July 1, 2001, and ending June 30, 2002, the  
24 following amount, or so much thereof as is necessary, to be  
25 used for the purpose designated:

26 For a grant to the Grundy county conservation board for a  
27 borrow pit recreational area project:  
28 ..... \$ 90,000

29 The grant made pursuant to this section shall be awarded on  
30 a matching basis of one dollar for every two dollars the  
31 Grundy county conservation board has raised. The moneys  
32 appropriated in this section shall not be used for  
33 administrative costs.

34 Sec. 23. 2000 Iowa Acts, chapter 1225, is amended by  
35 adding the following new section after section 28:

1 NEW SECTION. SEC. 28A. REVERSION. Notwithstanding  
2 section 8.33, moneys appropriated in sections 25 through 27 of  
3 this division of this Act shall not revert at the close of the  
4 fiscal year for which they were appropriated but shall remain  
5 available for the purposes designated until the close of the  
6 fiscal year beginning July 1, 2003, or until the project for  
7 which the appropriation was made is completed, whichever is  
8 earlier.

9 RESOURCES ENHANCEMENT AND PROTECTION FUND

10 Sec. 24. Notwithstanding the amount of the standing  
11 appropriation from the general fund of the state under section  
12 455A.18, subsection 3, there is appropriated from the  
13 environment first fund to the Iowa resources enhancement and  
14 protection fund, in lieu of the appropriation made in section  
15 455A.18, for the fiscal year beginning July 1, 2001, and  
16 ending June 30, 2002, the following amount, to be allocated as  
17 provided in section 455A.19:

18 ..... \$ 10,000,000

19 Sec. 25. REVERSION. Notwithstanding section 8.33, moneys  
20 appropriated in this division of this Act shall not revert at  
21 the close of the fiscal year for which they were appropriated  
22 but shall remain available for the purposes designated until  
23 the close of the fiscal year beginning July 1, 2002, or until  
24 the project for which the appropriation was made is completed,  
25 whichever is earlier.

26 Sec. 26. EFFECTIVE DATE. Section 22 of this division of  
27 this Act, amending 2000 Iowa Acts, chapter 1225, being deemed  
28 of immediate importance, takes effect upon enactment.

29 DIVISION III

30 STATUTORY CHANGES AND RELATED MATTERS

31 Sec. 27. Section 7E.5A, Code 2001, is amended to read as  
32 follows:

33 7E.5A BUILDINGS AND INFRASTRUCTURE -- IDENTIFICATION OF  
34 MAINTENANCE FUNDING NEEDS.

35 1. For each new vertical infrastructure project undertaken

1 ~~on-or-after-July-17-1997~~, the department in control of the  
2 vertical infrastructure shall identify and recommend to the  
3 general assembly funding sufficient to meet the projected  
4 maintenance, repair, and replacement needs of the vertical  
5 infrastructure.

6 2. A department shall, within its five-year capital budget  
7 request, identify specific instances where the failure to  
8 address deferred maintenance has had a negative impact on the  
9 department's ability to implement its mission and the proposed  
10 costs for annual routine and preventive maintenance based on  
11 an industry standard of one percent of the estimated  
12 replacement cost of the department's facilities.

13 3. A department requesting state moneys for a vertical  
14 infrastructure project shall actively pursue any federal funds  
15 for which the proposed project may be eligible and shall  
16 demonstrate such pursuit prior to receiving state moneys for  
17 the project. The department shall report the receipt of any  
18 such federal funds to the department of management and the  
19 legislative fiscal bureau in the manner described in section  
20 8.23.

21 ~~2-~~ 4. As used in this section, "vertical infrastructure"  
22 means the same as defined in section 8.57, subsection 5,  
23 paragraph "c".

24 Sec. 28. Section 15F.203, Code 2001, is amended by adding  
25 the following new subsection:

26 NEW SUBSECTION. 3A. An application for financial  
27 assistance under the program may be approved by the board to  
28 buy down or refinance an existing loan on a project that  
29 otherwise meets the eligibility requirements for financial  
30 assistance under the program.

31 Sec. 29. NEW SECTION. 161D.8 ANNUAL REPORT -- AUDIT.

32 1. The authority shall submit to the department of  
33 management, the legislative fiscal bureau, and the division of  
34 soil conservation of the department of agriculture and land  
35 stewardship, on or before December 31, annually, a report

1 including information regarding all of the following:

2 a. Its operations and accomplishments.

3 b. Its budget, receipts, and actual expenditures during  
4 the previous fiscal year, in accordance with classifications  
5 it establishes for its operating and capital accounts.

6 c. Its assets and liabilities at the end of the previous  
7 fiscal year and the status of reserve, special, and other  
8 funds.

9 d. A statement of its proposed and projected activities.

10 e. Recommendations to the governor and the general  
11 assembly, as deemed necessary.

12 f. Any other information deemed necessary.

13 2. The annual report shall identify performance goals of  
14 the authority, and clearly indicate the extent of progress,  
15 during the reporting period, in attaining these goals.

16 3. The fund shall be subject to an annual audit by the  
17 auditor of state.

18 Sec. 30. NEW SECTION. 161D.13 ANNUAL REPORT -- AUDIT.

19 1. The southern Iowa development and conservation  
20 authority shall submit to the department of management, the  
21 legislative fiscal bureau, and the division of soil  
22 conservation of the department of agriculture and land  
23 stewardship, on or before December 31, annually, a report  
24 including information regarding all of the following:

25 a. Its operations and accomplishments.

26 b. Its budget, receipts, and actual expenditures during  
27 the previous fiscal year, in accordance with classifications  
28 it establishes for its operating and capital accounts.

29 c. Its assets and liabilities at the end of the previous  
30 fiscal year and the status of reserve, special, and other  
31 funds.

32 d. A statement of its proposed and projected activities.

33 e. Recommendations to the governor and the general  
34 assembly, as deemed necessary.

35 f. Any other information deemed necessary.

1 2. The annual report shall identify performance goals of  
2 the authority, and clearly indicate the extent of progress,  
3 during the reporting period, in attaining these goals.

4 3. The southern Iowa development and conservation fund  
5 shall be subject to an annual audit by the auditor of state.

6 Sec. 31. Section 461A.3A, subsection 2, unnumbered  
7 paragraph 1, Code 2001, is amended to read as follows:

8 There is appropriated from the rebuild Iowa infrastructure  
9 fund for each fiscal year of the fiscal period beginning July  
10 1, 1997, and ending June 30, ~~2001~~ 2005, the sum of ~~three~~ two  
11 million five hundred thousand dollars to the department for  
12 use in the restore the outdoors program. Notwithstanding  
13 section 8.33, unencumbered or unobligated moneys remaining at  
14 the end of a fiscal year shall not revert but shall remain  
15 available for expenditure during the following fiscal year for  
16 purposes of the restore the outdoors program.

17

EXPLANATION

18 This bill makes appropriations from the rebuild Iowa  
19 infrastructure fund for various capital and other projects.  
20 These appropriations include capital projects for the  
21 departments of corrections, cultural affairs, economic  
22 development, general services, natural resources, public  
23 defense, public safety, and transportation, and for the state  
24 board of regents, office of treasurer of state, legislative  
25 council, and the Iowa state fair foundation.

26 The bill appropriates funds from the environment first fund  
27 to the departments of agriculture and land stewardship,  
28 economic development, natural resources, and transportation.  
29 The bill appropriates \$10 million from the environment first  
30 fund to the resources enhancement and protection fund in lieu  
31 of the \$20 million appropriated from the general fund of the  
32 state.

33 The bill amends 2000 Iowa Acts, chapters 1225, by adding a  
34 provision allowing moneys appropriated from the environment  
35 first fund for the fiscal year that began July 1, 2000, to be

1 used for the same purposes through the fiscal year that begins  
2 July 1, 2003. The provision is effective upon enactment.

3 The bill makes several Code language changes.

4 The bill amends Code section 7E.5A to require state  
5 agencies, within their five-year capital budget requests, to  
6 identify specific instances where the failure to address  
7 deferred maintenance has negatively impacted the agency's  
8 ability to implement its mission and the proposed costs for  
9 annual routine and preventive maintenance based on an industry  
10 standard of one percent of the estimated replacement cost of  
11 the agency's facilities.

12 The bill also amends Code section 7E.5A to require an  
13 agency requesting state moneys for a vertical infrastructure  
14 project to actively pursue any federal funds for which the  
15 project may be eligible and demonstrate such pursuit prior to  
16 receiving state moneys for the project.

17 The bill amends Code section 15F.203 to provide that  
18 financial assistance under the community attraction and  
19 tourism program may be approved to buy down or refinance a  
20 loan on a project that is otherwise eligible for financial  
21 assistance under the program.

22 The bill enacts new Code sections 161D.8 and 161D.13 that  
23 require the loess hills development and conservation authority  
24 and the southern Iowa development and conservation authority,  
25 respectively, to submit annual reports on their operations,  
26 accomplishments, budgets, receipts, expenditures, assets and  
27 liabilities, and recommendations.

28 The bill amends Code section 461A.3A to extend the standing  
29 appropriation from the rebuild Iowa infrastructure fund for  
30 the restore the outdoors program until 2004.

31  
32  
33  
34  
35

HOUSE FILE 742

H-1767

1 Amend House File 742 as follows:

2 1. Page 1, line 21, by striking the words  
3 "associated with connecting" and inserting the  
4 following: "of entering into a lease-purchase  
5 agreement to connect".

6 2. Page 1, by inserting after line 23 the  
7 following:

8 "Sec. \_\_\_\_ . There is appropriated from the rebuild  
9 Iowa infrastructure fund to the department of  
10 corrections for the fiscal year beginning July 1,  
11 2002, and ending June 30, 2003, the following amount,  
12 or so much thereof as is necessary, to be used for the  
13 purpose designated:

14 To supplement funds appropriated in 1998 Iowa Acts,  
15 chapter 1219, section 2, subsection 3, for  
16 construction of a 200-bed facility at the Iowa state  
17 penitentiary at Fort Madison:

18 ..... \$ 2,000,000"

19 3. By renumbering, redesignating, and correcting  
20 internal references as necessary.

By GIPP of Winneshiek

H-1767 FILED APRIL 30, 2001

*Adopted*

*5/1/01*

*(p. 1675)*

HOUSE FILE 742

H-1809

1 Amend House File 742 as follows:  
 2 1. Page 1, by inserting after line 23, the  
 3 following:  
 4 "\_\_\_". For grants to local communities for the  
 5 construction of regional jails:  
 6 ..... \$ 5,000,000  
 7 A local community consisting of at least three  
 8 counties may apply for a grant under this subsection  
 9 for the construction of a regional jail. The grant  
 10 may be awarded on a matching basis of up to one dollar  
 11 of state funds for every four dollars of local funds."  
 12 2. Page 2, line 17, by striking figure  
 13 "1,000,000" and inserting the following: "2,000,000".  
 14 3. Page 3, line 7, by striking the figure  
 15 "2,500,000" and inserting the following: "5,000,000".  
 16 4. Page 3, line 35, by striking the figure  
 17 "11,500,000" and inserting the following:  
 18 "14,500,000".  
 19 5. Page 4, by inserting after line 13 the  
 20 following:  
 21 "\_\_\_". For the planning, design, and construction  
 22 of a multipurpose laboratory facility:  
 23 ..... \$ 10,000,000"  
 24 6. Page 8, line 20, by striking the figure  
 25 "1,000,000" and inserting the following: "2,000,000".  
 26 7. By renumbering, redesignating, and correcting  
 27 internal references as necessary.

By WARNSTADT of Woodbury

H-1809 FILED MAY 1, 2001

*W/D*

*5/1/01 (P. 1675)*

HOUSE FILE 742

H-1813

1 Amend House File 742 as follows:  
 2 1. Page 10, line 7, by striking the figure  
 3 "850,000" and inserting the following: "300,000".  
 A 4 2. Page 12, line 30, by striking the figure  
 5 "250,000" and inserting the following: "50,000".  
 B 6 3. Page 13, by striking lines 20 through 33.  
 7 4. Page 14, line 18, by striking the figure  
 8 "10,000,000" and inserting the following:  
 9 "10,840,000".  
 A 10 5. Title page, lines 13 and 14, by striking the  
 11 words "the state department of transportation".  
 12 6. By renumbering, redesignating, and correcting  
 13 internal references as necessary.

By QUIRK of Chickasaw

H-1813 FILED MAY 1, 2001

*A. Lost 5/1/01*

*B. Lost 5/1/01*

*(P. 1676)*

## HOUSE FILE 742

H-1798

1 Amend House File 742 as follows:

2 1. Page 15, by inserting after line 23, the  
3 following:

4 "Sec. 101. Section 8.57, subsection 5, paragraph  
5 e, Code 2001, is amended by adding the following new  
6 unnumbered paragraph:

7 NEW UNNUMBERED PARAGRAPH. If the total amount of  
8 moneys directed to be deposited in the general fund of  
9 the state under sections 99D.17 and 99F.11 in a fiscal  
10 year is less than the total amount of moneys directed  
11 to be deposited in the vision Iowa fund and the school  
12 infrastructure fund in the fiscal year pursuant to  
13 this paragraph "e", the difference shall be paid from  
14 lottery revenues in the manner provided in section  
15 99E.10, subsection 3.

16 Sec. \_\_\_\_\_. Section 12.73, Code 2001, is amended to  
17 read as follows:

18 12.73 VISION IOWA FUND MONEYS -- ADMINISTRATIVE  
19 COSTS.

20 During the term of the vision Iowa program  
21 established in section 15F.302, ~~one~~ two hundred  
22 thousand dollars of the moneys deposited each fiscal  
23 year in the vision Iowa fund and appropriated for the  
24 vision Iowa program shall be allocated each fiscal  
25 year to the department of economic development for  
26 administrative costs incurred by the department for  
27 purposes of administering the vision Iowa program.

28 Sec. 102. Section 12.74, subsection 2, Code 2001,  
29 is amended by striking the subsection.

30 Sec. 103. Section 12.84, subsection 2, Code 2001,  
31 is amended by striking the subsection.

32 Sec. 104. Section 15F.202, subsection 2,  
33 unnumbered paragraph 1, Code 2001, is amended to read  
34 as follows:

35 A city or county in the state or public  
36 organization may submit an application to the board  
37 for financial assistance for a project under the  
38 program. The assistance shall be provided only from  
39 funds, rights, and assets legally available to the  
40 board and shall be in the form of grants, loans,  
41 forgivable loans, and ~~loan guarantees~~ credit  
42 enhancement and financing instruments. The  
43 application shall include, but not be limited to, the  
44 following information:

45 Sec. 105. Section 15F.202, subsection 3, Code  
46 2001, is amended to read as follows:

47 3. A school district, in cooperation with a city  
48 or county, may submit a joint application for  
49 financial assistance for a project under the program.  
50 The assistance shall be provided only from funds,

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1 rights, and assets legally available to the board and  
2 shall be in the form of grants, loans, forgivable  
3 loans, and ~~loan-guarantees~~ credit enhancement and  
4 financing instruments. In addition to the information  
5 required in subsection 2, the application shall  
6 include a demonstration that the intended future use  
7 of the project shall be by both joint applicants."

8 2. Page 15, by inserting after line 30, the  
9 following:

10 "Sec. 106. Section 15F.204, subsection 3, Code  
11 2001, is amended to read as follows:

12 3. The fund shall be used to provide assistance  
13 only from funds, rights, and assets legally available  
14 to the board in the form of grants, loans, forgivable  
15 loans, and ~~loan-guarantees~~ credit enhancements and  
16 financing instruments under the community attraction  
17 and tourism program established in section 15F.202.  
18 An applicant under the community attraction and  
19 tourism program shall not receive financial assistance  
20 from the fund in an amount exceeding fifty percent of  
21 the total cost of the project.

22 Sec. 107. Section 15F.302, subsection 2,  
23 unnumbered paragraph 1, Code 2001, is amended to read  
24 as follows:

25 A city or county or a public organization in the  
26 state may submit an application to the board for  
27 financial assistance for a project under the program.  
28 For purposes of this subsection, "public organization"  
29 means a nonprofit economic development organization or  
30 other nonprofit organization that sponsors or supports  
31 community or tourism attractions and activities. The  
32 financial assistance from the fund shall be provided  
33 only from funds, rights, and assets legally available  
34 to the board and shall be in the form of grants,  
35 loans, forgivable loans, pledges, and ~~guarantees~~  
36 credit enhancements and financing instruments. The  
37 application shall include, but not be limited to, the  
38 following information:

39 Sec. 108. Section 15F.302, subsection 3, Code  
40 2001, is amended to read as follows:

41 3. A school district, in cooperation with a city  
42 or county, may submit a joint application for  
43 financial assistance for a project under the program.  
44 The financial assistance shall be provided only from  
45 funds, rights, and assets legally available to the  
46 board and shall be in the form of grants, loans,  
47 forgivable loans, and ~~loan-guarantees~~ credit  
48 enhancements and financing instruments. In addition  
49 to the information required in subsection 2, the  
50 application shall include a demonstration that the

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1 intended future use of the project shall be by both  
2 joint applicants.

3 Sec. 109. Section 15F.304, subsection 4, Code  
4 2001, is amended to read as follows:

5 4. Upon review of the recommendations of the  
6 review committee, the board shall approve, defer, or  
7 deny the applications. If an application is approved,  
8 the board may enter into an agreement with the  
9 applicant to provide financial assistance authorized  
10 under section 15F.302, including entering into a loan  
11 agreement with a city pursuant to section 384.24A, a  
12 loan agreement with a county pursuant to section  
13 331.402, or a joint loan agreement with a school  
14 district and a city or county.

15 Sec. 110. Section 99E.10, Code 2001, is amended by  
16 adding the following subsection:

17 NEW SUBSECTION. 3. a. Notwithstanding subsection  
18 1, if gaming revenues under sections 99D.17 and 99F.11  
19 are insufficient in a fiscal year to meet the total  
20 amount of such revenues directed to be deposited in  
21 the vision Iowa fund and the school infrastructure  
22 fund during the fiscal year pursuant to section 8.57,  
23 subsection 5, paragraph "e", the difference shall be  
24 paid from lottery revenues prior to deposit of the  
25 lottery revenues in the general fund. If lottery  
26 revenues are insufficient during the fiscal year to  
27 pay the difference, the remaining difference shall be  
28 paid from lottery revenues in subsequent fiscal years  
29 as such revenues become available.

30 b. The treasurer of state shall, each quarter,  
31 prepare an estimate of the gaming revenues and lottery  
32 revenues that will become available during the  
33 remainder of the appropriate fiscal year for the  
34 purposes described in paragraph "a". The department  
35 of management and the department of revenue and  
36 finance shall take appropriate actions to provide that  
37 the amount of gaming revenues and lottery revenues  
38 that will be available during the remainder of the  
39 appropriate fiscal year is sufficient to cover any  
40 anticipated deficiencies."

41 3. Page 17, by inserting after line 5, the  
42 following:

43 "Sec. 111. Section 331.402, subsection 3, Code  
44 2001, is amended by adding the following new paragraph  
45 f and relettering the subsequent paragraph:

46 NEW PARAGRAPH. f. The governing body may  
47 authorize a loan agreement described in section  
48 331.441, subsection 2, paragraph "b", subparagraph  
49 (15), in accordance with the following procedures:

50 (1) The governing body shall cause a notice of the

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1 proposal to enter into a loan agreement, including a  
2 statement of the amount and purpose of the loan  
3 agreement, together with the right to petition for an  
4 election, to be published at least ten days prior to  
5 the meeting at which it is proposed to take action to  
6 enter into the loan agreement.

7 (2) If at any time before the date fixed to take  
8 action to enter into the loan agreement a petition is  
9 filed with the auditor in the manner provided by  
10 section 331.306 asking that the question of entering  
11 into the loan agreement be submitted to the registered  
12 voters of the county, the board shall either by  
13 resolution declare the proposal to enter into the loan  
14 agreement to have been abandoned or shall direct the  
15 county commissioner of elections to call a special  
16 election upon the question of entering into the loan  
17 agreement.

18 (3) If a petition under subparagraph (2) is not  
19 filed or if a petition is filed and the proposition of  
20 entering into the loan agreement is approved by a  
21 majority of the vote cast in the special election, the  
22 board may proceed and enter into the loan agreement.

23 Sec. 112. Section 331.441, subsection 2, paragraph  
24 b, Code 2001, is amended by adding the following new  
25 subparagraph:

26 NEW SUBPARAGRAPH. (15) The entrance into a loan  
27 agreement with the vision Iowa board for a project  
28 that is not otherwise defined as an essential county  
29 purpose and that has been approved under the vision  
30 Iowa program to receive loan assistance from the  
31 vision Iowa board.

32 Sec. 113. Section 384.24, subsection 3, Code 2001,  
33 is amended by adding the following new paragraph:

34 NEW PARAGRAPH. v. The entrance into a loan  
35 agreement with the vision Iowa board for a project  
36 that is not otherwise defined as an essential  
37 corporate purpose and that has been approved under the  
38 vision Iowa program to receive loan assistance from  
39 the vision Iowa board.

40 Sec. 114. Section 384.24A, Code 2001, is amended  
41 by adding the following new subsection 6 and  
42 renumbering the subsequent subsection:

43 NEW SUBSECTION. 6. The governing body may  
44 authorize a loan agreement described in section  
45 384.24, subsection 3, paragraph "v", in accordance  
46 with the following procedures:

47 a. The governing body shall cause a notice of the  
48 proposal to enter into a loan agreement, including a  
49 statement of the amount and purpose of the loan  
50 agreement, together with the right to petition for an

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1 election, to be published at least once in a newspaper  
2 of general circulation within the city at least ten  
3 days prior to the meeting at which it is proposed to  
4 take action to enter into the loan agreement.

5 b. If at any time before the date fixed to take  
6 action to enter into the loan agreement a petition is  
7 filed with the clerk of the city in the manner  
8 provided by section 362.4 asking that the question of  
9 entering into the loan agreement be submitted to the  
10 registered voters of the city, the governing body  
11 shall either by resolution declare the proposal to  
12 enter into the loan agreement to have been abandoned  
13 or shall direct the county commissioner of elections  
14 to call a special election upon the question of  
15 entering into the loan agreement.

16 c. If a petition under paragraph "b" is not filed  
17 or if a petition is filed and the proposition of  
18 entering into the loan agreement is approved by a  
19 majority of the vote cast in the special election, the  
20 governing body may proceed and enter into the loan  
21 agreement."

22 4. Page 17, by inserting after line 16, the  
23 following:

24 "Sec. \_\_\_\_ . EFFECTIVE DATE. The following  
25 provisions of this division of this Act, being deemed  
26 of immediate importance, take effect upon enactment:

27 1. Sections 101 through 105 of this division of  
28 this Act, amending sections 8.57, 12.74, 12.84, and  
29 15F.202.

30 2. Sections 106 through 110 of this division of  
31 this Act, amending sections 15F.204, 15F.302, 15F.304,  
32 and 99E.10.

33 3. Sections 111 through 114 of this division of  
34 this Act, amending sections 331.402, 331.441, 384.24,  
35 and 384.24A."

36 5. By renumbering, redesignating, and correcting  
37 internal references as necessary.

By GIPP of Winneshiek

**H-1798** FILED MAY 1, 2001

*W/D*

*5/1/01*

*(P. 1677)*

HOUSE FILE 742

H-1804

1 Amend House File 742 as follows:

2 1. Page 14, by inserting after line 28 the  
3 following:

4 "DIVISION \_\_\_\_\_  
5 RESOURCES ENHANCEMENT AND PROTECTION FUND  
6 DEPARTMENT OF NATURAL RESOURCES

7 Sec. \_\_\_\_\_. There is appropriated from the open  
8 spaces account of the Iowa resources enhancement and  
9 protection fund from the moneys not specifically  
10 allocated in section 455A.19, subsection 1, paragraph  
11 "a", to the department of natural resources for the  
12 fiscal year beginning July 1, 2001, and ending June  
13 30, 2002, the following amount, or so much thereof as  
14 is necessary, to be used for the purposes designated:

15 For salaries, support, and maintenance of personnel  
16 and programs relating to water access development, all  
17 state parks as they existed on April 1, 2001,  
18 recreation areas, and state preserves, and for related  
19 miscellaneous purposes:

20 ..... \$ 500,000"

21 2. Title page, line 15, by inserting after the  
22 word "fund," the following: "and making  
23 appropriations from the Iowa resources enhancement and  
24 protection fund,".

25 3. By renumbering, redesignating, and correcting  
26 internal references as necessary.

By DRAKE of Pottawattamie

H-1804 FILED MAY 1, 2001

*lost 5/1/01  
(P. 1677)*

*Martin & Kk lost 5/1/01*

HOUSE FILE 742

H-1840

1 Amend House File 742 as follows:

2 1. Page 15, line 12, by inserting after the word  
3 "facilities." the following: "This subsection shall  
4 not apply to the state department of transportation."

By WARNSTADT of Woodbury

H-1840 FILED MAY 1, 2001

*adopted 5/1/01 (P.1677)*

HOUSE FILE 742

H-1820

1 Amend House File 742 as follows:

2 1. By striking everything after the enacting  
3 clause, and inserting the following:

4 "DIVISION I

5 REBUILD IOWA INFRASTRUCTURE FUND

6 DEPARTMENT OF AGRICULTURE AND LAND STEWARDSHIP

7 Section 1. There is appropriated from the rebuild  
8 Iowa infrastructure fund to the department of  
9 agriculture and land stewardship for the fiscal year  
10 beginning July 1, 2001, and ending June 30, 2002, the  
11 following amount, or so much thereof as is necessary,  
12 to be used for the purpose designated:

13 To provide financial assistance for the  
14 establishment of permanent soil and water conservation  
15 practices, notwithstanding section 8.57, subsection 5,  
16 paragraph "c":

17 ..... \$ 5,500,000

18 1. Not more than 5 percent of the moneys  
19 appropriated in this section may be allocated for  
20 cost-sharing to abate complaints filed under section  
21 161A.47.

22 2. Of the moneys appropriated in this section, 5  
23 percent shall be allocated for financial incentives to  
24 establish practices to protect watersheds above  
25 publicly owned lakes of the state from soil erosion  
26 and sediment as provided in section 161A.73.

27 3. Not more than 30 percent of a district's  
28 allocation of moneys as financial incentives may be  
29 provided for the purpose of establishing management  
30 practices to control soil erosion on land that is row-  
31 cropped, including but not limited to no-till  
32 planting, ridge-till planting, contouring, and contour  
33 strip-cropping as provided in section 161A.73.

34 4. The state soil conservation committee created  
35 in section 161A.4 may allocate moneys appropriated in  
36 this section to conduct research and demonstration  
37 projects to promote conservation tillage and nonpoint  
38 source pollution control practices.

39 5. The financial incentive payments may be used in  
40 combination with department of natural resources  
41 moneys.

42 DEPARTMENT OF CORRECTIONS

43 Sec. 2. There is appropriated from the rebuild  
44 Iowa infrastructure fund to the department of  
45 corrections for the fiscal year beginning July 1,  
46 2001, and ending June 30, 2002, the following amounts,  
47 or so much thereof as is necessary, to be used for the  
48 purposes designated:

49 1. To supplement funds appropriated in 1998 Iowa  
50 Acts, chapter 1219, section 2, subsection 3, for

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Page 2

1 construction of a 200-bed facility at the Iowa state  
2 penitentiary at Fort Madison:  
3 ..... \$ 6,400,000  
4 2. For costs associated with connecting the  
5 correctional facility at Oakdale to the city of  
6 Coralville water system:  
7 ..... \$ 100,000  
8 3. For the final phase of the state's share of the  
9 construction costs associated with the Mitchellville  
10 waste water treatment plant:  
11 ..... \$ 364,400  
12 4. For costs associated with connecting the  
13 electrical system supporting the special needs unit at  
14 Fort Madison:  
15 ..... \$ 333,168

16 Sec. 3. 2000 Iowa Acts, chapter 1225, section 2,  
17 unnumbered paragraph 2, is amended to read as follows:

18 The first \$300,000 of the amount appropriated in  
19 this subsection shall be allocated for community-based  
20 corrections projects in Council Bluffs. The next  
21 \$600,000 of the amount appropriated in this subsection  
22 shall be allocated for community-based corrections  
23 projects in the judicial district in which the city of  
24 Davenport is located. These moneys may be used by the  
25 department to enter into lease-purchasing agreements  
26 or the payment of rent for such projects.

27 Sec. 4. 1999 Iowa Acts, chapter 204, section 1,  
28 subsection 1, is amended to read as follows:

29 1. For purchase and planning, design, and  
30 construction of a 170-bed facility at the Iowa medical  
31 and classification center at Oakdale:

32	FY 1999-2000 .....	\$	<del>3,750,000</del>
33	.....	\$	<u>1,050,000</u>
34	FY 2000-2001 .....	\$	<del>2,500,000</del>
35	.....	\$	<u>0</u>

36 DEPARTMENT OF CULTURAL AFFAIRS

37 Sec. 5. There is appropriated from the rebuild  
38 Iowa infrastructure fund to the department of cultural  
39 affairs for the fiscal year beginning July 1, 2001,  
40 and ending June 30, 2002, the following amounts, or so  
41 much thereof as is necessary, to be used for the  
42 purposes designated:

43 1. For historical site preservation grants, to be  
44 used for the restoration, preservation, and  
45 development of historical sites:  
46 ..... \$ 2,000,000

47 Historical site preservation grants shall only be  
48 awarded for projects which meet the definition of  
49 "vertical infrastructure" in section 8.57, subsection  
50 5, paragraph "c".

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1 In making grants pursuant to this subsection, the  
 2 department shall consider the existence and amount of  
 3 other funds available to an applicant for the  
 4 designated project. Each grant awarded from moneys  
 5 appropriated in this subsection shall not exceed  
 6 \$100,000 per project. Not more than two grants may be  
 7 awarded in each county.

8 2. For continuation of the project recommended by  
 9 the Iowa battle flag advisory committee to stabilize  
 10 the condition of the battle flag collection,  
 11 notwithstanding section 8.57, subsection 5, paragraph  
 12 "c":

13 ..... \$ 275,000

DEPARTMENT OF ECONOMIC DEVELOPMENT

15 Sec. 6. There is appropriated from the rebuild  
 16 Iowa infrastructure fund to the department of economic  
 17 development for the fiscal year beginning July 1,  
 18 2001, and ending June 30, 2002, the following amounts,  
 19 or so much thereof as is necessary, to be used for the  
 20 purposes designated:

21 1. To be deposited in the physical infrastructure  
 22 assistance fund created in section 15E.175:

23 ..... \$ 2,000,000

24 The moneys appropriated in this subsection shall be  
 25 used for projects which cumulatively result in the  
 26 creation of "vertical infrastructure", as defined in  
 27 section 8.57, subsection 5, paragraph "c", having a  
 28 total value of at least \$2,000,000. The department  
 29 shall report to the general assembly by March 31 of  
 30 the fiscal year for which funds are appropriated in  
 31 this subsection regarding the amount of such funds  
 32 used for "vertical infrastructure" projects and the  
 33 amount of such funds used for projects which result in  
 34 the creation of "vertical infrastructure".

35 2. For accelerated career education program  
 36 capital projects at community colleges that are  
 37 authorized under chapter 260G and that meet the  
 38 definition of "vertical infrastructure" in section  
 39 8.57, subsection 5, paragraph "c":

40 ..... \$ 5,300,000

41 The moneys appropriated in this subsection shall be  
 42 allocated equally among the community colleges in the  
 43 state. If any portion of the equal allocation to a  
 44 community college is not obligated or encumbered by  
 45 April 1, 2002, the unobligated and unencumbered  
 46 portions shall be available for use by other community  
 47 colleges.

DEPARTMENT OF GENERAL SERVICES

49 Sec. 7. There is appropriated from the rebuild  
 50 Iowa infrastructure fund to the department of general

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1 services for the fiscal year beginning July 1, 2001,  
2 and ending June 30, 2002, the following amounts, or so  
3 much thereof as is necessary, to be used for the  
4 purposes designated:

5 1. For capitol interior restoration:  
6 ..... \$ 1,700,000

7 2. For relocation expenses associated with  
8 remodeling projects on the capitol complex,  
9 notwithstanding section 8.57, subsection 5, paragraph  
10 "c":  
11 ..... \$ 1,579,000

12 3. For routine maintenance of state buildings and  
13 facilities under the purview of the department,  
14 notwithstanding section 8.57, subsection 5, paragraph  
15 "c":  
16 ..... \$ 2,500,000

17 The department shall quarterly file a report with  
18 the legislative fiscal bureau detailing the use and  
19 disposition of funds appropriated in this subsection.

20 4. For major renovation and major repair needs  
21 including health, life, and fire safety needs, and for  
22 compliance with the federal Americans With  
23 Disabilities Act, for state-owned buildings and  
24 facilities:  
25 ..... \$ 15,000,000

26 a. In accordance with section 8.57, subsection 5,  
27 paragraph "c", the moneys appropriated in this  
28 subsection shall not be used for project management  
29 services provided by the department.

30 b. Of the amount appropriated in this subsection,  
31 \$200,000 may be used for costs associated with the  
32 vertical infrastructure program, notwithstanding  
33 section 8.57, subsection 5, paragraph "c".

34 5. For relocation costs associated with renovation  
35 of the state records center, notwithstanding section  
36 8.57, subsection 5, paragraph "c":  
37 ..... \$ 1,028,000

38 6. For the purchase of land and improvements to  
39 properties in the vicinity of the capitol complex:  
40 ..... \$ 400,000

41 Funds appropriated in this subsection may be  
42 expended to prepare purchased property for utilization  
43 by the state.

44 7. For the planning, design, and construction of a  
45 facility, or for the purchase and renovation of the  
46 metropolitan medical center property in Des Moines,  
47 which shall be used as a multipurpose laboratory  
48 facility, pursuant to approval by the legislative  
49 council, notwithstanding section 8.57, subsection 5,  
50 paragraph "c":

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1 ..... \$ 8,200,000  
 2 Sec. 8. There is appropriated from the rebuild  
 3 Iowa infrastructure fund to the department of general  
 4 services for the fiscal years designated, the  
 5 following amounts, or so much thereof as is necessary,  
 6 to be used for the purposes designated:  
 7 1. For the construction of a pedestrian bridge  
 8 across Court avenue to provide pedestrian access  
 9 across the capitol complex:  
 10 FY 2001-2002..... \$ 500,000  
 11 FY 2002-2003..... \$ 550,000  
 12 2. For costs associated with renovation of the  
 13 state records center:  
 14 FY 2001-2002..... \$ 1,215,000  
 15 FY 2002-2003..... \$ 8,500,000  
 16 FY 2003-2004..... \$ 1,300,000

IOWA STATE FAIR FOUNDATION

17  
 18 Sec. 9. There is appropriated from the rebuild  
 19 Iowa infrastructure fund to the Iowa state fair  
 20 foundation for the fiscal year beginning July 1, 2001,  
 21 and ending June 30, 2002, the following amounts, or so  
 22 much thereof as is necessary, to be used for the  
 23 purposes designated:  
 24 1. For replacement of the roof of the livestock  
 25 pavilion:  
 26 ..... \$ 500,000  
 27 2. For upgrades to the sewer and water systems:  
 28 ..... \$ 300,000  
 29 3. For electrical upgrades:  
 30 ..... \$ 200,000

DEPARTMENT OF NATURAL RESOURCES

31  
 32 Sec. 10. There is appropriated from the rebuild  
 33 Iowa infrastructure fund to the department of natural  
 34 resources for the fiscal year beginning July 1, 2001,  
 35 and ending June 30, 2002, the following amounts, or so  
 36 much thereof as is necessary, to be used for the  
 37 purposes designated:  
 38 1. For costs associated with the planning and  
 39 design of a premier destination park, notwithstanding  
 40 section 8.57, subsection 5, paragraph "c":  
 41 ..... \$ 1,000,000  
 42 2. To upgrade electrical systems at state parks  
 43 throughout the state:  
 44 ..... \$ 500,000

DEPARTMENT OF PUBLIC DEFENSE

45  
 46 Sec. 11. There is appropriated from the rebuild  
 47 Iowa infrastructure fund to the department of public  
 48 defense for the fiscal years designated, the following  
 49 amounts, or so much thereof as is necessary, to be  
 50 used for the purposes designated:

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1 1. For maintenance and repair of national guard  
 2 armories and facilities:  
 3 FY 2001-2002..... \$ 700,000  
 4 2. For construction of a new national guard armory  
 5 at Estherville:  
 6 FY 2001-2002..... \$ 400,000  
 7 FY 2002-2003..... \$ 400,000  
 8 FY 2003-2004..... \$ 400,000

DEPARTMENT OF PUBLIC SAFETY

9  
 10 Sec. 12. There is appropriated from the rebuild  
 11 Iowa infrastructure fund to the department of public  
 12 safety for the fiscal year beginning July 1, 2001, and  
 13 ending June 30, 2002, the following amount, or so much  
 14 thereof as is necessary, to be used for the purpose  
 15 designated:  
 16 For construction of a new Iowa state patrol post in  
 17 Mason City:  
 18 ..... \$ 1,700,000

STATE BOARD OF REGENTS

19  
 20 Sec. 13. There is appropriated from the rebuild  
 21 Iowa infrastructure fund to the state board of regents  
 22 for the fiscal period beginning July 1, 2001, and  
 23 ending June 30, 2004, the following amounts, or so  
 24 much thereof as is necessary, to be used for the  
 25 purposes designated:  
 26 1. For construction of a new business college  
 27 building at Iowa state university of science and  
 28 technology:  
 29 FY 2001-2002..... \$ 4,200,000  
 30 FY 2002-2003..... \$ 6,700,000  
 31 FY 2003-2004..... \$ 0  
 32 2. For phase I of construction of the art building  
 33 at the state university of Iowa:  
 34 FY 2001-2002..... \$ 4,453,000  
 35 FY 2002-2003..... \$ 7,910,000  
 36 FY 2003-2004..... \$ 3,653,000  
 37 3. For upgrading the steam distribution system at  
 38 the university of northern Iowa:  
 39 FY 2001-2002..... \$ 3,990,000  
 40 FY 2002-2003..... \$ 4,320,000  
 41 FY 2003-2004..... \$ 4,390,000  
 42 4. For utility system replacement at the Iowa  
 43 school for the deaf:  
 44 FY 2001-2002..... \$ 250,000  
 45 FY 2002-2003..... \$ 0  
 46 FY 2003-2004..... \$ 0  
 47 5. For tuckpointing at the Iowa school for the  
 48 deaf:  
 49 FY 2001-2002..... \$ 185,000  
 50 FY 2002-2003..... \$ 0

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1	FY 2003-2004.....	\$	0
2	6. For upgrading the heating, ventilation, and air		
3	conditioning system at the Iowa braille and sight-		
4	saving school:		
5	FY 2001-2002.....	\$	400,000
6	FY 2002-2003.....	\$	0
7	FY 2003-2004.....	\$	0

8 The state board of regents is authorized to enter  
 9 into contracts for the full cost of carrying out the  
 10 projects listed in subsections 1 through 3, for which  
 11 appropriations are made in those subsections. The  
 12 state shall not be obligated for costs associated with  
 13 contracts identified in this paragraph in excess of  
 14 the funds appropriated by the general assembly.

STATE DEPARTMENT OF TRANSPORTATION

16 Sec. 14. There is appropriated from the rebuild  
 17 Iowa infrastructure fund to the state department of  
 18 transportation for the fiscal year beginning July 1,  
 19 2001, and ending June 30, 2002, the following amounts,  
 20 or so much thereof as is necessary, to be used for the  
 21 purposes designated:

22 1. For vertical infrastructure improvements at all  
 23 10 of the commercial air service airports within the  
 24 state:  
 25 ..... \$ 1,000,000

26 One-half of the funds appropriated in this  
 27 subsection shall be allocated equally between each  
 28 commercial service airport, 40 percent of the funds  
 29 shall be allocated based on the percentage that the  
 30 number of enplaned passengers at each commercial  
 31 service airport bears to the total number of enplaned  
 32 passengers in the state during the previous fiscal  
 33 year, and 10 percent of the funds shall be allocated  
 34 based on the percentage that the air cargo tonnage at  
 35 each commercial service airport bears to the total air  
 36 cargo tonnage in the state during the previous fiscal  
 37 year. In order for a commercial service airport to  
 38 receive funding under this subsection, the airport  
 39 shall be required to submit applications for funding  
 40 of specific projects to the department for approval by  
 41 the state transportation commission.

42 2. For deposit in the aviation hangar revolving  
 43 loan fund, created in section 330.2, for improvements  
 44 to and design and construction of hangars at general  
 45 aviation airports within the state:  
 46 ..... \$ 500,000

47 3. For acquiring, constructing, and improving  
 48 recreational trails within the state:  
 49 ..... \$ 2,000,000

50 Of the amount appropriated in this subsection,

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1 \$1,000,000 shall be used for funding, on a matching  
2 basis, recreational trail projects, with priority  
3 given to completion of trail connections and sections  
4 between existing trails and parks within the  
5 established state recreational trails system. Such  
6 projects shall be matched by \$1 of private or other  
7 funds for each \$3 of state funds.

8 Of the amount appropriated in this subsection,  
9 \$50,000 shall be allocated for planning and  
10 development of the Iowa portion of the Mississippi  
11 river trail.

12 4. For an economic assistance program for capital  
13 improvements at commercial air service and general  
14 service airports including hangars, terminals, parking  
15 lots, and fuel facilities:

16 ..... \$ 500,000

17 The state department of transportation shall adopt  
18 rules for the implementation of the program described  
19 in this subsection. The rules shall include a  
20 provision allowing commercial air service and general  
21 service airports to apply for assistance under the  
22 program when immediate action is necessary in order to  
23 attract or retain an economic development opportunity  
24 in the region served by the airport. The rules shall  
25 also include a provision giving economic assistance  
26 preference to projects that maximize local community  
27 investment and jobs. Economic assistance may be in  
28 the form of a grant, loan, or combination of both.

29 OFFICE OF TREASURER OF STATE

30 Sec. 15. There is appropriated from the rebuild  
31 Iowa infrastructure fund to the office of treasurer of  
32 state for the fiscal year beginning July 1, 2001, and  
33 ending June 30, 2002, the following amount, or so much  
34 thereof as is necessary, to be used for the purpose  
35 designated:

36 For county fair infrastructure improvements for  
37 distribution in accordance with chapter 174 to  
38 qualified fairs which belong to the association of  
39 Iowa fairs:

40 ..... \$ 1,060,000

41 Sec. 16. REVERSION. Notwithstanding section 8.33,  
42 moneys appropriated in this division of this Act shall  
43 not revert at the close of the fiscal year for which  
44 they were appropriated but shall remain available for  
45 the purposes designated until the close of the fiscal  
46 year that begins July 1, 2004, or until the project  
47 for which the appropriation was made is completed,  
48 whichever is earlier.

49 Sec. 17. EFFECTIVE DATE. Section 4 in this  
50 division of this Act, amending 1999 Iowa Acts, chapter

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1 204, section 1, being deemed of immediate importance,  
2 takes effect upon enactment.

3 DIVISION II

4 ENVIRONMENT FIRST FUND

5 DEPARTMENT OF AGRICULTURE AND LAND STEWARDSHIP

6 Sec. 18. There is appropriated from the  
7 environment first fund to the department of  
8 agriculture and land stewardship for the fiscal year  
9 beginning July 1, 2001, and ending June 30, 2002, the  
10 following amounts, or so much thereof as is necessary,  
11 to be used for the purposes designated:

12 1. For the conservation reserve enhancement  
13 program to restore and construct wetlands for the  
14 purposes of intercepting tile line runoff, reducing  
15 nutrient loss, improving water quality, and enhancing  
16 agricultural production practices:

17 ..... \$ 1,500,000

18 2. For continuation of a program that provides  
19 multi-objective resource protections for flood  
20 control, water quality, erosion control, and natural  
21 resource conservation:

22 ..... \$ 2,700,000

23 3. For continuation of a statewide voluntary farm  
24 management demonstration program to demonstrate the  
25 effectiveness and adaptability of emerging practices  
26 in agronomy that protect water resources and provide  
27 other environmental benefits:

28 ..... \$ 850,000

29 4. For deposit in the alternative drainage system  
30 assistance fund created in section 159.29A to be used  
31 for purposes of supporting the alternative drainage  
32 system assistance program as provided in section  
33 159.29B:

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

35 Of the amount appropriated in this section,  
36 \$300,000 shall be allocated to drainage district 176  
37 to provide cost-share assistance for closing  
38 agricultural drainage wells and constructing  
39 alternative drainage systems in order to assist in  
40 raising the level of cost-share payments to 75 percent  
41 of the cost of the projects.

42 5. To provide financial assistance for the  
43 establishment of permanent soil and water conservation  
44 practices:  
45 ..... \$ 2,000,000

46 a. Not more than 5 percent of the moneys  
47 appropriated in this subsection may be allocated for  
48 cost-sharing to abate complaints filed under section  
49 161A.47.

50 b. Of the moneys appropriated in this subsection,

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1 5 percent shall be allocated for financial incentives  
2 to establish practices to protect watersheds above  
3 publicly owned lakes of the state from soil erosion  
4 and sediment as provided in section 161A.73.

5 c. Not more than 30 percent of a district's  
6 allocation of moneys as financial incentives may be  
7 provided for the purpose of establishing management  
8 practices to control soil erosion on land that is row-  
9 cropped, including but not limited to no-till  
10 planting, ridge-till planting, contouring, and contour  
11 strip-cropping as provided in section 161A.73.

12 d. The state soil conservation committee created  
13 in section 161A.4 may allocate moneys appropriated in  
14 this subsection to conduct research and demonstration  
15 projects to promote conservation tillage and nonpoint  
16 source pollution control practices.

17 e. The financial incentive payments may be used in  
18 combination with department of natural resources  
19 moneys.

20 6. To encourage and assist farmers in enrolling in  
21 the continuous sign-up federal conservation reserve  
22 program and work with them to enhance their  
23 revegetation efforts to improve water quality and  
24 habitat:

25 ..... \$ 1,500,000

26 7. For deposit in the hungry canyons account of  
27 the loess hills development and conservation fund  
28 created in section 161D.2, to be allocated as provided  
29 in chapter 161D:

30 ..... \$ 750,000

31 8. For deposit in the loess hills alliance account  
32 of the loess hills development and conservation fund  
33 created in section 161D.2, to be allocated as provided  
34 in chapter 161D:

35 ..... \$ 250,000

36 9. For allocation to the southern Iowa  
37 conservation and development authority for protection  
38 of road structures:

39 ..... \$ 250,000

40 10. For deposit in the agrichemical remediation  
41 fund created in section 161.7, to be used as described  
42 in section 161.7:

43 ..... \$ 1,000,000

44 DEPARTMENT OF ECONOMIC DEVELOPMENT

45 Sec. 19. There is appropriated from the  
46 environment first fund to the department of economic  
47 development for the fiscal year beginning July 1,  
48 2001, and ending June 30, 2002, the following amount,  
49 or so much thereof as is necessary, to be used for the  
50 purpose designated:

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1 For deposit in the brownfield redevelopment fund  
 2 created in section 15.293 to provide assistance under  
 3 the brownfield redevelopment program:  
 4 ..... \$ 3,000,000

DEPARTMENT OF NATURAL RESOURCES

6 Sec. 20. There is appropriated from the  
 7 environment first fund to the department of natural  
 8 resources for the fiscal year beginning July 1, 2001,  
 9 and ending June 30, 2002, the following amounts, or so  
 10 much thereof as is necessary, to be used for the  
 11 purposes designated:

12 1. To provide local watershed managers with  
 13 geographic information system data for their use in  
 14 developing, monitoring, and displaying results of  
 15 their watershed work:

16 ..... \$ 195,000

17 2. For statewide coordination of volunteer efforts  
 18 under the water quality and keepers of the land  
 19 programs:

20 ..... \$ 130,000

21 3. For continuing the establishment and operation  
 22 of water quality monitoring stations:

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

24 4. For contracting to assist department staff with  
 25 the review of national pollutant discharge elimination  
 26 system permits:

27 ..... \$ 250,000

28 5. For additional efforts to reduce the  
 29 department's floodplain permit backlog:

30 ..... \$ 200,000

31 6. For continuation of the waste tire abatement  
 32 program:

33 ..... \$ 500,000

34 7. To complete natural resource inventories and  
 35 protection plans to identify and safeguard unique  
 36 landforms and ecosystems:

37 ..... \$ 125,000

38 8. For a community-based grant distribution  
 39 program to provide funding for the planting of trees  
 40 throughout the state:

41 ..... \$ 250,000

42 9. For the dredging of lakes, including necessary  
 43 preparation for dredging, in accordance with the  
 44 department's classification of Iowa lakes restoration  
 45 report:

46 ..... \$ 500,000

47 10. For recreational grants to be used for the  
 48 restoration or construction of recreational complexes  
 49 or facilities under the recreational grant matching  
 50 program:

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1 ..... \$ 2,100,000

2 Matching grants awarded from the funds appropriated  
3 in this subsection shall be awarded on a matching  
4 basis of one dollar for every two dollars the  
5 applicant had raised.

6 The department shall give special consideration to  
7 recreational complex or facility projects which  
8 involve public and private sector participation.

9 11. For purposes of funding capital projects for  
10 the purposes specified in section 452A.79, and for  
11 expenditures for the local cost share grants to be  
12 used for capital expenditures to local governmental  
13 units for boating accessibility:

14 ..... \$ 2,300,000

15 If the amount appropriated in this subsection  
16 exceeds the amount of marine fuel tax receipts  
17 deposited into the rebuild Iowa infrastructure fund  
18 for the fiscal year ending June 30, 2002, the  
19 difference between the amount appropriated in this  
20 subsection from the environment first fund and the  
21 actual marine fuel tax receipts deposited into the  
22 rebuild Iowa infrastructure fund is appropriated to  
23 the rebuild Iowa infrastructure fund from the  
24 accumulated balance of marine fuel tax receipts in the  
25 general fund of the state which is tracked by the  
26 department of management pursuant to section 8.60,  
27 subsection 14.

28 12. For a contribution toward the development of  
29 the Lewis and Clark rural water system:

30 ..... \$ 60,000

31 STATE DEPARTMENT OF TRANSPORTATION

32 Sec. 21. There is appropriated from the  
33 environment first fund to the state department of  
34 transportation for the fiscal year beginning July 1,  
35 2001, and ending June 30, 2002, the following amount,  
36 or so much thereof as is necessary, to be used for the  
37 purpose designated:

38 For a grant to the Grundy county conservation board  
39 for a borrow pit recreational area project:

40 ..... \$ 90,000

41 The grant made pursuant to this section shall be  
42 awarded on a matching basis of one dollar for every  
43 two dollars the Grundy county conservation board has  
44 raised. The moneys appropriated in this section shall  
45 not be used for administrative costs.

46 Sec. 22. 2000 Iowa Acts, chapter 1225, is amended  
47 by adding the following new section after section 28:

48 NEW SECTION. SEC. 28A. REVERSION.

49 Notwithstanding section 8.33, moneys appropriated in  
50 sections 25 through 27 of this division of this Act

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1 shall not revert at the close of the fiscal year for  
2 which they were appropriated but shall remain  
3 available for the purposes designated until the close  
4 of the fiscal year beginning July 1, 2003, or until  
5 the project for which the appropriation was made is  
6 completed, whichever is earlier.

7 RESOURCES ENHANCEMENT AND PROTECTION FUND

8 Sec. 23. Notwithstanding the amount of the  
9 standing appropriation from the general fund of the  
10 state under section 455A.18, subsection 3, there is  
11 appropriated from the environment first fund to the  
12 Iowa resources enhancement and protection fund, in  
13 lieu of the appropriation made in section 455A.18, for  
14 the fiscal year beginning July 1, 2001, and ending  
15 June 30, 2002, the following amount, to be allocated  
16 as provided in section 455A.19:

17 ..... \$ 10,500,000

18 Sec. 24. REVERSION. Notwithstanding section 8.33,  
19 moneys appropriated in this division of this Act shall  
20 not revert at the close of the fiscal year for which  
21 they were appropriated but shall remain available for  
22 the purposes designated until the close of the fiscal  
23 year beginning July 1, 2002, or until the project for  
24 which the appropriation was made is completed,  
25 whichever is earlier.

26 Sec. 25. EFFECTIVE DATE. Section 22 in this  
27 division of this Act, amending 2000 Acts, chapter  
28 1225, being deemed of immediate importance, takes  
29 effect upon enactment.

30 DIVISION III

31 STATUTORY CHANGES AND RELATED MATTERS

32 Sec. 26. Section 7E.5A, Code 2001, is amended to  
33 read as follows:

34 7E.5A BUILDINGS AND INFRASTRUCTURE --

35 IDENTIFICATION OF MAINTENANCE FUNDING NEEDS.

36 1. For each new vertical infrastructure project  
37 ~~undertaken on or after July 1, 1997~~, the department in  
38 control of the vertical infrastructure shall identify  
39 and recommend to the general assembly funding  
40 sufficient to meet the projected maintenance, repair,  
41 and replacement needs of the vertical infrastructure.

42 2. A department shall, within its five-year  
43 capital budget request, identify specific instances  
44 where the failure to address deferred maintenance has  
45 had a negative impact on the department's ability to  
46 implement its mission and the proposed costs for  
47 annual routine and preventive maintenance based on an  
48 industry standard of one percent of the estimated  
49 replacement cost of the department's facilities.

50 3. A department requesting state moneys for a

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1 vertical infrastructure project shall actively pursue  
 2 any federal funds for which the proposed project may  
 3 be eligible and shall demonstrate such pursuit prior  
 4 to receiving state moneys for the project. The  
 5 department shall report the receipt of any such  
 6 federal funds to the department of management and the  
 7 legislative fiscal bureau in the manner described in  
 8 section 8.23.

9 ~~2-4.~~ As used in this section, "vertical  
 10 infrastructure" means the same as defined in section  
 11 8.57, subsection 5, paragraph "c".

12 Sec. 27. Section 15F.203, Code 2001, is amended by  
 13 adding the following new subsection:

14 NEW SUBSECTION. 3A. An application for financial  
 15 assistance under the program may be approved by the  
 16 board to buy down or refinance an existing loan on a  
 17 project that otherwise meets the eligibility  
 18 requirements for financial assistance under the  
 19 program.

20 Sec. 28. Section 461A.3A, subsection 2, unnumbered  
 21 paragraph 1, Code 2001, is amended to read as follows:

22 There is appropriated from the rebuild Iowa  
 23 infrastructure fund for each fiscal year of the fiscal  
 24 period beginning July 1, 1997, and ending June 30,  
 25 ~~2001~~ 2004, the sum of three million dollars to the  
 26 department for use in the restore the outdoors  
 27 program. Notwithstanding section 8.33, unencumbered  
 28 or unobligated moneys remaining at the end of a fiscal  
 29 year shall not revert but shall remain available for  
 30 expenditure during the following fiscal year for  
 31 purposes of the restore the outdoors program."

32 2. Title page, line 3, by inserting after the  
 33 word "including" the following: "the department of  
 34 agriculture and land stewardship,".

35 3. By renumbering as necessary.

By WARNSTADT of Woodbury

**H-1820** FILED MAY 1, 2001

*Loot*

*5/1/01*

*(P. 1675)*

**HOUSE FILE 742**

**H-1837**

1 Amend House File 742 as follows:

2 1. Page 15, line 6, by inserting after the word  
 3 "department" the following: "requesting routine or  
 4 major maintenance moneys from the rebuild Iowa  
 5 infrastructure fund".

By WARNSTADT of Woodbury

**H-1837** FILED MAY 1, 2001

*W/D*

*5/1/01*

*(P. 1677)*

*5-4-01 Approp.  
5-5/2/01 Dr. Pass*

HOUSE FILE 742  
BY COMMITTEE ON APPROPRIATIONS

(SUCCESSOR TO HSB 259)

(As Amended and Passed by the House May 1, 2001)

Passed House, Date <sup>(p. 1678)</sup> 5/1/01 Passed Senate, Date <sup>(p. 1590)</sup> 5/8/01  
Vote: Ayes 70 Nays 28 Vote: Ayes 26 Nays 18  
Approved Tom Veto 5/29/01

*Referenced 5/8/01  
p. 2008 vote 92-4*

A BILL FOR

1 An Act relating to and making appropriations from the rebuild  
2 Iowa infrastructure fund to state departments and agencies,  
3 including the department of corrections, the department of  
4 cultural affairs, the department of economic development, the  
5 department of general services, the Iowa state fair  
6 foundation, the legislative council, the department of natural  
7 resources, the department of public defense, the department of  
8 public safety, the state board of regents, the state  
9 department of transportation, and the office of treasurer of  
10 state, and making appropriations from the environment first  
11 fund for environmental purposes to the department of  
12 agriculture and land stewardship, the department of economic  
13 development, the department of natural resources, the state  
14 department of transportation, and the Iowa resources  
15 enhancement and protection fund, making related statutory  
16 changes, and providing effective dates.

17 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

18 House Amendments \_\_\_\_\_

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DIVISION I  
REBUILD IOWA INFRASTRUCTURE FUND  
DEPARTMENT OF CORRECTIONS

Section 1. There is appropriated from the rebuild Iowa infrastructure fund to the department of corrections for the fiscal year beginning July 1, 2001, and ending June 30, 2002, the following amounts, or so much thereof as is necessary, to be used for the purposes designated:

1. To supplement funds appropriated in 1998 Iowa Acts, chapter 1219, section 2, subsection 3, for construction of a 200-bed facility at the Iowa state penitentiary at Fort Madison:

..... \$ 6,400,000

2. For costs associated with connecting the correctional facility at Oakdale to the city of Coralville water system:

..... \$ 100,000

3. For the final phase of the state's share of the construction costs associated with the Mitchellville waste water treatment plant:

..... \$ 364,400

4. For costs of entering into a lease-purchase agreement to connect the electrical system supporting the special needs unit at Fort Madison:

..... \$ 333,168

Sec. 2. There is appropriated from the rebuild Iowa infrastructure fund to the department of corrections for the fiscal year beginning July 1, 2002, and ending June 30, 2003, the following amount, or so much thereof as is necessary, to be used for the purpose designated:

To supplement funds appropriated in 1998 Iowa Acts, chapter 1219, section 2, subsection 3, for construction of a 200-bed facility at the Iowa state penitentiary at Fort Madison:

..... \$ 2,000,000

Sec. 3. 2000 Iowa Acts, chapter 1225, section 2, unnumbered paragraph 2, is amended to read as follows:

1 The first \$300,000 of the amount appropriated in this  
2 subsection shall be allocated for community-based corrections  
3 projects in Council Bluffs. The next \$600,000 of the amount  
4 appropriated in this subsection shall be allocated for  
5 community-based corrections projects in the judicial district  
6 in which the city of Davenport is located. These moneys may  
7 be used by the department to enter into lease-purchasing  
8 agreements or the payment of rent for such projects.

9 Sec. 4. 1999 Iowa Acts, chapter 204, section 1, subsection  
10 1, is amended to read as follows:

11 1. For purchase and planning, design, and construction of  
12 a 170-bed facility at the Iowa medical and classification  
13 center at Oakdale:

14	FY 1999-2000 .....	\$ 3,750,000
15	.....	\$ <u>1,050,000</u>
16	FY 2000-2001 .....	\$ 2,500,000
17	.....	\$ <u>0</u>

18 DEPARTMENT OF CULTURAL AFFAIRS

19 Sec. 5. There is appropriated from the rebuild Iowa  
20 infrastructure fund to the department of cultural affairs for  
21 the fiscal year beginning July 1, 2001, and ending June 30,  
22 2002, the following amounts, or so much thereof as is  
23 necessary, to be used for the purposes designated:

24 1. For historical site preservation grants, to be used for  
25 the restoration, preservation, and development of historical  
26 sites:

27	.....	\$ 1,000,000
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28 Historical site preservation grants shall only be awarded  
29 for projects which meet the definition of "vertical  
30 infrastructure" in section 8.57, subsection 5, paragraph "c".

31 In making grants pursuant to this subsection, the  
32 department shall consider the existence and amount of other  
33 funds available to an applicant for the designated project.  
34 Each grant awarded from moneys appropriated in this subsection  
35 shall not exceed \$100,000 per project. Not more than two

1 grants may be awarded in each county.

2 2. For continuation of the project recommended by the Iowa  
3 battle flag advisory committee to stabilize the condition of  
4 the battle flag collection, notwithstanding section 8.57,  
5 subsection 5, paragraph "c":

6 ..... \$ 150,000

7 DEPARTMENT OF ECONOMIC DEVELOPMENT

8 Sec. 6. There is appropriated from the rebuild Iowa  
9 infrastructure fund to the department of economic development  
10 for the fiscal year beginning July 1, 2001, and ending June  
11 30, 2002, the following amount, or so much thereof as is  
12 necessary, to be used for the purpose designated:

13 For accelerated career education program capital projects  
14 at community colleges that are authorized under chapter 260G  
15 and that meet the definition of "vertical infrastructure" in  
16 section 8.57, subsection 5, paragraph "c":

17 ..... \$ 2,500,000

18 The moneys appropriated in this section shall be allocated  
19 equally among the community colleges in the state. If any  
20 portion of the equal allocation to a community college is not  
21 obligated or encumbered by April 1, 2002, the unobligated and  
22 unencumbered portions shall be available for use by other  
23 community colleges.

24 DEPARTMENT OF GENERAL SERVICES

25 Sec. 7. There is appropriated from the rebuild Iowa  
26 infrastructure fund to the department of general services for  
27 the fiscal year beginning July 1, 2001, and ending June 30,  
28 2002, the following amounts, or so much thereof as is  
29 necessary, to be used for the purposes designated:

30 1. For relocation expenses associated with remodeling  
31 projects on the capitol complex, notwithstanding section 8.57,  
32 subsection 5, paragraph "c":

33 ..... \$ 1,000,000

34 2. For routine maintenance of state buildings and  
35 facilities under the purview of the department,

1 notwithstanding section 8.57, subsection 5, paragraph "c":  
2 ..... \$ 2,000,000

3 The department shall quarterly file a report with the  
4 legislative fiscal bureau detailing the use and disposition of  
5 funds appropriated in this subsection.

6 3. For major renovation and major repair needs including  
7 health, life, and fire safety needs, and for compliance with  
8 the federal Americans With Disabilities Act, for state-owned  
9 buildings and facilities:

10 ..... \$ 11,500,000

11 a. In accordance with section 8.57, subsection 5,  
12 paragraph "c", the moneys appropriated in this subsection  
13 shall not be used for project management services provided by  
14 the department.

15 b. Of the amount appropriated in this subsection, \$200,000  
16 may be used for costs associated with the vertical  
17 infrastructure program, notwithstanding section 8.57,  
18 subsection 5, paragraph "c".

19 4. For the purchase of land and improvements to properties  
20 in the vicinity of the capitol complex:

21 ..... \$ 200,000

22 Funds appropriated in this subsection may be expended to  
23 prepare purchased property for utilization by the state.

24 Sec. 8. There is appropriated from the rebuild Iowa  
25 infrastructure fund to the department of general services for  
26 the fiscal years designated, the following amounts, or so much  
27 thereof as is necessary, to be used for the purposes  
28 designated:

29 1. For the construction of a pedestrian bridge across  
30 Court avenue to provide pedestrian access across the capitol  
31 complex:

32 FY 2001-2002..... \$ 400,000

33 FY 2002-2003..... \$ 650,000

34 2. For capitol interior restoration:

35 FY 2001-2002 ..... \$ 1,700,000

1 FY 2002-2003 ..... \$ 2,700,000

2 Sec. 9. 1996 Iowa Acts, chapter 1218, section 13,  
3 subsection 2, paragraph d, subparagraph (2), is amended to  
4 read as follows:

5 (2) For the fiscal year beginning July 1, 1997, and ending  
6 June 30, 1998:

7 ..... \$ ~~400,000~~

8 185,000

9 IOWA STATE FAIR FOUNDATION

10 Sec. 10. There is appropriated from the rebuild Iowa  
11 infrastructure fund to the Iowa state fair foundation for the  
12 fiscal year beginning July 1, 2001, and ending June 30, 2002,  
13 the following amount, or so much thereof as is necessary, to  
14 be used for the purpose designated:

15 For vertical infrastructure projects on the state  
16 fairgrounds:

17 ..... \$ 500,000

18 For purposes of this section, "vertical infrastructure"  
19 means the same as defined in section 8.57, subsection 5,  
20 paragraph "c".

21 LEGISLATIVE COUNCIL

22 Sec. 11. 1999 Iowa Acts, chapter 204, section 14, is  
23 amended by adding the following new unnumbered paragraph:

24 NEW UNNUMBERED PARAGRAPH. Notwithstanding anything to the  
25 contrary in this section of this Act or section 8.33, the  
26 moneys appropriated in section 7 of this Act shall remain  
27 available for the purposes designated until June 30, 2006.

28 DEPARTMENT OF NATURAL RESOURCES

29 Sec. 12. There is appropriated from the rebuild Iowa  
30 infrastructure fund to the department of natural resources for  
31 the fiscal year beginning July 1, 2001, and ending June 30,  
32 2002, the following amount, or so much thereof as is  
33 necessary, to be used for the purpose designated:

34 For costs associated with the planning and design of a  
35 premier destination park, notwithstanding section 8.57,

1 subsection 5, paragraph "c", as follows:

2 ..... \$ 1,000,000

3 DEPARTMENT OF PUBLIC DEFENSE

4 Sec. 13. There is appropriated from the rebuild Iowa  
5 infrastructure fund to the department of public defense for  
6 the fiscal years designated, the following amounts, or so much  
7 thereof as is necessary, to be used for the purposes  
8 designated:

9 1. For maintenance and repair of national guard armories  
10 and facilities:

11 FY 2001-2002..... \$ 700,000

12 2. For construction of a new national guard armory at  
13 Estherville:

14 FY 2001-2002..... \$ 400,000

15 FY 2002-2003..... \$ 400,000

16 FY 2003-2004..... \$ 461,000

17 DEPARTMENT OF PUBLIC SAFETY

18 Sec. 14. There is appropriated from the rebuild Iowa  
19 infrastructure fund to the department of public safety for the  
20 fiscal year beginning July 1, 2001, and ending June 30, 2002,  
21 the following amount, or so much thereof as is necessary, to  
22 be used for the purpose designated:

23 For the location and purchase of land, a site survey, soil  
24 sampling, and site preparation for the construction of a new  
25 Iowa state patrol post in Mason City:

26 ..... \$ 250,000

27 STATE BOARD OF REGENTS

28 Sec. 15. There is appropriated from the rebuild Iowa  
29 infrastructure fund to the state board of regents for the  
30 fiscal period beginning July 1, 2001, and ending June 30,  
31 2004, the following amounts, or so much thereof as is  
32 necessary, to be used for the purposes designated:

33 1. For construction of a new business college building at  
34 Iowa state university of science and technology:

35 FY 2001-2002..... \$ 4,200,000

1	FY 2002-2003.....	\$ 6,700,000
2	FY 2003-2004.....	\$ 0
3	2. For phase I of construction of the art building at the	
4	state university of Iowa:	
5	FY 2001-2002.....	\$ 4,453,000
6	FY 2002-2003.....	\$ 7,910,000
7	FY 2003-2004.....	\$ 3,653,000
8	3. For upgrading the steam distribution system at the	
9	university of northern Iowa:	
10	FY 2001-2002.....	\$ 3,990,000
11	FY 2002-2003.....	\$ 4,320,000
12	FY 2003-2004.....	\$ 4,390,000
13	4. For utility system replacement at the Iowa school for	
14	the deaf:	
15	FY 2001-2002.....	\$ 250,000
16	FY 2002-2003.....	\$ 0
17	FY 2003-2004.....	\$ 0
18	5. For tuckpointing at the Iowa school for the deaf:	
19	FY 2001-2002.....	\$ 185,000
20	FY 2002-2003.....	\$ 0
21	FY 2003-2004.....	\$ 0
22	6. For upgrading the heating, ventilation, and air	
23	conditioning system at the Iowa braille and sight saving	
24	school:	
25	FY 2001-2002.....	\$ 400,000
26	FY 2002-2003.....	\$ 0
27	FY 2003-2004.....	\$ 0

28 The state board of regents is authorized to enter into  
29 contracts for the full cost of carrying out the projects  
30 listed in subsections 1 through 3, for which appropriations  
31 are made in those subsections. The state shall not be  
32 obligated for costs associated with contracts identified in  
33 this paragraph in excess of the funds appropriated by the  
34 general assembly.

35 STATE DEPARTMENT OF TRANSPORTATION

1     Sec. 16. There is appropriated from the rebuild Iowa  
2 infrastructure fund to the state department of transportation  
3 for the fiscal year beginning July 1, 2001, and ending June  
4 30, 2002, the following amounts, or so much thereof as is  
5 necessary, to be used for the purposes designated:

6     1. For vertical infrastructure improvements at all 10 of  
7 the commercial air service airports within the state:  
8 ..... \$ 1,000,000

9     One-half of the funds appropriated in this subsection shall  
10 be allocated equally between each commercial service airport,  
11 40 percent of the funds shall be allocated based on the  
12 percentage that the number of enplaned passengers at each  
13 commercial service airport bears to the total number of  
14 enplaned passengers in the state during the previous fiscal  
15 year, and 10 percent of the funds shall be allocated based on  
16 the percentage that the air cargo tonnage at each commercial  
17 service airport bears to the total air cargo tonnage in the  
18 state during the previous fiscal year. In order for a  
19 commercial service airport to receive funding under this  
20 subsection, the airport shall be required to submit  
21 applications for funding of specific projects to the  
22 department for approval by the state transportation  
23 commission.

24     2. For an aviation hangar grant program for improvements  
25 to and design and construction of hangars at general aviation  
26 airports within the state:  
27 ..... \$ 500,000

28     3. For acquiring, constructing, and improving recreational  
29 trails within the state:  
30 ..... \$ 1,000,000

31     Of the amount appropriated in this subsection, \$500,000  
32 shall be used for funding, on a matching basis, recreational  
33 trail projects, with priority given to completion of trail  
34 connections and sections between existing trails and parks  
35 within the established state recreational trails system. Such

1 projects shall be matched by \$1 of private or other funds for  
2 each \$3 of state funds.

3 Of the amount appropriated in this subsection, \$50,000  
4 shall be allocated for planning and development of the Iowa  
5 portion of the Mississippi river trail.

6 OFFICE OF TREASURER OF STATE

7 Sec. 17. There is appropriated from the rebuild Iowa  
8 infrastructure fund to the office of treasurer of state for  
9 the fiscal year beginning July 1, 2001, and ending June 30,  
10 2002, the following amount, or so much thereof as is  
11 necessary, to be used for the purpose designated:

12 For county fair infrastructure improvements for  
13 distribution in accordance with chapter 174 to qualified fairs  
14 which belong to the association of Iowa fairs:

15 ..... \$ 1,060,000

16 Sec. 18. REVERSION. Notwithstanding section 8.33, moneys  
17 appropriated in this division of this Act shall not revert at  
18 the close of the fiscal year for which they were appropriated  
19 but shall remain available for the purposes designated until  
20 the close of the fiscal year that begins July 1, 2004, or  
21 until the project for which the appropriation was made is  
22 completed, whichever is earlier.

23 Sec. 19. EFFECTIVE DATE. Sections 4, 9, and 11 of this  
24 division of this Act, amending 1999 Iowa Acts, chapter 204,  
25 section 1; 1996 Iowa Acts, chapter 1218, section 13,  
26 subsection 2, paragraph "d", subparagraph (2); and 1999 Iowa  
27 Acts, chapter 204, section 14, respectively, being deemed of  
28 immediate importance, take effect upon enactment.

29 DIVISION II

30 ENVIRONMENT FIRST FUND

31 DEPARTMENT OF AGRICULTURE AND LAND STEWARDSHIP

32 Sec. 20. There is appropriated from the environment first  
33 fund to the department of agriculture and land stewardship for  
34 the fiscal year beginning July 1, 2001, and ending June 30,  
35 2002, the following amounts, or so much thereof as is

1 necessary, to be used for the purposes designated:

2 1. For the conservation reserve enhancement program to  
3 restore and construct wetlands for the purposes of  
4 intercepting tile line runoff, reducing nutrient loss,  
5 improving water quality, and enhancing agricultural production  
6 practices:

7 ..... \$ 1,500,000

8 2. For continuation of a program that provides multi-  
9 objective resource protections for flood control, water  
10 quality, erosion control, and natural resource conservation:

11 ..... \$ 2,700,000

12 3. For continuation of a statewide voluntary farm  
13 management demonstration program to demonstrate the  
14 effectiveness and adaptability of emerging practices in  
15 agronomy that protect water resources and provide other  
16 environmental benefits:

17 ..... \$ 850,000

18 4. For deposit in the alternative drainage system  
19 assistance fund created in section 159.29A to be used for  
20 purposes of supporting the alternative drainage system  
21 assistance program as provided in section 159.29B:

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

23 Of the amount appropriated in this section, \$300,000 shall  
24 be allocated to drainage district 176 to provide cost-share  
25 assistance for closing agricultural drainage wells and  
26 constructing alternative drainage systems in order to assist  
27 in raising the level of cost-share payments to 75 percent of  
28 the cost of the projects.

29 5. To provide financial assistance for the establishment  
30 of permanent soil and water conservation practices:

31 ..... \$ 7,500,000

32 a. Not more than 5 percent of the moneys appropriated in  
33 this subsection may be allocated for cost-sharing to abate  
34 complaints filed under section 161A.47.

35 b. Of the moneys appropriated in this subsection, 5

1 percent shall be allocated for financial incentives to  
2 establish practices to protect watersheds above publicly owned  
3 lakes of the state from soil erosion and sediment as provided  
4 in section 161A.73.

5 c. Not more than 30 percent of a district's allocation of  
6 moneys as financial incentives may be provided for the purpose  
7 of establishing management practices to control soil erosion  
8 on land that is row-cropped, including but not limited to no-  
9 till planting, ridge-till planting, contouring, and contour  
10 strip-cropping as provided in section 161A.73.

11 d. The state soil conservation committee created in  
12 section 161A.4 may allocate moneys appropriated in this  
13 subsection to conduct research and demonstration projects to  
14 promote conservation tillage and nonpoint source pollution  
15 control practices.

16 e. The financial incentive payments may be used in  
17 combination with department of natural resources moneys.

18 6. To encourage and assist farmers in enrolling in the  
19 continuous sign-up federal conservation reserve program and  
20 work with them to enhance their revegetation efforts to  
21 improve water quality and habitat:

22 ..... \$ 1,500,000

23 7. For deposit in the loess hills development and  
24 conservation fund created in section 161D.2:

25 ..... \$ 750,000

26 Of the amount appropriated to the loess hills development  
27 and conservation fund in this subsection, \$500,000 shall be  
28 allocated to the hungry canyons account and \$250,000 shall be  
29 allocated to the loess hills alliance account.

30 8. For allocation to the southern Iowa conservation and  
31 development authority for protection of road structures:

32 ..... \$ 250,000

33 DEPARTMENT OF ECONOMIC DEVELOPMENT

34 Sec. 21. There is appropriated from the environment first  
35 fund to the department of economic development for the fiscal

1 year beginning July 1, 2001, and ending June 30, 2002, the following amount, or so much thereof as is necessary, to be used for the purpose designated:

For deposit in the brownfield redevelopment fund created in section 15.293 to provide assistance under the brownfield redevelopment program:

..... \$ 2,000,000

DEPARTMENT OF NATURAL RESOURCES

Sec. 22. There is appropriated from the environment first fund to the department of natural resources for the fiscal year beginning July 1, 2001, and ending June 30, 2002, the following amounts, or so much thereof as is necessary, to be used for the purposes designated:

1. To provide local watershed managers with geographic information system data for their use in developing, monitoring, and displaying results of their watershed work: ..... \$ 195,000

2. For statewide coordination of volunteer efforts under the water quality and keepers of the land programs: ..... \$ 70,000

3. For continuing the establishment and operation of water quality monitoring stations: ..... \$ 2,500,000

4. For contracting to assist department staff with the review of national pollutant discharge elimination system permits: ..... \$ 180,000

5. For additional efforts to reduce the department's floodplain permit backlog: ..... \$ 180,000

6. For continuation of the waste tire abatement program: ..... \$ 500,000

7. To complete natural resource inventories and protection plans to identify and safeguard unique landforms and ecosystems:

1 ..... \$ 125,000

2 8. For a community-based grant distribution program to  
3 provide funding for the planting of trees throughout the  
4 state:

5 ..... \$ 250,000

6 9. For the dredging of lakes, including necessary  
7 preparation for dredging, in accordance with the department's  
8 classification of Iowa lakes restoration report:

9 ..... \$ 500,000

10 10. For purposes of funding capital projects for the  
11 purposes specified in section 452A.79, and for expenditures  
12 for the local cost share grants to be used for capital  
13 expenditures to local governmental units for boating  
14 accessibility:

15 ..... \$ 2,300,000

16 If the amount appropriated in this subsection exceeds the  
17 amount of marine fuel tax receipts deposited into the rebuild  
18 Iowa infrastructure fund for the fiscal year ending June 30,  
19 2002, the difference between the amount appropriated in this  
20 subsection from the environment first fund and the actual  
21 marine fuel tax receipts deposited into the rebuild Iowa  
22 infrastructure fund is appropriated to the rebuild Iowa  
23 infrastructure fund from the accumulated balance of marine  
24 fuel tax receipts in the general fund of the state which is  
25 tracked by the department of management pursuant to section  
26 8.60, subsection 14.

27 11. For a contribution toward the development of the Lewis  
28 and Clark rural water system:

29 ..... \$ 60,000

30 STATE DEPARTMENT OF TRANSPORTATION

31 Sec. 23. There is appropriated from the environment first  
32 fund to the state department of transportation for the fiscal  
33 year beginning July 1, 2001, and ending June 30, 2002, the  
34 following amount, or so much thereof as is necessary, to be  
35 used for the purpose designated:

1 For a grant to the Grundy county conservation board for a  
2 borrow pit recreational area project:

3 ..... \$ 90,000

4 The grant made pursuant to this section shall be awarded on  
5 a matching basis of one dollar for every two dollars the  
6 Grundy county conservation board has raised. The moneys  
7 appropriated in this section shall not be used for  
8 administrative costs.

9 Sec. 24. 2000 Iowa Acts, chapter 1225, is amended by  
10 adding the following new section after section 28:

11 NEW SECTION. SEC. 28A. REVERSION. Notwithstanding  
12 section 8.33, moneys appropriated in sections 25 through 27 of  
13 this division of this Act shall not revert at the close of the  
14 fiscal year for which they were appropriated but shall remain  
15 available for the purposes designated until the close of the  
16 fiscal year beginning July 1, 2003, or until the project for  
17 which the appropriation was made is completed, whichever is  
18 earlier.

19 RESOURCES ENHANCEMENT AND PROTECTION FUND

20 Sec. 25. Notwithstanding the amount of the standing  
21 appropriation from the general fund of the state under section  
22 455A.18, subsection 3, there is appropriated from the  
23 environment first fund to the Iowa resources enhancement and  
24 protection fund, in lieu of the appropriation made in section  
25 455A.18, for the fiscal year beginning July 1, 2001, and  
26 ending June 30, 2002, the following amount, to be allocated as  
27 provided in section 455A.19:

28 ..... \$ 10,000,000

29 Sec. 26. REVERSION. Notwithstanding section 8.33, moneys  
30 appropriated in this division of this Act shall not revert at  
31 the close of the fiscal year for which they were appropriated  
32 but shall remain available for the purposes designated until  
33 the close of the fiscal year beginning July 1, 2002, or until  
34 the project for which the appropriation was made is completed,  
35 whichever is earlier.

1 Sec. 27. EFFECTIVE DATE. Section 23 of this division of  
2 this Act, amending 2000 Iowa Acts, chapter 1225, being deemed  
3 of immediate importance, takes effect upon enactment.

4 DIVISION III  
5 STATUTORY CHANGES AND RELATED MATTERS

6 Sec. 28. Section 7E.5A, Code 2001, is amended to read as  
7 follows:

8 7E.5A BUILDINGS AND INFRASTRUCTURE -- IDENTIFICATION OF  
9 MAINTENANCE FUNDING NEEDS.

10 1. For each new vertical infrastructure project undertaken  
11 ~~on or after July 1, 1997~~, the department in control of the  
12 vertical infrastructure shall identify and recommend to the  
13 general assembly funding sufficient to meet the projected  
14 maintenance, repair, and replacement needs of the vertical  
15 infrastructure.

16 2. A department shall, within its five-year capital budget  
17 request, identify specific instances where the failure to  
18 address deferred maintenance has had a negative impact on the  
19 department's ability to implement its mission and the proposed  
20 costs for annual routine and preventive maintenance based on  
21 an industry standard of one percent of the estimated  
22 replacement cost of the department's facilities. This  
23 subsection shall not apply to the state department of  
24 transportation.

25 3. A department requesting state moneys for a vertical  
26 infrastructure project shall actively pursue any federal funds  
27 for which the proposed project may be eligible and shall  
28 demonstrate such pursuit prior to receiving state moneys for  
29 the project. The department shall report the receipt of any  
30 such federal funds to the department of management and the  
31 legislative fiscal bureau in the manner described in section  
32 8.23.

33 2- 4. As used in this section, "vertical infrastructure"  
34 means the same as defined in section 8.57, subsection 5,  
35 paragraph "c".

1     Sec. 29. Section 15F.203, Code 2001, is amended by adding  
2 the following new subsection:

3     NEW SUBSECTION. 3A. An application for financial  
4 assistance under the program may be approved by the board to  
5 buy down or refinance an existing loan on a project that  
6 otherwise meets the eligibility requirements for financial  
7 assistance under the program.

8     Sec. 30. NEW SECTION. 161D.8 ANNUAL REPORT -- AUDIT.

9     1. The authority shall submit to the department of  
10 management, the legislative fiscal bureau, and the division of  
11 soil conservation of the department of agriculture and land  
12 stewardship, on or before December 31, annually, a report  
13 including information regarding all of the following:

- 14     a. Its operations and accomplishments.
- 15     b. Its budget, receipts, and actual expenditures during  
16 the previous fiscal year, in accordance with classifications  
17 it establishes for its operating and capital accounts.
- 18     c. Its assets and liabilities at the end of the previous  
19 fiscal year and the status of reserve, special, and other  
20 funds.
- 21     d. A statement of its proposed and projected activities.
- 22     e. Recommendations to the governor and the general  
23 assembly, as deemed necessary.
- 24     f. Any other information deemed necessary.

25     2. The annual report shall identify performance goals of  
26 the authority, and clearly indicate the extent of progress,  
27 during the reporting period, in attaining these goals.

28     3. The fund shall be subject to an annual audit by the  
29 auditor of state.

30     Sec. 31. NEW SECTION. 161D.13 ANNUAL REPORT -- AUDIT.

31     1. The southern Iowa development and conservation  
32 authority shall submit to the department of management, the  
33 legislative fiscal bureau, and the division of soil  
34 conservation of the department of agriculture and land  
35 stewardship, on or before December 31, annually, a report

- 1 including information regarding all of the following:
- 2 a. Its operations and accomplishments.
  - 3 b. Its budget, receipts, and actual expenditures during
  - 4 the previous fiscal year, in accordance with classifications
  - 5 it establishes for its operating and capital accounts.
  - 6 c. Its assets and liabilities at the end of the previous
  - 7 fiscal year and the status of reserve, special, and other
  - 8 funds.
  - 9 d. A statement of its proposed and projected activities.
  - 10 e. Recommendations to the governor and the general
  - 11 assembly, as deemed necessary.
  - 12 f. Any other information deemed necessary.
- 13 2. The annual report shall identify performance goals of
- 14 the authority, and clearly indicate the extent of progress,
- 15 during the reporting period, in attaining these goals.
- 16 3. The southern Iowa development and conservation fund
- 17 shall be subject to an annual audit by the auditor of state.
- 18 Sec. 32. Section 461A.3A, subsection 2, unnumbered
- 19 paragraph 1, Code 2001, is amended to read as follows:
- 20 There is appropriated from the rebuild Iowa infrastructure
- 21 fund for each fiscal year of the fiscal period beginning July
- 22 1, 1997, and ending June 30, ~~2001~~ 2005, the sum of ~~three~~ two
- 23 million five hundred thousand dollars to the department for
- 24 use in the restore the outdoors program. Notwithstanding
- 25 section 8.33, unencumbered or unobligated moneys remaining at
- 26 the end of a fiscal year shall not revert but shall remain
- 27 available for expenditure during the following fiscal year for
- 28 purposes of the restore the outdoors program.

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## HOUSE FILE 742

S-3605

1 Amend House File 742, as amended, passed, and  
2 reprinted by the House, as follows:

3 1. Page 15, by inserting after line 35, the  
4 following:

5 "Sec. \_\_\_\_\_. Section 8.57, subsection 5, paragraph  
6 e, Code 2001, is amended to read as follows:

7 e. Notwithstanding provisions to the contrary in  
8 sections 99D.17 and 99F.11, for the fiscal year  
9 beginning July 1, 2000, and for each fiscal year  
10 thereafter, not more than a total of sixty million  
11 dollars shall be deposited in the general fund of the  
12 state in any fiscal year pursuant to sections 99D.17  
13 and 99F.11. The next fifteen million dollars of the  
14 moneys directed to be deposited in the general fund of  
15 the state in a fiscal year pursuant to sections 99D.17  
16 and 99F.11 shall be deposited in the vision Iowa fund  
17 created in section 12.72 for the fiscal year beginning  
18 July 1, 2000, and for each fiscal year through the  
19 fiscal year beginning July 1, 2019. The next five  
20 million dollars of the moneys directed to be deposited  
21 in the general fund of the state in a fiscal year  
22 pursuant to sections 99D.17 and 99F.11 shall be  
23 deposited in the school infrastructure fund created in  
24 section 12.82 for the fiscal year beginning July 1,  
25 2000, and for each fiscal year thereafter until the  
26 principal and interest on all bonds issued by the  
27 treasurer of state pursuant to section 12.81 are paid,  
28 as determined by the treasurer of state. Once the  
29 deposits in the general fund of the state and the  
30 vision Iowa and school infrastructure funds are made,  
31 an amount sufficient to pay any amounts due during a  
32 fiscal year on bonds issued for construction of a  
33 multipurpose laboratory facility pursuant to sections  
34 12.29 and 12.29A, together with any interest due on  
35 the bonds during the fiscal year, shall be deposited  
36 in the multipurpose laboratory facility construction  
37 fund established in section 12.29A from the moneys  
38 directed to be deposited in the general fund of the  
39 state during the fiscal year pursuant to sections  
40 99D.17 and 99F.11. The total moneys in excess of the  
41 moneys deposited in the general fund of the state, the  
42 vision Iowa fund, ~~and~~ the school infrastructure fund,  
43 and the multipurpose laboratory facility construction  
44 fund, in a fiscal year shall be deposited in the  
45 rebuild Iowa infrastructure fund and shall be used as  
46 provided in this section, notwithstanding section  
47 8.60.

48 Sec. \_\_\_\_\_. NEW SECTION. 12.29 BONDING POWERS --  
49 STATE AGENCY PURCHASE OF REAL OR PERSONAL PROPERTY.

50 1. The treasurer of state may issue bonds for the

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1 purchase of real or personal property for use by a  
2 state agency if a constitutional majority of each  
3 house of the general assembly authorizes, and the  
4 governor approves, the treasurer of state to issue  
5 such bonds. The treasurer of state shall have all of  
6 the powers necessary to issue and secure bonds for the  
7 purposes set forth in this section. The treasurer of  
8 state may issue bonds in principal amounts that are  
9 necessary to provide sufficient funds for the purposes  
10 authorized by the general assembly and the governor,  
11 the payment of interest on the bonds, the  
12 establishment of reserves to secure the bonds, the  
13 costs of issuance of the bonds, other expenditures of  
14 the treasurer of state incident to and necessary or  
15 convenient to carry out the bond issue for the  
16 authorized purchase of real or personal property. The  
17 bonds are investment securities and negotiable  
18 instruments within the meaning of and for purposes of  
19 the uniform commercial code.

20 2. Bonds issued under this section are payable  
21 solely and only out of moneys deposited in a special  
22 fund established by the general assembly and  
23 authorized by the governor and designated for the  
24 specific authorized purchase of real or personal  
25 property, and any bond reserve funds established for  
26 the specific authorized purchase, all of which may be  
27 deposited with trustees or depositories in accordance  
28 with bond or security documents and pledged by the  
29 treasurer to the payment thereof. Bonds issued under  
30 this section shall contain on their face a statement  
31 that the bonds do not constitute an indebtedness of  
32 the state. The treasurer of state shall not pledge  
33 the credit or taxing power of this state or any  
34 political subdivision of this state or make bonds  
35 issued pursuant to this section payable out of any  
36 moneys except moneys deposited in a special fund  
37 designated for the specific authorized purchase.

38 3. The proceeds of bonds issued by the treasurer  
39 of state and not required for immediate disbursement  
40 may be deposited with a trustee or depository as  
41 provided in the bond documents and invested or  
42 reinvested in any investment as directed by the  
43 department of general services and specified in the  
44 trust indenture, resolution, or other instrument  
45 pursuant to which the bonds are issued without regard  
46 to any limitation otherwise provided by law.

47 4. The bonds shall be:

48 a. In a form, issued in denominations, executed in  
49 a manner, and payable over terms and with rights of  
50 redemption, and be subject to such other terms and

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1 conditions as prescribed in the trust indenture,  
2 resolution, or other instrument authorizing their  
3 issuance.

4 b. Negotiable instruments under the laws of the  
5 state and may be sold at prices, at public or private  
6 sale, and in a manner, as prescribed by the treasurer  
7 of state. Chapters 73A, 74, 74A, and 75 do not apply  
8 to the sale or issuance of the bonds.

9 c. Subject to the terms, conditions, and covenants  
10 providing for the payment of the principal, redemption  
11 premiums, if any, interest, and other terms,  
12 conditions, covenants, and protective provisions  
13 safeguarding payment, not inconsistent with this  
14 section and as determined by the trust indenture,  
15 resolution, or other instrument authorizing their  
16 issuance.

17 5. The bonds are securities in which public  
18 officers and bodies of this state; political  
19 subdivisions of this state; insurance companies and  
20 associations and other persons carrying on an  
21 insurance business; banks, trust companies, savings  
22 associations, savings and loan associations, and  
23 investment companies; administrators, guardians,  
24 executors, trustees, and other fiduciaries; and other  
25 persons authorized to invest in bonds or other  
26 obligations of the state, may properly and legally  
27 invest funds, including capital, in their control or  
28 belonging to them.

29 6. Bonds must be authorized by a trust indenture,  
30 resolution, or other instrument of the treasurer of  
31 state approved by the department of general services.  
32 However, a trust indenture, resolution, or other  
33 instrument authorizing the issuance of bonds may  
34 delegate to an employee of the department of general  
35 services the power to negotiate and fix the details of  
36 an issue of bonds.

37 7. Neither the resolution or trust agreement, or  
38 any other instrument by which a pledge is created  
39 needs to be recorded or filed under the Iowa uniform  
40 commercial code to be valid, binding, or effective.

41 8. Bonds issued under this section are declared to  
42 be issued for a general public and governmental  
43 purpose and all bonds issued under this section shall  
44 be exempt from taxation by the state of Iowa and the  
45 interest on the bonds shall be exempt from the state  
46 income tax and the state inheritance and estate tax.

47 9. The treasurer of state may issue bonds for the  
48 purpose of refunding any bonds or notes issued  
49 pursuant to this section then outstanding, including  
50 the payment of any redemption premiums thereon and any

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1 interest accrued or to accrue to the date of  
2 redemption of the outstanding bonds or notes. Until  
3 the proceeds of bonds issued for the purpose of  
4 refunding outstanding bonds or notes are applied to  
5 the purchase or retirement of outstanding bonds or  
6 notes or the redemption of outstanding bonds or notes,  
7 the proceeds may be placed in escrow and be invested  
8 and reinvested in accordance with the provisions of  
9 this section. The interest, income, and profits  
10 earned or realized on an investment may also be  
11 applied to the payment of the outstanding bonds or  
12 notes to be refunded by purchase, retirement, or  
13 redemption. After the terms of the escrow have been  
14 fully satisfied and carried out, any balance of  
15 proceeds and interest earned or realized on the  
16 investments may be returned to the treasurer for  
17 deposit in the special fund designated for the  
18 specific authorized purchase. All refunding bonds  
19 shall be issued and secured and subject to the  
20 provisions of this chapter in the same manner and to  
21 the same extent as other bonds issued pursuant to this  
22 section.

23 Sec. \_\_\_\_ . NEW SECTION. 12.29A MULTIPURPOSE  
24 LABORATORY FACILITY CONSTRUCTION FUND.

25 1. A multipurpose laboratory facility construction  
26 fund is created and established as a separate and  
27 distinct fund in the state treasury. The moneys are  
28 appropriated to the department of general services for  
29 purposes of construction of a multipurpose laboratory  
30 facility that will provide space for the use of the  
31 state medical examiner, for the laboratories of the  
32 department of agriculture and land stewardship and the  
33 division of criminal investigation of the department  
34 of public safety, and for the board of regents  
35 hygienic laboratory. The department may use the funds  
36 for purchasing land for construction of the facility,  
37 for planning, design, and construction of the  
38 facility, and for purchasing laboratory and  
39 telecommunications equipment for the facility.

40 2. The treasurer of state shall act as custodian  
41 of the fund and disburse moneys contained in the fund  
42 as directed by the department of general services,  
43 including automatic disbursements of funds received  
44 pursuant to the terms of bond indentures and documents  
45 and security provisions to trustees. The fund shall  
46 be administered by the department which shall make  
47 expenditures from the fund for expenses related to the  
48 purposes described in subsection 1 without further  
49 appropriation.

50 3. Revenue for the multipurpose laboratory

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1 facility construction fund shall include, but is not  
2 limited to, the following, which shall be deposited  
3 with the treasurer of state or the treasurer's  
4 designee, as provided by any bond or security  
5 documents and credited to the fund:

6 a. The proceeds of bonds issued to capitalize and  
7 pay the costs of the fund and investment earnings on  
8 the proceeds.

9 b. Interest attributable to investment of moneys  
10 in the fund or on account of the fund.

11 c. Moneys in the form of a devise, gift, bequest,  
12 donation, federal or other grant, reimbursement,  
13 repayment, judgment, transfer, payment, or  
14 appropriation from any source intended to be used for  
15 purposes of the fund.

16 4. Moneys in the multipurpose laboratory facility  
17 construction fund are not subject to section 8.33.  
18 Notwithstanding section 12C.7, subsection 2, interest  
19 or earnings on moneys in the fund shall be credited to  
20 the fund.

21 5. a. The treasurer of state may create and  
22 establish one or more special funds, to be known as  
23 "bond reserve funds", to secure one or more issues of  
24 bonds or notes issued pursuant to section 12.29. The  
25 treasurer of state shall pay into each bond reserve  
26 fund any moneys appropriated and made available by the  
27 state or the treasurer for the purpose of the fund,  
28 any proceeds of sale of notes or bonds to the extent  
29 provided in the resolutions authorizing their  
30 issuance, and any other moneys which may be available  
31 to the treasurer for the purpose of the fund from any  
32 other sources. All moneys held in a bond reserve  
33 fund, except as otherwise provided in this chapter,  
34 shall be used as required solely for the payment of  
35 the principal of bonds secured in whole or in part by  
36 the fund or of the sinking fund payments with respect  
37 to the bonds, the purchase or redemption of the bonds,  
38 the payment of interest on the bonds, or the payments  
39 of any redemption premium required to be paid when the  
40 bonds are redeemed prior to maturity.

41 b. Moneys in a bond reserve fund shall not be  
42 withdrawn from it at any time in an amount that will  
43 reduce the amount of the fund to less than the bond  
44 reserve fund requirement established for the fund, as  
45 provided in this subsection, except for the purpose of  
46 making, with respect to bonds secured in whole or in  
47 part by the fund, payment when due of principal,  
48 interest, redemption premiums, and the sinking fund  
49 payments with respect to the bonds for the payment of  
50 which other moneys of the treasurer are not available.

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1 Any income or interest earned by, or incremental to, a  
2 bond reserve fund due to the investment of it may be  
3 transferred by the treasurer to other funds or  
4 accounts to the extent the transfer does not reduce  
5 the amount of that bond reserve fund below the bond  
6 reserve fund requirement for it.

7 c. The treasurer of state shall not at any time  
8 issue bonds, secured in whole or in part by a bond  
9 reserve fund if, upon the issuance of the bonds, the  
10 amount in the bond reserve fund will be less than the  
11 bond reserve fund requirement for the fund, unless the  
12 treasurer at the time of issuance of the bonds  
13 deposits in the fund from the proceeds of the bonds  
14 issued or from other sources an amount which, together  
15 with the amount then in the fund will not be less than  
16 the bond reserve fund requirement for the fund. For  
17 the purposes of this subsection, the term "bond  
18 reserve fund requirement" means, as of any particular  
19 date of computation, an amount of money, as provided  
20 in the resolutions authorizing the bonds with respect  
21 to which the fund is established.

22 d. To assure the continued solvency of any bonds  
23 secured by the bond reserve fund, provision is made in  
24 paragraph "a" for the accumulation in each bond  
25 reserve fund of an amount equal to the bond reserve  
26 fund requirement for the fund. In order further to  
27 assure maintenance of the bond reserve funds, the  
28 treasurer shall, on or before January 1 of each  
29 calendar year, make and deliver to the governor the  
30 treasurer's certificate stating the sum, if any,  
31 required to restore each bond reserve fund to the bond  
32 reserve fund requirement for that fund. Within thirty  
33 days after the beginning of the session of the general  
34 assembly next following the delivery of the  
35 certificate, the governor shall submit to both houses  
36 printed copies of a budget including the sum, if any,  
37 required to restore each bond reserve fund to the bond  
38 reserve fund requirement for that fund. Any sums  
39 appropriated by the general assembly and paid to the  
40 treasurer pursuant to this subsection shall be  
41 deposited by the authority in the applicable bond  
42 reserve fund.

43 6. Enactment of this section constitutes  
44 authorization by the general assembly and approved by  
45 the governor, as required under sections 12.29 and  
46 18.12A, for the issuance of bonds by the treasurer of  
47 state under section 12.29 for the purposes described  
48 in this section up to an aggregate principal amount of  
49 sixty-two million dollars.

50 Sec. \_\_\_\_ . NEW SECTION. 12.29B PLEDGES.

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1 It is the intention of the general assembly that a  
 2 pledge made in respect to bonds or notes shall be  
 3 valid and binding from the time the pledge is made,  
 4 that the moneys or property so pledged and received  
 5 after the pledge by the treasurer of state shall  
 6 immediately be subject to the lien of the pledge  
 7 without physical delivery or further act, and that the  
 8 lien of the pledge shall be valid and binding as  
 9 against all parties having claims of any kind in tort,  
 10 contract, or otherwise against the treasurer of state  
 11 whether or not the parties have notice of the lien."

12 2. Page 16, by inserting before line 8, the  
 13 following:

14 "Sec. \_\_\_\_ . NEW SECTION. 18.12A BONDING FOR STATE  
 15 AGENCY PURCHASE OF REAL OR PERSONAL PROPERTY.

16 If a constitutional majority of each house of the  
 17 general assembly authorizes, and the governor  
 18 approves, the treasurer of state to issue bonds for  
 19 the purchase of real or personal property for use by a  
 20 state agency as provided in section 12.29, the  
 21 department shall cooperate with the treasurer of state  
 22 in issuing the bonds and providing the information  
 23 necessary to complete the issuance of the bonds."

24 3. Title page, line 16, by inserting after the  
 25 word "changes," the following: "providing bonding  
 26 authority to the treasurer of state for certain state  
 27 projects and making a standing appropriation for  
 28 payment of such bonds on a specific project,".

29 4. By renumbering, redesignating, and correcting  
 30 internal references as necessary.

By MIKE CONNOLLY

S-3605 FILED MAY 2, 2001

*W/D 5/8/01 (P. 1587)*

HOUSE FILE 742

S-3606

1 Amend House File 742, as amended, passed, and  
 2 reprinted by the House, as follows:

3 1. Page 10, line 17, by striking the figure  
 4 "850,000" and inserting the following: "350,000".

5 2. Page 11, by inserting after line 32, the  
 6 following:

7 " \_\_\_\_ . For deposit in the agrichemical remediation  
 8 fund as created in section 161.7 and appropriated  
 9 exclusively to support agrichemical remediation as  
 10 provided in chapter 161:

11 ..... \$ 500,000"

12 3. By renumbering as necessary.

By MARY A. LUNDBY

S-3606 FILED MAY 2, 2001

*lost*  
*5/8/01*  
*(P. 1584)*

HOUSE FILE 742

S-3607

1 Amend House File 742, as amended, passed, and  
 2 reprinted by the House, as follows:  
 3 1. Page 14, by striking line 29, and inserting  
 4 the following:  
 5 "Sec. \_\_\_\_ REVERSION.  
 6 1. Except as provided in subsection 2, and  
 7 notwithstanding section 8.33, moneys".  
 8 2. Page 14, by inserting after line 35, the  
 9 following:  
 10 "2. Notwithstanding section 8.33, moneys  
 11 appropriated to the department of agriculture and land  
 12 stewardship to provide financial assistance for the  
 13 establishment of permanent soil and water conservation  
 14 practices as provided in section 20, that remain  
 15 unencumbered or unobligated at the close of the fiscal  
 16 year shall not revert but shall remain available for  
 17 expenditure for the purposes designated until the  
 18 close of the fiscal year that begins July 1, 2004."

By SANDRA GREINER

S-3607 FILED MAY 2, 2001

*Adopted*  
*5/8/01 (p. 1585)* HOUSE FILE 742  
 S-3609

1 Amend House File 742, as amended, passed, and  
 2 reprinted by the House, as follows:  
 3 1. Page 1, by inserting after line 24 the  
 4 following:  
 5 "\_\_\_\_. To construct a 50-bed stand-alone community-  
 6 based correctional facility to replace the existing  
 7 34-bed leased facility in Fort Dodge:  
 8 ..... \$ 2,400,000  
 9 \_\_\_\_\_. To construct a 50-bed expansion of the  
 10 existing 50-bed community-based correctional facility  
 11 in Ottumwa:  
 12 ..... \$ 2,000,000  
 13 \_\_\_\_\_. To construct a 75-bed stand-alone community-  
 14 based correctional facility in Sioux City:  
 15 ..... \$ 3,600,000  
 16 \_\_\_\_\_. To construct a 25-bed stand-alone community-  
 17 based correctional facility in Davenport:  
 18 ..... \$ 1,200,000"  
 19 2. By renumbering as necessary.

By ROBERT E. DVORSKY  
EUGENE S. FRAISE

S-3609 FILED MAY 2, 2001

*W/D*  
*5/8/01*  
*(p. 1581)*

HOUSE FILE 742

S-3613

- 1 Amend House File 742, as amended, passed, and
- 2 reprinted by the House, as follows:
- 3 1. Page 1, by striking lines 4 through 24.
- 4 2. Page 3, by striking lines 7 through 23.
- 5 3. Page 4, by striking lines 6 through 23.
- 6 4. Page 4, line 32, by striking the figure
- 7 "400,000" and inserting the following: "0".
- 8 5. Page 4, line 35, by striking the figure
- 9 "1,700,000" and inserting the following: "0".
- 10 6. Page 5, by striking lines 9 through 20.
- 11 7. By striking page 5, line 28, through page 6,
- 12 line 2.
- 13 8. Page 6, by striking lines 9 through 11.
- 14 9. Page 6, line 14, by striking the figure
- 15 "400,000" and inserting the following: "0".
- 16 10. Page 6, by striking lines 17 through 26.
- 17 11. Page 6, line 35, by striking the figure
- 18 "4,200,000" and inserting the following: "0".
- 19 12. Page 7, line 5, by striking the figure
- 20 "4,453,000" and inserting the following: "0".
- 21 13. Page 7, line 10, by striking the figure
- 22 "3,990,000" and inserting the following: "0".
- 23 14. Page 7, by striking lines 13 through 27.
- 24 15. By striking page 7, line 35, through page 9,
- 25 line 15.
- 26 16. Page 10, line 23, by striking the word
- 27 "section" and inserting the following: "subsection".
- 28 17. Page 15, by inserting after line 3, the
- 29 following:

"DIVISION

TOBACCO SETTLEMENT TRUST FUND

32 Sec. 501. 2000 Iowa Acts, chapter 1225, section

33 10, is amended by striking the section.

34 Sec. 502. 2000 Iowa Acts, chapter 1225, section

35 15, subsections 1 through 3, are amended to read as

36 follows:

37 1. For improvements to Gilman hall at Iowa state

38 university of science and technology, including the

39 replacement of the heating, ventilation, and air

40 conditioning system, replacement of the fume hood

41 exhaust system, and the construction of an addition to

42 house mechanical equipment:

43 FY 2000-2001..... \$ 8,500,000

44 FY 2001-2002..... \$ ~~2,500,000~~

45 0

46 FY 2002-2003..... \$ 0

47 2. For continued renovation of the biological

48 sciences facility at the state university of Iowa:

49 FY 2000-2001..... \$ 4,400,000

50 FY 2001-2002..... \$ ~~7,300,000~~

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1  
2 FY 2002-2003..... \$ 3,000,000<sup>0</sup>  
3 3. For construction of an addition to McCollum  
4 science hall at the university of northern Iowa:  
5 FY 2000-2001..... \$ 2,700,000  
6 FY 2001-2002..... \$ ~~5,800,000~~  
7  
8 FY 2002-2003..... \$ 8,400,000<sup>0</sup>  
9 Sec. 503. 2000 Iowa Acts, chapter 1225, section  
10 18, unnumbered paragraph 2, is amended to read as  
11 follows:  
12 For deposit in the community attraction and tourism  
13 fund:  
14 FY 2001-2002..... \$ 12,500,000  
15 FY 2002-2003..... \$ ~~12,500,000~~  
16  
17 FY 2003-2004..... \$ 12,500,000<sup>0</sup>  
18 Sec. 504. There is appropriated from the tax-  
19 exempt bond proceeds restricted capital funds account  
20 of the tobacco settlement trust fund to the following  
21 departments and agencies for the fiscal year beginning  
22 July 1, 2001, and ending June 30, 2002, the following  
23 amounts, or so much thereof as is necessary, to be  
24 used for the purposes designated:  
25 1. DEPARTMENT OF CORRECTIONS.  
26 a. To supplement funds appropriated in 1998 Iowa  
27 Acts, chapter 1219, section 2, subsection 3, for  
28 construction of a 200-bed facility at the Iowa state  
29 penitentiary at Fort Madison:  
30 ..... \$ 6,400,000  
31 b. For costs associated with connecting the  
32 correctional facility at Oakdale to the city of  
33 Coralville water system:  
34 ..... \$ 100,000  
35 c. For the final phase of the state's share of the  
36 construction costs associated with the Mitchellville  
37 waste water treatment plant:  
38 ..... \$ 364,400  
39 d. For costs of entering into a lease-purchase  
40 agreement to connect the electrical system supporting  
41 the special needs unit at Fort Madison:  
42 ..... \$ 333,168  
43 2. DEPARTMENT OF ECONOMIC DEVELOPMENT.  
44 For accelerated career education program capital  
45 projects at community colleges that are authorized  
46 under chapter 260G and that meet the definition of  
47 "vertical infrastructure" in section 8.57, subsection  
48 5, paragraph "c":  
49 ..... \$ 2,500,000  
50 The moneys appropriated in this subsection shall be

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1 allocated equally among the community colleges in the  
2 state. If any portion of the equal allocation to a  
3 community college is not obligated or encumbered by  
4 April 1, 2002, the unobligated and unencumbered  
5 portions shall be available for use by other community  
6 colleges.

7 3. DEPARTMENT OF GENERAL SERVICES.

8 a. For major renovation and major repair needs  
9 including health, life, and fire safety needs, and for  
10 compliance with the federal Americans With  
11 Disabilities Act, for state-owned buildings and  
12 facilities:

13 ..... \$ 11,500,000

14 (1) In accordance with section 8.57, subsection 5,  
15 paragraph "c", the moneys appropriated in this  
16 paragraph "a" shall not be used for project management  
17 services provided by the department.

18 (2) Of the amount appropriated in this paragraph  
19 "a", \$200,000 may be used for costs associated with  
20 the vertical infrastructure program, notwithstanding  
21 section 8.57, subsection 5, paragraph "c".

22 b. For the purchase of land and improvements to  
23 properties in the vicinity of the capitol complex:

24 ..... \$ 200,000

25 Funds appropriated in this paragraph "b" may be  
26 expended to prepare purchased property for utilization  
27 by the state.

28 c. For the construction of a pedestrian bridge  
29 across Court avenue to provide pedestrian access  
30 across the capitol complex:

31 ..... \$ 400,000

32 d. For capitol interior restoration:

33 ..... \$ 1,700,000

34 4. IOWA STATE FAIR AUTHORITY.

35 For vertical infrastructure projects on the state  
36 fairgrounds:

37 ..... \$ 500,000

38 For purposes of this subsection, "vertical  
39 infrastructure" means the same as defined in section  
40 8.57, subsection 5, paragraph "c".

41 5. JUDICIAL BRANCH.

42 For construction of a new judicial building:

43 ..... \$ 10,300,000

44 The judicial branch is authorized to enter into  
45 contracts for the full cost of the planning, design,  
46 and construction of a new judicial building for which  
47 appropriations are made in this subsection and in 1998  
48 Iowa Acts, chapter 1223, section 8, and 1999 Iowa  
49 Acts, chapter 204, section 6. The state shall not be  
50 obligated for costs associated with contracts

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1 identified in this paragraph in excess of funds  
 2 appropriated by the general assembly. Notwithstanding  
 3 any provision of this Act to the contrary or section  
 4 8.33, moneys appropriated in this subsection that  
 5 remain unencumbered or unobligated at the close of the  
 6 fiscal year that begins July 1, 2004, shall revert at  
 7 the close of that fiscal year. However, if the  
 8 project for which the moneys are appropriated is  
 9 completed in an earlier fiscal year, unencumbered or  
 10 unobligated moneys shall revert at the close of that  
 11 fiscal year.

12 6. DEPARTMENT OF NATURAL RESOURCES.

13 a. For continuation of the restore the outdoors  
14 program:

15 ..... \$ 2,500,000

16 b. For costs associated with the planning and  
17 design of a premier destination park, notwithstanding  
18 section 8.57, subsection 5, paragraph "c", as follows:

19 ..... \$ 1,000,000

20 7. DEPARTMENT OF PUBLIC DEFENSE.

21 a. For maintenance and repair of national guard armories  
22 and facilities:

23 ..... \$ 700,000

24 b. For construction of a new national guard armory  
25 at Estherville:

26 ..... \$ 400,000

27 8. DEPARTMENT OF PUBLIC SAFETY.

28 For the location and purchase of land, a site  
29 survey, soil sampling, and site preparation for the  
30 construction of a new Iowa state patrol post in Mason  
31 City:

32 ..... \$ 250,000

33 9. STATE BOARD OF REGENTS.

34 a. For construction of a new business college  
35 building at Iowa state university of science and  
36 technology:

37 ..... \$ 4,200,000

38 b. For phase I of construction of the art building  
39 at the state university of Iowa:

40 ..... \$ 4,453,000

41 c. For upgrading the steam distribution system at  
42 the university of northern Iowa:

43 ..... \$ 3,990,000

44 d. For utility system replacement at the Iowa  
45 school for the deaf:

46 ..... \$ 250,000

47 e. For tuckpointing at the Iowa school for the  
48 deaf:

49 ..... \$ 185,000

50 f. For upgrading the heating, ventilation, and air

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1 conditioning system at the Iowa braille and sight  
 2 saving school:  
 3 ..... \$ 400,000

4 g. For improvements to Gilman hall at Iowa state  
 5 university of science and technology, including the  
 6 replacement of the heating, ventilation, and air  
 7 conditioning system, replacement of the fume hood  
 8 exhaust system, and the construction of an addition to  
 9 house mechanical equipment:  
 10 ..... \$ 2,500,000

11 h. For continued renovation of the biological  
 12 sciences facility at the state university of Iowa:  
 13 ..... \$ 7,300,000

14 i. For construction of an addition to McCollum  
 15 science hall at the university of northern Iowa:  
 16 ..... \$ 5,800,000

17 The state board of regents is authorized to enter  
 18 into contracts for the full cost of carrying out the  
 19 projects listed in paragraphs "a" through "c" and "g"  
 20 through "i", for which appropriations are made in  
 21 those paragraphs. The state shall not be obligated  
 22 for costs associated with contracts identified in this  
 23 paragraph in excess of the funds appropriated by the  
 24 general assembly.

25 10. STATE DEPARTMENT OF TRANSPORTATION.

26 a. For vertical infrastructure improvements at all  
 27 10 of the commercial air service airports within the  
 28 state:  
 29 ..... \$ 1,000,000

30 One-half of the funds appropriated in this  
 31 paragraph "a" shall be allocated equally between each  
 32 commercial service airport, 40 percent of the funds  
 33 shall be allocated based on the percentage that the  
 34 number of enplaned passengers at each commercial  
 35 service airport bears to the total number of enplaned  
 36 passengers in the state during the previous fiscal  
 37 year, and 10 percent of the funds shall be allocated  
 38 based on the percentage that the air cargo tonnage at  
 39 each commercial service airport bears to the total air  
 40 cargo tonnage in the state during the previous fiscal  
 41 year. In order for a commercial service airport to  
 42 receive funding under this paragraph "a", the airport  
 43 shall be required to submit applications for funding  
 44 of specific projects to the department for approval by  
 45 the state transportation commission.

46 b. For an aviation hangar grant program for  
 47 improvements to and design and construction of hangars  
 48 at general aviation airports within the state:  
 49 ..... \$ 500,000

50 c. For acquiring, constructing, and improving

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1 recreational trails within the state:

2 ..... \$ 1,000,000

3 Of the amount appropriated in this paragraph "c",  
4 \$500,000 shall be used for funding, on a matching  
5 basis, recreational trail projects, with priority  
6 given to completion of trail connections and sections  
7 between existing trails and parks within the  
8 established state recreational trails system. Such  
9 projects shall be matched by \$1 of private or other  
10 funds for each \$3 of state funds.

11 Of the amount appropriated in this paragraph "c",  
12 \$50,000 shall be allocated for planning and  
13 development of the Iowa portion of the Mississippi  
14 river trail.

15 11. OFFICE OF TREASURER OF STATE.

16 a. For county fair infrastructure improvements for  
17 distribution in accordance with chapter 174 to  
18 qualified fairs which belong to the association of  
19 Iowa fairs:

20 ..... \$ 1,060,000

21 b. For deposit in the community attraction and  
22 tourism fund:

23 ..... \$ 12,500,000

24 Payment of moneys from the appropriations in this  
25 section shall be made in a manner that does not  
26 adversely affect the tax-exempt status of any  
27 outstanding bonds issued by the tobacco settlement  
28 authority.

29 Sec. \_\_\_\_ . CONTINGENT AND ALTERNATIVE  
30 APPROPRIATIONS -- EFFECTIVE DATE. The appropriations  
31 in section 504 of this division of this Act shall be  
32 made from the tax-exempt bond proceeds restricted  
33 capital funds account of the tobacco settlement trust  
34 fund on or after the effective date of the receipt of  
35 tax-exempt bond proceeds by the tobacco settlement  
36 authority and the deposit of the proceeds of the tax-  
37 exempt bonds in the tax-exempt bond proceeds  
38 restricted capital funds account of the tobacco  
39 settlement trust fund. However, if any of the  
40 following occurs, the appropriations in section 504 of  
41 this division of this Act shall be made from the  
42 rebuild Iowa infrastructure fund to the extent they  
43 cannot be made from the tax-exempt bond proceeds  
44 restricted capital funds account of the tobacco  
45 settlement trust fund:

46 1. 2001 Iowa Acts, Senate File 532 is not enacted.

47 2. 2001 Iowa Acts, Senate File 532 is enacted, but  
48 the tobacco settlement authority established in  
49 chapter 12E does not securitize tobacco master  
50 settlement agreement payments sold to the authority

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1 pursuant to 2001 Iowa Acts, Senate File 532 prior to  
2 June 30, 2002.

3 3. 2001 Iowa Acts, Senate File 532 is enacted and  
4 the tobacco settlement authority securitizes tobacco  
5 master settlement agreement payments sold to the  
6 authority pursuant to 2001 Iowa Acts, Senate File 532,  
7 but the bond proceeds are not received by the tobacco  
8 settlement authority and deposited in the tax-exempt  
9 bond proceeds restricted capital funds account of the  
10 tobacco settlement trust fund on or before June 30,  
11 2002.

12 4. For any other reason, any of the amounts in  
13 section 504 cannot be paid from the tax-exempt bond  
14 proceeds restricted capital funds account of the  
15 tobacco settlement trust fund.

16 Sec. 505. There is appropriated from the tax-  
17 exempt bond proceeds restricted capital funds account  
18 of the tobacco settlement trust fund to the following  
19 departments and agencies for the fiscal year beginning  
20 July 1, 2001, and ending June 30, 2002, the following  
21 amounts, or so much thereof as is necessary, to be  
22 used for the purposes designated:

23 1. IOWA TELECOMMUNICATIONS AND TECHNOLOGY  
24 COMMISSION.

25 For conversion of the Iowa communications network  
26 to asynchronous transfer mode technology:  
27 ..... \$ 10,500,000

28 2. DEPARTMENT OF EDUCATION.

29 For allocation to the public broadcasting division  
30 for completion of the conversion to high-definition  
31 television:  
32 ..... \$ 2,400,000

33 Payment of moneys from the appropriations in this  
34 section shall be made in a manner that does not  
35 adversely affect the tax-exempt status of any  
36 outstanding bonds issued by the tobacco settlement  
37 authority.

38 Sec. \_\_\_\_\_. CONTINGENT APPROPRIATIONS -- EFFECTIVE  
39 DATE. The appropriations in section 505 of this  
40 division of this Act shall be made from the tax-exempt  
41 bond proceeds restricted capital funds account of the  
42 tobacco settlement trust fund on or after the  
43 effective date of the receipt of tax-exempt bond  
44 proceeds by the tobacco settlement authority and the  
45 deposit of the proceeds of the tax-exempt bonds in the  
46 tax-exempt bond proceeds restricted capital funds  
47 account of the tobacco settlement trust fund.  
48 However, if any of the following occurs, the  
49 appropriations in section 505 of this division of this  
50 Act shall not be made from the tax-exempt bond

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1 proceeds restricted capital funds account of the  
2 tobacco settlement trust fund:

3 1. 2001 Iowa Acts, Senate File 532 is not enacted.

4 2. 2001 Iowa Acts, Senate File 532 is enacted, but  
5 the tobacco settlement authority established in  
6 chapter 12E does not securitize tobacco master  
7 settlement agreement payments sold to the authority  
8 pursuant to 2001 Iowa Acts, Senate File 532 prior to  
9 June 30, 2002.

10 3. 2001 Iowa Acts, Senate File 532 is enacted and  
11 the tobacco settlement authority securitizes tobacco  
12 master settlement agreement payments sold to the  
13 authority pursuant to 2001 Iowa Acts, Senate File 532,  
14 but the bond proceeds are not received by the tobacco  
15 settlement authority and deposited in the tax-exempt  
16 bond proceeds restricted capital funds account of the  
17 tobacco settlement trust fund on or before June 30,  
18 2002.

19 4. For any other reason, any of the amounts in  
20 section 505 cannot be paid from the tax-exempt bond  
21 proceeds restricted capital funds account of the  
22 tobacco settlement trust fund.

23 Sec. \_\_\_\_\_. REVERSION. Notwithstanding section  
24 8.33, moneys appropriated in this division of this Act  
25 shall not revert at the close of the fiscal year for  
26 which they were appropriated but shall remain  
27 available for the purposes designated until the close  
28 of the fiscal year that begins July 1, 2004, or until  
29 the completion project for which the appropriation was  
30 made is completed, whichever is earlier.

31 Sec. \_\_\_\_\_. EFFECTIVE DATES. Sections 501 through  
32 503 of this division of this Act, amending 2000 Iowa  
33 Acts, chapter 1224, sections 10, 15, and 18, being  
34 deemed of immediate importance, take effect upon  
35 enactment."

36 18. Page 16, by striking lines 1 through 7, and  
37 inserting the following:

38 "Sec. 101. Section 8.57, subsection 5, paragraph  
39 e, Code 2001, is amended by adding the following new  
40 unnumbered paragraph:

41 NEW UNNUMBERED PARAGRAPH. If the total amount of  
42 moneys directed to be deposited in the general fund of  
43 the state under sections 99D.17 and 99F.11 in a fiscal  
44 year is less than the total amount of moneys directed  
45 to be deposited in the vision Iowa fund and the school  
46 infrastructure fund in the fiscal year pursuant to  
47 this paragraph "e", the difference shall be paid from  
48 lottery revenues in the manner provided in section  
49 99E.10, subsection 3.

50 Sec. \_\_\_\_\_. Section 12.73, Code 2001, is amended to

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1 read as follows:

2 12.73 VISION IOWA FUND MONEYS -- ADMINISTRATIVE  
3 COSTS.

4 During the term of the vision Iowa program  
5 established in section 15F.302, ~~one~~ two hundred  
6 thousand dollars of the moneys deposited each fiscal  
7 year in the vision Iowa fund and appropriated for the  
8 vision Iowa program shall be allocated each fiscal  
9 year to the department of economic development for  
10 administrative costs incurred by the department for  
11 purposes of administering the vision Iowa program.

12 Sec. 102. Section 12.74, subsection 2, Code 2001,  
13 is amended by striking the subsection.

14 Sec. 103. Section 12.84, subsection 2, Code 2001,  
15 is amended by striking the subsection.

16 Sec. 104. Section 15F.202, subsection 2,  
17 unnumbered paragraph 1, Code 2001, is amended to read  
18 as follows:

19 A city or county in the state or public  
20 organization may submit an application to the board  
21 for financial assistance for a project under the  
22 program. The assistance shall be provided only from  
23 funds, rights, and assets legally available to the  
24 board and shall be in the form of grants, loans,  
25 forgivable loans, and ~~loan guarantees~~ credit  
26 enhancement and financing instruments. The  
27 application shall include, but not be limited to, the  
28 following information:

29 Sec. 105. Section 15F.202, subsection 3, Code  
30 2001, is amended to read as follows:

31 3. A school district, in cooperation with a city  
32 or county, may submit a joint application for  
33 financial assistance for a project under the program.  
34 The assistance shall be provided only from funds,  
35 rights, and assets legally available to the board and  
36 shall be in the form of grants, loans, forgivable  
37 loans, and ~~loan guarantees~~ credit enhancement and  
38 financing instruments. In addition to the information  
39 required in subsection 2, the application shall  
40 include a demonstration that the intended future use  
41 of the project shall be by both joint applicants.

42 Sec. 106. Section 15F.204, subsection 3, Code  
43 2001, is amended to read as follows:

44 3. The fund shall be used to provide assistance  
45 only from funds, rights, and assets legally available  
46 to the board in the form of grants, loans, forgivable  
47 loans, and ~~loan guarantees~~ credit enhancements and  
48 financing instruments under the community attraction  
49 and tourism program established in section 15F.202.

50 An applicant under the community attraction and

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1 tourism program shall not receive financial assistance  
2 from the fund in an amount exceeding fifty percent of  
3 the total cost of the project.

4 Sec. 107. Section 15F.302, subsection 2,  
5 unnumbered paragraph 1, Code 2001, is amended to read  
6 as follows:

7 A city or county or a public organization in the  
8 state may submit an application to the board for  
9 financial assistance for a project under the program.  
10 For purposes of this subsection, "public organization"  
11 means a nonprofit economic development organization or  
12 other nonprofit organization that sponsors or supports  
13 community or tourism attractions and activities. The  
14 financial assistance from the fund shall be provided  
15 only from funds, rights, and assets legally available  
16 to the board and shall be in the form of grants,  
17 loans, forgivable loans, pledges, and ~~guarantees~~  
18 credit enhancements and financing instruments. The  
19 application shall include, but not be limited to, the  
20 following information:

21 Sec. 108. Section 15F.302, subsection 3, Code  
22 2001, is amended to read as follows:

23 3. A school district, in cooperation with a city  
24 or county, may submit a joint application for  
25 financial assistance for a project under the program.  
26 The financial assistance shall be provided only from  
27 funds, rights, and assets legally available to the  
28 board and shall be in the form of grants, loans,  
29 forgivable loans, and ~~loan-guarantees~~ credit  
30 enhancements and financing instruments. In addition  
31 to the information required in subsection 2, the  
32 application shall include a demonstration that the  
33 intended future use of the project shall be by both  
34 joint applicants.

35 Sec. 109. Section 15F.303, subsection 3, Code  
36 2001, is amended by adding the following new  
37 paragraph:

38 NEW PARAGRAPH. f. The construction portion of the  
39 project will be competitively bid. If the applicant  
40 is a public organization, as defined in section  
41 15F.302, subsection 2, the construction portion of the  
42 project shall be competitively bid in a manner  
43 essentially the same as that set forth for public  
44 improvements by cities in sections 384.96 through  
45 384.101.

46 Sec. 110. Section 15F.304, subsection 4, Code  
47 2001, is amended to read as follows:

48 4. Upon review of the recommendations of the  
49 review committee, the board shall approve, defer, or  
50 deny the applications. If an application is approved,

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1 the board may enter into an agreement with the  
2 applicant to provide financial assistance authorized  
3 under section 15F.302.

4 Sec. 111. Section 99E.10, Code 2001, is amended by  
5 adding the following subsection:

6 NEW SUBSECTION. 3. a. Notwithstanding subsection  
7 1, if gaming revenues under sections 99D.17 and 99F.11  
8 are insufficient in a fiscal year to meet the total  
9 amount of such revenues directed to be deposited in  
10 the vision Iowa fund and the school infrastructure  
11 fund during the fiscal year pursuant to section 8.57,  
12 subsection 5, paragraph "e", the difference shall be  
13 paid from lottery revenues prior to deposit of the  
14 lottery revenues in the general fund. If lottery  
15 revenues are insufficient during the fiscal year to  
16 pay the difference, the remaining difference shall be  
17 paid from lottery revenues in subsequent fiscal years  
18 as such revenues become available.

19 b. The treasurer of state shall, each quarter,  
20 prepare an estimate of the gaming revenues and lottery  
21 revenues that will become available during the  
22 remainder of the appropriate fiscal year for the  
23 purposes described in paragraph "a". The department  
24 of management and the department of revenue and  
25 finance shall take appropriate actions to provide that  
26 the amount of gaming revenues and lottery revenues  
27 that will be available during the remainder of the  
28 appropriate fiscal year is sufficient to cover any  
29 anticipated deficiencies."

30 19. Page 17, by striking lines 18 through 28, and  
31 inserting the following:

32 "Sec. \_\_\_\_ . EFFECTIVE DATE. The following  
33 provisions of this division of this Act, being deemed  
34 of immediate importance, take effect upon enactment:

35 Sections 101 through 111 of this division of this  
36 Act, amending sections 8.57, 12.74, 12.84, 15F.202,  
37 15F.204, 15F.302, 15F.303, 15F.304, and 99E.10."

38 20. Title page, lines 1 and 2, by striking the  
39 words "from the rebuild Iowa infrastructure fund".

40 21. Title page, line 9, by striking the word  
41 "and".

42 22. Title page, by striking lines 10 through 14,  
43 and inserting the following: "state, and the  
44 department of agriculture and land stewardship, and to  
45 the Iowa resources".

46 23. Title page, line 16, by inserting after the  
47 word "changes," the following: "providing for  
48 alternative and contingent appropriations,".

49 24. By renumbering, redesignating, and correcting  
50 internal references as necessary.

By JEFF LAMBERTI

S-3613 FILED MAY 2, 2001

*adopted*  
*5/8/01*

*(P. 1587)*

HOUSE FILE 742

S-3617

1 Amend and amendment, S-3613, to House File 742, as  
2 amended, passed, and reprinted by the House, as  
3 follows:

4 1. Page 2, by inserting after line 42 the  
5 following:

6 "\_\_\_". To construct a 50-bed stand-alone community-  
7 based correctional facility to replace the existing  
8 34-bed leased facility in Fort Dodge:

9 ..... \$ 2,400,000

10 \_\_\_ . To construct a 50-bed expansion of the  
11 existing 50-bed community-based correctional facility  
12 in Ottumwa:

13 ..... \$ 2,000,000

14 \_\_\_ . To construct a 75-bed stand-alone community-  
15 based correctional facility in Sioux City:

16 ..... \$ 3,600,000

17 \_\_\_ . To construct a 25-bed stand-alone community-  
18 based correctional facility in Davenport:

19 ..... \$ 1,200,000"

20 2. By renumbering as necessary.

By ROBERT E. DVORSKY

S-3617 FILED MAY 2, 2001

*lost 5/8/01 (p.1578)*

HOUSE FILE 742

S-3618

1 Amend House File 742, as amended, passed, and  
2 reprinted by the House, as follows:

3 1. Page 8, line 30, by striking the figure  
4 "1,000,000" and inserting the following: "2,000,000".

5 2. Page 13, by inserting after line 29, the  
6 following:

7 "\_\_\_". For recreational grants to be used for the  
8 restoration or construction of recreational complexes  
9 or facilities under the recreational grant matching

10 program:

11 ..... \$ 3,000,000

12 Matching grants awarded from the funds appropriated  
13 in this subsection shall be awarded on a matching  
14 basis of one dollar for every two dollars the  
15 applicant had raised.

16 The department shall give special consideration to  
17 recreational complex or facility projects which  
18 involve public and private sector participation."

19 3. By renumbering, redesignating, and correcting  
20 internal references as necessary.

By BILL FINK

BETTY A. SOUKUP

JOE BOLKCOM

ROBERT E. DVORSKY

JACK HOLVECK

DENNIS H. BLACK

PATRICK J. DELUHERY

MARK SHEARER

S-3618 FILED MAY 2, 2001

*W/D  
5/8/01 (p.1583)*

HOUSE FILE 742

S-3619

1 Amend House File 742, as amended, passed, and  
 2 reprinted by the House, as follows:  
 3 1. Page 14, line 28, by striking the figure  
 4 "10,000,000" and inserting the following:  
 5 "12,500,000".

By DENNIS H. BLACK ROBERT E. DVORSKY  
 BETTY A. SOUKUP JACK HOLVECK  
 PATRICK J. DELUHERY MARK SHEARER  
 JOE BOLKCOM BILL FINK

S-3619 FILED MAY 2, 2001

*Lost 5/8/01  
 (P. 1585)*

HOUSE FILE 742

S-3620

1 Amend House File 742, as amended, passed, and  
 2 reprinted by the House, as follows:  
 3 1. Page 12, line 20, by striking the figure  
 4 "70,000" and inserting the following: "130,000".  
 5 2. Page 12, line 23, by striking the figure  
 6 "2,500,000" and inserting the following: "3,000,000".  
 7 3. Page 12, line 27, by striking the figure  
 8 "180,000" and inserting the following: "250,000".  
 9 4. Page 12, line 30, by striking the figure  
 10 "180,000" and inserting the following: "200,000".  
 11 5. Page 13, by inserting after line 29 the  
 12 following:

13 "\_\_\_\_". For continuation of the development of a  
 14 total maximum daily load program to restore impaired  
 15 waters of the state:  
 16 ..... \$ 300,000"

17 6. By renumbering, redesignating, and correcting  
 18 internal references as necessary.

By BETTY A. SOUKUP JACK HOLVECK  
 PATRICK J. DELUHERY BILL FINK  
 JOE BOLKCOM DENNIS H. BLACK  
 ROBERT E. DVORSKY

S-3620 FILED MAY 2, 2001

*Lost  
 5/8/01  
 (P. 1584)*

## HOUSE FILE 742

## S-3621

1 Amend the amendment, S-3613, to House File 742, as  
2 amended, passed, and reprinted by the House, as  
3 follows:

4 1. Page 1, by striking lines 17 through 23, and  
5 inserting the following:

6 "\_\_\_\_. By striking page 6, line 27, through page  
7 7, line 34."

8 2. Page 4, by striking lines 34 through 43.

9 3. Page 11, line 37, by striking the figure  
10 "99E.10." and inserting the following: "99E.10.

## 11 DIVISION \_\_\_\_\_

## 12 STATE BOARD OF REGENTS CAPITAL PROJECTS

## 13 Sec. \_\_\_\_\_. STATE BOARD OF REGENTS BONDING.

14 1. FINDINGS. The general assembly finds that:

15 a. Pursuant to section 262A.3, the state board of  
16 regents prepared and within seven days after the  
17 convening of the Seventy-ninth General Assembly of the  
18 State of Iowa, First Session, submitted to the  
19 Seventy-ninth General Assembly, First Session, for  
20 approval the proposed five-year building program for  
21 each institution of higher learning under the  
22 jurisdiction of the board, containing a list of the  
23 buildings and facilities which the board deems  
24 necessary to further the educational objectives of the  
25 institutions, together with an estimate of the cost of  
26 each of the buildings and facilities and an estimate  
27 of the maximum amount of revenue bonds which the board  
28 expects to issue under chapter 262A for the fiscal  
29 period beginning July 1, 2001, and ending June 30,  
30 2003.

31 b. The projects contained in the capital  
32 improvement program are deemed necessary for the  
33 proper performance of the instructional, research, and  
34 service functions of the institutions.

35 c. Section 262A.4 provides that the state board of  
36 regents, after authorization by a constitutional  
37 majority of each house of the general assembly and  
38 approval by the governor, may undertake and carry out  
39 at the institutions of higher learning under the  
40 jurisdiction of the board any project as defined in  
41 chapter 262A.

42 d. Chapter 262A authorizes the state board of  
43 regents to borrow moneys and to issue and sell  
44 negotiable revenue bonds to pay all or any part of the  
45 cost of carrying out projects at any institution  
46 payable solely from and secured by an irrevocable  
47 pledge of a sufficient portion of the student fees and  
48 charges and institutional income received by the  
49 particular institution.

50 e. To further the educational objectives of the

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1 institutions, the state board of regents requests  
2 authorization to undertake and carry out certain  
3 projects at this time and to finance their costs by  
4 borrowing moneys and issuing negotiable bonds under  
5 chapter 262A in a total amount provided in this Act,  
6 the remaining costs of the projects to be financed by  
7 appropriations or by federal or other funds lawfully  
8 available.

9 2. APPROVAL -- LIMITS.

10 a. The proposed five-year building program  
11 submitted by the state board of regents for each  
12 institution of higher learning under its jurisdiction  
13 is approved and no commitment is implied or intended  
14 by approval to fund any portion of the proposed five-  
15 year building program submitted by the state board of  
16 regents beyond the portion that is financed and  
17 approved by the Seventy-ninth General Assembly, First  
18 Session, and the governor.

19 b. During the fiscal period that commences July 1,  
20 2001, and that ends June 30, 2003, the maximum amount  
21 of bonds which the state board of regents expects to  
22 issue under chapter 262A, unless additional bonding is  
23 authorized, is set forth in this Act, all or any part  
24 of which may be issued during the fiscal year ending  
25 June 30, 2002, and if all of that amount is not issued  
26 during that fiscal year, any remaining balance may be  
27 issued during the fiscal year ending June 30, 2003,  
28 and this plan of financing is approved.

29 3. PROJECTS. The state board of regents is  
30 authorized to undertake, plan, construct, equip, and  
31 otherwise carry out the following projects at the  
32 institutions of higher learning under the jurisdiction  
33 of the board, and the general assembly authorizes the  
34 state board of regents to borrow moneys and to issue  
35 and sell negotiable revenue bonds in the manner  
36 provided in sections 262A.5 and 262A.6 in order to pay  
37 all or any part of the costs of carrying out the  
38 projects at the institutions as follows:

39 a. Iowa state university of science and technology  
40 Construction of a building for the college of  
41 business project costs:  
42 ..... \$ 10,900,000

43 b. State university of Iowa  
44 Construction of a building for the school of art  
45 and art history project costs:  
46 ..... \$ 16,016,000

47 c. University of northern Iowa  
48 Replacement of the steam distribution system, phase  
49 1 project costs:  
50 ..... \$ 12,700,000

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1 Total ..... \$ 39,616,000

2 4. BOND AMOUNTS EXCEED COSTS. If the amount of  
3 bonds issued under this section exceeds the actual  
4 costs of projects approved in this section, the amount  
5 of the difference shall be used to pay the principal  
6 and interest due on bonds issued under chapter 262A.

7 5. CAPITALIZATION OF RESERVE FUNDS. The state  
8 board of regents may capitalize the issuance costs and  
9 bond reserve fund equal to eleven percent of each bond  
10 issue with respect to bonds authorized pursuant to  
11 this section and may increase the amount of the bonds  
12 issued under this section to that extent.

13 DIVISION

14 SUPPLEMENTAL PROVISIONS

15 Sec. 101. 2000 Iowa Acts, chapter 1225, section  
16 15, is amended to read as follows:

17 SEC. 15. There is appropriated from the rebuild  
18 Iowa infrastructure fund to the state board of regents  
19 for the fiscal ~~period~~ year beginning July 1, 2000, and  
20 ending June 30, ~~2003~~ 2001, the following amounts, or  
21 so much thereof as is necessary, to be used for the  
22 purposes designated:

23 1. For improvements to Gilman hall at Iowa state  
24 university of science and technology, including the  
25 replacement of the heating, ventilation, and air  
26 conditioning system, replacement of the fume hood  
27 exhaust system, and the construction of an addition to  
28 house mechanical equipment:

29 FY 2000-2001..... \$ 8,500,000  
30 FY 2001-2002..... \$ ~~2,500,000~~  
31 FY 2002-2003..... \$ 0

32 2. For continued renovation of the biological  
33 sciences facility at the state university of Iowa:

34 FY 2000-2001..... \$ 4,400,000  
35 ~~FY 2001-2002..... \$ 7,300,000~~  
36 ~~FY 2002-2003..... \$ 3,000,000~~

37 3. For construction of an addition to McCollum  
38 science hall at the university of northern Iowa:

39 FY 2000-2001..... \$ 2,700,000  
40 ~~FY 2001-2002..... \$ 5,800,000~~  
41 ~~FY 2002-2003..... \$ 8,400,000~~

42 4. For planning and design of a new business  
43 college building at Iowa state university of science  
44 and technology, notwithstanding section 8.57,  
45 subsection 5, paragraph "c":

46 FY 2000-2001..... \$ 300,000  
47 FY 2001-2002..... \$ 0  
48 FY 2002-2003..... \$ 0

49 5. For improvements to or replacement of the water  
50 system at the school for the deaf:

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1 ..... \$ 250,000

2 The state board of regents is authorized to enter
3 into contracts for the full cost of carrying out the
4 projects listed in subsections 1 through 3, for which
5 appropriations are made in those subsections. The
6 state shall not be obligated for costs associated with
7 contracts identified in this paragraph in excess of
8 the funds appropriated by the general assembly.

9 Sec. 102. BONDING AUTHORIZATION.

10 1. Notwithstanding the provisions of section
11 263A.3, for the fiscal year beginning July 1, 2000,
12 and ending June 30, 2001, the general assembly
13 declares that the state board of regents has met the
14 general assembly's requirements regarding the
15 preparation and submission to the general assembly of
16 the proposed five-year building program for the fiscal
17 period beginning July 1, 2000, and ending June 30,
18 2005, for each institution of higher learning under
19 the jurisdiction of the state board of regents, and
20 the general assembly hereby approves that five-year
21 building program as submitted. The general assembly
22 finds that the projects contained in the building
23 program are deemed necessary for the proper
24 performance of the instructional, research, and
25 service functions of the institutions, pursuant to
26 section 262A.4.

27 2. To further the educational objectives of the
28 institutions, the general assembly authorizes the
29 state board of regents to undertake, plan, construct,
30 equip, and otherwise carry out at the institutions of
31 higher learning under the jurisdiction of the board
32 the following projects:

33 a. Iowa state university of science and technology
34 System upgrade of Gilman hall project costs:
35 ..... \$ 2,500,000

36 b. State university of Iowa
37 Renovation of biological sciences buildings project
38 costs:
39 ..... \$ 10,300,000

40 c. University of northern Iowa
41 Addition to McCollum science hall project costs:
42 ..... \$ 14,200,000
43 Total ..... \$ 27,000,000

44 3. The general assembly authorizes the state board
45 of regents to borrow moneys and to issue and sell
46 negotiable revenue bonds in the manner provided in
47 sections 262A.5 and 262A.6, in order to pay all or any
48 part of the costs of carrying out the projects. The
49 negotiable revenue bonds shall be payable solely from
50 and secured by an irrevocable pledge of a sufficient

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1 portion of the student fees and charges and  
2 institutional income received by the particular  
3 institution.

4 4. The state board of regents may capitalize the  
5 issuance costs and the bond reserve fund equal to  
6 eleven percent of each bond issue with respect to  
7 bonds authorized pursuant to this Act and may increase  
8 the amount of the bonds issued under this Act to that  
9 extent. If the amount of bonds issued under this Act  
10 exceeds the actual costs of projects approved in this  
11 Act, the amount of the difference shall be used to pay  
12 the principal and interest due on bonds issued under  
13 chapter 262A.

14 Sec. \_\_\_\_\_. The state board of regents is authorized  
15 to enter into contracts for the full costs of carrying  
16 out the projects listed in this division and for which  
17 appropriations are made and bonding authorization  
18 provided pursuant to this division. The state shall  
19 not be obligated for costs associated with contracts  
20 identified in this division in excess of the funds  
21 appropriated and bonds authorized by the general  
22 assembly.

23 Sec. \_\_\_\_\_. CONTINGENT EFFECTIVENESS. Section 101  
24 of this Act takes effect only upon the enactment,  
25 during the Seventy-ninth General Assembly, First  
26 Regular Session, of bonding authority, in lieu of  
27 appropriations struck pursuant to section 101, as set  
28 forth and provided in section 102 of this Act."

29 4. Page 11, line 48, by inserting after the word  
30 "appropriations," the following: "providing bonding  
31 authorization to the state board of regents for  
32 specific capital projects,".

33 5. By renumbering, redesignating, and correcting  
34 internal references as necessary.

**By** ROBERT E. DVORSKY  
JOHNIE HAMMOND

PATRICIA HARPER  
JOE BOLKCOM

**S-3621** FILED MAY 2, 2001*Lost**5/8/01**(P. 1597)*

HOUSE FILE 742

S-3626

1 Amend House File 742, as amended, passed, and  
2 reprinted by the House, as follows:

3 1. Page 2, line 27, by striking the figure  
4 "1,000,000" and inserting the following: "2,000,000".

5 2. Page 3, by inserting after line 6 the  
6 following:

7 "\_\_\_\_. For the maintenance, storage, and cataloging  
8 of Iowa's historical collections:

9 ..... \$ 250,000"

10 3. Page 3, by inserting before line 24 the  
11 following:

12 "DEPARTMENT OF EDUCATION

13 Sec. \_\_\_\_\_. There is appropriated from the rebuild  
14 Iowa infrastructure fund to the department of  
15 education for the fiscal year beginning July 1, 2001;  
16 and ending June 30, 2002, the following amount, to be  
17 used for the purpose designated:

18 To provide resources for structural and  
19 technological improvements to local libraries,  
20 notwithstanding section 8.57, subsection 5, paragraph  
21 "c":

22 ..... \$ 500,000"

23 4. Page 9, by inserting after line 28 the  
24 following:

25 "DIVISION \_\_\_\_\_  
26 REBUILD IOWA INFRASTRUCTURE FUND --  
27 TECHNOLOGY INFRASTRUCTURE  
28 DEPARTMENT OF EDUCATION

29 Sec. \_\_\_\_\_. There is appropriated from the rebuild  
30 Iowa infrastructure fund to the department of  
31 education for the fiscal year beginning July 1, 2001,  
32 and ending June 30, 2002, the following amounts, or so  
33 much thereof as is necessary, to be used for the  
34 purposes designated, notwithstanding section 8.57,  
35 subsection 5, paragraph "c":

36 1. For technology improvements at community  
37 colleges throughout the state:  
38 ..... \$ 5,500,000

39 2. For the twenty-first century learning  
40 infrastructure:  
41 ..... \$ 1,900,000

42 Sec. \_\_\_\_\_. REVERSION. Notwithstanding section  
43 8.33, moneys appropriated in this division of this Act  
44 that remain unencumbered or unobligated at the close  
45 of the fiscal year that begins July 1, 2002, shall  
46 revert at the close of that fiscal year. However, if  
47 the projects for which the moneys are appropriated are  
48 completed in an earlier fiscal year, unencumbered or  
49 unobligated moneys shall revert at the close of that  
50 fiscal year."

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1 5. Title page, line 4, by inserting after the  
2 word "development," the following: "the department of  
3 education,".

4 6. By renumbering, redesignating, and correcting  
5 internal references as necessary.

By MIKE CONNOLLY  
ROBERT E. DVORSKY  
BETTY A. SOUKUP

THOMAS FIEGEN  
MARK SHEARER  
PATRICK J. DELUHERY

S-3626 FILED MAY 3, 2001

*lost*  
*5/8/01*

HOUSE FILE 742

S-3628

1 Amend the amendment, S-3613, to House File 742, as  
2 amended, passed, and reprinted by the House, as  
3 follows:

4 1. Page 2, by striking lines 14 through 16, and  
5 inserting the following:

6 "FY 2001-2002.....	\$ 12,500,000
7	0
8 FY 2002-2003.....	\$ 12,500,000

By JEFF LAMBERTI

S-3628 FILED MAY 3, 2001

*Adopted*  
*5/8/01 (p. 1578)* HOUSE FILE 742

S-3637

1 Amend the amendment, S-3613, to House File 742, as  
2 amended, passed, and reprinted by the house, as  
3 follows:

4 1. Page 3, by striking lines 14 through 17 and  
5 inserting the following:

6 "(1) Of the amount appropriated in this paragraph  
7 "a", up to \$300,000 may be used for costs associated  
8 with project management services in the division of  
9 design and construction of the department,  
10 notwithstanding section 8.57, subsection 5, paragraph  
11 "c"."

By JOHN W. JENSEN

S-3637 FILED MAY 3, 2001

*W/D*  
*5/8/01*  
*(p. 1598)*

HOUSE FILE 742

S-3627

1 Amend House File 742, as amended, passed, and  
2 reprinted by the House, as follows:

3 1. Page 3, by inserting before line 24, the  
4 following:

5 "Sec. \_\_\_\_\_. There is appropriated from the rebuild  
6 Iowa infrastructure fund to the department of economic  
7 development for the fiscal year beginning July 1,  
8 2001, and ending June 30, 2002, the following amount,  
9 or so much thereof as is necessary, to be used for the  
10 purpose designated:

11 1. To be deposited in the physical infrastructure  
12 assistance fund created in section 15E.175:

13 ..... \$ 2,000,000

14 The department shall report to the general assembly  
15 by June 30 of the fiscal year for which funds are  
16 appropriated in this subsection regarding the amount  
17 of such funds used for "vertical infrastructure"  
18 projects and the amount of such funds used for  
19 projects which result in the creation of "vertical  
20 infrastructure".

21 2. To provide financial assistance in the form of  
22 grants, loans, or forgivable loans for advanced  
23 research and commercialization projects involving  
24 value-added agriculture, advanced technology, or  
25 biotechnology, notwithstanding section 8.57,  
26 subsection 5, paragraph "c":

27 ..... \$ 4,000,000

28 Of the amount appropriated in this subsection,  
29 \$2,075,000 shall be allocated for activities supported  
30 by the Iowa new economy council created in 2001 Iowa  
31 Acts, House File 697, if enacted."

32 2. Page 5, by inserting after line 8, the  
33 following:

"IOWA FINANCE AUTHORITY

35 Sec. \_\_\_\_\_. There is appropriated from the rebuild  
36 Iowa infrastructure fund to the Iowa finance authority  
37 for the fiscal year beginning July 1, 2001, and ending  
38 June 30, 2002, the following amount, or so much  
39 thereof as is necessary, to be used for the purpose  
40 designated:

41 For deposit in the housing trust fund, if created  
42 by the 2001 general assembly, notwithstanding section  
43 8.57, subsection 5, paragraph "c":

44 ..... \$ 2,200,000"

45 3. Page 9, by inserting after line 28, the  
46 following:

47 "DIVISION  
48 REBUILD IOWA INFRASTRUCTURE FUND --  
49 TECHNOLOGY INFRASTRUCTURE  
50 DEPARTMENT OF ECONOMIC DEVELOPMENT

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1 Sec. \_\_\_\_\_. There is appropriated from the rebuild  
2 Iowa infrastructure fund to the department of economic  
3 development for the fiscal year beginning July 1,  
4 2001, and ending June 30, 2002, the following amounts,  
5 or so much thereof as is necessary, to be used for the  
6 purposes designated:

7 1. For the establishment of an Iowa alliance for  
8 advanced telecommunications services (ATS) and for the  
9 development of a comprehensive statewide plan,  
10 notwithstanding section 8.57, subsection 5, paragraph  
11 "c":  
12 ..... \$ 200,000

13 2. For the establishment of an Iowa network access  
14 point and peering points for telecommunications  
15 traffic among multiple service providers,  
16 notwithstanding section 8.57, subsection 5, paragraph  
17 "c":  
18 ..... \$ 200,000

19 3. For creation of a community advanced  
20 telecommunications fund to aid communities in  
21 developing access to advanced telecommunications  
22 services, notwithstanding section 8.57, subsection 5,  
23 paragraph "c":  
24 ..... \$ 600,000"

25 4. Page 15, by inserting after line 35, the  
26 following:

27 "Sec. \_\_\_\_\_. Section 15.354, subsection 1, Code  
28 2001, is amended to read as follows:

29 1. The local housing assistance program fund is  
30 ~~created consisting of one million dollars appropriated~~  
31 ~~from the rebuild Iowa infrastructure fund each fiscal~~  
32 ~~year starting with the fiscal year beginning July 1,~~  
33 ~~1997, and ending June 30, 1998, and ending with the~~  
34 ~~fiscal year beginning July 1, 2001, and ending June~~  
35 ~~30, 2002, notwithstanding section 8.57, subsection 5,~~  
36 ~~paragraph "c", and any other moneys appropriated to or~~  
37 ~~received by the department for deposit in the fund."~~

38 5. Title page, line 5, by inserting after the  
39 word "services," the following: "the Iowa finance  
40 authority,".

41 6. By renumbering, redesignating, and correcting  
42 internal references as necessary.

By MARK SHEARER THOMAS FIEGEN  
ROBERT E. DVORSKY PATRICK J. DELUHERY  
BETTY A. SOUKUP

S-3627 FILED MAY 3, 2001

*Loft*  
*5/8/01*  
*(P.1583)*

## HOUSE FILE 742

S-3659

1 Amend the amendment, S-3613, to House File 742, as  
2 amended, passed, and reprinted by the House, as  
3 follows:

4 1. Page 10, by striking lines 35 through 45 and  
5 inserting the following:

6 "Sec. 109. NEW SECTION. 15F.303A PUBLIC  
7 ORGANIZATIONS -- COMPETITIVE BIDDING OF PROJECTS.

8 A public organization, as defined in section  
9 15F.302, subsection 2, whose application for financial  
10 assistance under the program is approved by the board  
11 shall advertise for sealed bids for the construction  
12 portion of the proposed project by publishing a notice  
13 to bidders as provided in this section. The notice to  
14 bidders may be published more than twenty days but not  
15 more than forty-five days before the date for filing  
16 bids.

17 1. NOTICE TO BIDDERS. The notice to bidders must  
18 state the following items:

19 a. The time and place for filing sealed proposals.

20 b. The time and place sealed proposals will be  
21 opened and considered on behalf of the public  
22 organization.

23 c. The general nature of the project on which bids  
24 are requested.

25 d. In general terms when the work must be  
26 commenced and when it must be completed.

27 e. That each bidder shall accompany the bid with a  
28 bid security as prescribed in this paragraph and as  
29 specified by the public organization, as security that  
30 the successful bidder will enter into a contract for  
31 the work bid upon and will furnish after the award of  
32 contract a corporate surety bond, acceptable to the  
33 public organization, for the faithful performance of  
34 the contract, in an amount equal to one hundred  
35 percent of the amount of the contract. The bidder's  
36 security shall be in an amount fixed by the public  
37 organization, and shall be in the form of a cashier's  
38 or certified check drawn on a bank in Iowa or a bank  
39 chartered under the laws of the United States, or a  
40 certified share draft drawn on a credit union in Iowa  
41 or chartered under the laws of the United States, or  
42 the public organization may provide for a bidder's  
43 bond with corporate surety satisfactory to the public  
44 organization. The bid bond shall contain no  
45 conditions except for those provided in this  
46 subsection.

47 f. Any further information that the public  
48 organization deems pertinent.

49 The notice to bidders may provide that bids will be  
50 received for the furnishing of all labor and materials

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1 and furnishing or installing equipment under one  
 2 contract, or for parts thereof in separate sections.  
 3 2. BID SECURITY. The amount of bid security must  
 4 be fixed by the public organization prior to ordering  
 5 publication of the notice to bidders and must equal at  
 6 least five percent, but may not exceed ten percent of  
 7 either the estimated total contract cost of the  
 8 construction portion of the project, or the amount of  
 9 each bid.

10 3. AWARD OF CONTRACT. The contract for the  
 11 construction portion of the project must be awarded to  
 12 the lowest responsible bidder. This subsection shall  
 13 not be construed to prohibit a public organization in  
 14 the award of a contract for the construction portion  
 15 of a project from providing, an enhancement of  
 16 payments upon early completion of the construction  
 17 portion of the project if the availability of the  
 18 enhancement payments is included in the notice to  
 19 bidders, the enhancement payments are competitively  
 20 neutral to potential bidders, and the total value of  
 21 the enhancement payments does not exceed ten percent  
 22 of the value of the contract."

23 2. Page 11, line 37, by striking the figures  
 24 "15F.302, 15F.303," and inserting the following: "and  
 25 15F.302, enacting section 15F.303A, and amending  
 26 sections".

27 3. By renumbering as necessary.

By JEFF LAMBERTI

S-3659 FILED MAY 7, 2001

*W/D  
 5/8/01  
 (P.1580)*

## HOUSE FILE 742

## S-3662

1 Amend the amendment, S-3613, to House File 742, as  
2 amended, passed, and reprinted by the House, as  
3 follows:

4 1. Page 10, by striking lines 35 through 45 and  
5 inserting the following:

6 "Sec. 109. NEW SECTION. 15F.303A PUBLIC  
7 ORGANIZATIONS -- COMPETITIVE BIDDING OF PROJECTS.

8 A public organization, as defined in section  
9 15F.302, subsection 2, whose application for financial  
10 assistance under the program is approved by the board  
11 shall advertise for sealed bids for the construction  
12 portion of the proposed project by publishing a notice  
13 to bidders as provided in this section. The notice to  
14 bidders shall be published in a newspaper of general  
15 circulation in the county where the construction is to  
16 be performed not less than twenty days but not more  
17 than forty-five days before the date for filing bids.

18 1. NOTICE TO BIDDERS. The notice to bidders must  
19 state the following items:

20 a. The time and place for filing sealed proposals.

21 b. The time and place sealed proposals will be  
22 opened and considered on behalf of the public  
23 organization.

24 c. The general nature of the project on which bids  
25 are requested.

26 d. In general terms when the work must be  
27 commenced and when it must be completed.

28 e. That each bidder shall accompany the bid with a  
29 bid security as prescribed in this paragraph and as  
30 specified by the public organization, as security that  
31 the successful bidder will enter into a contract for  
32 the work bid upon and will furnish after the award of  
33 contract a corporate surety bond, acceptable to the  
34 public organization, for the faithful performance of  
35 the contract, in an amount equal to one hundred  
36 percent of the amount of the contract. The bidder's  
37 security shall be in an amount fixed by the public  
38 organization, and shall be in the form of a cashier's  
39 or certified check drawn on a bank in Iowa or a bank  
40 chartered under the laws of the United States, or a  
41 certified share draft drawn on a credit union in Iowa  
42 or chartered under the laws of the United States, or  
43 the public organization may provide for a bidder's  
44 bond with corporate surety satisfactory to the public  
45 organization. The bid bond shall contain no  
46 conditions except for those provided in this  
47 subsection.

48 f. Any further information that the public  
49 organization deems pertinent.

50 The notice to bidders may provide that bids will be

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1 received for the furnishing of all labor and materials  
2 and furnishing or installing equipment under one  
3 contract, or for parts thereof in separate sections.

4 2. BID SECURITY. The amount of bid security must  
5 be fixed by the public organization prior to ordering  
6 publication of the notice to bidders and must equal at  
7 least five percent, but may not exceed ten percent of  
8 either the estimated total contract cost of the  
9 construction portion of the project, or the amount of  
10 each bid.

11 3. AWARD OF CONTRACT. The contract for the  
12 construction portion of the project must be awarded to  
13 the lowest responsible bidder. This subsection shall  
14 not be construed to prohibit a public organization in  
15 the award of a contract for the construction portion  
16 of a project from providing, an enhancement of  
17 payments upon early completion of the construction  
18 portion of the project if the availability of the  
19 enhancement payments is included in the notice to  
20 bidders, the enhancement payments are competitively  
21 neutral to potential bidders, and the total value of  
22 the enhancement payments does not exceed ten percent  
23 of the value of the contract."

24 2. Page 11, line 37, by striking the figures  
25 "15F.302, 15F.303," and inserting the following: "and  
26 15F.302, enacting section 15F.303A, and amending  
27 sections".

28 3. By renumbering as necessary.

By JEFF LAMBERTI

**S-3662** FILED MAY 7, 2001

*Adopted 5/8/01*  
*(P.1580)*

HOUSE FILE 742

**S-3676**

1 Amend the amendment, S-3613, to House File 742, as  
2 amended, passed, and reprinted by the House, as  
3 follows:

4 1. Page 7, line 26, by inserting after the word  
5 "technology" the following: ", notwithstanding  
6 section 8.57, subsection 5, paragraph "c", and section  
7 12E.12, subsection 1, paragraph "b", subparagraph (1),  
8 as enacted by 2001 Iowa Acts, Senate File 532, if  
9 enacted".

10 2. Page 7, line 31, by inserting after the word  
11 "television" the following: ", notwithstanding  
12 section 8.57, subsection 5, paragraph "c", and section  
13 12E.12, subsection 1, paragraph "b", subparagraph (1),  
14 as enacted by 2001 Iowa Acts, Senate File 532, if  
15 enacted".

By MICHAEL E. GRONSTAL

**S-3676** FILED MAY 7, 2001

*Adopted*  
*5/8/01 (P.1580)*

## HOUSE FILE 742

S-3678

1 Amend the amendment, S-3613, to House File 742, as  
2 amended, passed, and reprinted by the House, as  
3 follows:

4 1. Page 11, line 32, by striking the word "'Sec.  
5 \_\_\_.'" and inserting the following:

6 "'Sec. \_\_\_. USE OF TAX-EXEMPT BOND PROCEEDS --  
7 REIMBURSEMENT.

8 1. Notwithstanding any provision of law to the  
9 contrary, moneys deposited in the tax-exempt bond  
10 proceeds restricted capital funds account of the  
11 tobacco settlement trust fund that are subject to an  
12 appropriation pursuant to section 12E.10, subsection  
13 1, paragraph "b", as amended by 2001 Iowa Acts, Senate  
14 File 532, if enacted, shall remain in the tax-exempt  
15 bond proceeds restricted capital funds account until  
16 such time as costs are properly incurred and due for  
17 the purpose for which the appropriation was made.  
18 Payments for such properly incurred costs shall be  
19 made consistent with the requirements of federal law,  
20 chapter 12E, as amended by 2001 Iowa Acts, Senate File  
21 532, if enacted, and the sales agreement, as defined  
22 in section 12E.2.

23 2. Until bond proceeds are received by the tobacco  
24 settlement authority and deposited in the tax-exempt  
25 bond proceeds restricted capital funds account of the  
26 tobacco settlement trust fund, payments for costs  
27 incurred for projects for which appropriations are  
28 made in section 504 of this division of this Act may  
29 be made from the rebuild Iowa infrastructure fund.  
30 Upon receipt of bond proceeds and deposit of the  
31 proceeds in the tax-exempt bond proceeds restricted  
32 capital funds account, such payments shall be  
33 reimbursed to the rebuild Iowa infrastructure fund  
34 from the tax-exempt bond proceeds restricted capital  
35 funds account, subject, however, to any applicable  
36 limitations on the use of the proceeds as provided in  
37 the Internal Revenue Code and this Act.

38 Sec. \_\_\_."

39 2. By renumbering as necessary.

By JEFF LAMBERTI

S-3678 FILED MAY 7, 2001

*adopted*  
*5/8/01*  
*(P. 1581)*

HOUSE FILE 742

S-3693

1 Amend the amendment, S-3613, to House File 742, as  
 2 amended, passed, and reprinted by the House, as  
 3 follows:  
 4 1. Page 1, by inserting after line 27 the  
 5 following:  
 6 "\_\_\_\_. Page 13, by inserting after line 29, the  
 7 following:  
 8 "\_\_\_\_. For recreational grants to be used for the  
 9 restoration or construction of recreational complexes  
 10 or facilities under the recreational grant matching  
 11 program:  
 12 ..... \$ 3,000,000  
 13 Matching grants awarded from the funds appropriated  
 14 in this subsection shall be awarded on a matching  
 15 basis of one dollar for every two dollars the  
 16 applicant had raised.  
 17 The department shall give special consideration to  
 18 recreational complex or facility projects which  
 19 involve public and private sector participation."  
 20 2. Page 6, line 2, by striking the figure  
 21 "1,000,000" and inserting the following: "2,000,000".  
 22 3. By renumbering, redesignating, and correcting  
 23 internal references as necessary.

By BILL FINK

S-3693 FILED MAY 7, 2001

*Lost  
5/8/01 (p. 1577)*

HOUSE FILE 742

S-3677

1 Amend the amendment, S-3613, to House File 742, as  
 2 amended, passed, and reprinted by the house, as  
 3 follows:  
 4 1. Page 3, by striking lines 14 through 17 and  
 5 inserting the following:  
 6 "(1) Of the amount appropriated in this paragraph  
 7 "a", up to \$375,000 may be used for costs associated  
 8 with project management services in the division of  
 9 design and construction of the department,  
 10 notwithstanding section 8.57, subsection 5, paragraph  
 11 "c"."

By JOHN W. JENSEN

S-3677 FILED MAY 7, 2001

*5/8/01 adopted  
p. 1598*

HOUSE FILE 742

S-3699

1 Amend the amendment, S-3613, to House File 742, as  
2 amended, passed, and reprinted by the House, as  
3 follows:

DIV 4 1. Page 3, by inserting after line 33, the  
A 5 following:

6 "e. For consideration for an option to purchase  
7 all or a portion of the following properties,  
8 notwithstanding section 8.57, subsection 5, paragraph  
9 "c": a 2.4-acre parcel located at the northwest  
10 corner of Pennsylvania avenue and Des Moines street,  
11 including a 26,319-square foot one-story masonry  
12 structure; a 0.17-acre site located at 1022 Des Moines  
13 street; a 2.2-acre site on the city block bounded by  
14 East Eleventh, East Twelfth, Des Moines, and Lyon  
15 streets, including an 11,058-square foot building; and  
16 a 7.5-acre parcel consisting of two contiguous city  
17 blocks bounded by East Twelfth, East Fourteenth, Des  
18 Moines, and Lyon streets, including five buildings:

19 ..... \$ 500,000

20 The consideration for the option to purchase shall  
21 be applied to the contract purchase price in the event  
22 the option to purchase any or all of the properties  
23 described in this paragraph "e" is exercised. The  
24 option to purchase shall be for a period of at least  
25 one year beginning on or after July 1, 2001, and shall  
26 be exercised only after a specific appropriation by  
27 the general assembly for the purchase of all or a  
28 portion of the properties described in this paragraph  
29 "e".

30 f. For an appraisal, environmental assessment, and  
31 feasibility study of the properties described in  
32 paragraph "e":

33 ..... \$ 250,000"

DIV 34 2. Page 7, by inserting after line 37, the  
B 35 following:

36 "Sec. 701. There is appropriated from the tax-  
37 exempt bond proceeds restricted capital funds account  
38 of the tobacco settlement trust fund to the department  
39 of general services for the following fiscal years,  
40 the following amounts, or so much thereof as is  
41 necessary, to be used for the purposes designated:

42 For the planning, design, and construction of a  
43 multipurpose laboratory facility:

44 FY 2001-2002..... \$ 16,670,000

45 FY 2002-2003..... \$ 16,670,000

46 FY 2003-2004..... \$ 16,660,000

47 The department is authorized to enter into  
48 contracts for the full cost of the project for which  
49 appropriations are made in this section. The state  
50 shall not be obligated for costs associated with

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- DIV 1 contracts identified in this paragraph in excess of  
B 2 the funds appropriated by the general assembly.  
3 Payment of moneys from the appropriations in this  
4 section shall be made in a manner that does not  
5 adversely affect the tax-exempt status of any  
6 outstanding bonds issued by the tobacco settlement  
7 authority."  
8 3. Page 7, line 39, by striking the word and  
9 figure "section 505" and inserting the following:  
10 "sections 505 and 701".  
11 4. Page 7, line 49, by striking the word and  
12 figure "section 505" and inserting the following:  
13 "sections 505 and 701".  
14 5. Page 8, line 29, by striking the word  
15 "completion".  
16 6. By renumbering, redesignating, and correcting  
17 internal references as necessary.

**By** JEFF LAMBERTI**S-3699** FILED MAY 8, 2001

DIV A - ADOPTED; DIV B - ADOPTED

(P.1586)

**HOUSE FILE 742****S-3700**

- 1 Amend the amendment, S-3613, to House File 742, as  
2 amended, passed, and reprinted by the House, as  
3 follows:  
4 1. Page 7, line 27, by striking the figure  
5 "10,500,000" and inserting the following:  
6 "3,500,000".

**By** JEFF LAMBERTI**S-3700** FILED MAY 8, 2001

ADOPTED

(P.1580)

HOUSE FILE 742

S-3702

1 Amend the amendment, S-3613, to House File 742, as  
2 amended, passed, and reprinted by the House, as  
3 follows:

4 1. Page 4, line 19, by striking the figure  
5 "1,000,000" and inserting the following: "500,000".

6 2. Page 4, by inserting after line 19 the  
7 following:

8 "\_\_\_\_. For salaries, support, and maintenance of  
9 personnel and programs at all state parks as they  
10 existed on April 1, 2001, recreation areas, and state  
11 preserves, and for related miscellaneous purposes,  
12 notwithstanding section 8.57, subsection 5, paragraph  
13 "c":

14 ..... \$ 500,000"

15 3. By renumbering as necessary.

By DENNIS H. BLACK  
JOHN P. KIBBIE  
TOM FLYNN

S-3702 FILED MAY 8, 2001

LOST

(P.1579)

HOUSE FILE 742

S-3703

1 Amend the amendment, S-3613, to House File 742, as  
2 amended, passed, and reprinted by the House, as  
3 follows:

4 1. Page 11, by inserting after line 31 the  
5 following:

6 ""Sec. \_\_\_\_ 2001 Iowa Acts, House File 755,  
7 section 30, if enacted, is amended to read as follows:  
8 SEC. 30. Notwithstanding any contrary provision in  
9 section 455E.11, subsection 1, Code 2001, any  
10 ~~unencumbered or unobligated~~ cash balance in the  
11 groundwater protection fund and in any of the accounts  
12 within the groundwater protection fund ~~on June 30,~~  
13 ~~2001~~ not needed for expenditure in the fiscal year  
14 beginning July 1, 2001, and ending June 30, 2002,  
15 shall be transferred to the general fund of the  
16 state."

17 2. By renumbering, redesignating, and correcting  
18 internal references as necessary.

By JEFF LAMBERTI

S-3703 FILED MAY 8, 2001

ADOPTED

(P.1581)

HOUSE FILE 742

S-3704

1 Amend the amendment, S-3613, to House File 742, as  
2 amended, passed, and reprinted by the House, as  
3 follows:

4 1. Page 7, by inserting before line 28 the  
5 following:

6 "Of the funds appropriated in this subsection, the  
7 treasurer of state in cooperation with the Iowa  
8 telecommunications and technology commission is  
9 authorized to enter into financing agreements under  
10 section 12.28 for a conversion of the Iowa  
11 communications network to asynchronous transfer mode  
12 technology up to a maximum principal amount of  
13 \$10,500,000. The treasurer of state shall not proceed  
14 with a financing agreement for this project without  
15 first receiving written confirmation from the director  
16 of the department of management that sufficient funds  
17 for repayment are available."

By PATRICK J. DELUHERY

S-3704 FILED MAY 8, 2001

WITHDRAWN

(P. 1581)

HOUSE FILE 742

S-3705

1 Amend House File 742, as amended, passed, and  
2 reprinted by the House, as follows:

3 1. Page 3, by inserting before line 24 the  
4 following:

5 "DEPARTMENT OF EDUCATION

6 Sec. \_\_\_\_\_. There is appropriated from the rebuild  
7 Iowa infrastructure fund to the department of  
8 education for the fiscal year beginning July 1, 2001,  
9 and ending June 30, 2002, the following amount, to be  
10 used for the purpose designated:

11 To provide resources for structural and  
12 technological improvements to local libraries,  
13 notwithstanding section 8.57, subsection 5, paragraph  
14 "c":

15 ..... \$ 500,000"

16 2. By renumbering, redesignating, and correcting  
17 internal references as necessary.

By JOHN W. JENSEN

S-3705 FILED MAY 8, 2001

ADOPTED

(P. 1587)

**HOUSE FILE 742****S-3706**

1 Amend the amendment, S-3613, to House File 742, as  
2 amended, passed, and reprinted by the House, as  
3 follows:  
4 1. Page 3, by inserting before line 34, the  
5 following:  
6 "Prior to entering into the option to purchase  
7 described in this subsection, the existing  
8 environmental audit on properties currently occupied  
9 by metropolitan medical center shall be distributed to  
10 all members of the general assembly. After such  
11 distribution, the option to purchase shall be subject  
12 to the review of the legislative council."  
13 2. By renumbering as necessary.

**By** MATT McCOY

**S-3706** FILED MAY 8, 2001

WITHDRAWN

(P. 1587)

## HOUSE FILE 742

H-2048

1 Amend the Senate amendment, H-2047, to House File  
2 742, as amended, passed, and reprinted by the House,  
3 as follows:

4 1. Page 14, by inserting after line 26, the  
5 following:

6 ""Sec. \_\_\_\_ . NEW SECTION. 476A.20 DEFINITIONS.

7 For purposes of this subchapter, unless the context  
8 otherwise requires:

9 1. "Electric power agency" means an entity as  
10 defined in section 28F.2.

11 2. "Facility" means an electric power generating  
12 plant, or transmission line or system, as defined in  
13 section 476A.1.

14 3. "Public bond or obligation" means an obligation  
15 as defined in section 76.14.

16 Sec. \_\_\_\_ . NEW SECTION. 476A.21 ELECTRIC POWER  
17 AGENCY -- GENERAL AUTHORITY.

18 In addition to other powers conferred upon an  
19 electric power agency by chapter 28F or other  
20 applicable law, an electric power agency may enter  
21 into and carry out joint agreements with other  
22 participants for the acquisition of ownership of a  
23 joint facility and for the planning, financing,  
24 operation, and maintenance of the joint facility, as  
25 provided in this subchapter.

26 Sec. \_\_\_\_ . NEW SECTION. 476A.22 ELECTRIC POWER  
27 AGENCY -- AUTHORITY -- CONFLICTING PROVISIONS.

28 1. In addition to any powers conferred upon an  
29 electric power agency under chapter 28F or other  
30 applicable law, an electric power agency may exercise  
31 all other powers reasonably necessary or appropriate  
32 for or incidental to the effectuation of the electric  
33 power agency's authorized purposes, including without  
34 limitation, the powers enumerated in chapters 6A and  
35 6B for purposes of constructing or acquiring an  
36 electric power facility.

37 2. An electric power agency, in connection with  
38 its property and affairs, and in connection with  
39 property within its control, may exercise any and all  
40 powers that might be exercised by a natural person or  
41 a private corporation in connection with similar  
42 property and affairs.

43 3. The enumeration of specified powers and  
44 functions of an electric power agency in this  
45 subchapter is not a limitation of the powers of an  
46 electric power agency, but the procedures prescribed  
47 for exercising the powers and functions enumerated in  
48 this subchapter control and govern in the event of any  
49 conflict with any other provision of law.

50 4. The authority conferred pursuant to this

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1 subchapter applies to electric power agencies,  
2 notwithstanding any contrary provisions of section  
3 28F.1.

4 Sec. \_\_\_\_ . NEW SECTION. 476A.23 ISSUANCE OF  
5 PUBLIC BONDS OR OBLIGATIONS -- PURPOSES --  
6 LIMITATIONS.

7 1. An electric power agency may from time to time  
8 issue its public bonds or obligations in such  
9 principal amounts as the electric power agency deems  
10 necessary to provide sufficient funds to carry out any  
11 of its purposes and powers, including but not limited  
12 to any of the following:

13 a. The acquisition or construction of any project  
14 to be owned or leased by the electric power agency, or  
15 the acquisition of any interest in such project or any  
16 right to the capacity of such project, including the  
17 acquisition, construction, or acquisition of any  
18 interest in an electric power generating plant to be  
19 constructed in this state, or the acquisition,  
20 construction, or acquisition of any interest in a  
21 transmission line or system.

22 b. The funding or refunding of the principal of,  
23 or interest or redemption premiums on, any public  
24 bonds or obligations issued by the electric power  
25 agency whether or not the public bonds or obligations  
26 or interest to be funded or refunded have become due.

27 c. The establishment or increase of reserves to  
28 secure or to pay the public bonds or obligations or  
29 interest on the public bonds or obligations.

30 d. The payment of all other costs or expenses of  
31 the electric power agency incident to and necessary to  
32 carry out its purposes and powers.

33 2. Notwithstanding anything in this subchapter or  
34 chapter 28F to the contrary, a facility shall not be  
35 financed with the proceeds of public bonds or  
36 obligations, the interest on which is exempt from  
37 federal income tax, unless the public issuer of such  
38 public bonds or obligations covenants that the issuer  
39 shall comply with the requirements or limitations  
40 imposed by the Internal Revenue Code or other  
41 applicable federal law to preserve the tax exemption  
42 of interest payable on the bonds or obligations.

43 3. Notwithstanding anything in this subchapter or  
44 chapter 28F to the contrary, an electric power  
45 generating facility shall not be financed under this  
46 subchapter unless all of the following conditions are  
47 satisfied:

48 a. The electric power generating facility is  
49 designed to serve only the electric power requirements  
50 of retail customers of members that were municipal

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1 electric utilities established in the state prior to  
2 January 1, 2001.

3 b. The electric power agency annually files with  
4 the board, in a manner to be determined by the board,  
5 information regarding sales from the electric power  
6 generating facility in sufficient detail to determine  
7 compliance with these provisions.

8 The board shall report to the general assembly if  
9 any of the provisions are being violated.

10 Sec. \_\_\_\_ . NEW SECTION. 476A.24 PUBLIC BONDS OR  
11 OBLIGATIONS AUTHORIZED BY RESOLUTION OF BOARD --  
12 TERMS.

13 1. The board of directors of an electric power  
14 agency, by resolution, may authorize the issuance of  
15 public bonds or obligations of the electric power  
16 agency.

17 2. The public bonds or obligations may be issued  
18 in one or more series under the resolution or under a  
19 trust indenture or other security agreement.

20 3. The resolution, trust indenture, or other  
21 security agreement, with respect to such public bonds  
22 or obligations, shall provide for all of the  
23 following:

24 a. The date on the public bonds or obligations.

25 b. The time of maturity.

26 c. The rate of interest.

27 d. The denomination.

28 e. The form, either coupon or registered.

29 f. The conversion, registration, and exchange

30 privileges.

31 g. The rank or priority.

32 h. The manner of execution.

33 i. The medium of payment, including the place of  
34 payment, either within or outside of the state.

35 j. The terms of redemption, either with or without  
36 premium.

37 k. Such other terms and conditions as set forth by  
38 the board in the resolution, trust indenture, or other  
39 security agreement.

40 4. Public bonds or obligations authorized by the  
41 board of directors shall not be subject to any  
42 restriction under other law with respect to the  
43 amount, maturity, interest rate, or other terms of  
44 obligation of a public agency or private person.

45 5. Chapter 75 shall not apply to public bonds or  
46 obligations authorized by the board of directors as  
47 provided in this section.

48 Sec. \_\_\_\_ . NEW SECTION. 476A.25 PUBLIC BONDS OR  
49 OBLIGATIONS PAYABLE SOLELY FROM AGENCY REVENUES OR  
50 FUNDS.

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1 1. The principal of and interest on any public  
2 bonds or obligations issued by an electric power  
3 agency shall be payable solely from the revenues or  
4 funds pledged or available for their payment as  
5 authorized in this subchapter.

6 2. Each public bond or obligation shall contain  
7 all of the following terms:

8 a. That the principal of or interest on such  
9 public bonds or obligation is payable solely from  
10 revenues or funds of the electric power agency.

11 b. That neither the state or a political  
12 subdivision of the state other than the electric power  
13 agency, nor a public agency that is a member of the  
14 electric power agency is obligated to pay the  
15 principal or interest on such public bonds or  
16 obligations.

17 c. That neither the full faith and credit nor the  
18 taxing power of the state, of any political  
19 subdivision of the state, or of any such public agency  
20 is pledged to the payment of the principal of or the  
21 interest on the public bonds or obligations.

22 Sec. \_\_\_\_ . NEW SECTION. 476A.26 PUBLIC BONDS OR  
23 OBLIGATIONS -- TYPES -- SOURCES FOR PAYMENT --  
24 SECURITY.

25 1. Except as otherwise expressly provided by this  
26 subchapter or by the electric power agency, every  
27 issue of public bonds or obligations of the electric  
28 power agency shall be payable out of any revenues or  
29 funds of the electric power agency, subject only to  
30 any agreements with the holders of particular public  
31 bonds or obligations pledging any particular revenues  
32 or funds.

33 2. An electric power agency may issue types of  
34 public bonds or obligations as it may determine,  
35 including public bonds or obligations as to which the  
36 principal and interest are payable exclusively from  
37 the revenues from one or more projects, or from an  
38 interest in such project or projects, or a right to  
39 capacity of such project or projects, or from any  
40 revenue-producing contract made by the electric power  
41 agency with any person, or from its revenues  
42 generally.

43 3. Any public bonds or obligations may be  
44 additionally secured by a pledge of any grant,  
45 subsidy, or contribution from any public agency or  
46 other person, or a pledge of any income or revenues,  
47 funds, or moneys of the electric power agency from any  
48 other source.

49 Sec. \_\_\_\_ . NEW SECTION. 476A.27 PUBLIC BONDS OR  
50 OBLIGATIONS AND RATES FOR DEBT SERVICE NOT SUBJECT TO

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1 STATE APPROVAL.

2 Public bonds or obligations of an electric power  
3 agency may be issued under this subchapter, and rents,  
4 rates, and charges may be established in the same  
5 manner as provided in section 28F.5 and pledged for  
6 the security of public bonds or obligations and  
7 interest and redemption premiums on such public bonds  
8 or obligations, without obtaining the consent of any  
9 department, division, commission, board, bureau, or  
10 agency of the state and without any other proceeding  
11 or the happening of any other condition or occurrence,  
12 except as specifically required by this subchapter.

13 Sec. \_\_\_\_ . NEW SECTION. 476A.28 PUBLIC BONDS OR  
14 OBLIGATIONS TO BE NEGOTIABLE.

15 All public bonds or obligations of an electric  
16 power agency shall be negotiable within the meaning  
17 and for all of the purposes of the uniform commercial  
18 code, chapter 554, subject only to the registration  
19 requirement of section 76.10.

20 Sec. \_\_\_\_ . NEW SECTION. 476A.29 VALIDITY OF  
21 PUBLIC BONDS OR OBLIGATIONS AT DELIVERY -- TEMPORARY  
22 BONDS.

23 1. Any public bonds or obligations may be issued  
24 and delivered, notwithstanding that one or more of the  
25 officers executing them shall have ceased to hold  
26 office at the time when the public bonds or  
27 obligations are actually delivered.

28 2. Pending preparation of definitive bonds  
29 obligations, an electric power agency may issue  
30 temporary bonds or obligations that shall be exchanged  
31 for the definitive bonds or obligations upon their  
32 issuance.

33 Sec. \_\_\_\_ . NEW SECTION. 476A.30 PUBLIC OR PRIVATE  
34 SALE OF BONDS AND NOTES.

35 Public bonds or obligations of an electric power  
36 agency may be sold at public or private sale for a  
37 price and in a manner determined by the electric power  
38 agency.

39 Sec. \_\_\_\_ . NEW SECTION. 476A.31 PUBLIC BONDS OR  
40 OBLIGATIONS AS SUITABLE INVESTMENTS FOR GOVERNMENTAL  
41 UNITS, FINANCIAL INSTITUTIONS, AND FIDUCIARIES.

42 The following persons may legally invest any debt  
43 service funds, money, or other funds belonging to such  
44 person or within such person's control in any public  
45 bonds or obligations issued pursuant to this  
46 subchapter:

47 1. A bank, trust company, savings association,  
48 building and loan association, savings and loan  
49 association, or investment company.

50 2. An insurance company, insurance association, or

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1 any other person carrying on an insurance business.

2 3. An executor, administrator, conservator,  
3 trustee, or other fiduciary.

4 4. Any other person authorized to invest in bonds  
5 or obligations of the state.

6 Sec. \_\_\_\_ . NEW SECTION. 476A.32 RESOLUTION, TRUST  
7 INDENTURE, OR SECURITY AGREEMENT CONSTITUTES CONTRACT  
8 -- PROVISIONS.

9 The resolution, trust indenture, or other security  
10 agreement under which any public bonds or obligations  
11 are issued shall constitute a contract with the  
12 holders of the public bonds or obligations, and may  
13 contain provisions, among others, prescribing any of  
14 the following terms:

15 1. The terms and provisions of the public bonds or  
16 obligations.

17 2. The mortgage or pledge of and the grant of a  
18 security interest in any real or personal property and  
19 all or any part of the revenue from any project or any  
20 revenue producing contract made by the electric power  
21 agency with any person to secure the payment of public  
22 bonds or obligations, subject to any agreements with  
23 the holders of public bonds or obligations which might  
24 then exist.

25 3. The custody, collection, securing, investment,  
26 and payment of any revenues, assets, money, funds, or  
27 property with respect to which the electric power  
28 agency may have any rights or interest.

29 4. The rates or charges for electric energy sold  
30 by, or services rendered by, the electric power  
31 agency, the amount to be raised by the rates or  
32 charges, and the use and disposition of any or all  
33 revenue.

34 5. The creation of reserves or debt service funds  
35 and the regulation and disposition of such reserves or  
36 funds.

37 6. The purposes to which the proceeds from the  
38 sale of any public bonds or obligations to be issued  
39 may be applied, and the pledge of the proceeds to  
40 secure the payment of the public bonds or obligations.

41 7. Limitations on the issuance of any additional  
42 public bonds or obligations, the terms upon which  
43 additional public bonds or obligations may be issued  
44 and secured, and the refunding of outstanding public  
45 bonds or obligations.

46 8. The rank or priority of any public bonds or  
47 obligations with respect to any lien or security.

48 9. The creation of special funds or moneys to be  
49 held for operating expenses, payment, or redemption of  
50 public bonds or obligations, reserves or other

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1 purposes, and the use and disposition of moneys held  
2 in these funds.

3 10. The procedure by which the terms of any  
4 contract with or for the benefit of the holders of  
5 public bonds or obligations may be amended or  
6 abrogated, the amount of public bonds or obligations  
7 the holders of which must consent to such amendment or  
8 abrogation, and the manner in which consent may be  
9 given.

10 11. The definition of the acts or omissions to act  
11 that constitute a default in the duties of the  
12 electric power agency to holders of its public bonds  
13 or obligations, and the rights and remedies of the  
14 holders in the event of default including, if the  
15 electric power agency so determines, the right to  
16 accelerate the date of the maturation of the public  
17 bonds or obligations or the right to appoint a  
18 receiver or receivers of the property or revenues  
19 subject to the lien of the resolution, trust  
20 indenture, or other security agreement.

21 12. Any other or additional agreements with or for  
22 the benefit of the holders of public bonds or  
23 obligations or any covenants or restrictions necessary  
24 or desirable to safeguard the interests of the  
25 holders.

26 13. The custody of any of the electric power  
27 agency's property or investments, the safekeeping of  
28 such property or investments, the insurance to be  
29 carried on such property or investments, and the use  
30 and disposition of insurance proceeds.

31 14. The vesting in a trustee or trustees, within  
32 or outside the state, of such property, rights,  
33 powers, and duties as the electric power agency may  
34 determine; or the limiting or abrogating of the rights  
35 of the holders of any public bonds or obligations to  
36 appoint a trustee, or the limiting of the rights,  
37 powers, and duties of such trustee.

38 15. The appointment of and the establishment of  
39 the duties and obligations of any paying agent or  
40 other fiduciary within or outside the state.

41 Sec. \_\_\_\_ . NEW SECTION. 476A.33 MORTGAGE OR TRUST  
42 DEED TO SECURE BONDS.

43 For the security of public bonds or obligations  
44 issued or to be issued by an electric power agency,  
45 the electric power agency may mortgage or execute  
46 deeds of trust of the whole or any part of its  
47 property.

48 Sec. \_\_\_\_ . NEW SECTION. 476A.34 NO PERSONAL  
49 LIABILITY ON PUBLIC BONDS OR OBLIGATIONS.

50 An official, director, member of an electric power

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1 agency, or any person executing public bonds or  
2 obligations shall not be liable personally on the  
3 public bonds or obligations or be subject to any  
4 personal liability or accountability by reason of the  
5 issuance of such public bonds or obligations.

6 Sec. \_\_\_\_ . NEW SECTION. 476A.35 REPURCHASE OF  
7 SECURITIES.

8 An electric power agency may purchase public bonds  
9 or obligations out of any funds available for such  
10 purchase, and hold, pledge, cancel, or resell the  
11 public bonds or obligations, subject to and in  
12 accordance with any agreements with the holders.

13 Sec. \_\_\_\_ . NEW SECTION. 476A.36 PLEDGE OF REVENUE  
14 AS SECURITY.

15 An electric power agency may pledge its rates,  
16 rents, and other revenues, or any part of such rates,  
17 rents, and revenues, as security for the repayment,  
18 with interest and redemption premiums, if any, of the  
19 moneys borrowed by the electric power agency or  
20 advanced to the electric power agency for any of its  
21 authorized purposes and as security for the payment of  
22 moneys due and owed by the electric power agency under  
23 any contract.

24 Sec. \_\_\_\_ . Section 476.53, Code 2001, is repealed.

25 Sec. \_\_\_\_ . CODE EDITOR DIRECTIVE. The Code editor  
26 shall change references to "this chapter" in sections  
27 476A.1 through 476A.15 as necessary and appropriate to  
28 reflect the addition of the new subchapter to chapter  
29 476A as a result of this Act."

30 2. Page 15, line 35, by inserting before the word  
31 "providing" the following: "including by providing  
32 for joint agreements for the acquisition of ownership  
33 of a joint facility for electric power generation and  
34 transmission, and for the planning, financing,  
35 operation, and maintenance of the joint facility, and  
36 providing for the bonding authority of electric power  
37 agencies".

38 3. By renumbering, redesignating, and correcting  
39 internal references as necessary.

By WISE of Lee  
CHIODO of Polk

H-2048 FILED MAY 8, 2001

W/D  
5/8/01  
(p. 2008)

SENATE AMENDMENT TO HOUSE FILE 742

H-2047

1 Amend House File 742, as amended, passed, and  
2 reprinted by the House, as follows:

- 3 1. Page 1, by striking lines 4 through 24.
- 4 2. Page 3, by striking lines 7 through 23.
- 5 3. Page 3, by inserting before line 24 the

6 following:

7 "DEPARTMENT OF EDUCATION

8 Sec. \_\_\_\_\_. There is appropriated from the rebuild  
9 Iowa infrastructure fund to the department of  
10 education for the fiscal year beginning July 1, 2001,  
11 and ending June 30, 2002, the following amount, to be  
12 used for the purpose designated:

13 To provide resources for structural and  
14 technological improvements to local libraries,  
15 notwithstanding section 8.57, subsection 5, paragraph  
16 "c":

17 ..... \$ 500,000"

18 4. Page 4, by striking lines 6 through 23.

19 5. Page 4, line 32, by striking the figure  
20 "400,000" and inserting the following: "0".

21 6. Page 4, line 35, by striking the figure  
22 "1,700,000" and inserting the following: "0".

23 7. Page 5, by striking lines 9 through 20.

24 8. By striking page 5, line 28, through page 6,  
25 line 2.

26 9. Page 6, by striking lines 9 through 11.

27 10. Page 6, line 14, by striking the figure  
28 "400,000" and inserting the following: "0".

29 11. Page 6, by striking lines 17 through 26.

30 12. Page 6, line 35, by striking the figure  
31 "4,200,000" and inserting the following: "0".

32 13. Page 7, line 5, by striking the figure  
33 "4,453,000" and inserting the following: "0".

34 14. Page 7, line 10, by striking the figure  
35 "3,990,000" and inserting the following: "0".

36 15. Page 7, by striking lines 13 through 27.

37 16. By striking page 7, line 35, through page 9,  
38 line 15.

39 17. Page 10, line 23, by striking the word  
40 "section" and inserting the following: "subsection".

41 18. Page 14, by striking line 29, and inserting  
42 the following:

43 "Sec. \_\_\_\_\_. REVERSION.

44 1. Except as provided in subsection 2, and  
45 notwithstanding section 8.33, moneys".

46 19. Page 14, by inserting after line 35, the  
47 following:

48 "2. Notwithstanding section 8.33, moneys  
49 appropriated to the department of agriculture and land  
50 stewardship to provide financial assistance for the

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1 establishment of permanent soil and water conservation  
2 practices as provided in section 20, that remain  
3 unencumbered or unobligated at the close of the fiscal  
4 year shall not revert but shall remain available for  
5 expenditure for the purposes designated until the  
6 close of the fiscal year that begins July 1, 2004."

7 20. Page 15, by inserting after line 3, the  
8 following:

9 "DIVISION  
10 TOBACCO SETTLEMENT TRUST FUND

11 Sec. 501. 2000 Iowa Acts, chapter 1225, section  
12 10, is amended by striking the section.

13 Sec. 502. 2000 Iowa Acts, chapter 1225, section  
14 15, subsections 1 through 3, are amended to read as  
15 follows:

16 1. For improvements to Gilman hall at Iowa state  
17 university of science and technology, including the  
18 replacement of the heating, ventilation, and air  
19 conditioning system, replacement of the fume hood  
20 exhaust system, and the construction of an addition to  
21 house mechanical equipment:

22	FY 2000-2001.....	\$	8,500,000
23	FY 2001-2002.....	\$	<del>2,500,000</del>
24			0
25	FY 2002-2003.....	\$	0

26 2. For continued renovation of the biological  
27 sciences facility at the state university of Iowa:

28	FY 2000-2001.....	\$	4,400,000
29	FY 2001-2002.....	\$	<del>7,300,000</del>
30			0
31	FY 2002-2003.....	\$	3,000,000

32 3. For construction of an addition to McCollum  
33 science hall at the university of northern Iowa:

34	FY 2000-2001.....	\$	2,700,000
35	FY 2001-2002.....	\$	<del>5,800,000</del>
36			0
37	FY 2002-2003.....	\$	8,400,000

38 Sec. 503. 2000 Iowa Acts, chapter 1225, section  
39 18, unnumbered paragraph 2, is amended to read as  
40 follows:

41 For deposit in the community attraction and tourism  
42 fund:

43	FY 2001-2002.....	\$	<del>12,500,000</del>
44			0
45	FY 2002-2003.....	\$	12,500,000
46	FY 2003-2004.....	\$	12,500,000

47 Sec. 504. There is appropriated from the tax-  
48 exempt bond proceeds restricted capital funds account  
49 of the tobacco settlement trust fund to the following  
50 departments and agencies for the fiscal year beginning

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1 July 1, 2001, and ending June 30, 2002, the following  
2 amounts, or so much thereof as is necessary, to be  
3 used for the purposes designated:

4 1. DEPARTMENT OF CORRECTIONS.

5 a. To supplement funds appropriated in 1998 Iowa  
6 Acts, chapter 1219, section 2, subsection 3, for  
7 construction of a 200-bed facility at the Iowa state  
8 penitentiary at Fort Madison:

9 ..... \$ 6,400,000

10 b. For costs associated with connecting the  
11 correctional facility at Oakdale to the city of  
12 Coralville water system:

13 ..... \$ 100,000

14 c. For the final phase of the state's share of the  
15 construction costs associated with the Mitchellville  
16 waste water treatment plant:

17 ..... \$ 364,400

18 d. For costs of entering into a lease-purchase  
19 agreement to connect the electrical system supporting  
20 the special needs unit at Fort Madison:

21 ..... \$ 333,168

22 2. DEPARTMENT OF ECONOMIC DEVELOPMENT.

23 For accelerated career education program capital  
24 projects at community colleges that are authorized  
25 under chapter 260G and that meet the definition of  
26 "vertical infrastructure" in section 8.57, subsection  
27 5, paragraph "c":

28 ..... \$ 2,500,000

29 The moneys appropriated in this subsection shall be  
30 allocated equally among the community colleges in the  
31 state. If any portion of the equal allocation to a  
32 community college is not obligated or encumbered by  
33 April 1, 2002, the unobligated and unencumbered  
34 portions shall be available for use by other community  
35 colleges.

36 3. DEPARTMENT OF GENERAL SERVICES.

37 a. For major renovation and major repair needs  
38 including health, life, and fire safety needs, and for  
39 compliance with the federal Americans With  
40 Disabilities Act, for state-owned buildings and  
41 facilities:

42 ..... \$ 11,500,000

43 (1) Of the amount appropriated in this paragraph  
44 "a", up to \$375,000 may be used for costs associated  
45 with project management services in the division of  
46 design and construction of the department,  
47 notwithstanding section 8.57, subsection 5, paragraph  
48 "c".

49 (2) Of the amount appropriated in this paragraph  
50 "a", \$200,000 may be used for costs associated with

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1 the vertical infrastructure program, notwithstanding  
2 section 8.57, subsection 5, paragraph "c".

3 b. For the purchase of land and improvements to  
4 properties in the vicinity of the capitol complex:

5 ..... \$ 200,000

6 Funds appropriated in this paragraph "b" may be  
7 expended to prepare purchased property for utilization  
8 by the state.

9 c. For the construction of a pedestrian bridge  
10 across Court avenue to provide pedestrian access  
11 across the capitol complex:

12 ..... \$ 400,000

13 d. For capitol interior restoration:

14 ..... \$ 1,700,000

15 e. For consideration for an option to purchase all  
16 or a portion of the following properties,  
17 notwithstanding section 8.57, subsection 5, paragraph  
18 "c": a 2.4-acre parcel located at the northwest  
19 corner of Pennsylvania avenue and Des Moines street,  
20 including a 26,319-square foot one-story masonry  
21 structure; a 0.17-acre site located at 1022 Des Moines  
22 street; a 2.2-acre site on the city block bounded by  
23 East Eleventh, East Twelfth, Des Moines, and Lyon  
24 streets, including an 11,058-square foot building; and  
25 a 7.5-acre parcel consisting of two contiguous city  
26 blocks bounded by East Twelfth, East Fourteenth, Des  
27 Moines, and Lyon streets, including five buildings:

28 ..... \$ 500,000

29 The consideration for the option to purchase shall  
30 be applied to the contract purchase price in the event  
31 the option to purchase any or all of the properties  
32 described in this paragraph "e" is exercised. The  
33 option to purchase shall be for a period of at least  
34 one year beginning on or after July 1, 2001, and shall  
35 be exercised only after a specific appropriation by  
36 the general assembly for the purchase of all or a  
37 portion of the properties described in this paragraph  
38 "e".

39 f. For an appraisal, environmental assessment, and  
40 feasibility study of the properties described in  
41 paragraph "e":

42 ..... \$ 250,000

43 4. IOWA STATE FAIR AUTHORITY.

44 For vertical infrastructure projects on the state  
45 fairgrounds:

46 ..... \$ 500,000

47 For purposes of this subsection, "vertical  
48 infrastructure" means the same as defined in section  
49 8.57, subsection 5, paragraph "c".

50 5. JUDICIAL BRANCH.

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1 For construction of a new judicial building:  
2 ..... \$ 10,300,000

3 The judicial branch is authorized to enter into  
4 contracts for the full cost of the planning, design,  
5 and construction of a new judicial building for which  
6 appropriations are made in this subsection and in 1998  
7 Iowa Acts, chapter 1223, section 8, and 1999 Iowa  
8 Acts, chapter 204, section 6. The state shall not be  
9 obligated for costs associated with contracts  
10 identified in this paragraph in excess of funds  
11 appropriated by the general assembly. Notwithstanding  
12 any provision of this Act to the contrary or section  
13 8.33, moneys appropriated in this subsection that  
14 remain unencumbered or unobligated at the close of the  
15 fiscal year that begins July 1, 2004, shall revert at  
16 the close of that fiscal year. However, if the  
17 project for which the moneys are appropriated is  
18 completed in an earlier fiscal year, unencumbered or  
19 unobligated moneys shall revert at the close of that  
20 fiscal year.

21 6. DEPARTMENT OF NATURAL RESOURCES.

22 a. For continuation of the restore the outdoors  
23 program:  
24 ..... \$ 2,500,000

25 b. For costs associated with the planning and  
26 design of a premier destination park, notwithstanding  
27 section 8.57, subsection 5, paragraph "c", as follows:  
28 ..... \$ 1,000,000

29 7. DEPARTMENT OF PUBLIC DEFENSE.

30 a. For maintenance and repair of national guard armories  
31 and facilities:  
32 ..... \$ 700,000

33 b. For construction of a new national guard armory  
34 at Estherville:  
35 ..... \$ 400,000

36 8. DEPARTMENT OF PUBLIC SAFETY.

37 For the location and purchase of land, a site  
38 survey, soil sampling, and site preparation for the  
39 construction of a new Iowa state patrol post in Mason  
40 City:  
41 ..... \$ 250,000

42 9. STATE BOARD OF REGENTS.

43 a. For construction of a new business college  
44 building at Iowa state university of science and  
45 technology:  
46 ..... \$ 4,200,000

47 b. For phase I of construction of the art building  
48 at the state university of Iowa:  
49 ..... \$ 4,453,000

50 c. For upgrading the steam distribution system at

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- 1 the university of northern Iowa:
- 2 ..... \$ 3,990,000
- 3 d. For utility system replacement at the Iowa
- 4 school for the deaf:
- 5 ..... \$ 250,000
- 6 e. For tuckpointing at the Iowa school for the
- 7 deaf:
- 8 ..... \$ 185,000
- 9 f. For upgrading the heating, ventilation, and air
- 10 conditioning system at the Iowa braille and sight
- 11 saving school:
- 12 ..... \$ 400,000
- 13 g. For improvements to Gilman hall at Iowa state
- 14 university of science and technology, including the
- 15 replacement of the heating, ventilation, and air
- 16 conditioning system, replacement of the fume hood
- 17 exhaust system, and the construction of an addition to
- 18 house mechanical equipment:
- 19 ..... \$ 2,500,000
- 20 h. For continued renovation of the biological
- 21 sciences facility at the state university of Iowa:
- 22 ..... \$ 7,300,000
- 23 i. For construction of an addition to McCollum
- 24 science hall at the university of northern Iowa:
- 25 ..... \$ 5,800,000

26 The state board of regents is authorized to enter  
 27 into contracts for the full cost of carrying out the  
 28 projects listed in paragraphs "a" through "c" and "g"  
 29 through "i", for which appropriations are made in  
 30 those paragraphs. The state shall not be obligated  
 31 for costs associated with contracts identified in this  
 32 paragraph in excess of the funds appropriated by the  
 33 general assembly.

34 10. STATE DEPARTMENT OF TRANSPORTATION.

- 35 a. For vertical infrastructure improvements at all
- 36 10 of the commercial air service airports within the
- 37 state:
- 38 ..... \$ 1,000,000

39 One-half of the funds appropriated in this  
 40 paragraph "a" shall be allocated equally between each  
 41 commercial service airport, 40 percent of the funds  
 42 shall be allocated based on the percentage that the  
 43 number of enplaned passengers at each commercial  
 44 service airport bears to the total number of enplaned  
 45 passengers in the state during the previous fiscal  
 46 year, and 10 percent of the funds shall be allocated  
 47 based on the percentage that the air cargo tonnage at  
 48 each commercial service airport bears to the total air  
 49 cargo tonnage in the state during the previous fiscal  
 50 year. In order for a commercial service airport to

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1 receive funding under this paragraph "a", the airport  
2 shall be required to submit applications for funding  
3 of specific projects to the department for approval by  
4 the state transportation commission.

5 b. For an aviation hangar grant program for  
6 improvements to and design and construction of hangars  
7 at general aviation airports within the state:

8 ..... \$ 500,000

9 c. For acquiring, constructing, and improving  
10 recreational trails within the state:

11 ..... \$ 1,000,000

12 Of the amount appropriated in this paragraph "c",  
13 \$500,000 shall be used for funding, on a matching  
14 basis, recreational trail projects, with priority  
15 given to completion of trail connections and sections  
16 between existing trails and parks within the  
17 established state recreational trails system. Such  
18 projects shall be matched by \$1 of private or other  
19 funds for each \$3 of state funds.

20 Of the amount appropriated in this paragraph "c",  
21 \$50,000 shall be allocated for planning and  
22 development of the Iowa portion of the Mississippi  
23 river trail.

24 11. OFFICE OF TREASURER OF STATE.

25 a. For county fair infrastructure improvements for  
26 distribution in accordance with chapter 174 to  
27 qualified fairs which belong to the association of  
28 Iowa fairs:

29 ..... \$ 1,060,000

30 b. For deposit in the community attraction and  
31 tourism fund:

32 ..... \$ 12,500,000

33 Payment of moneys from the appropriations in this  
34 section shall be made in a manner that does not  
35 adversely affect the tax-exempt status of any  
36 outstanding bonds issued by the tobacco settlement  
37 authority.

38 Sec. \_\_\_\_ . CONTINGENT AND ALTERNATIVE

39 APPROPRIATIONS -- EFFECTIVE DATE. The appropriations  
40 in section 504 of this division of this Act shall be  
41 made from the tax-exempt bond proceeds restricted  
42 capital funds account of the tobacco settlement trust  
43 fund on or after the effective date of the receipt of  
44 tax-exempt bond proceeds by the tobacco settlement  
45 authority and the deposit of the proceeds of the tax-  
46 exempt bonds in the tax-exempt bond proceeds  
47 restricted capital funds account of the tobacco  
48 settlement trust fund. However, if any of the  
49 following occurs, the appropriations in section 504 of  
50 this division of this Act shall be made from the

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1 rebuild Iowa infrastructure fund to the extent they  
 2 cannot be made from the tax-exempt bond proceeds  
 3 restricted capital funds account of the tobacco  
 4 settlement trust fund:  
 5 1. 2001 Iowa Acts, Senate File 532 is not enacted.  
 6 2. 2001 Iowa Acts, Senate File 532 is enacted, but  
 7 the tobacco settlement authority established in  
 8 chapter 12E does not securitize tobacco master  
 9 settlement agreement payments sold to the authority  
 10 pursuant to 2001 Iowa Acts, Senate File 532 prior to  
 11 June 30, 2002.

12 3. 2001 Iowa Acts, Senate File 532 is enacted and  
 13 the tobacco settlement authority securitizes tobacco  
 14 master settlement agreement payments sold to the  
 15 authority pursuant to 2001 Iowa Acts, Senate File 532,  
 16 but the bond proceeds are not received by the tobacco  
 17 settlement authority and deposited in the tax-exempt  
 18 bond proceeds restricted capital funds account of the  
 19 tobacco settlement trust fund on or before June 30,  
 20 2002.

21 4. For any other reason, any of the amounts in  
 22 section 504 cannot be paid from the tax-exempt bond  
 23 proceeds restricted capital funds account of the  
 24 tobacco settlement trust fund.

25 Sec. 505. There is appropriated from the tax-  
 26 exempt bond proceeds restricted capital funds account  
 27 of the tobacco settlement trust fund to the following  
 28 departments and agencies for the fiscal year beginning  
 29 July 1, 2001, and ending June 30, 2002, the following  
 30 amounts, or so much thereof as is necessary, to be  
 31 used for the purposes designated:

32 1. IOWA TELECOMMUNICATIONS AND TECHNOLOGY  
 33 COMMISSION.

34 For conversion of the Iowa communications network  
 35 to asynchronous transfer mode technology,  
 36 notwithstanding section 8.57, subsection 5, paragraph  
 37 "c", and section 12E.12, subsection 1, paragraph "b",  
 38 subparagraph (1), as enacted by 2001 Iowa Acts, Senate  
 39 File 532, if enacted:

40 ..... \$ 3,500,000

41 2. DEPARTMENT OF EDUCATION.

42 For allocation to the public broadcasting division  
 43 for completion of the conversion to high-definition  
 44 television, notwithstanding section 8.57, subsection  
 45 5, paragraph "c", and section 12E.12, subsection 1,  
 46 paragraph "b", subparagraph (1), as enacted by 2001  
 47 Iowa Acts, Senate File 532, if enacted:

48 ..... \$ 2,400,000

49 Payment of moneys from the appropriations in this  
 50 section shall be made in a manner that does not

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1 adversely affect the tax-exempt status of any  
2 outstanding bonds issued by the tobacco settlement  
3 authority.

4 Sec. 701. There is appropriated from the tax-  
5 exempt bond proceeds restricted capital funds account  
6 of the tobacco settlement trust fund to the department  
7 of general services for the following fiscal years,  
8 the following amounts, or so much thereof as is  
9 necessary, to be used for the purposes designated:

10 For the planning, design, and construction of a  
11 multipurpose laboratory facility:

12	FY 2001-2002.....	\$ 16,670,000
13	FY 2002-2003.....	\$ 16,670,000
14	FY 2003-2004.....	\$ 16,660,000

15 The department is authorized to enter into  
16 contracts for the full cost of the project for which  
17 appropriations are made in this section. The state  
18 shall not be obligated for costs associated with  
19 contracts identified in this paragraph in excess of  
20 the funds appropriated by the general assembly.

21 Payment of moneys from the appropriations in this  
22 section shall be made in a manner that does not  
23 adversely affect the tax-exempt status of any  
24 outstanding bonds issued by the tobacco settlement  
25 authority.

26 Sec. \_\_\_\_ . CONTINGENT APPROPRIATIONS -- EFFECTIVE  
27 DATE. The appropriations in sections 505 and 701 of  
28 this division of this Act shall be made from the tax-  
29 exempt bond proceeds restricted capital funds account  
30 of the tobacco settlement trust fund on or after the  
31 effective date of the receipt of tax-exempt bond  
32 proceeds by the tobacco settlement authority and the  
33 deposit of the proceeds of the tax-exempt bonds in the  
34 tax-exempt bond proceeds restricted capital funds  
35 account of the tobacco settlement trust fund.  
36 However, if any of the following occurs, the  
37 appropriations in sections 505 and 701 of this  
38 division of this Act shall not be made from the tax-  
39 exempt bond proceeds restricted capital funds account  
40 of the tobacco settlement trust fund:

- 41 1. 2001 Iowa Acts, Senate File 532 is not enacted.
- 42 2. 2001 Iowa Acts, Senate File 532 is enacted, but
- 43 the tobacco settlement authority established in
- 44 chapter 12E does not securitize tobacco master
- 45 settlement agreement payments sold to the authority
- 46 pursuant to 2001 Iowa Acts, Senate File 532 prior to
- 47 June 30, 2002.
- 48 3. 2001 Iowa Acts, Senate File 532 is enacted and
- 49 the tobacco settlement authority securitizes tobacco
- 50 master settlement agreement payments sold to the

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1 authority pursuant to 2001 Iowa Acts, Senate File 532,  
2 but the bond proceeds are not received by the tobacco  
3 settlement authority and deposited in the tax-exempt  
4 bond proceeds restricted capital funds account of the  
5 tobacco settlement trust fund on or before June 30,  
6 2002.

7 4. For any other reason, any of the amounts in  
8 section 505 cannot be paid from the tax-exempt bond  
9 proceeds restricted capital funds account of the  
10 tobacco settlement trust fund.

11 Sec. \_\_\_\_ . REVERSION. Notwithstanding section  
12 8.33, moneys appropriated in this division of this Act  
13 shall not revert at the close of the fiscal year for  
14 which they were appropriated but shall remain  
15 available for the purposes designated until the close  
16 of the fiscal year that begins July 1, 2004, or until  
17 the project for which the appropriation was made is  
18 completed, whichever is earlier.

19 Sec. \_\_\_\_ . EFFECTIVE DATES. Sections 501 through  
20 503 of this division of this Act, amending 2000 Iowa  
21 Acts, chapter 1224, sections 10, 15, and 18, being  
22 deemed of immediate importance, take effect upon  
23 enactment."

24 21. Page 16, by striking lines 1 through 7, and  
25 inserting the following:

26 "Sec. 101. Section 8.57, subsection 5, paragraph  
27 e, Code 2001, is amended by adding the following new  
28 unnumbered paragraph:

29 NEW UNNUMBERED PARAGRAPH. If the total amount of  
30 moneys directed to be deposited in the general fund of  
31 the state under sections 99D.17 and 99F.11 in a fiscal  
32 year is less than the total amount of moneys directed  
33 to be deposited in the vision Iowa fund and the school  
34 infrastructure fund in the fiscal year pursuant to  
35 this paragraph "e", the difference shall be paid from  
36 lottery revenues in the manner provided in section  
37 99E.10, subsection 3.

38 Sec. \_\_\_\_ . Section 12.73, Code 2001, is amended to  
39 read as follows:

40 12.73 VISION IOWA FUND MONEYS -- ADMINISTRATIVE  
41 COSTS.

42 During the term of the vision Iowa program  
43 established in section 15F.302, ~~one~~ two hundred  
44 thousand dollars of the moneys deposited each fiscal  
45 year in the vision Iowa fund and appropriated for the  
46 vision Iowa program shall be allocated each fiscal  
47 year to the department of economic development for  
48 administrative costs incurred by the department for  
49 purposes of administering the vision Iowa program.

50 Sec. 102. Section 12.74, subsection 2, Code 2001,

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1 is amended by striking the subsection.

2 Sec. 103. Section 12.84, subsection 2, Code 2001,

3 is amended by striking the subsection.

4 Sec. 104. Section 15F.202, subsection 2,

5 unnumbered paragraph 1, Code 2001, is amended to read

6 as follows:

7 A city or county in the state or public  
8 organization may submit an application to the board  
9 for financial assistance for a project under the  
10 program. The assistance shall be provided only from  
11 funds, rights, and assets legally available to the  
12 board and shall be in the form of grants, loans,  
13 forgivable loans, and ~~loan-guarantees~~ credit  
14 enhancement and financing instruments. The  
15 application shall include, but not be limited to, the  
16 following information:

17 Sec. 105. Section 15F.202, subsection 3, Code  
18 2001, is amended to read as follows:

19 3. A school district, in cooperation with a city  
20 or county, may submit a joint application for  
21 financial assistance for a project under the program.  
22 The assistance shall be provided only from funds,  
23 rights, and assets legally available to the board and  
24 shall be in the form of grants, loans, forgivable  
25 loans, and ~~loan-guarantees~~ credit enhancement and  
26 financing instruments. In addition to the information  
27 required in subsection 2, the application shall  
28 include a demonstration that the intended future use  
29 of the project shall be by both joint applicants.

30 Sec. 106. Section 15F.204, subsection 3, Code  
31 2001, is amended to read as follows:

32 3. The fund shall be used to provide assistance  
33 only from funds, rights, and assets legally available  
34 to the board in the form of grants, loans, forgivable  
35 loans, and ~~loan-guarantees~~ credit enhancements and  
36 financing instruments under the community attraction  
37 and tourism program established in section 15F.202.  
38 An applicant under the community attraction and  
39 tourism program shall not receive financial assistance  
40 from the fund in an amount exceeding fifty percent of  
41 the total cost of the project.

42 Sec. 107. Section 15F.302, subsection 2,  
43 unnumbered paragraph 1, Code 2001, is amended to read  
44 as follows:

45 A city or county or a public organization in the  
46 state may submit an application to the board for  
47 financial assistance for a project under the program.  
48 For purposes of this subsection, "public organization"  
49 means a nonprofit economic development organization or  
50 other nonprofit organization that sponsors or supports

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1 community or tourism attractions and activities. The  
2 financial assistance from the fund shall be provided  
3 only from funds, rights, and assets legally available  
4 to the board and shall be in the form of grants,  
5 loans, forgivable loans, pledges, and ~~guarantees~~  
6 credit enhancements and financing instruments. The  
7 application shall include, but not be limited to, the  
8 following information:

9 Sec. 108. Section 15F.302, subsection 3, Code  
10 2001, is amended to read as follows:

11 3. A school district, in cooperation with a city  
12 or county, may submit a joint application for  
13 financial assistance for a project under the program.  
14 The financial assistance shall be provided only from  
15 funds, rights, and assets legally available to the  
16 board and shall be in the form of grants, loans,  
17 forgivable loans, and ~~loan guarantees~~ credit  
18 enhancements and financing instruments. In addition  
19 to the information required in subsection 2, the  
20 application shall include a demonstration that the  
21 intended future use of the project shall be by both  
22 joint applicants.

23 Sec. 109. NEW SECTION. 15F.303A PUBLIC  
24 ORGANIZATIONS -- COMPETITIVE BIDDING OF PROJECTS.

25 A public organization, as defined in section  
26 15F.302, subsection 2, whose application for financial  
27 assistance under the program is approved by the board  
28 shall advertise for sealed bids for the construction  
29 portion of the proposed project by publishing a notice  
30 to bidders as provided in this section. The notice to  
31 bidders shall be published in a newspaper of general  
32 circulation in the county where the construction is to  
33 be performed not less than twenty days but not more  
34 than forty-five days before the date for filing bids.

35 1. NOTICE TO BIDDERS. The notice to bidders must  
36 state the following items:

37 a. The time and place for filing sealed proposals.

38 b. The time and place sealed proposals will be  
39 opened and considered on behalf of the public  
40 organization.

41 c. The general nature of the project on which bids  
42 are requested.

43 d. In general terms when the work must be  
44 commenced and when it must be completed.

45 e. That each bidder shall accompany the bid with a  
46 bid security as prescribed in this paragraph and as  
47 specified by the public organization, as security that  
48 the successful bidder will enter into a contract for  
49 the work bid upon and will furnish after the award of  
50 contract a corporate surety bond, acceptable to the

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1 public organization, for the faithful performance of  
2 the contract, in an amount equal to one hundred  
3 percent of the amount of the contract. The bidder's  
4 security shall be in an amount fixed by the public  
5 organization, and shall be in the form of a cashier's  
6 or certified check drawn on a bank in Iowa or a bank  
7 chartered under the laws of the United States, or a  
8 certified share draft drawn on a credit union in Iowa  
9 or chartered under the laws of the United States, or  
10 the public organization may provide for a bidder's  
11 bond with corporate surety satisfactory to the public  
12 organization. The bid bond shall contain no  
13 conditions except for those provided in this  
14 subsection.

15 f. Any further information that the public  
16 organization deems pertinent.

17 The notice to bidders may provide that bids will be  
18 received for the furnishing of all labor and materials  
19 and furnishing or installing equipment under one  
20 contract, or for parts thereof in separate sections.

21 2. BID SECURITY. The amount of bid security must  
22 be fixed by the public organization prior to ordering  
23 publication of the notice to bidders and must equal at  
24 least five percent, but may not exceed ten percent of  
25 either the estimated total contract cost of the  
26 construction portion of the project, or the amount of  
27 each bid.

28 3. AWARD OF CONTRACT. The contract for the  
29 construction portion of the project must be awarded to  
30 the lowest responsible bidder. This subsection shall  
31 not be construed to prohibit a public organization in  
32 the award of a contract for the construction portion  
33 of a project from providing, an enhancement of  
34 payments upon early completion of the construction  
35 portion of the project if the availability of the  
36 enhancement payments is included in the notice to  
37 bidders, the enhancement payments are competitively  
38 neutral to potential bidders, and the total value of  
39 the enhancement payments does not exceed ten percent  
40 of the value of the contract.

41 Sec. 110. Section 15F.304, subsection 4, Code  
42 2001, is amended to read as follows:

43 4. Upon review of the recommendations of the  
44 review committee, the board shall approve, defer, or  
45 deny the applications. If an application is approved,  
46 the board may enter into an agreement with the  
47 applicant to provide financial assistance authorized  
48 under section 15F.302.

49 Sec. 111. Section 99E.10, Code 2001, is amended by  
50 adding the following subsection:

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1 NEW SUBSECTION. 3. a. Notwithstanding subsection  
2 1, if gaming revenues under sections 99D.17 and 99F.11  
3 are insufficient in a fiscal year to meet the total  
4 amount of such revenues directed to be deposited in  
5 the vision Iowa fund and the school infrastructure  
6 fund during the fiscal year pursuant to section 8.57,  
7 subsection 5, paragraph "e", the difference shall be  
8 paid from lottery revenues prior to deposit of the  
9 lottery revenues in the general fund. If lottery  
10 revenues are insufficient during the fiscal year to  
11 pay the difference, the remaining difference shall be  
12 paid from lottery revenues in subsequent fiscal years  
13 as such revenues become available.

14 b. The treasurer of state shall, each quarter,  
15 prepare an estimate of the gaming revenues and lottery  
16 revenues that will become available during the  
17 remainder of the appropriate fiscal year for the  
18 purposes described in paragraph "a". The department  
19 of management and the department of revenue and  
20 finance shall take appropriate actions to provide that  
21 the amount of gaming revenues and lottery revenues  
22 that will be available during the remainder of the  
23 appropriate fiscal year is sufficient to cover any  
24 anticipated deficiencies."

25 22. Page 17, by striking lines 18 through 28, and  
26 inserting the following:

27 "Sec. \_\_\_\_ . 2001 Iowa Acts, House File 755, section  
28 30, if enacted, is amended to read as follows:

29 SEC. 30. Notwithstanding any contrary provision in  
30 section 455E.11, subsection 1, Code 2001, any  
31 ~~unencumbered or unobligated~~ cash balance in the  
32 groundwater protection fund and in any of the accounts  
33 within the groundwater protection fund ~~on June 30,~~  
34 ~~2001~~ not needed for expenditure in the fiscal year  
35 beginning July 1, 2001, and ending June 30, 2002,  
36 shall be transferred to the general fund of the state.

37 Sec. \_\_\_\_ . USE OF TAX-EXEMPT BOND PROCEEDS --  
38 REIMBURSEMENT.

39 1. Notwithstanding any provision of law to the  
40 contrary, moneys deposited in the tax-exempt bond  
41 proceeds restricted capital funds account of the  
42 tobacco settlement trust fund that are subject to an  
43 appropriation pursuant to section 12E.10, subsection  
44 1, paragraph "b", as amended by 2001 Iowa Acts, Senate  
45 File 532, if enacted, shall remain in the tax-exempt  
46 bond proceeds restricted capital funds account until  
47 such time as costs are properly incurred and due for  
48 the purpose for which the appropriation was made.  
49 Payments for such properly incurred costs shall be  
50 made consistent with the requirements of federal law,

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1 chapter 12E, as amended by 2001 Iowa Acts, Senate File  
2 532, if enacted, and the sales agreement, as defined  
3 in section 12E.2.

4 2. Until bond proceeds are received by the tobacco  
5 settlement authority and deposited in the tax-exempt  
6 bond proceeds restricted capital funds account of the  
7 tobacco settlement trust fund, payments for costs  
8 incurred for projects for which appropriations are  
9 made in section 504 of this division of this Act may  
10 be made from the rebuild Iowa infrastructure fund.  
11 Upon receipt of bond proceeds and deposit of the  
12 proceeds in the tax-exempt bond proceeds restricted  
13 capital funds account, such payments shall be  
14 reimbursed to the rebuild Iowa infrastructure fund  
15 from the tax-exempt bond proceeds restricted capital  
16 funds account, subject, however, to any applicable  
17 limitations on the use of the proceeds as provided in  
18 the Internal Revenue Code and this Act.

19 Sec. \_\_\_\_ . EFFECTIVE DATE. The following  
20 provisions of this division of this Act, being deemed  
21 of immediate importance, take effect upon enactment:

22 Sections 101 through 111 of this division of this  
23 Act, amending sections 8.57, 12.74, 12.84, 15F.202,  
24 15F.204, and 15F.302, enacting section 15F.303A, and  
25 amending sections 15F.304, and 99E.10."

26 23. Title page, lines 1 and 2, by striking the  
27 words "from the rebuild Iowa infrastructure fund".

28 24. Title page, line 9, by striking the word  
29 "and".

30 25. Title page, by striking lines 10 through 14,  
31 and inserting the following: "state, and the  
32 department of agriculture and land stewardship, and to  
33 the Iowa resources".

34 26. Title page, line 16, by inserting after the  
35 word "changes," the following: "providing for  
36 alternative and contingent appropriations,".

37 27. By renumbering, relettering, or redesignating  
38 and correcting internal references as necessary.

RECEIVED FROM THE SENATE

**H-2047** FILED MAY 8, 2001*House Concurred**5/8/01**(p. 2009)*



THOMAS J. VILSACK  
GOVERNOR

OFFICE OF THE GOVERNOR

SALLY J. PEDERSON  
LT. GOVERNOR

May 29, 2001

The Honorable Chester Culver  
Secretary of State  
State Capitol  
LOCAL

MAY 30 2001

Dear Mr. Secretary:

I hereby transmit House File 742, an Act relating to and making appropriations to state departments and agencies, including the department of corrections, the department of cultural affairs, the department of economic development, the department of general services, the Iowa state fair foundation, the legislative council, the department of natural resources, the department of public defense, the department of public safety, the state board of regents, the state department of transportation, the office of treasurer of state, and the department agriculture and land stewardship, and to the Iowa resources enhancement and protection fund, making related statutory changes, providing for alternative and contingent appropriations, and providing effective dates.

I am pleased that the general assembly chose, for the most part, to follow the recommendations of the infrastructure advisory committee and the recommendations included in the five year capitols projects plan. There are, however, instances in House File 742 where those recommendations were not followed, funding levels were less than recommended, or projects were not funded in priority order.

For these reasons, House File 742 is, therefore, approved on this date with the following exceptions, which I hereby disapprove.

I am unable to approve section 17 in its entirety. This item would appropriate \$90,000 for a borrow pit recreation project in Grundy County. This was not recommended by the infrastructure advisory committee; given that there are other funding resources for recreational projects within this budget, these resources should be dedicated to higher ranking state projects.

I am unable to approve the designated portion of section 25 subsection 3c. This item appropriated \$400,000 for the construction of a pedestrian bridge over Court



Avenue on the Capitol complex. Given that projects with higher priority were not appropriated at the recommended level, these resources can be more appropriately used on these priorities in the next budget year.

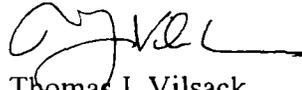
I am unable to approve section 25, subsection 8. This item appropriates \$250,000 for the site purchase and preparation for the construction of a new state patrol post in Mason City. While this project is included in the 5-year plan for capital projects, other higher priorities, including a utilities update to the Toledo juvenile facility, and unit renovations at the Anamosa reformatory.

I am unable to approve section 42 in its entirety. This language, added in the last hours of the legislative session, would create a variety of notice and bidding requirements for local projects that receive Vision Iowa funding. These requirements, because they are effective immediately, would jeopardize projects that have already received financial commitments. It would be unwise to delay projects, which could add to their cost, by imposing these last minute requirements upon them.

The bulk of the funds and the responsibility for the success of these projects rest with local officials and tax payers. I believe that they are in the best position to determine how projects will be bid and awarded.

For the above reasons, I hereby respectfully approve House File 742 with the exceptions noted above.

Sincerely,



Thomas J. Vilsack  
Governor

TJV:jmc

cc: Secretary of the Senate  
Secretary of State

*Item Related*

HOUSE FILE 742

AN ACT

RELATING TO AND MAKING APPROPRIATIONS TO STATE DEPARTMENTS AND AGENCIES, INCLUDING THE DEPARTMENT OF CORRECTIONS, THE DEPARTMENT OF CULTURAL AFFAIRS, THE DEPARTMENT OF ECONOMIC DEVELOPMENT, THE DEPARTMENT OF GENERAL SERVICES, THE IOWA STATE FAIR FOUNDATION, THE LEGISLATIVE COUNCIL, THE DEPARTMENT OF NATURAL RESOURCES, THE DEPARTMENT OF PUBLIC DEFENSE, THE DEPARTMENT OF PUBLIC SAFETY, THE STATE BOARD OF REGENTS, THE STATE DEPARTMENT OF TRANSPORTATION, THE OFFICE OF TREASURER OF STATE, AND THE DEPARTMENT OF AGRICULTURE AND LAND STEWARDSHIP, AND TO THE IOWA RESOURCES ENHANCEMENT AND PROTECTION FUND, MAKING RELATED STATUTORY CHANGES, PROVIDING FOR ALTERNATIVE AND CONTINGENT APPROPRIATIONS, AND PROVIDING EFFECTIVE DATES.

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

DIVISION I

REBUILD IOWA INFRASTRUCTURE FUND

DEPARTMENT OF CORRECTIONS

Section 1. There is appropriated from the rebuild Iowa infrastructure fund to the department of corrections for the fiscal year beginning July 1, 2002, and ending June 30, 2003, the following amount, or so much thereof as is necessary, to be used for the purpose designated:

To supplement funds appropriated in 1998 Iowa Acts, chapter 1219, section 2, subsection 3, for construction of a 200-bed facility at the Iowa state penitentiary at Fort Madison:

.....	\$ 2,000,000
Sec. 2. 2000 Iowa Acts, chapter 1225, section 2, unnumbered paragraph 2, is amended to read as follows:	
The first \$300,000 of the amount appropriated in this subsection shall be allocated for community-based corrections projects in Council Bluffs. The next \$600,000 of the amount appropriated in this subsection shall be allocated for community-based corrections projects in the judicial district in which the city of Davenport is located. These moneys may be used by the department to enter into lease-purchasing agreements <u>or the payment of rent</u> for such projects.	
Sec. 3. 1999 Iowa Acts, chapter 204, section 1, subsection 1, is amended to read as follows:	
1. For purchase and planning, design, and construction of a 170-bed facility at the Iowa medical and classification center at Oakdale:	
FY 1999-2000 .....	\$ 3,750,000
.....	\$ 1,050,000
FY 2000-2001 .....	\$ 2,500,000

0

DEPARTMENT OF CULTURAL AFFAIRS

Sec. 4. There is appropriated from the rebuild Iowa infrastructure fund to the department of cultural affairs for the fiscal year beginning July 1, 2001, and ending June 30, 2002, the following amounts, or so much thereof as is necessary, to be used for the purposes designated:

1. For historical site preservation grants, to be used for the restoration, preservation, and development of historical sites:	
.....	\$ 1,000,000

Historical site preservation grants shall only be awarded for projects which meet the definition of "vertical infrastructure" in section 8.57, subsection 5, paragraph "c".

In making grants pursuant to this subsection, the department shall consider the existence and amount of other funds available to an applicant for the designated project. Each grant awarded from moneys appropriated in this subsection

shall not exceed \$100,000 per project. Not more than two grants may be awarded in each county.

2. For continuation of the project recommended by the Iowa battle flag advisory committee to stabilize the condition of the battle flag collection, notwithstanding section 8.57, subsection 5, paragraph "c":

..... \$ 150,000

DEPARTMENT OF EDUCATION

Sec. 5. There is appropriated from the rebuild Iowa infrastructure fund to the department of education for the fiscal year beginning July 1, 2001, and ending June 30, 2002, the following amount, to be used for the purpose designated:

To provide resources for structural and technological improvements to local libraries, notwithstanding section 8.57, subsection 5, paragraph "c":

..... \$ 500,000

DEPARTMENT OF GENERAL SERVICES

Sec. 6. There is appropriated from the rebuild Iowa infrastructure fund to the department of general services for the fiscal year beginning July 1, 2001, and ending June 30, 2002, the following amounts, or so much thereof as is necessary, to be used for the purposes designated:

1. For relocation expenses associated with remodeling projects on the capitol complex, notwithstanding section 8.57, subsection 5, paragraph "c":

..... \$ 1,000,000

2. For routine maintenance of state buildings and facilities under the purview of the department, notwithstanding section 8.57, subsection 5, paragraph "c":

..... \$ 2,000,000

The department shall quarterly file a report with the legislative fiscal bureau detailing the use and disposition of funds appropriated in this subsection.

Sec. 7. There is appropriated from the rebuild Iowa infrastructure fund to the department of general services for the fiscal years designated, the following amounts, or so much thereof as is necessary, to be used for the purposes designated:

1. For the construction of a pedestrian bridge across Court avenue to provide pedestrian access across the capitol complex:

FY 2001-2002 ..... \$ 0  
FY 2002-2003 ..... \$ 650,000

2. For capitol interior restoration:

FY 2001-2002 ..... \$ 0  
FY 2002-2003 ..... \$ 2,700,000

Sec. 8. 1996 Iowa Acts, chapter 1218, section 13, subsection 2, paragraph d, subparagraph (2), is amended to read as follows:

(2) For the fiscal year beginning July 1, 1997, and ending June 30, 1998:

..... \$ 400,000  
185,000

LEGISLATIVE COUNCIL

Sec. 9. 1999 Iowa Acts, chapter 204, section 14, is amended by adding the following new unnumbered paragraph:

NEW UNNUMBERED PARAGRAPH. Notwithstanding anything to the contrary in this section of this Act or section 8.33, the moneys appropriated in section 7 of this Act shall remain available for the purposes designated until June 30, 2006.

DEPARTMENT OF PUBLIC DEFENSE

Sec. 10. There is appropriated from the rebuild Iowa infrastructure fund to the department of public defense for the fiscal years designated, the following amounts, or so much thereof as is necessary, to be used for the purposes designated:

For construction of a new national guard armory at Estherville:

FY 2001-2002 ..... \$ 0  
FY 2002-2003 ..... \$ 400,000  
FY 2003-2004 ..... \$ 461,000

STATE BOARD OF REGENTS

Sec. 11. There is appropriated from the rebuild Iowa infrastructure fund to the state board of regents for the fiscal period beginning July 1, 2001, and ending June 30,

2004, the following amounts, or so much thereof as is necessary, to be used for the purposes designated:

1. For construction of a new business college building at Iowa state university of science and technology:
 

FY 2001-2002 .....	\$	0
FY 2002-2003 .....	\$	6,700,000
FY 2003-2004 .....	\$	0
2. For phase I of construction of the art building at the state university of Iowa:
 

FY 2001-2002 .....	\$	0
FY 2002-2003 .....	\$	7,910,000
FY 2003-2004 .....	\$	3,653,000
3. For upgrading the steam distribution system at the university of northern Iowa:
 

FY 2001-2002 .....	\$	0
FY 2002-2003 .....	\$	4,320,000
FY 2003-2004 .....	\$	4,390,000

The state board of regents is authorized to enter into contracts for the full cost of carrying out the projects listed in subsections 1 through 3, for which appropriations are made in those subsections. The state shall not be obligated for costs associated with contracts identified in this paragraph in excess of the funds appropriated by the general assembly.

Sec. 12. REVERSION. Notwithstanding section 8.33, moneys appropriated in this division of this Act 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, 2004, or until the project for which the appropriation was made is completed, whichever is earlier.

Sec. 13. EFFECTIVE DATE. Sections 3, 8, and 9 of this division of this Act, amending 1999 Iowa Acts, chapter 204, section 1; 1996 Iowa Acts, chapter 1218, section 13, subsection 2, paragraph "d", subparagraph (2); and 1999 Iowa Acts, chapter 204, section 14, respectively, being deemed of immediate importance, take effect upon enactment.

DIVISION II  
ENVIRONMENT FIRST FUND

DEPARTMENT OF AGRICULTURE AND LAND STEWARDSHIP

Sec. 14. There is appropriated from the environment first fund to the department of agriculture and land stewardship for the fiscal year beginning July 1, 2001, and ending June 30, 2002, the following amounts, or so much thereof as is necessary, to be used for the purposes designated:

1. For the conservation reserve enhancement program to restore and construct wetlands for the purposes of intercepting tile line runoff, reducing nutrient loss, improving water quality, and enhancing agricultural production practices:
 

.....	\$	1,500,000
-------	----	-----------
2. For continuation of a program that provides multi-objective resource protections for flood control, water quality, erosion control, and natural resource conservation:
 

.....	\$	2,700,000
-------	----	-----------
3. For continuation of a statewide voluntary farm management demonstration program to demonstrate the effectiveness and adaptability of emerging practices in agronomy that protect water resources and provide other environmental benefits:
 

.....	\$	850,000
-------	----	---------
4. For deposit in the alternative drainage system assistance fund created in section 159.29A to be used for purposes of supporting the alternative drainage system assistance program as provided in section 159.29B:
 

.....	\$	1,000,000
-------	----	-----------

Of the amount appropriated in this subsection, \$300,000 shall be allocated to drainage district 176 to provide cost-share assistance for closing agricultural drainage wells and constructing alternative drainage systems in order to assist in raising the level of cost-share payments to 75 percent of the cost of the projects.
5. To provide financial assistance for the establishment of permanent soil and water conservation practices:

..... \$ 7,500,000

a. Not more than 5 percent of the moneys appropriated in this subsection may be allocated for cost-sharing to abate complaints filed under section 161A.47.

b. Of the moneys appropriated in this subsection, 5 percent shall be allocated for financial incentives to establish practices to protect watersheds above publicly owned lakes of the state from soil erosion and sediment as provided in section 161A.73.

c. Not more than 30 percent of a district's allocation of moneys as financial incentives may be provided for the purpose of establishing management practices to control soil erosion on land that is row-cropped, including but not limited to no-till planting, ridge-till planting, contouring, and contour strip-cropping as provided in section 161A.73.

d. The state soil conservation committee created in section 161A.4 may allocate moneys appropriated in this subsection to conduct research and demonstration projects to promote conservation tillage and nonpoint source pollution control practices.

e. The financial incentive payments may be used in combination with department of natural resources moneys.

6. To encourage and assist farmers in enrolling in the continuous sign-up federal conservation reserve program and work with them to enhance their revegetation efforts to improve water quality and habitat:

..... \$ 1,500,000

7. For deposit in the loess hills development and conservation fund created in section 161D.2:

..... \$ 750,000

Of the amount appropriated to the loess hills development and conservation fund in this subsection, \$500,000 shall be allocated to the hungry canyons account and \$250,000 shall be allocated to the loess hills alliance account.

8. For allocation to the southern Iowa conservation and development authority for protection of road structures:

..... \$ 250,000

DEPARTMENT OF ECONOMIC DEVELOPMENT

Sec. 15. There is appropriated from the environment first fund to the department of economic development for the fiscal year beginning July 1, 2001, and ending June 30, 2002, the following amount, or so much thereof as is necessary, to be used for the purpose designated:

For deposit in the brownfield redevelopment fund created in section 15.293 to provide assistance under the brownfield redevelopment program:

..... \$ 2,000,000

DEPARTMENT OF NATURAL RESOURCES

Sec. 16. There is appropriated from the environment first fund to the department of natural resources for the fiscal year beginning July 1, 2001, and ending June 30, 2002, the following amounts, or so much thereof as is necessary, to be used for the purposes designated:

1. To provide local watershed managers with geographic information system data for their use in developing, monitoring, and displaying results of their watershed work:

..... \$ 195,000

2. For statewide coordination of volunteer efforts under the water quality and keepers of the land programs:

..... \$ 70,000

3. For continuing the establishment and operation of water quality monitoring stations:

..... \$ 2,500,000

4. For contracting to assist department staff with the review of national pollutant discharge elimination system permits:

..... \$ 180,000

5. For additional efforts to reduce the department's floodplain permit backlog:

..... \$ 180,000

6. For continuation of the waste tire abatement program:

..... \$ 500,000

7. To complete natural resource inventories and protection plans to identify and safeguard unique landforms and ecosystems:

..... \$ 125,000

8. For a community-based grant distribution program to provide funding for the planting of trees throughout the state:

..... \$ 250,000

9. For the dredging of lakes, including necessary preparation for dredging, in accordance with the department's classification of Iowa lakes restoration report:

..... \$ 500,000

10. For purposes of funding capital projects for the purposes specified in section 452A.79, and for expenditures for the local cost share grants to be used for capital expenditures to local governmental units for boating accessibility:

..... \$ 2,300,000

If the amount appropriated in this subsection exceeds the amount of marine fuel tax receipts deposited into the rebuild Iowa infrastructure fund for the fiscal year ending June 30, 2002, the difference between the amount appropriated in this subsection from the environment first fund and the actual marine fuel tax receipts deposited into the rebuild Iowa infrastructure fund is appropriated to the rebuild Iowa infrastructure fund from the accumulated balance of marine fuel tax receipts in the general fund of the state which is tracked by the department of management pursuant to section 8.60, subsection 14.

11. For a contribution toward the development of the Lewis and Clark rural water system:

..... \$ 60,000

STATE DEPARTMENT OF TRANSPORTATION

Sec. 17. There is appropriated from the environment first fund to the state department of transportation for the fiscal year beginning July 1, 2001, and ending June 30, 2002, the following amount, or so much thereof as is necessary, to be used for the purpose designated:

For a grant to the Grundy county conservation board for a borrow pit recreational area projects

*Vetoed*

..... \$ 90,000

The grant made pursuant to this section shall be awarded on a matching basis of one dollar for every two dollars the Grundy county conservation board has raised. The moneys appropriated in this section shall not be used for administrative costs.

Sec. 18. 2000 Iowa Acts, chapter 1225, is amended by adding the following new section after section 28:

NEW SECTION. SEC. 28A. REVERSION. Notwithstanding section 8.33, moneys appropriated in sections 25 through 27 of this division of this Act 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 beginning July 1, 2003, or until the project for which the appropriation was made is completed, whichever is earlier.

RESOURCES ENHANCEMENT AND PROTECTION FUND

Sec. 19. Notwithstanding the amount of the standing appropriation from the general fund of the state under section 455A.18, subsection 3, there is appropriated from the environment first fund to the Iowa resources enhancement and protection fund, in lieu of the appropriation made in section 455A.18, for the fiscal year beginning July 1, 2001, and ending June 30, 2002, the following amount, to be allocated as provided in section 455A.19:

..... \$ 10,000,000

Sec. 20. REVERSION.

1. Except as provided in subsection 2, and notwithstanding section 8.33, moneys appropriated in this division of this Act 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 beginning July 1, 2002, or until the project for which the appropriation was made is completed, whichever is earlier.

2. Notwithstanding section 8.33, moneys appropriated to the department of agriculture and land stewardship to provide financial assistance for the establishment of permanent soil

and water conservation practices as provided in section 14, that remain unencumbered or unobligated at the close of the fiscal year shall not revert but shall remain available for expenditure for the purposes designated until the close of the fiscal year that begins July 1, 2004.

Sec. 21. EFFECTIVE DATE. Section 18 of this division of this Act, amending 2000 Iowa Acts, chapter 1225, being deemed of immediate importance, takes effect upon enactment.

DIVISION III

TOBACCO SETTLEMENT TRUST FUND

Sec. 22. 2000 Iowa Acts, chapter 1225, section 10, is amended by striking the section.

Sec. 23. 2000 Iowa Acts, chapter 1225, section 15, subsections 1 through 3, are amended to read as follows:

1. For improvements to Gilman hall at Iowa state university of science and technology, including the replacement of the heating, ventilation, and air conditioning system, replacement of the fume hood exhaust system, and the construction of an addition to house mechanical equipment:

FY 2000-2001 .....	\$ 8,500,000
FY 2001-2002 .....	\$ 275007000
	<u>0</u>
FY 2002-2003 .....	\$ 0

2. For continued renovation of the biological sciences facility at the state university of Iowa:

FY 2000-2001 .....	\$ 4,400,000
FY 2001-2002 .....	\$ 773007000
	<u>0</u>
FY 2002-2003 .....	\$ 3,000,000

3. For construction of an addition to McCollum science hall at the university of northern Iowa:

FY 2000-2001 .....	\$ 2,700,000
FY 2001-2002 .....	\$ 570007000
	<u>0</u>
FY 2002-2003 .....	\$ 8,400,000

Sec. 24. 2000 Iowa Acts, chapter 1225, section 18, unnumbered paragraph 2, is amended to read as follows:  
For deposit in the community attraction and tourism fund:

FY 2001-2002 .....	\$ 1275007000
	<u>0</u>
FY 2002-2003 .....	\$ 12,500,000
FY 2003-2004 .....	\$ 12,500,000

Sec. 25. There is appropriated from the tax-exempt bond proceeds restricted capital funds account of the tobacco settlement trust fund to the following departments and agencies for the fiscal year beginning July 1, 2001, and ending June 30, 2002, the following amounts, or so much thereof as is necessary, to be used for the purposes designated:

1. DEPARTMENT OF CORRECTIONS.

a. To supplement funds appropriated in 1998 Iowa Acts, chapter 1219, section 2, subsection 3, for construction of a 200-bed facility at the Iowa state penitentiary at Fort Madison:

.....	\$ 6,400,000
-------	--------------

b. For costs associated with connecting the correctional facility at Oakdale to the city of Coralville water system:

.....	\$ 100,000
-------	------------

c. For the final phase of the state's share of the construction costs associated with the Mitchellville waste water treatment plant:

.....	\$ 364,400
-------	------------

d. For costs of entering into a lease-purchase agreement to connect the electrical system supporting the special needs unit at Fort Madison:

.....	\$ 333,168
-------	------------

2. DEPARTMENT OF ECONOMIC DEVELOPMENT.

For accelerated career education program capital projects at community colleges that are authorized under chapter 260G and that meet the definition of "vertical infrastructure" in section 8.57, subsection 5, paragraph "c":

.....	\$ 2,500,000
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The moneys appropriated in this subsection shall be allocated equally among the community colleges in the state. If any portion of the equal allocation to a community college

is not obligated or encumbered by April 1, 2002, the unobligated and unencumbered portions shall be available for use by other community colleges.

3. DEPARTMENT OF GENERAL SERVICES.

a. For major renovation and major repair needs including health, life, and fire safety needs, and for compliance with the federal Americans With Disabilities Act, for state-owned buildings and facilities:

..... \$ 11,500,000

(1) Of the amount appropriated in this paragraph "a", up to \$375,000 may be used for costs associated with project management services in the division of design and construction of the department, notwithstanding section 8.57, subsection 5, paragraph "c".

(2) Of the amount appropriated in this paragraph "a", \$200,000 may be used for costs associated with the vertical infrastructure program, notwithstanding section 8.57, subsection 5, paragraph "c".

b. For the purchase of land and improvements to properties in the vicinity of the capitol complex:

..... \$ 200,000

Funds appropriated in this paragraph "b" may be expended to prepare purchased property for utilization by the state.

c. For the construction of a pedestrian bridge across Court avenue to provide pedestrian access across the capitol complex:

..... \$ 400,000

*Veto*

d. For capitol interior restoration:

..... \$ 1,700,000

e. For consideration for an option to purchase all or a portion of the following properties, notwithstanding section 8.57, subsection 5, paragraph "c": a 2.4-acre parcel located at the northwest corner of Pennsylvania avenue and Des Moines street, including a 26,319-square foot one-story masonry structure; a 0.17-acre site located at 1022 Des Moines street; a 2.2-acre site on the city block bounded by East Eleventh, East Twelfth, Des Moines, and Lyon streets, including an

11,058-square foot building; and a 7.5-acre parcel consisting of two contiguous city blocks bounded by East Twelfth, East Fourteenth, Des Moines, and Lyon streets, including five buildings:

..... \$ 500,000

The consideration for the option to purchase shall be applied to the contract purchase price in the event the option to purchase any or all of the properties described in this paragraph "e" is exercised. The option to purchase shall be for a period of at least one year beginning on or after July 1, 2001, and shall be exercised only after a specific appropriation by the general assembly for the purchase of all or a portion of the properties described in this paragraph "e".

f. For an appraisal, environmental assessment, and feasibility study of the properties described in paragraph "e":

..... \$ 250,000

4. IOWA STATE FAIR AUTHORITY.

For vertical infrastructure projects on the state fairgrounds:

..... \$ 500,000

For purposes of this subsection, "vertical infrastructure" means the same as defined in section 8.57, subsection 5, paragraph "c".

5. JUDICIAL BRANCH.

For construction of a new judicial building:

..... \$ 10,300,000

The judicial branch is authorized to enter into contracts for the full cost of the planning, design, and construction of a new judicial building for which appropriations are made in this subsection and in 1998 Iowa Acts, chapter 1223, section 8, and 1999 Iowa Acts, chapter 204, section 6. The state shall not be obligated for costs associated with contracts identified in this paragraph in excess of funds appropriated by the general assembly. Notwithstanding any provision of this Act to the contrary or section 8.33, moneys appropriated

in this subsection that remain unencumbered or unobligated at the close of the fiscal year that begins July 1, 2004, shall revert at the close of that fiscal year. However, if the project for which the moneys are appropriated is completed in an earlier fiscal year, unencumbered or unobligated moneys shall revert at the close of that fiscal year.

6. DEPARTMENT OF NATURAL RESOURCES.

a. For continuation of the restore the outdoors program:

..... \$ 2,500,000

b. For costs associated with the planning and design of a premier destination park, notwithstanding section 8.57, subsection 5, paragraph "c", as follows:

..... \$ 1,000,000

7. DEPARTMENT OF PUBLIC DEFENSE.

a. For maintenance and repair of national guard armories and facilities:

..... \$ 700,000

b. For construction of a new national guard armory at Estherville:

..... \$ 400,000

8. DEPARTMENT OF PUBLIC SAFETY.

For the location and purchase of land, a site survey, soil sampling, and site preparation for the construction of a new Iowa state patrol post in Mason City:

..... \$ 250,000

9. STATE BOARD OF REGENTS.

a. For construction of a new business college building at Iowa state university of science and technology:

..... \$ 4,200,000

b. For phase I of construction of the art building at the state university of Iowa:

..... \$ 4,453,000

c. For upgrading the steam distribution system at the university of northern Iowa:

..... \$ 3,990,000

d. For utility system replacement at the Iowa school for the deaf:

..... \$ 250,000

e. For tuckpointing at the Iowa school for the deaf:

..... \$ 185,000

f. For upgrading the heating, ventilation, and air conditioning system at the Iowa braille and sight saving school:

..... \$ 400,000

g. For improvements to Gilman hall at Iowa state university of science and technology, including the replacement of the heating, ventilation, and air conditioning system, replacement of the fume hood exhaust system, and the construction of an addition to house mechanical equipment:

..... \$ 2,500,000

h. For continued renovation of the biological sciences facility at the state university of Iowa:

..... \$ 7,300,000

i. For construction of an addition to McCollum science hall at the university of northern Iowa:

..... \$ 5,800,000

The state board of regents is authorized to enter into contracts for the full cost of carrying out the projects listed in paragraphs "a" through "c" and "g" through "i", for which appropriations are made in those paragraphs. The state shall not be obligated for costs associated with contracts identified in this paragraph in excess of the funds appropriated by the general assembly.

10. STATE DEPARTMENT OF TRANSPORTATION.

a. For vertical infrastructure improvements at all 10 of the commercial air service airports within the state:

..... \$ 1,000,000

One-half of the funds appropriated in this paragraph "a" shall be allocated equally between each commercial service airport, 40 percent of the funds shall be allocated based on the percentage that the number of enplaned passengers at each commercial service airport bears to the total number of enplaned passengers in the state during the previous fiscal year, and 10 percent of the funds shall be allocated based on

the percentage that the air cargo tonnage at each commercial service airport bears to the total air cargo tonnage in the state during the previous fiscal year. In order for a commercial service airport to receive funding under this paragraph "a", the airport shall be required to submit applications for funding of specific projects to the department for approval by the state transportation commission.

b. For an aviation hangar grant program for improvements to and design and construction of hangars at general aviation airports within the state:

..... \$ 500,000

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

..... \$ 1,000,000

Of the amount appropriated in this paragraph "c", \$500,000 shall be used for funding, on a matching basis, recreational trail projects, with priority given to completion of trail connections and sections between existing trails and parks within the established state recreational trails system. Such projects shall be matched by \$1 of private or other funds for each \$3 of state funds.

Of the amount appropriated in this paragraph "c", \$50,000 shall be allocated for planning and development of the Iowa portion of the Mississippi river trail.

11. OFFICE OF TREASURER OF STATE.

a. For county fair infrastructure improvements for distribution in accordance with chapter 174 to qualified fairs which belong to the association of Iowa fairs:

..... \$ 1,060,000

b. For deposit in the community attraction and tourism fund:

..... \$ 12,500,000

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

Sec. 26. CONTINGENT AND ALTERNATIVE APPROPRIATIONS -- EFFECTIVE DATE. The appropriations in section 25 of this division of this Act shall be made from the tax-exempt bond proceeds restricted capital funds account of the tobacco settlement trust fund on or after the effective date of the receipt of tax-exempt bond proceeds by the tobacco settlement authority and the deposit of the proceeds of the tax-exempt bonds in the tax-exempt bond proceeds restricted capital funds account of the tobacco settlement trust fund. However, if any of the following occurs, the appropriations in section 25 of this division of this Act shall be made from the rebuild Iowa infrastructure fund to the extent they cannot be made from the tax-exempt bond proceeds restricted capital funds account of the tobacco settlement trust fund:

1. 2001 Iowa Acts, Senate File 532 is not enacted.
2. 2001 Iowa Acts, Senate File 532 is enacted, but the tobacco settlement authority established in chapter 12E does not securitize tobacco master settlement agreement payments sold to the authority pursuant to 2001 Iowa Acts, Senate File 532 prior to June 30, 2002.
3. 2001 Iowa Acts, Senate File 532 is enacted and the tobacco settlement authority securitizes tobacco master settlement agreement payments sold to the authority pursuant to 2001 Iowa Acts, Senate File 532, but the bond proceeds are not received by the tobacco settlement authority and deposited in the tax-exempt bond proceeds restricted capital funds account of the tobacco settlement trust fund on or before June 30, 2002.
4. For any other reason, any of the amounts in section 25 cannot be paid from the tax-exempt bond proceeds restricted capital funds account of the tobacco settlement trust fund.

Sec. 27. There is appropriated from the tax-exempt bond proceeds restricted capital funds account of the tobacco settlement trust fund to the following departments and agencies for the fiscal year beginning July 1, 2001, and ending June 30, 2002, the following amounts, or so much thereof as is necessary, to be used for the purposes designated:

1. IOWA TELECOMMUNICATIONS AND TECHNOLOGY COMMISSION.

For conversion of the Iowa communications network to asynchronous transfer mode technology, notwithstanding section 8.57, subsection 5, paragraph "c", and section 12E.12, subsection 1, paragraph "b", subparagraph (1), as enacted by 2001 Iowa Acts, Senate File 532, if enacted:

..... \$ 3,500,000

2. DEPARTMENT OF EDUCATION.

For allocation to the public broadcasting division for completion of the conversion to high-definition television, notwithstanding section 8.57, subsection 5, paragraph "c", and section 12E.12, subsection 1, paragraph "b", subparagraph (1), as enacted by 2001 Iowa Acts, Senate File 532, if enacted:

..... \$ 2,400,000

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

Sec. 28. There is appropriated from the tax-exempt bond proceeds restricted capital funds account of the tobacco settlement trust fund to the department of general services for the following fiscal years, the following amounts, or so much thereof as is necessary, to be used for the purposes designated:

For the planning, design, and construction of a multipurpose laboratory facility:

FY 2001-2002 ..... \$ 16,670,000
FY 2002-2003 ..... \$ 16,670,000
FY 2003-2004 ..... \$ 16,660,000

The department is authorized to enter into contracts for the full cost of the project for which appropriations are made in this section. The state shall not be obligated for costs associated with contracts identified in this paragraph in excess of the funds appropriated by the general assembly.

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

Sec. 29. CONTINGENT APPROPRIATIONS -- EFFECTIVE DATE. The appropriations in sections 27 and 28 of this division of this Act shall be made from the tax-exempt bond proceeds restricted capital funds account of the tobacco settlement trust fund on or after the effective date of the receipt of tax-exempt bond proceeds by the tobacco settlement authority and the deposit of the proceeds of the tax-exempt bonds in the tax-exempt bond proceeds restricted capital funds account of the tobacco settlement trust fund. However, if any of the following occurs, the appropriations in sections 27 and 28 of this division of this Act shall not be made from the tax-exempt bond proceeds restricted capital funds account of the tobacco settlement trust fund:

- 1. 2001 Iowa Acts, Senate File 532 is not enacted.
2. 2001 Iowa Acts, Senate File 532 is enacted, but the tobacco settlement authority established in chapter 12E does not securitize tobacco master settlement agreement payments sold to the authority pursuant to 2001 Iowa Acts, Senate File 532 prior to June 30, 2002.
3. 2001 Iowa Acts, Senate File 532 is enacted and the tobacco settlement authority securitizes tobacco master settlement agreement payments sold to the authority pursuant to 2001 Iowa Acts, Senate File 532, but the bond proceeds are not received by the tobacco settlement authority and deposited in the tax-exempt bond proceeds restricted capital funds account of the tobacco settlement trust fund on or before June 30, 2002.

4. For any other reason, any of the amounts in section 27 cannot be paid from the tax-exempt bond proceeds restricted capital funds account of the tobacco settlement trust fund.

Sec. 30. REVERSION. Notwithstanding section 8.33, moneys appropriated in this division of this Act 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, 2004, or until the project for which the appropriation was made is completed, whichever is earlier.

Sec. 31. EFFECTIVE DATES. Sections 22 through 24 of this division of this Act, amending 2000 Iowa Acts, chapter 1225, sections 10, 15, and 18, being deemed of immediate importance, take effect upon enactment.

## DIVISION IV

## STATUTORY CHANGES AND RELATED MATTERS

Sec. 32. Section 7E.5A, Code 2001, is amended to read as follows:

7E.5A BUILDINGS AND INFRASTRUCTURE -- IDENTIFICATION OF MAINTENANCE FUNDING NEEDS.

1. For each new vertical infrastructure project undertaken ~~on-or-after-July-17-1997~~, the department in control of the vertical infrastructure shall identify and recommend to the general assembly funding sufficient to meet the projected maintenance, repair, and replacement needs of the vertical infrastructure.

2. A department shall, within its five-year capital budget request, identify specific instances where the failure to address deferred maintenance has had a negative impact on the department's ability to implement its mission and the proposed costs for annual routine and preventive maintenance based on an industry standard of one percent of the estimated replacement cost of the department's facilities. This subsection shall not apply to the state department of transportation.

3. A department requesting state moneys for a vertical infrastructure project shall actively pursue any federal funds for which the proposed project may be eligible and shall demonstrate such pursuit prior to receiving state moneys for the project. The department shall report the receipt of any such federal funds to the department of management and the legislative fiscal bureau in the manner described in section 8.23.

2- 4. As used in this section, "vertical infrastructure" means the same as defined in section 8.57, subsection 5, paragraph "c".

Sec. 33. Section 8.57, subsection 5, paragraph e, Code 2001, is amended by adding the following new unnumbered paragraph:

NEW UNNUMBERED PARAGRAPH. If the total amount of moneys directed to be deposited in the general fund of the state under sections 99D.17 and 99F.11 in a fiscal year is less than the total amount of moneys directed to be deposited in the vision Iowa fund and the school infrastructure fund in the fiscal year pursuant to this paragraph "e", the difference shall be paid from lottery revenues in the manner provided in section 99E.10, subsection 3.

Sec. 34. Section 12.73, Code 2001, is amended to read as follows:

12.73 VISION IOWA FUND MONEYS -- ADMINISTRATIVE COSTS.

During the term of the vision Iowa program established in section 15F.302, ~~one two~~ hundred thousand dollars of the moneys deposited each fiscal year in the vision Iowa fund and appropriated for the vision Iowa program shall be allocated each fiscal year to the department of economic development for administrative costs incurred by the department for purposes of administering the vision Iowa program.

Sec. 35. Section 12.74, subsection 2, Code 2001, is amended by striking the subsection.

Sec. 36. Section 12.84, subsection 2, Code 2001, is amended by striking the subsection.

Sec. 37. Section 15F.202, subsection 2, unnumbered paragraph 1, Code 2001, is amended to read as follows:

A city or county in the state or public organization may submit an application to the board for financial assistance for a project under the program. The assistance shall be provided only from funds, rights, and assets legally available to the board and shall be in the form of grants, loans, forgivable loans, and loan-guarantees credit enhancement and financing instruments. The application shall include, but not be limited to, the following information:

Sec. 38. Section 15F.202, subsection 3, Code 2001, is amended to read as follows:

3. A school district, in cooperation with a city or county, may submit a joint application for financial assistance for a project under the program. The assistance shall be provided only from funds, rights, and assets legally available to the board and shall be in the form of grants, loans, forgivable loans, and ~~loan-guarantees~~ credit enhancement and financing instruments. In addition to the information required in subsection 2, the application shall include a demonstration that the intended future use of the project shall be by both joint applicants.

Sec. 39. Section 15F.204, subsection 3, Code 2001, is amended to read as follows:

3. The fund shall be used to provide assistance only from funds, rights, and assets legally available to the board in the form of grants, loans, forgivable loans, and loan guarantees credit enhancements and financing instruments under the community attraction and tourism program established in section 15F.202. An applicant under the community attraction and tourism program shall not receive financial assistance from the fund in an amount exceeding fifty percent of the total cost of the project.

Sec. 40. Section 15F.302, subsection 2, unnumbered paragraph 1, Code 2001, is amended to read as follows:

A city or county or a public organization in the state may submit an application to the board for financial assistance for a project under the program. For purposes of this subsection, "public organization" means a nonprofit economic development organization or other nonprofit organization that sponsors or supports community or tourism attractions and activities. The financial assistance from the fund shall be provided only from funds, rights, and assets legally available to the board and shall be in the form of grants, loans, forgivable loans, pledges, and ~~guarantees~~ credit enhancements and financing instruments. The application shall include, but not be limited to, the following information:

Sec. 41. Section 15F.302, subsection 3, Code 2001, is amended to read as follows:

3. A school district, in cooperation with a city or county, may submit a joint application for financial assistance for a project under the program. The financial assistance shall be provided only from funds, rights, and assets legally available to the board and shall be in the form of grants, loans, forgivable loans, and ~~loan-guarantees~~ credit enhancements and financing instruments. In addition to the information required in subsection 2, the application shall include a demonstration that the intended future use of the project shall be by both joint applicants.

Sec. 42. **NEW SECTION.** 15F.303A PUBLIC ORGANIZATIONS -- COMPETITIVE BIDDING OF PROJECTS.

A public organization, as defined in section 15F.302, subsection 2, whose application for financial assistance under the program is approved by the board shall advertise for sealed bids for the construction portion of the proposed project by publishing a notice to bidders as provided in this section. The notice to bidders shall be published in a newspaper of general circulation in the county where the construction is to be performed not less than twenty days but not more than forty-five days before the date for filing bids.

1. NOTICE TO BIDDERS. The notice to bidders must state the following items:

- a. The time and place for filing sealed proposals.
- b. The time and place sealed proposals will be opened and considered on behalf of the public organization.
- c. The general nature of the project on which bids are requested.
- d. In general terms when the work must be commenced and when it must be completed.
- e. That each bidder shall accompany the bid with a bid security as prescribed in this paragraph and as specified by the public organization, as security that the successful bidder will enter into a contract for the work bid upon and will furnish after the award of contract a corporate surety bond, acceptable to the public organization, for the faithful performance of the contract, in an amount equal to one hundred

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percent of the amount of the contract. The bidder's security shall be in an amount fixed by the public organization, and shall be in the form of a cashier's or certified check drawn on a bank in Iowa or a bank chartered under the laws of the United States, or a certified share draft drawn on a credit union in Iowa or chartered under the laws of the United States, or the public organization may provide for a bidder's bond with corporate surety satisfactory to the public organization. The bid bond shall contain no conditions except for those provided in this subsection.

f. Any further information that the public organization deems pertinent.

The notice to bidders may provide that bids will be received for the furnishing of all labor and materials and furnishing or installing equipment under one contract, or for parts thereof in separate sections.

2. BID SECURITY. The amount of bid security must be fixed by the public organization prior to ordering publication of the notice to bidders and must equal at least five percent, but may not exceed ten percent of either the estimated total contract cost of the construction portion of the project, or the amount of each bid.

3. AWARD OF CONTRACT. The contract for the construction portion of the project must be awarded to the lowest responsible bidder. This subsection shall not be construed to prohibit a public organization in the award of a contract for the construction portion of a project from providing, an enhancement of payments upon early completion of the construction portion of the project if the availability of the enhancement payments is included in the notice to bidders, the enhancement payments are competitively neutral to potential bidders, and the total value of the enhancement payments does not exceed ten percent of the value of the contract.

Sec. 43. Section 15F.304, subsection 4, Code 2001, is amended to read as follows:

4. Upon review of the recommendations of the review committee, the board shall approve, defer, or deny the

applications. If an application is approved, the board may enter into an agreement with the applicant to provide financial assistance authorized under section 15F.302.

Sec. 44. Section 99E.10, Code 2001, is amended by adding the following new subsection:

NEW SUBSECTION. 3. a. Notwithstanding subsection 1, if gaming revenues under sections 99D.17 and 99F.11 are insufficient in a fiscal year to meet the total amount of such revenues directed to be deposited in the vision Iowa fund and the school infrastructure fund during the fiscal year pursuant to section 8.57, subsection 5, paragraph "e", the difference shall be paid from lottery revenues prior to deposit of the lottery revenues in the general fund. If lottery revenues are insufficient during the fiscal year to pay the difference, the remaining difference shall be paid from lottery revenues in subsequent fiscal years as such revenues become available.

b. The treasurer of state shall, each quarter, prepare an estimate of the gaming revenues and lottery revenues that will become available during the remainder of the appropriate fiscal year for the purposes described in paragraph "a". The department of management and the department of revenue and finance shall take appropriate actions to provide that the amount of gaming revenues and lottery revenues that will be available during the remainder of the appropriate fiscal year is sufficient to cover any anticipated deficiencies.

Sec. 45. NEW SECTION. 161D.8 ANNUAL REPORT -- AUDIT.

1. The authority shall submit to the department of management, the legislative fiscal bureau, and the division of soil conservation of the department of agriculture and land stewardship, on or before December 31, annually, a report including information regarding all of the following:

- a. Its operations and accomplishments.
- b. Its budget, receipts, and actual expenditures during the previous fiscal year, in accordance with classifications it establishes for its operating and capital accounts.
- c. Its assets and liabilities at the end of the previous fiscal year and the status of reserve, special, and other funds.

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d. A statement of its proposed and projected activities.  
e. Recommendations to the governor and the general assembly, as deemed necessary.

f. Any other information deemed necessary.

2. The annual report shall identify performance goals of the authority, and clearly indicate the extent of progress, during the reporting period, in attaining these goals.

3. The fund shall be subject to an annual audit by the auditor of state.

Sec. 46. NEW SECTION. 161D.13 ANNUAL REPORT -- AUDIT.

1. The southern Iowa development and conservation authority shall submit to the department of management, the legislative fiscal bureau, and the division of soil conservation of the department of agriculture and land stewardship, on or before December 31, annually, a report including information regarding all of the following:

a. Its operations and accomplishments.

b. Its budget, receipts, and actual expenditures during the previous fiscal year, in accordance with classifications it establishes for its operating and capital accounts.

c. Its assets and liabilities at the end of the previous fiscal year and the status of reserve, special, and other funds.

d. A statement of its proposed and projected activities.

e. Recommendations to the governor and the general assembly, as deemed necessary.

f. Any other information deemed necessary.

2. The annual report shall identify performance goals of the authority, and clearly indicate the extent of progress, during the reporting period, in attaining these goals.

3. The southern Iowa development and conservation fund shall be subject to an annual audit by the auditor of state.

Sec. 47. 2001 Iowa Acts, House File 755, section 30, if enacted, is amended to read as follows:

SEC. 30. Notwithstanding any contrary provision in section 455E.11, subsection 1, Code 2001, any unencumbered-or unobligated cash balance in the groundwater protection fund

and in any of the accounts within the groundwater protection fund ~~on June 30, 2001~~ not needed for expenditure in the fiscal year beginning July 1, 2001, and ending June 30, 2002, shall be transferred to the general fund of the state.

Sec. 48. USE OF TAX-EXEMPT BOND PROCEEDS -- REIMBURSEMENT.

1. Notwithstanding any provision of law to the contrary, moneys deposited in the tax-exempt bond proceeds restricted capital funds account of the tobacco settlement trust fund that are subject to an appropriation pursuant to section 12E.10, subsection 1, paragraph "b", as amended by 2001 Iowa Acts, Senate File 532, if enacted, shall remain in the tax-exempt bond proceeds restricted capital funds account until such time as costs are properly incurred and due for the purpose for which the appropriation was made. Payments for such properly incurred costs shall be made consistent with the requirements of federal law, chapter 12E, as amended by 2001 Iowa Acts, Senate File 532, if enacted, and the sales agreement, as defined in section 12E.2.

2. Until bond proceeds are received by the tobacco settlement authority and deposited in the tax-exempt bond proceeds restricted capital funds account of the tobacco settlement trust fund, payments for costs incurred for projects for which appropriations are made in section 25 of this division of this Act may be made from the rebuild Iowa infrastructure fund. Upon receipt of bond proceeds and deposit of the proceeds in the tax-exempt bond proceeds restricted capital funds account, such payments shall be reimbursed to the rebuild Iowa infrastructure fund from the tax-exempt bond proceeds restricted capital funds account, subject, however, to any applicable limitations on the use of the proceeds as provided in the Internal Revenue Code and this Act.

Sec. 49. EFFECTIVE DATE. The following provisions of this division of this Act, being deemed of immediate importance, take effect upon enactment:

Sections 33 and 35 through 44 of this division of this Act, amending sections 8.57, 12.74, 12.84, 15F.202, 15F.204, and

15F.302, enacting section 15F.303A, and amending sections  
15F.304, and 99E.10.

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BRENT SIEGRIST  
Speaker of the House

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MARY E. KRAMER  
President of the Senate

I hereby certify that this bill originated in the House and  
is known as House File 742, Seventy-ninth General Assembly.

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MARGARET THOMSON  
Chief Clerk of the House

*Stem*  
*Noto*  
Approved 5/29, 2001

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THOMAS J. VILSACK  
Governor