

FEB 24 2006
APPROPRIATIONS CALENDAR

HOUSE FILE 2521
BY COMMITTEE ON APPROPRIATIONS

(SUCCESSOR TO HSB 708)

Passed House, Date 3-7-06 Passed Senate, Date _____
Vote: Ayes 53 Nays 45 Vote: Ayes _____ Nays _____
Approved _____

A BILL FOR

1 An Act relating to and making appropriations to certain state
2 departments, agencies, funds, and certain other entities,
3 providing for regulatory authority, and other properly related
4 matters and providing an effective date.

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

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DIVISION I

ADMINISTRATION AND REGULATION APPROPRIATIONS

Section 1. DEPARTMENT OF ADMINISTRATIVE SERVICES. There is appropriated from the general fund of the state to the department of administrative services for the fiscal year beginning July 1, 2006, and ending June 30, 2007, the following amounts, or so much thereof as is necessary, to be used for the purposes designated:

1. For salaries, support, maintenance, and miscellaneous purposes, and for not more than the following full-time equivalent positions:

.....	\$	5,048,824
.....	FTEs	443.68

UTILITY COSTS

2. For the payment of utility costs:

.....	\$	3,080,865
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Notwithstanding section 8.33, any excess funds appropriated for utility costs in this subsection shall not revert to the general fund of the state at the end of the fiscal year but shall remain available for expenditure for the purposes of this subsection during the fiscal year beginning July 1, 2007.

3. For financial administration duties:

.....	\$	200,000
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4. Members of the general assembly serving as members of the deferred compensation advisory board shall be entitled to receive per diem and necessary travel and actual expenses pursuant to section 2.10, subsection 5, while carrying out their official duties as members of the board.

5. Any funds and premiums collected by the department for workers' compensation shall be segregated into a separate workers' compensation fund in the state treasury to be used for payment of state employees' workers' compensation claims and administrative costs. Notwithstanding section 8.33, unencumbered or unobligated moneys remaining in this workers' compensation fund at the end of the fiscal year shall not

1 revert but shall be available for expenditure for purposes of
2 the fund for subsequent fiscal years.

3 Sec. 2. DEPARTMENTAL START-UP FUNDING -- REVOLVING FUNDS.

4 1. In addition to the amount appropriated to the
5 department of administrative services in section 1, subsection
6 1 of this Act, the department is authorized to expend an
7 additional amount not to exceed \$359,560 per fiscal year for
8 the purposes of the department for the fiscal period
9 commencing July 1, 2006, and ending June 30, 2010, and an
10 additional amount not to exceed \$91,810 for the fiscal year
11 commencing July 1, 2010. Such amounts shall be expended from
12 general fund moneys deposited in revolving funds under the
13 control of the department that were appropriated to the
14 department pursuant to 2004 Iowa Acts, chapter 1175, section
15 2.

16 2. Amounts expended pursuant to this section shall be
17 considered repayment amounts to the general fund and shall
18 reduce the total amount to be repaid to the general fund until
19 such time as the total amount of the general fund moneys
20 deposited in revolving funds under the control of the
21 department that were appropriated to the department pursuant
22 to 2004 Iowa Acts, chapter 1175, section 2, are repaid.

23 Sec. 3. REVOLVING FUNDS. There is appropriated to the
24 department of administrative services for the fiscal year
25 beginning July 1, 2006, and ending June 30, 2007, from the
26 revolving funds designated in chapter 8A and from internal
27 service funds created by the department, such amounts as the
28 department deems necessary for the operation of the department
29 consistent with the requirements of chapter 8A.

30 Sec. 4. FUNDING FOR IOWACCESS.

31 1. Notwithstanding section 321A.3, subsection 1, for the
32 fiscal year beginning July 1, 2006, and ending June 30, 2007,
33 the first \$1,000,000 collected and transferred by the
34 department of transportation to the treasurer of state with
35 respect to the fees for transactions involving the furnishing

1 of a certified abstract of a vehicle operating record under
2 section 321A.3, subsection 1, shall be transferred to the
3 IowAccess revolving fund established by section 8A.224 and
4 administered by the department of administrative services for
5 the purposes of developing, implementing, maintaining, and
6 expanding electronic access to government records as provided
7 by law.

8 2. All fees collected with respect to transactions
9 involving IowAccess shall be deposited in the IowAccess
10 revolving fund and shall be used only for the support of
11 IowAccess projects.

12 Sec. 5. STATE EMPLOYEE HEALTH INSURANCE ADMINISTRATION
13 CHARGE. For the fiscal year beginning July 1, 2006, and
14 ending June 30, 2007, the monthly per contract administrative
15 charge which may be assessed by the department of
16 administrative services shall be \$2.00 per contract on all
17 health insurance plans administered by the department.

18 Sec. 6. AUDITOR OF STATE. There is appropriated from the
19 general fund of the state to the office of the auditor of
20 state for the fiscal year beginning July 1, 2006, and ending
21 June 30, 2007, the following amount, or so much thereof as is
22 necessary, to be used for the purposes designated:

23 For salaries, support, maintenance, and miscellaneous
24 purposes, and for not more than the following full-time
25 equivalent positions:

26	\$	1,207,341
27	FTEs	102.50

28 The auditor of state may retain additional full-time
29 equivalent positions as is reasonable and necessary to perform
30 governmental subdivision audits which are reimbursable
31 pursuant to section 11.20 or 11.21, to perform audits which
32 are requested by and reimbursable from the federal government,
33 and to perform work requested by and reimbursable from
34 departments or agencies pursuant to section 11.5A or 11.5B.
35 The auditor of state shall notify the department of

1 management, the legislative fiscal committee, and the
2 legislative services agency of the additional full-time
3 equivalent positions retained.

4 Sec. 7. IOWA ETHICS AND CAMPAIGN DISCLOSURE BOARD. There
5 is appropriated from the general fund of the state to the Iowa
6 ethics and campaign disclosure board for the fiscal year
7 beginning July 1, 2006, and ending June 30, 2007, the
8 following amount, or so much thereof as is necessary, for the
9 purposes designated:

10 For salaries, support, maintenance, and miscellaneous
11 purposes, and for not more than the following full-time
12 equivalent positions:

13	\$	497,056
14	FTEs	6.00

15 Sec. 8. DEPARTMENT OF COMMERCE. There is appropriated
16 from the general fund of the state to the department of
17 commerce for the fiscal year beginning July 1, 2006, and
18 ending June 30, 2007, the following amounts, or so much
19 thereof as is necessary, for the purposes designated:

20 1. ALCOHOLIC BEVERAGES DIVISION

21 For salaries, support, maintenance, and miscellaneous
22 purposes, and for not more than the following full-time
23 equivalent positions:

24	\$	1,930,962
25	FTEs	36.00

26 2. BANKING DIVISION

27 For salaries, support, maintenance, and miscellaneous
28 purposes, and for not more than the following full-time
29 equivalent positions:

30	\$	7,222,008
31	FTEs	71.00

32 3. CREDIT UNION DIVISION

33 For salaries, support, maintenance, and miscellaneous
34 purposes, and for not more than the following full-time
35 equivalent positions:

1 \$ 1,455,874
2 FTEs 18.00

3 4. INSURANCE DIVISION

4 a. For salaries, support, maintenance, and miscellaneous
5 purposes, and for not more than the following full-time
6 equivalent positions:

7 \$ 4,517,481
8 FTEs 101.00

9 b. The insurance division may reallocate authorized full-
10 time equivalent positions as necessary to respond to
11 accreditation recommendations or requirements. The insurance
12 division expenditures for examination purposes may exceed the
13 projected receipts, refunds, and reimbursements, estimated
14 pursuant to section 505.7, subsection 7, including the
15 expenditures for retention of additional personnel, if the
16 expenditures are fully reimbursable and the division first
17 does both of the following:

18 (1) Notifies the department of management, the legislative
19 services agency, and the legislative fiscal committee of the
20 need for the expenditures.

21 (2) Files with each of the entities named in subparagraph
22 (1) the legislative and regulatory justification for the
23 expenditures, along with an estimate of the expenditures.

24 c. The insurance division shall allocate \$10,000 from the
25 examination receipts for the payment of its fees to the
26 national council of insurance legislators.

27 5. PROFESSIONAL LICENSING AND REGULATION BUREAU

28 For salaries, support, maintenance, and miscellaneous
29 purposes, and for not more than the following full-time
30 equivalent positions:

31 \$ 793,462
32 FTEs 13.50

33 6. UTILITIES DIVISION

34 a. For salaries, support, maintenance, and miscellaneous
35 purposes, and for not more than the following full-time

1 equivalent positions:

2 \$ 7,230,820
3 FTEs 79.00

4 b. The utilities division may expend additional funds,
5 including funds for additional personnel, if those additional
6 expenditures are actual expenses which exceed the funds
7 budgeted for utility regulation and the expenditures are fully
8 reimbursable. Before the division expends or encumbers an
9 amount in excess of the funds budgeted for regulation, the
10 division shall first do both of the following:

11 (1) Notify the department of management, the legislative
12 services agency, and the legislative fiscal committee of the
13 need for the expenditures.

14 (2) File with each of the entities named in subparagraph
15 (1) the legislative and regulatory justification for the
16 expenditures, along with an estimate of the expenditures.

17 7. CHARGES -- TRAVEL. Each division and the office of
18 consumer advocate shall include in its charges assessed or
19 revenues generated, an amount sufficient to cover the amount
20 stated in its appropriation, and any state-assessed indirect
21 costs determined by the department of administrative services.
22 The director of the department of commerce shall review on a
23 quarterly basis all out-of-state travel for the previous
24 quarter for officers and employees of each division of the
25 department if the travel is not already authorized by the
26 executive council.

27 Sec. 9. DEPARTMENT OF COMMERCE -- PROFESSIONAL LICENSING
28 AND REGULATION. There is appropriated from the housing
29 improvement fund of the Iowa department of economic
30 development to the bureau of professional licensing and
31 regulation of the banking division of the department of
32 commerce for the fiscal year beginning July 1, 2006, and
33 ending June 30, 2007, the following amount, or so much thereof
34 as is necessary, to be used for the purposes designated:

35 For salaries, support, maintenance, and miscellaneous

1 purposes:

2 \$ 62,317

3 Sec. 10. GOVERNOR AND LIEUTENANT GOVERNOR. There is
4 appropriated from the general fund of the state to the offices
5 of the governor and the lieutenant governor for the fiscal
6 year beginning July 1, 2006, and ending June 30, 2007, the
7 following amounts, or so much thereof as is necessary, to be
8 used for the purposes designated:

9 1. GENERAL OFFICE

10 For salaries, support, maintenance, and miscellaneous
11 purposes for the general office of the governor and the
12 general office of the lieutenant governor, and for not more
13 than the following full-time equivalent positions:

14 \$ 1,823,111

15 FTEs 19.25

16 2. TERRACE HILL QUARTERS

17 For salaries, support, maintenance, and miscellaneous
18 purposes for the governor's quarters at Terrace Hill, and for
19 not more than the following full-time equivalent positions:

20 \$ 378,633

21 FTEs 8.00

22 3. ADMINISTRATIVE RULES COORDINATOR

23 For salaries, support, maintenance, and miscellaneous
24 purposes for the office of administrative rules coordinator,
25 and for not more than the following full-time equivalent
26 positions:

27 \$ 150,013

28 FTEs 3.00

29 4. NATIONAL GOVERNORS ASSOCIATION

30 For payment of Iowa's membership in the national governors
31 association:

32 \$ 64,393

33 5. STATE-FEDERAL RELATIONS

34 For salaries, support, maintenance, and miscellaneous
35 purposes, and for not more than the following full-time

1 equivalent positions:

2	\$	115,748
3	FTEs	2.00

4 Sec. 11. GOVERNOR'S OFFICE OF DRUG CONTROL POLICY.

5 1. There is appropriated from the general fund of the
6 state to the governor's office of drug control policy for the
7 fiscal year beginning July 1, 2006, and ending June 30, 2007,
8 the following amount, or so much thereof as is necessary, to
9 be used for the purposes designated:

10 For salaries, support, maintenance, and miscellaneous
11 purposes, including statewide coordination of the drug abuse
12 resistance education (D.A.R.E.) programs or similar programs,
13 and for not more than the following full-time equivalent
14 positions:

15	\$	307,730
16	FTEs	8.00

17 2. The governor's office of drug control policy, in
18 consultation with the Iowa department of public health, and
19 after discussion and collaboration with all interested
20 agencies, shall coordinate substance abuse treatment and
21 prevention efforts in order to avoid duplication of services.

22 Sec. 12. DEPARTMENT OF HUMAN RIGHTS. There is
23 appropriated from the general fund of the state to the
24 department of human rights for the fiscal year beginning July
25 1, 2006, and ending June 30, 2007, the following amounts, or
26 so much thereof as is necessary, to be used for the purposes
27 designated:

28 1. CENTRAL ADMINISTRATION DIVISION

29 For salaries, support, maintenance, and miscellaneous
30 purposes, and for not more than the following full-time
31 equivalent positions:

32	\$	317,028
33	FTEs	7.00

34 2. DEAF SERVICES DIVISION

35 For salaries, support, maintenance, and miscellaneous

1 purposes, and for not more than the following full-time
2 equivalent positions:

3 \$ 374,367
4 FTEs 6.00

5 The fees collected by the division for provision of
6 interpretation services by the division to obligated agencies
7 shall be disbursed pursuant to the provisions of section 8.32,
8 and shall be dedicated and used by the division for continued
9 and expanded interpretation services.

10 3. STATUS OF IOWANS OF ASIAN AND PACIFIC ISLANDER HERITAGE
11 DIVISION

12 For support, maintenance, and miscellaneous purposes:

13 \$ 6,000

14 4. PERSONS WITH DISABILITIES DIVISION

15 For salaries, support, maintenance, and miscellaneous
16 purposes, and for not more than the following full-time
17 equivalent positions:

18 \$ 193,531
19 FTEs 3.20

20 5. LATINO AFFAIRS DIVISION

21 For salaries, support, maintenance, and miscellaneous
22 purposes, and for not more than the following full-time
23 equivalent positions:

24 \$ 170,749
25 FTEs 3.00

26 6. STATUS OF WOMEN DIVISION

27 For salaries, support, maintenance, and miscellaneous
28 purposes, including the Iowans in transition program, and the
29 domestic violence and sexual assault-related grants, and for
30 not more than the following full-time equivalent positions:

31 \$ 335,501
32 FTEs 3.00

33 7. STATUS OF AFRICAN-AMERICANS DIVISION

34 For salaries, support, maintenance, and miscellaneous
35 purposes, and for not more than the following full-time

1 equivalent positions:

2 \$ 121,655
3 FTEs 2.00

4 8. CRIMINAL AND JUVENILE JUSTICE PLANNING DIVISION

5 For salaries, support, maintenance, and miscellaneous
6 purposes, and for not more than the following full-time
7 equivalent positions:

8 \$ 1,098,026
9 FTEs 12.18

10 The criminal and juvenile justice planning advisory council
11 and the juvenile justice advisory council shall coordinate
12 their efforts in carrying out their respective duties relative
13 to juvenile justice.

14 9. SHARED STAFF. The divisions of the department of human
15 rights shall retain their individual administrators, but shall
16 share staff to the greatest extent possible.

17 Sec. 13. DEPARTMENT OF INSPECTIONS AND APPEALS. There is
18 appropriated from the general fund of the state to the
19 department of inspections and appeals for the fiscal year
20 beginning July 1, 2006, and ending June 30, 2007, the
21 following amounts, or so much thereof as is necessary, for the
22 purposes designated:

23 1. ADMINISTRATION DIVISION

24 For salaries, support, maintenance, and miscellaneous
25 purposes, and for not more than the following full-time
26 equivalent positions:

27 \$ 1,657,318
28 FTEs 33.25

29 2. ADMINISTRATIVE HEARINGS DIVISION

30 For salaries, support, maintenance, and miscellaneous
31 purposes, and for not more than the following full-time
32 equivalent positions:

33 \$ 634,647
34 FTEs 23.00

35 3. INVESTIGATIONS DIVISION

1 For salaries, support, maintenance, and miscellaneous
2 purposes, and for not more than the following full-time
3 equivalent positions:

4	\$	1,484,421
5	FTEs	45.00

6 4. HEALTH FACILITIES DIVISION

7 For salaries, support, maintenance, and miscellaneous
8 purposes, and for not more than the following full-time
9 equivalent positions:

10	\$	2,339,742
11	FTEs	118.25

12 5. EMPLOYMENT APPEAL BOARD

13 For salaries, support, maintenance, and miscellaneous
14 purposes, and for not more than the following full-time
15 equivalent positions:

16	\$	54,600
17	FTEs	15.00

18 The employment appeal board shall be reimbursed by the
19 labor services division of the department of workforce
20 development for all costs associated with hearings conducted
21 under chapter 91C, related to contractor registration. The
22 board may expend, in addition to the amount appropriated under
23 this subsection, additional amounts as are directly billable
24 to the labor services division under this subsection and to
25 retain the additional full-time equivalent positions as needed
26 to conduct hearings required pursuant to chapter 91C.

27 6. CHILD ADVOCACY BOARD

28 For foster care review and the court appointed special
29 advocate program, including salaries, support, maintenance,
30 and miscellaneous purposes, and for not more than the
31 following full-time equivalent positions:

32	\$	2,068,667
33	FTEs	38.99

34 a. The department of human services, in coordination with
35 the child advocacy board, and the department of inspections

1 and appeals, shall submit an application for funding available
2 pursuant to Title IV-E of the federal Social Security Act for
3 claims for child advocacy board, administrative review costs.

4 b. The court appointed special advocate program shall
5 investigate and develop opportunities for expanding fund-
6 raising for the program.

7 c. Administrative costs charged by the department of
8 inspections and appeals for items funded under this subsection
9 shall not exceed 4 percent of the amount appropriated in this
10 subsection.

11 Sec. 14. RACING AND GAMING COMMISSION.

12 1. RACETRACK REGULATION

13 There is appropriated from the general fund of the state to
14 the racing and gaming commission of the department of
15 inspections and appeals for the fiscal year beginning July 1,
16 2006, and ending June 30, 2007, the following amount, or so
17 much thereof as is necessary, to be used for the purposes
18 designated:

19 For salaries, support, maintenance, and miscellaneous
20 purposes for the regulation of pari-mutuel racetracks, and for
21 not more than the following full-time equivalent positions:

22	\$	2,657,394
23	FTEs	27.53

24 2. EXCURSION BOAT REGULATION

25 There is appropriated from the general fund of the state to
26 the racing and gaming commission of the department of
27 inspections and appeals for the fiscal year beginning July 1,
28 2006, and ending June 30, 2007, the following amount, or so
29 much thereof as is necessary, to be used for the purposes
30 designated:

31 For salaries, support, maintenance, and miscellaneous
32 purposes for administration and enforcement of the excursion
33 boat gambling laws, and for not more than the following full-
34 time equivalent positions:

35	\$	3,199,440
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1 FTEs 43.22

2 Sec. 15. USE TAX APPROPRIATION. There is appropriated
3 from the use tax receipts collected pursuant to sections
4 423.26 and 423.27 prior to their deposit in the road use tax
5 fund pursuant to section 423.43 to the administrative hearings
6 division of the department of inspections and appeals for the
7 fiscal year beginning July 1, 2006, and ending June 30, 2007,
8 the following amount, or so much thereof as is necessary, for
9 the purposes designated:

10 For salaries, support, maintenance, and miscellaneous
11 purposes:

12 \$ 1,482,436

13 Sec. 16. DEPARTMENT OF MANAGEMENT. There is appropriated
14 from the general fund of the state to the department of
15 management for the fiscal year beginning July 1, 2006, and
16 ending June 30, 2007, the following amounts, or so much
17 thereof as is necessary, to be used for the purposes
18 designated:

19 1. GENERAL OFFICE

20 For salaries, support, maintenance, and miscellaneous
21 purposes, and for not more than the following full-time
22 equivalent positions:

23 \$ 2,244,335

24 FTEs 32.00

25 2. ENTERPRISE RESOURCE PLANNING

26 If funding is provided for the redesign of the enterprise
27 resource planning budget system for the fiscal year beginning
28 July 1, 2006, then there is appropriated from the general fund
29 of the state to the department of management for the fiscal
30 year beginning July 1, 2006, and ending June 30, 2007, the
31 following amount, or so much thereof as is necessary, to be
32 used for the purposes designated:

33 For salaries, support, maintenance, and miscellaneous
34 purposes for administration of the enterprise resource
35 planning system, and for not more than the following full-time

1 equivalent position:

2	\$	57,435
3	FTEs	1.00

4 3. SALARY MODEL ADMINISTRATOR

5 For salaries, support, and miscellaneous purposes of
6 the salary model administrator, and for not more than
7 the following full-time equivalent position:

8	\$	127,936
9	FTEs	1.00

10 The salary model administrator shall work in conjunction
11 with the legislative services agency to maintain the state's
12 salary model used for analyzing, comparing, and projecting
13 state employee salary and benefit information, including
14 information relating to employees of the state board of
15 regents. The department of revenue, the department of
16 administrative services, the five institutions under the
17 jurisdiction of the state board of regents, the judicial
18 district departments of correctional services, and the state
19 department of transportation shall provide salary data to the
20 department of management and the legislative services agency
21 to operate the state's salary model. The format and frequency
22 of provision of the salary data shall be determined by the
23 department of management and the legislative services agency.
24 The information shall be used in collective bargaining
25 processes under chapter 20 and in calculating the funding
26 needs contained within the annual salary adjustment
27 legislation. A state employee organization as defined in
28 section 20.3, subsection 4, may request information produced
29 by the model, but the information provided shall not contain
30 information attributable to individual employees.

31 4. For conducting performance audits and developing
32 performance measures, including salaries, support,
33 maintenance, miscellaneous purposes, and for not more than the
34 following full-time equivalent positions:

35	\$	108,000
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1 FTES 2.50

2 5. For the department's LEAN process, including salaries,
3 support, maintenance, miscellaneous purposes, and for not more
4 than the following full-time equivalent position:

5 \$ 108,000

6 FTES 1.00

7 Sec. 17. ROAD USE TAX APPROPRIATION. There is
8 appropriated from the road use tax fund to the department of
9 management for the fiscal year beginning July 1, 2006, and
10 ending June 30, 2007, the following amount, or so much thereof
11 as is necessary, to be used for the purposes designated:

12 For salaries, support, maintenance, and miscellaneous
13 purposes:

14 \$ 56,000

15 Sec. 18. DEPARTMENT OF REVENUE. There is appropriated
16 from the general fund of the state to the department of
17 revenue for the fiscal year beginning July 1, 2006, and ending
18 June 30, 2007, the following amounts, or so much thereof as is
19 necessary, to be used for the purposes designated:

20 For salaries, support, maintenance, and miscellaneous
21 purposes, and for not more than the following full-time
22 equivalent positions:

23 \$ 23,138,575

24 FTES 392.64

25 Of the funds appropriated pursuant to this section,
26 \$400,000 shall be used to pay the direct costs of compliance
27 related to the collection and distribution of local sales and
28 services taxes imposed pursuant to chapters 423B and 423E.

29 The director of revenue shall prepare and issue a state
30 appraisal manual and the revisions to the state appraisal
31 manual as provided in section 421.17, subsection 17, without
32 cost to a city or county.

33 The department of revenue shall submit a written report to
34 the general assembly by January 1, 2007, concerning the
35 department's progress in developing a system to track tax

1 credits.

2 Sec. 19. MOTOR VEHICLE FUEL TAX APPROPRIATION. There is
3 appropriated from the motor fuel tax fund created by section
4 452A.77 to the department of revenue for the fiscal year
5 beginning July 1, 2006, and ending June 30, 2007, the
6 following amount, or so much thereof as is necessary, to be
7 used for the purposes designated:

8 For salaries, support, maintenance, and miscellaneous
9 purposes for administration and enforcement of the provisions
10 of chapter 452A and the motor vehicle use tax program:

11 \$ 1,258,042

12 Sec. 20. SECRETARY OF STATE. There is appropriated from
13 the general fund of the state to the office of the secretary
14 of state for the fiscal year beginning July 1, 2006, and
15 ending June 30, 2007, the following amounts, or so much
16 thereof as is necessary, to be used for the purposes
17 designated:

18 1. ADMINISTRATION AND ELECTIONS

19 For salaries, support, maintenance, and miscellaneous
20 purposes, and for not more than the following full-time
21 equivalent positions:

22 \$ 707,942

23 FTEs 10.00

24 The state department or state agency which provides data
25 processing services to support voter registration file
26 maintenance and storage shall provide those services without
27 charge.

28 2. BUSINESS SERVICES

29 For salaries, support, maintenance, and miscellaneous
30 purposes, and for not more than the following full-time
31 equivalent positions:

32 \$ 2,003,091

33 FTEs 32.00

34 Sec. 21. SECRETARY OF STATE FILING FEES REFUND.

35 Notwithstanding the obligation to collect fees pursuant to the

1 provisions of section 490.122, subsection 1, paragraphs "a"
2 and "s", and section 504.113, subsection 1, paragraphs "a",
3 "c", "d", "j", "k", "l", and "m", for the fiscal year
4 beginning July 1, 2006, and ending June 30, 2007, the
5 secretary of state may refund these fees to the filer pursuant
6 to rules established by the secretary of state. The decision
7 of the secretary of state not to issue a refund under rules
8 established by the secretary of state is final and not subject
9 to review pursuant to the provisions of the Iowa
10 administrative procedure Act, chapter 17A.

11 Sec. 22. TREASURER. There is appropriated from the
12 general fund of the state to the office of treasurer of state
13 for the fiscal year beginning July 1, 2006, and ending June
14 30, 2007, the following amount, or so much thereof as is
15 necessary, to be used for the purposes designated:

16 For salaries, support, maintenance, and miscellaneous
17 purposes, and for not more than the following full-time
18 equivalent positions:

19 \$ 922,899
20 FTEs 28.80

21 The office of treasurer of state shall supply clerical and
22 secretarial support for the executive council.

23 Sec. 23. IPERS -- GENERAL OFFICE. There is appropriated
24 from the Iowa public employees' retirement system fund to the
25 Iowa public employees' retirement system for the fiscal year
26 beginning July 1, 2006, and ending June 30, 2007, the
27 following amount, or so much thereof as is necessary, to be
28 used for the purposes designated:

29 For salaries, support, maintenance, and other operational
30 purposes to pay the costs of the Iowa public employees'
31 retirement system, and for not more than the following full-
32 time equivalent positions:

33 \$ 16,756,131
34 FTEs 95.13

35 Sec. 24. TRAVEL POLICY.

1 1. For the fiscal year beginning July 1, 2006, each
2 department or independent agency receiving an appropriation in
3 this Act shall review the employee policy for daily or short-
4 term travel including but not limited to the usage of motor
5 pool vehicles under the department of administrative services,
6 employee mileage reimbursement for the use of a personal
7 vehicle, and the usage of private automobile rental companies.
8 Following the review, the department or agency shall implement
9 revisions in the employee policy for daily or short-term
10 travel as necessary to maximize cost savings.

11 2. Each department or independent agency subject to
12 subsection 1 shall report to the general assembly's standing
13 committees on government oversight regarding the policy
14 revisions implemented and the savings realized from the
15 changes. An initial report shall be submitted on or before
16 December 1, 2006, and a follow-up report shall be submitted on
17 or before December 1, 2007.

18 Sec. 25. 2005 Iowa Acts, chapter 179, section 32, is
19 amended by adding the following new unnumbered paragraph:

20 NEW UNNUMBERED PARAGRAPH. Notwithstanding section 8.33,
21 moneys appropriated in this section that remain unencumbered
22 or unobligated at the close of the fiscal year shall not
23 revert but shall remain available for expenditure for the
24 purposes designated during the succeeding fiscal year.

25 Sec. 26. EFFECTIVE DATE. The section of this division of
26 this Act amending 2005 Iowa Acts, chapter 179, being deemed of
27 immediate importance, takes effect upon enactment.

28 DIVISION II

29 MISCELLANEOUS PROVISIONS

30 Sec. 27. Section 421.17, subsection 27, paragraphs a, c,
31 d, e, g, and h, Code Supplement 2005, are amended to read as
32 follows:

33 a. To establish, administer, and make available a
34 centralized debt collection capability and procedure for the
35 use by any state agency ~~as defined in section 8A-504~~ or local

1 government entity including, but not limited to, the
2 department of revenue, along with other boards, commissions,
3 departments, and any other entity reported in the Iowa
4 comprehensive annual financial report, to collect delinquent
5 accounts, charges, fees, loans, taxes, or other indebtedness
6 owed to or being collected by the state. The department's
7 collection facilities shall only be available for use by other
8 state agencies or local government entities for their
9 discretionary use when resources are available to the director
10 and subject to the director's determination that use of the
11 procedure is feasible. The director shall prescribe the
12 appropriate form and manner in which this information is to be
13 submitted to the office of the department. The obligations or
14 indebtedness must be delinquent and not subject to litigation,
15 claim, appeal, or review pursuant to the appropriate remedies
16 of each state agency or local government entity.

17 c. The director shall establish a formal debt collection
18 policy for use by state agencies and local government entities
19 which have not established their own policy. Other state
20 agencies and local government entities may use the collection
21 facilities of the department pursuant to formal agreement with
22 the department. The agreement shall provide that the
23 information provided to the department shall be sufficient to
24 establish the obligation in a court of law and to render it as
25 a legal judgment on behalf of the state or the local
26 government agency. After transferring the file to the
27 department for collection, an individual state agency or the
28 local government agency shall terminate all collection
29 procedures and be available to provide assistance to the
30 department. Upon receipt of the file, the department shall
31 assume all liability for its actions without recourse to the
32 agency or the local government agency, and shall comply with
33 all applicable state and federal laws governing collection of
34 the debt. The department may use a participating agency's or
35 local government agency's statutory collection authority to

1 collect the participating agency's delinquent accounts,
2 charges, fees, loans, taxes, or other indebtedness owed to or
3 being collected by the state. The department has the powers
4 granted in this section regarding setoff from income tax
5 refunds or other accounts payable by the state for any of the
6 obligations transferred by state agencies or local government
7 agencies.

8 d. The department's existing right to credit against tax
9 due shall not be impaired by any right granted to, or duty
10 imposed upon, the department or other state agency or local
11 government agency by this section.

12 e. All state agencies and local government agencies shall
13 be given access, at the discretion of the director, to the
14 centralized computer data bank and, notwithstanding any other
15 provision of law to the contrary, may deny, revoke, or suspend
16 any license or deny any renewal authorized by the laws of this
17 state to any person who has defaulted on an obligation owed to
18 or collected by the state. The confidentiality provisions of
19 sections 422.20 and 422.72 do not apply to tax information
20 contained in the centralized computer data bank. State
21 agencies and local government agencies shall endeavor to
22 obtain the applicant's social security or federal tax
23 identification number, or state driver's license number from
24 all applicants.

25 g. The director shall adopt administrative rules to
26 implement this ~~section~~ subsection, including, but not limited
27 to, rules necessary to prevent conflict with federal laws and
28 regulations or the loss of federal funds, to establish
29 procedures necessary to guarantee due process of law, and to
30 provide for reimbursement of the department by other state
31 agencies and local government entities for the department's
32 costs related to debt collection for state agencies and local
33 government entities.

34 h. The director shall report quarterly to the legislative
35 fiscal committee, the legislative services agency, and the

1 chairpersons and ranking members of the joint ~~administration~~
2 appropriations subcommittee on administration and regulation
3 concerning the implementation of the centralized debt
4 collection program, the number of departmental collection
5 programs initiated, the amount of debts collected, and an
6 estimate of future costs and benefits which may be associated
7 with the collection program. It is the intent of the general
8 assembly that the centralized debt collection program will
9 result in the collection of at least two dollars of
10 indebtedness for every dollar expended in administering the
11 collection program during a fiscal year. ~~It is also the~~
12 ~~intent of the general assembly that the centralized debt~~
13 ~~collection program be administered without the anticipation of~~
14 ~~future additional commitments of computer equipment and~~
15 ~~personnel.~~

16 Sec. 28. Section 421.17, subsection 27, Code Supplement
17 2005, is amended by adding the following new paragraph:

18 NEW PARAGRAPH. j. There is appropriated from the amount
19 of any debt actually collected pursuant to this subsection an
20 amount, not to exceed the amount collected, which is
21 sufficient to pay for salaries, support, maintenance,
22 services, and other costs incurred by the department related
23 to the administration of this subsection. The director shall
24 report annually to the legislative fiscal committee and the
25 legislative services agency on any additional positions added
26 and the costs incurred during the previous fiscal year
27 pursuant to this subsection.

28 Sec. 29. Section 422.26, unnumbered paragraph 6, Code
29 2005, is amended to read as follows:

30 The department shall pay ~~from moneys appropriated to the~~
31 ~~department for this purpose,~~ a recording fee as provided in
32 section 331.604, for the recording of the lien, or for its
33 satisfaction.

34

DIVISION III

35 REASSIGNMENT OF PROFESSIONAL LICENSING AND REGULATION DIVISION

1 Sec. 30. Section 8A.412, subsection 19, Code Supplement
2 2005, is amended to read as follows:

3 19. The superintendent of the banking division of the
4 department of commerce, all members of the state banking
5 council, and all employees of the banking division except for
6 employees of the professional licensing and regulation bureau
7 of the division.

8 Sec. 31. Section 524.208, Code 2005, is amended to read as
9 follows:

10 524.208 EXAMINERS AND OTHER EMPLOYEES.

11 The superintendent may appoint examiners and other
12 employees as the superintendent deems necessary to the proper
13 discharge of the duties imposed upon the superintendent by the
14 laws of this state. Pay plans shall be established for
15 employees, other than clerical employees or employees of the
16 professional licensing and regulation bureau of the banking
17 division, who examine the accounts and affairs of state banks
18 and who examine the accounts and affairs of other persons,
19 subject to supervision and regulation by the superintendent,
20 which are substantially equivalent to those paid by the
21 federal deposit insurance corporation and other federal
22 supervisory agencies in this area of the United States.

23 Sec. 32. Section 524.211, subsection 5, Code 2005, is
24 amended to read as follows:

25 5. An employee of the banking division, other than the
26 superintendent or a member of the state banking council or one
27 of the boards in the professional licensing and regulation
28 bureau of the division, shall not perform any services for,
29 and shall not be a shareholder, member, partner, owner,
30 director, officer, or employee of, any enterprise, person, or
31 affiliate subject to the regulatory purview of the banking
32 division.

33 Sec. 33. Section 534.401, subsection 1, Code 2005, is
34 amended to read as follows:

35 1. SUPERINTENDENT OF SAVINGS AND LOAN ASSOCIATIONS. The

1 superintendent of savings and loan associations is the
2 ~~administrator of professional licensing and regulation~~
3 ~~appointed pursuant to section 546.107 subsection 27 or an~~
4 ~~individual appointed by the administrator as provided in~~
5 ~~section 546.107 subsection 6~~ superintendent of banking.

6 Sec. 34. Section 542.4, subsections 1 and 6, Code 2005,
7 are amended to read as follows:

8 1. An Iowa accountancy examining board is created within
9 the professional licensing and regulation bureau of the
10 banking division of the department of commerce to administer
11 and enforce this chapter. The board shall consist of eight
12 members, appointed by the governor and subject to senate
13 confirmation, all of whom shall be residents of this state.
14 Five of the eight members shall be holders of certificates
15 issued under section 542.6, one member shall be the holder of
16 a license issued under section 542.8, and two shall not be
17 certified public accountants or licensed public accountants
18 and shall represent the general public. At least three of the
19 holders of certificates issued under section 542.6 shall also
20 be qualified to supervise attest services as provided in
21 section 542.7. A certified or licensed member of the board
22 shall be actively engaged in practice as a certified public
23 accountant or as a licensed public accountant and shall have
24 been so engaged for five years preceding appointment, the last
25 two of which shall have been in this state. Professional
26 associations or societies composed of certified public
27 accountants or licensed public accountants may recommend the
28 names of potential board members to the governor. However,
29 the governor is not bound by the recommendations. A board
30 member is not required to be a member of any professional
31 association or society composed of certified public
32 accountants or licensed public accountants. The term of each
33 member of the board shall be three years, as designated by the
34 governor, and appointments to the board are subject to the
35 requirements of sections 69.16, 69.16A, and 69.19. Members of

1 the board appointed and serving pursuant to chapter 542C, Code
2 2001, on July 1, 2002, shall serve out the terms for which
3 they were appointed. Vacancies occurring during a term shall
4 be filled by appointment by the governor for the unexpired
5 term. Upon the expiration of the member's term of office, a
6 member shall continue to serve until a successor shall have
7 been appointed and taken office. The public members of the
8 board shall be allowed to participate in administrative,
9 clerical, or ministerial functions incident to giving the
10 examinations, but shall not determine the content or determine
11 the correctness of the answers. The licensed public
12 accountant member shall not determine the content of the
13 certified public accountant examination or determine the
14 correctness of the answers. Any member of the board whose
15 certificate under section 542.6 or license under section 542.8
16 is revoked or suspended shall automatically cease to be a
17 member of the board, and the governor may, after a hearing,
18 remove any member of the board for neglect of duty or other
19 just cause. A person who has served three successive complete
20 terms shall not be eligible for reappointment, but appointment
21 to fill an unexpired term shall not be considered a complete
22 term for this purpose.

23 6. The administrator of the professional licensing and
24 regulation bureau of the banking division of the department of
25 commerce shall provide staffing assistance to the board for
26 implementing this chapter.

27 Sec. 35. Section 542B.3, Code 2005, is amended to read as
28 follows:

29 542B.3 ENGINEERING AND LAND SURVEYING EXAMINING BOARD
30 CREATED.

31 An engineering and land surveying examining board is
32 created within the professional licensing and regulation
33 bureau of the banking division of the department of commerce.
34 The board consists of four members who are licensed
35 professional engineers, one member who is a licensed land

1 surveyor or a professional engineer who is also a licensed
2 land surveyor, and two members who are not licensed
3 professional engineers or land surveyors and who shall
4 represent the general public. Members shall be appointed by
5 the governor subject to confirmation by the senate. A
6 licensed member shall be actively engaged in the practice of
7 engineering or land surveying and shall have been so engaged
8 for five years preceding the appointment, the last two of
9 which shall have been in Iowa. Insofar as practicable,
10 licensed engineer members of the board shall be from different
11 branches of the profession of engineering. Professional
12 associations or societies composed of licensed engineers or
13 licensed land surveyors may recommend the names of potential
14 board members whose profession is representative of that
15 association or society to the governor. However, the governor
16 is not bound by the recommendations. A board member shall not
17 be required to be a member of any professional association or
18 society composed of professional engineers or land surveyors.
19 Sec. 36. Section 542B.9, Code 2005, is amended to read as
20 follows:

21 542B.9 ORGANIZATION OF THE BOARD -- STAFF.

22 The board shall elect annually from its members a
23 chairperson and a vice chairperson. The administrator of the
24 professional licensing and regulation bureau of the banking
25 division of the department of commerce shall hire and provide
26 staff to assist the board in implementing this chapter. The
27 board shall hold at least one meeting at the location of the
28 board's principal office, and meetings shall be called at
29 other times by the administrator at the request of the
30 chairperson or four members of the board. At any meeting of
31 the board, a majority of members constitutes a quorum.

32 Sec. 37. Section 543B.8, Code Supplement 2005, is amended
33 to read as follows:

34 543B.8 REAL ESTATE COMMISSION CREATED -- STAFF.

35 A real estate commission is created within the professional

1 licensing and regulation bureau of the banking division of the
2 department of commerce. The commission consists of five
3 members licensed under this chapter and two members not
4 licensed under this chapter and who shall represent the
5 general public. At least one of the licensed members shall be
6 a licensed real estate salesperson, except that if the
7 licensed real estate salesperson becomes a licensed real
8 estate broker during a term of office, that person may
9 complete the term, but is not eligible for reappointment on
10 the commission as a licensed real estate salesperson. A
11 licensed member shall be actively engaged in the real estate
12 business and shall have been so engaged for five years
13 preceding the appointment, the last two of which shall have
14 been in Iowa. Professional associations or societies of real
15 estate brokers or real estate salespersons may recommend the
16 names of potential commission members to the governor.
17 However, the governor is not bound by their recommendations.
18 A commission member shall not be required to be a member of
19 any professional association or society composed of real
20 estate brokers or salespersons. Commission members shall be
21 appointed by the governor subject to confirmation by the
22 senate. Appointments shall be for three-year terms and shall
23 commence and end as provided in section 69.19. A member shall
24 serve no more than three terms or nine years, whichever is
25 less. No more than one member shall be appointed from a
26 county. A commission member shall not hold any other elective
27 or appointive state or federal office. Vacancies shall be
28 filled for the unexpired term by appointment of the governor
29 and are subject to senate confirmation. A majority of the
30 commission members constitutes a quorum. The administrator of
31 the professional licensing and regulation bureau of the
32 banking division shall hire and provide staff to assist the
33 commission with implementing this chapter.

34 The administrator of the professional licensing and
35 regulation bureau of the banking division of the department of

1 commerce shall hire a real estate education director to assist
2 the commission in administering education programs for the
3 commission.

4 Sec. 38. Section 543B.54, Code 2005, is amended to read as
5 follows:

6 543B.54 REAL ESTATE EDUCATION FUND.

7 The Iowa real estate education fund is created as a
8 financial assurance mechanism to assist in the establishment
9 and maintenance of a real estate education program at the
10 university of northern Iowa and to assist the real estate
11 commission in providing an education director. The fund is
12 created as a separate fund in the state treasury, and any
13 funds remaining in the fund at the end of each fiscal year
14 shall not revert to the general fund, but shall remain in the
15 Iowa real estate education fund. Twenty-five dollars per
16 license from fees deposited for each real estate salesperson's
17 license and each broker's license shall be distributed and are
18 appropriated to the board of regents for the purpose of
19 establishing and maintaining a real estate education program
20 at the university of northern Iowa. The remaining moneys in
21 the fund shall be distributed and are appropriated to the
22 professional licensing and regulation bureau of the banking
23 division of the department of commerce for the purpose of
24 hiring and compensating a real estate education director and
25 regulatory compliance personnel.

26 Sec. 39. Section 543D.4, unnumbered paragraph 1, Code
27 2005, is amended to read as follows:

28 A real estate appraiser examining board is established
29 within the professional licensing and regulation bureau of the
30 banking division of the department of commerce. The board
31 consists of seven members, two of whom shall be public members
32 and five of whom shall be real estate appraisers.

33 Sec. 40. Section 544A.1, unnumbered paragraph 2, Code
34 2005, is amended to read as follows:

35 The architectural examining board is created within the

1 professional licensing and regulation bureau of the banking
2 division of the department of commerce. The board consists of
3 five members who possess a certificate of registration issued
4 under section 544A.9 and who have been in active practice of
5 architecture for not less than five years, the last two of
6 which shall have been in Iowa, and two members who do not
7 possess a certificate of registration issued under section
8 544A.9 and who shall represent the general public. Members
9 shall be appointed by the governor subject to confirmation by
10 the senate.

11 Sec. 41. Section 544A.5, Code 2005, is amended to read as
12 follows:

13 544A.5 DUTIES.

14 The architectural examining board shall enforce this
15 chapter, shall make rules for the examination of applicants
16 for the certificate of registration provided by this chapter,
17 and shall, after due public notice, hold meetings each year
18 for the purpose of examining applicants for registration and
19 the transaction of business pertaining to the affairs of the
20 board. Examinations shall be given as often as deemed
21 necessary, but not less than annually. Action at a meeting
22 shall not be taken without the affirmative votes of a majority
23 of the members of the board. The administrator of the
24 professional licensing and regulation bureau of the banking
25 division of the department of commerce shall hire and provide
26 staff to assist the board with implementing this chapter.

27 Sec. 42. Section 544B.3, unnumbered paragraph 1, Code
28 2005, is amended to read as follows:

29 A landscape architectural examining board is created within
30 the professional licensing and regulation bureau of the
31 banking division of the department of commerce. The board
32 consists of five members who are professional landscape
33 architects and two members who are not professional landscape
34 architects and who shall represent the general public.
35 Members shall be appointed by the governor, subject to

1 confirmation by the senate. A professional member shall be
2 actively engaged in the practice of landscape architecture or
3 the teaching of landscape architecture in an accredited
4 college or university, and shall have been so engaged for five
5 years preceding appointment, the last two of which shall have
6 been in Iowa. Associations or societies composed of
7 professional landscape architects may recommend the names of
8 potential board members to the governor. However, the
9 governor is not bound by the recommendations. A board member
10 shall not be required to be a member of any professional
11 association or society composed of professional landscape
12 architects.

13 Sec. 43. Section 544B.5, Code 2005, is amended to read as
14 follows:

15 544B.5 DUTIES.

16 The board shall enforce this chapter, shall make rules for
17 the examination of applicants for licensure, and, after public
18 notice, shall conduct examinations of applicants for
19 licensure. The board shall keep a record of its proceedings.
20 The board shall adopt an official seal which shall be affixed
21 to all certificates of licensure granted. The board may make
22 other rules, not inconsistent with law, as necessary for the
23 proper performance of its duties. The board shall maintain a
24 roster showing the name, place of business, and residence, and
25 the date and number of the certificate of licensure of every
26 professional landscape architect in this state. The
27 administrator of the professional licensing and regulation
28 bureau of the banking division of the department of commerce
29 shall hire and provide staff to assist the board in
30 implementing this chapter.

31 Sec. 44. Section 544C.1, subsection 2, Code Supplement
32 2005, is amended to read as follows:

33 2. "Division" "Bureau" means the professional licensing
34 and regulation bureau of the banking division of the
35 department of commerce.

1 Sec. 45. Section 544C.2, subsection 1, Code Supplement
2 2005, is amended to read as follows:

3 1. An interior design examining board is established
4 within the division bureau. The board consists of seven
5 members: five members who are interior designers who are
6 registered under this chapter and who have been in the active
7 practice of interior design for not less than five years, the
8 last two of which shall have been in Iowa; and two members who
9 are not registered under this chapter and who shall represent
10 the general public. Members shall be appointed by the
11 governor subject to confirmation by the senate.

12 Sec. 46. Section 544C.3, unnumbered paragraph 2, Code
13 Supplement 2005, is amended to read as follows:

14 The administrator of the division bureau shall provide
15 staff to assist the board in the implementation of this
16 chapter.

17 Sec. 47. Section 544C.5, unnumbered paragraph 1, Code
18 Supplement 2005, is amended to read as follows:

19 Each applicant for registration must meet the interior
20 design education and practical training requirements adopted
21 by rule by the board, and have passed an examination
22 prescribed by the board that is task-oriented, focused on
23 public safety, and validated by a recognized testing agency.
24 The division bureau shall register an individual who submits
25 an application to the board on the form and in the manner
26 prescribed by the board as a registered interior designer if
27 the individual satisfies the following requirements:

28 Sec. 48. Section 546.2, subsection 3, paragraph g, Code
29 2005, is amended by striking the paragraph.

30 Sec. 49. Section 546.3, Code 2005, is amended to read as
31 follows:

32 546.3 BANKING DIVISION.

33 1. The banking division shall regulate and supervise banks
34 under chapter 524, debt management licensees under chapter
35 533A, money services under chapter 533C, delayed deposit

1 services under chapter 533D, mortgage bankers and brokers
2 under chapter 535B, regulated loan companies under chapter
3 536, and industrial loan companies under chapter 536A, and
4 shall perform other duties assigned to the division by law.
5 The division is headed by the superintendent of banking who is
6 appointed pursuant to section 524.201. The state banking
7 council shall render advice within the division when requested
8 by the superintendent.

9 2. The banking division shall administer and manage the
10 professional licensing and regulation bureau within the
11 division. The division shall separately account for funds of
12 the bureau. However, the division may allocate costs for
13 administrative, technical, support, and other shared services
14 across the entire division.

15 Sec. 50. Section 546.5, Code 2005, is amended to read as
16 follows:

17 546.5 SAVINGS AND LOAN DIVISION.

18 The savings and loan division shall regulate and supervise
19 savings and loan associations and savings banks under chapter
20 534. The division is headed by the superintendent of savings
21 and loan associations who shall be ~~appointed-pursuant-to~~
22 ~~section-534-401~~ the superintendent of banking.

23 Sec. 51. Section 546.10, Code Supplement 2005, is amended
24 to read as follows:

25 546.10 PROFESSIONAL LICENSING AND REGULATION ~~DIVISION~~
26 BUREAU -- SUPERINTENDENT OF SAVINGS AND LOAN ASSOCIATIONS.

27 1. The professional licensing and regulation bureau of the
28 banking division shall administer and coordinate the licensing
29 and regulation of several professions by bringing together the
30 following licensing boards:

31 a. The engineering and land surveying examining board
32 created pursuant to chapter 542B.

33 b. The Iowa accountancy examining board created pursuant
34 to chapter 542.

35 c. The real estate commission created pursuant to chapter

1 543B.

2 d. The architectural examining board created pursuant to
3 chapter 544A.

4 e. The landscape architectural examining board created
5 pursuant to chapter 544B.

6 f. The real estate appraiser examining board created
7 pursuant to section 543D.4.

8 g. The interior design examining board created pursuant to
9 chapter 544C.

10 2. The division bureau is headed by the administrator of
11 professional licensing and regulation who shall be appointed
12 ~~by the governor subject to confirmation by the senate and~~
13 ~~shall serve a four-year term that begins and ends as provided~~
14 ~~in section 69-19~~ the superintendent of banking. A vacancy
15 ~~shall be filled for the unexpired portion of the term in the~~
16 ~~same manner as a full-term appointment is made.~~ The
17 administrator shall appoint and supervise staff and shall
18 coordinate activities for the licensing boards within the
19 division bureau. ~~The administrator shall act as a staff~~
20 ~~person to one or more of the licensing boards.~~

21 3. The licensing and regulation examining boards included
22 in the division bureau pursuant to subsection 1 retain the
23 powers granted them pursuant to the chapters in which they are
24 created, except for budgetary and personnel matters which
25 shall be handled by the administrator. Each licensing board
26 shall adopt rules pursuant to chapter 17A. Decisions by a
27 licensing board are final agency actions for purposes of
28 chapter 17A.

29 Notwithstanding subsection 5, eighty-five percent of the
30 funds received annually resulting from an increase in
31 licensing fees implemented on or after April 1, 2002, by a
32 licensing board or commission listed in subsection 1, is
33 appropriated to the professional licensing and regulation
34 division bureau to be allocated to the board or commission for
35 the fiscal year beginning July 1, 2002, and succeeding fiscal

1 years, for purposes related to the duties of the board or
2 commission, including but not limited to additional full-time
3 equivalent positions. The director of the department of
4 administrative services shall draw warrants upon the treasurer
5 of state from the funds appropriated as provided in this
6 section and shall make the funds available to the professional
7 licensing division and regulation bureau on a monthly basis
8 during each fiscal year.

9 4. The professional licensing and regulation bureau of the
10 banking division of the department of commerce may expend
11 additional funds, including funds for additional personnel, if
12 those additional expenditures are directly the cause of actual
13 examination expenses exceeding funds budgeted for
14 examinations. Before the division bureau expends or encumbers
15 an amount in excess of the funds budgeted for examinations,
16 the director of the department of management shall approve the
17 expenditure or encumbrance. Before approval is given, the
18 director of the department of management shall determine that
19 the examination expenses exceed the funds budgeted by the
20 general assembly to the division bureau and the division
21 bureau does not have other funds from which the expenses can
22 be paid. Upon approval of the director of the department of
23 management, the division bureau may expend and encumber funds
24 for excess examination expenses. The amounts necessary to
25 fund the examination expenses shall be collected as fees from
26 additional examination applicants and shall be treated as
27 repayment receipts as defined in section 8.2, subsection 8.

28 5. Fees collected under chapters 542, 542B, 543B, 543D,
29 544A, and 544B, and 544C shall be paid to the treasurer of
30 state and credited to the general fund of the state. All
31 expenses required in the discharge of the duties and
32 responsibilities imposed upon the professional licensing and
33 regulation bureau of the banking division of the department of
34 commerce, the administrator, and the licensing boards by the
35 laws of this state shall be paid from moneys appropriated by

1 the general assembly for those purposes. All fees deposited
2 into the general fund of the state, as provided in this
3 subsection, shall be subject to the requirements of section
4 8.60.

5 ~~6.--The-administrator-of-professional-licensing-and~~
6 ~~regulation-is-the-superintendent-of-savings-and-loan~~
7 ~~associations.--The-administrator-may-appoint-an-individual-to~~
8 ~~act-as-the-superintendent-who-shall-serve-as-the~~
9 ~~superintendent-at-the-pleasure-of-the-administrator.~~

10

EXPLANATION

11 Division I of this bill relates to and appropriates moneys
12 to various state departments, agencies, and funds for the
13 fiscal year beginning July 1, 2006, and ending June 30, 2007.
14 The division makes appropriations to state departments and
15 agencies including the department of administrative services,
16 auditor of state, Iowa ethics and campaign disclosure board,
17 department of commerce, office of governor including the
18 lieutenant governor, Terrace Hill quarters and drug control
19 policy office, department of human rights, department of
20 inspections and appeals, department of management, Iowa public
21 employees' retirement system, secretary of state, treasurer of
22 state, and department of revenue. The division also
23 appropriates funding for the state's membership in the
24 national governors association. The division also provides
25 that the department of administrative services is authorized
26 to expend additional money from moneys appropriated to the
27 department for start-up funding for revolving funds when the
28 department was established for the period beginning July 1,
29 2006, and ending June 30, 2011. The moneys expended during
30 this period shall be considered repayment amounts to the
31 general fund. The division includes a directive for the
32 departments and independent agencies receiving an
33 appropriation in the bill to review employee policy for daily
34 or short-term travel and to implement policy revisions to
35 maximize cost savings. The directive includes requirements

1 for reporting to the committees on government oversight.

2 Division II makes changes to statutory provisions related
3 to the appropriations made in the bill.

4 Code section 421.17, subsection 27, concerning debt
5 collection by the department of revenue for state agencies, is
6 amended to permit other state agencies and local governments
7 to utilize the centralized debt collection facility. A
8 standing appropriation is made from the collections generated
9 to allow the department of revenue to be able to recoup its
10 costs. The department's costs may include upgrades to
11 computer systems and adding additional personnel.

12 Code section 422.26, concerning tax liens, is amended to
13 provide that the department of revenue is required to pay the
14 recording fee for the lien whether moneys are appropriated to
15 the department for that purpose or not.

16 Division III of the bill eliminates the professional
17 licensing and regulation division within the department of
18 commerce and reassigns it as a bureau of the banking division.
19 The superintendent of banking is made the administrator of the
20 professional licensing and regulation bureau established by
21 the bill and is also made the superintendent of savings and
22 loan associations.

23 The bill provides that the banking division shall
24 administer and manage the new professional licensing and
25 regulation bureau but shall separately account for funds of
26 the bureau. The bill does allow the division to allocate the
27 costs of providing administrative support to the bureau across
28 the banking division.

29 The bill contains an effective date provision.

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HOUSE FILE 2521

H-8063

1 Amend House File 2521 as follows:
 2 1. Page 1, by striking lines 17 through 21 and
 3 inserting the following: "It is the intent of the
 4 general assembly that the department shall reduce
 5 utility costs through energy conservation practices.
 6 The goal of the general assembly is to reduce energy
 7 use by ten percent to save money, conserve energy
 8 resources, and reduce pollution. Notwithstanding
 9 section 8.33, any appropriated funds not expended for
 10 utility costs shall not revert to the general fund of
 11 the state at the end of the fiscal year but shall be
 12 appropriated to the utilities division of the
 13 department of commerce for public education, training,
 14 volunteer recruitment, and specific energy
 15 conservation improvements in support of the goals of
 16 the Iowa weatherization challenge of the Iowa
 17 utilities board."

By HOGG of Linn

H-8063 FILED MARCH 1, 2006

HOUSE FILE 2521

H-8077

1 Amend House File 2521 as follows:
 2 1. Page 9, by striking lines 12 and 13, and
 3 inserting the following:
 4 "For salaries, support, maintenance, and
 5 miscellaneous purposes, and for not more than the
 6 following full-time equivalent position:
 7 \$ 485,000
 8 FTEs 1.00"
 9 2. Page 9, by striking line 24 and inserting the
 10 following:
 11 "..... \$ 485,000"
 12 3. Page 10, by striking line 2 and inserting the
 13 following:
 14 "..... \$ 485,000"

By FORD of Polk

H-8077 FILED MARCH 3, 2006

HOUSE FILE 2521

H-8132

1 Amend the amendment, H-8063, to House File 2521 as
 2 follows:
 3 1. Page 1, line 8, by striking the word
 4 "Notwithstanding".
 5 2. Page 1, by striking lines 9 through 17.

By SANDS of Louisa
HOGG of Linn

H-8132 FILED MARCH 7, 2006

ADOPTED

HOUSE FILE 2521

H-8126

1 Amend House File 2521 as follows:

2 1. Page 9, line 15, by inserting before the word
3 "For" the following: "a."

4 2. Page 9, by inserting after line 19 the
5 following:

6 "b. To provide for the review and assessment of
7 all buildings and structures owned by the state, or an
8 agency of the state, to ensure that such buildings and
9 structures are in compliance with the federal
10 Americans With Disabilities Act:

11 \$ 50,000

12 The division of persons with disabilities shall
13 gather information and review plans on all buildings
14 and structures owned by the state, or an agency of the
15 state concerning compliance. The division of persons
16 with disabilities shall make on-site inspections of
17 capitol-complex buildings. The division of persons
18 with disabilities shall assess the progress made
19 toward compliance, make recommendations for
20 alterations or improvements needed to bring state
21 buildings and structures into compliance, and a
22 timeline therefore.

23 The division of persons with disabilities shall
24 consult with the state building code commissioner and
25 the director of the department of administrative
26 services in conducting such review and assessment.

27 The division of persons with disabilities shall
28 report the results of such review and assessment,
29 including a plan, recommendations, and a timeline for
30 bringing all state buildings and structures into
31 compliance and, in consultation with the state
32 building code commissioner and the department of
33 administrative services, the division of persons with
34 disabilities shall report to the joint appropriations
35 subcommittee on transportation, infrastructure, and
36 capitals and the legislative services agency on or
37 before January 1, 2007, an estimate of the cost to
38 bring the state's buildings and structures into
39 compliance."

40 3. By renumbering as necessary.

By KUHN of Floyd
HEDDENS of Story

H-8126 FILED MARCH 6, 2006

HOUSE FILE 2521

H-8115

1 Amend House File 2521 as follows:
2 1. Page 9, by striking line 31 and inserting the
3 following:
4 "..... \$ 452,501"
5 2. Page 9, by inserting after line 32 the
6 following:
7 "a. Of the moneys appropriated in this subsection,
8 \$93,000 shall be used for preemployment services for
9 the Iowans in transition program.
10 b. Of the moneys appropriated in this subsection,
11 \$24,000 shall be used for training on issues of
12 violence against women."
13 3. By renumbering as necessary.

By HUNTER of Polk

H-8115 FILED MARCH 6, 2006

HOUSE FILE 2521

H-8116

1 Amend House File 2521 as follows:
2 1. Page 9, by striking lines 12 and 13, and
3 inserting the following:
4 "For salaries, support, maintenance, and
5 miscellaneous purposes, and for not more than the
6 following full-time equivalent position:
7 \$ 86,000
8 FTEs 1.00"

By HUNTER of Polk

H-8116 FILED MARCH 6, 2006

HOUSE FILE 2521

H-8122

1 Amend House File 2521 as follows:
2 1. Page 18, line 7, by inserting after the word
3 "companies." the following: "The employee mileage
4 reimbursement under section 8A.363 for the use of a
5 personal vehicle for the fiscal year shall be at least
6 the maximum allowable under the federal internal
7 revenue service rules per mile, and the reimbursement
8 rates for per diem allowances shall also provide the
9 maximum allowable during the fiscal year under the
10 federal travel regulations for government travel
11 applicable to the appropriate type of expense."

By T. TAYLOR of Linn

H-8122 FILED MARCH 6, 2006

HOUSE FILE 2521

H-8112

1 Amend House File 2521 as follows:
 2 1. Page 3, by inserting after line 27 the
 3 following:
 4 "As a condition of receiving this appropriation,
 5 the auditor of state shall submit a report by January
 6 15, 2007, to the joint legislative government
 7 oversight committee and the co-chairpersons and
 8 ranking members of the legislative joint
 9 appropriations subcommittee on administration and
 10 regulation concerning audits conducted by the auditor
 11 for the fiscal period commencing July 1, 2003, and
 12 ending June 30, 2006. The report shall include a
 13 detailed accounting of the time spent on conducting
 14 audits for state and local government entities to
 15 include the billable hours charged to each
 16 governmental entity and the rates charged to each
 17 governmental entity, if applicable, for the billable
 18 hours. The report shall include information as to how
 19 the rates for governmental entities are determined."

By HUNTER of Polk

H-8112 FILED MARCH 6, 2006

HOUSE FILE 2521

H-8113

1 Amend House File 2521 as follows:
 2 1. Page 1, by striking lines 12 and 13, and
 3 inserting the following:
 4 "..... \$ 5,968,840
 5 FTEs 451.68"

By HUNTER of Polk

H-8113 FILED MARCH 6, 2006

HOUSE FILE 2521

H-8114

1 Amend House File 2521 as follows:
 2 1. Page 10, by striking lines 2 and 3, and
 3 inserting the following:
 4 "..... \$ 171,655
 5 FTEs 3.00"

By HUNTER of Polk

H-8114 FILED MARCH 6, 2006

HOUSE FILE 2521

H-8107

1 Amend House File 2521 as follows:

2 1. Page 8, line 8, by striking the word "amount"
3 and inserting the following: "amounts".

4 2. Page 8, line 10, by inserting before the word
5 "For" the following: "a."

6 3. Page 8, by inserting after line 16 the
7 following:

8 "b. To supplement the amount appropriated for the
9 federal Edward Byrne memorial justice assistance grant
10 program in 2006 Iowa Acts, House File 2238, section 7,
11 if enacted, in order to restore a reduction in federal
12 funding:

13 \$ 1,121,266

14 If funds received from the federal government that
15 may be used for the purposes of the grant program
16 exceed \$2 million, then the amount appropriated in
17 this lettered paragraph is reduced by the amount of
18 the excess federal funds received."

19 4. By renumbering as necessary.

By REICHERT of Muscatine

H-8107 FILED MARCH 6, 2006

HOUSE FILE 2521

H-8109

1 Amend House File 2521 as follows:

2 1. Page 8, by striking line 15 and inserting the
3 following:

4 "..... \$ 453,283"

By FORD of Polk

H-8109 FILED MARCH 6, 2006

HOUSE FILE 2521

H-8088

- 1 Amend House File 2521 as follows:
- 2 1. Page 11, by striking lines 10 and 11 and
- 3 inserting the following:
- 4 "..... \$ 2,508,609
- 5 FTEs 127.25"

By HUNTER of Polk

H-8088 FILED MARCH 6, 2006

HOUSE FILE 2521

H-8091

- 1 Amend House File 2521 as follows:
- 2 1. Page 10, by striking line 8 and inserting the
- 3 following:
- 4 "..... \$ 1,598,026"
- 5 2. Page 10, by inserting after line 9 the
- 6 following:
- 7 "Of the moneys appropriated in this subsection, at
- 8 least \$500,000 shall be used by the criminal and
- 9 juvenile justice planning division to establish a
- 10 competitive grant program to expand the availability
- 11 of before and after school programs. All school
- 12 districts shall be eligible to apply for a grant from
- 13 the program. Grant applications for expanding the
- 14 availability of a before and after school program
- 15 shall be assessed by the division on whether the
- 16 program targets at-risk children; demonstrates
- 17 partnerships and collaboration with not-for-profit
- 18 community organizations; indicates that the school
- 19 district and organizations have qualified staff and
- 20 training for the program; provides for a safe and
- 21 engaging environment; combines academic, enrichment,
- 22 cultural, and recreational activities in year-round,
- 23 age-appropriate activities; provides for no less than
- 24 a twenty percent local match; and demonstrates that
- 25 the school district can sustain the program after the
- 26 grant is exhausted."

**By BERRY of Black Hawk
HOGG of Linn**

H-8091 FILED MARCH 6, 2006

HOUSE FILE 2521

H-8103

- 1 Amend House File 2521 as follows:
- 2 1. Page 21, by inserting after line 33 the
- 3 following:
- 4 "Sec. ____ . Section 11.5B, Code 2005, is repealed."
- 5 2. By renumbering as necessary.

By HUNTER of Polk

H-8103 FILED MARCH 6, 2006

HOUSE FILE 2521
BY COMMITTEE ON APPROPRIATIONS

(SUCCESSOR TO HSB 708)

(As Amended and Passed by the House March 7, 2006)

Passed House, Date 4-19-06 Passed Senate, Date 4-19-06
Vote: Ayes 54 Nays 45 Vote: Ayes 48 Nays 1
Approved _____

A BILL FOR

1 An Act relating to and making appropriations to certain state
2 departments, agencies, funds, and certain other entities,
3 providing for regulatory authority, and other properly related
4 matters and providing an effective date.

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

6
7 House Amendments _____
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1 DIVISION I

2 ADMINISTRATION AND REGULATION APPROPRIATIONS

3 Section 1. DEPARTMENT OF ADMINISTRATIVE SERVICES. There
4 is appropriated from the general fund of the state to the
5 department of administrative services for the fiscal year
6 beginning July 1, 2006, and ending June 30, 2007, the
7 following amounts, or so much thereof as is necessary, to be
8 used for the purposes designated:

9 1. For salaries, support, maintenance, and miscellaneous
10 purposes, and for not more than the following full-time
11 equivalent positions:

12	\$	5,048,824
13	FTEs	443.68

14 UTILITY COSTS

15 2. For the payment of utility costs:
16 \$ 3,080,865

17 It is the intent of the general assembly that the
18 department shall reduce utility costs through energy
19 conservation practices. The goal of the general assembly is
20 to reduce energy use by ten percent to save money, conserve
21 energy resources, and reduce pollution.

22 3. For financial administration duties:
23 \$ 200,000

24 4. Members of the general assembly serving as members of
25 the deferred compensation advisory board shall be entitled to
26 receive per diem and necessary travel and actual expenses
27 pursuant to section 2.10, subsection 5, while carrying out
28 their official duties as members of the board.

29 5. Any funds and premiums collected by the department for
30 workers' compensation shall be segregated into a separate
31 workers' compensation fund in the state treasury to be used
32 for payment of state employees' workers' compensation claims
33 and administrative costs. Notwithstanding section 8.33,
34 unencumbered or unobligated moneys remaining in this workers'
35 compensation fund at the end of the fiscal year shall not

1 revert but shall be available for expenditure for purposes of
2 the fund for subsequent fiscal years.

3 Sec. 2. DEPARTMENTAL START-UP FUNDING -- REVOLVING FUNDS.

4 1. In addition to the amount appropriated to the
5 department of administrative services in section 1, subsection
6 1 of this Act, the department is authorized to expend an
7 additional amount not to exceed \$359,560 per fiscal year for
8 the purposes of the department for the fiscal period
9 commencing July 1, 2006, and ending June 30, 2010, and an
10 additional amount not to exceed \$91,810 for the fiscal year
11 commencing July 1, 2010. Such amounts shall be expended from
12 general fund moneys deposited in revolving funds under the
13 control of the department that were appropriated to the
14 department pursuant to 2004 Iowa Acts, chapter 1175, section
15 2.

16 2. Amounts expended pursuant to this section shall be
17 considered repayment amounts to the general fund and shall
18 reduce the total amount to be repaid to the general fund until
19 such time as the total amount of the general fund moneys
20 deposited in revolving funds under the control of the
21 department that were appropriated to the department pursuant
22 to 2004 Iowa Acts, chapter 1175, section 2, are repaid.

23 Sec. 3. REVOLVING FUNDS. There is appropriated to the
24 department of administrative services for the fiscal year
25 beginning July 1, 2006, and ending June 30, 2007, from the
26 revolving funds designated in chapter 8A and from internal
27 service funds created by the department, such amounts as the
28 department deems necessary for the operation of the department
29 consistent with the requirements of chapter 8A.

30 Sec. 4. FUNDING FOR IOWACCESS.

31 1. Notwithstanding section 321A.3, subsection 1, for the
32 fiscal year beginning July 1, 2006, and ending June 30, 2007,
33 the first \$1,000,000 collected and transferred by the
34 department of transportation to the treasurer of state with
35 respect to the fees for transactions involving the furnishing

1 of a certified abstract of a vehicle operating record under
2 section 321A.3, subsection 1, shall be transferred to the
3 IowAccess revolving fund established by section 8A.224 and
4 administered by the department of administrative services for
5 the purposes of developing, implementing, maintaining, and
6 expanding electronic access to government records as provided
7 by law.

8 2. All fees collected with respect to transactions
9 involving IowAccess shall be deposited in the IowAccess
10 revolving fund and shall be used only for the support of
11 IowAccess projects.

12 Sec. 5. STATE EMPLOYEE HEALTH INSURANCE ADMINISTRATION
13 CHARGE. For the fiscal year beginning July 1, 2006, and
14 ending June 30, 2007, the monthly per contract administrative
15 charge which may be assessed by the department of
16 administrative services shall be \$2.00 per contract on all
17 health insurance plans administered by the department.

18 Sec. 6. AUDITOR OF STATE. There is appropriated from the
19 general fund of the state to the office of the auditor of
20 state for the fiscal year beginning July 1, 2006, and ending
21 June 30, 2007, the following amount, or so much thereof as is
22 necessary, to be used for the purposes designated:

23 For salaries, support, maintenance, and miscellaneous
24 purposes, and for not more than the following full-time
25 equivalent positions:

26	\$	1,207,341
27	FTEs	102.50

28 The auditor of state may retain additional full-time
29 equivalent positions as is reasonable and necessary to perform
30 governmental subdivision audits which are reimbursable
31 pursuant to section 11.20 or 11.21, to perform audits which
32 are requested by and reimbursable from the federal government,
33 and to perform work requested by and reimbursable from
34 departments or agencies pursuant to section 11.5A or 11.5B.
35 The auditor of state shall notify the department of

1 management, the legislative fiscal committee, and the
2 legislative services agency of the additional full-time
3 equivalent positions retained.

4 Sec. 7. IOWA ETHICS AND CAMPAIGN DISCLOSURE BOARD. There
5 is appropriated from the general fund of the state to the Iowa
6 ethics and campaign disclosure board for the fiscal year
7 beginning July 1, 2006, and ending June 30, 2007, the
8 following amount, or so much thereof as is necessary, for the
9 purposes designated:

10 For salaries, support, maintenance, and miscellaneous
11 purposes, and for not more than the following full-time
12 equivalent positions:

13	\$	497,056
14	FTEs	6.00

15 Sec. 8. DEPARTMENT OF COMMERCE. There is appropriated
16 from the general fund of the state to the department of
17 commerce for the fiscal year beginning July 1, 2006, and
18 ending June 30, 2007, the following amounts, or so much
19 thereof as is necessary, for the purposes designated:

20 1. ALCOHOLIC BEVERAGES DIVISION

21 For salaries, support, maintenance, and miscellaneous
22 purposes, and for not more than the following full-time
23 equivalent positions:

24	\$	1,930,962
25	FTEs	36.00

26 2. BANKING DIVISION

27 For salaries, support, maintenance, and miscellaneous
28 purposes, and for not more than the following full-time
29 equivalent positions:

30	\$	7,222,008
31	FTEs	71.00

32 3. CREDIT UNION DIVISION

33 For salaries, support, maintenance, and miscellaneous
34 purposes, and for not more than the following full-time
35 equivalent positions:

1 \$ 1,455,874

2 FTEs 18.00

3 4. INSURANCE DIVISION

4 a. For salaries, support, maintenance, and miscellaneous
5 purposes, and for not more than the following full-time
6 equivalent positions:

7 \$ 4,517,481

8 FTEs 101.00

9 b. The insurance division may reallocate authorized full-
10 time equivalent positions as necessary to respond to
11 accreditation recommendations or requirements. The insurance
12 division expenditures for examination purposes may exceed the
13 projected receipts, refunds, and reimbursements, estimated
14 pursuant to section 505.7, subsection 7, including the
15 expenditures for retention of additional personnel, if the
16 expenditures are fully reimbursable and the division first
17 does both of the following:

18 (1) Notifies the department of management, the legislative
19 services agency, and the legislative fiscal committee of the
20 need for the expenditures.

21 (2) Files with each of the entities named in subparagraph
22 (1) the legislative and regulatory justification for the
23 expenditures, along with an estimate of the expenditures.

24 c. The insurance division shall allocate \$10,000 from the
25 examination receipts for the payment of its fees to the
26 national council of insurance legislators.

27 5. PROFESSIONAL LICENSING AND REGULATION BUREAU

28 For salaries, support, maintenance, and miscellaneous
29 purposes, and for not more than the following full-time
30 equivalent positions:

31 \$ 793,462

32 FTEs 13.50

33 6. UTILITIES DIVISION

34 a. For salaries, support, maintenance, and miscellaneous
35 purposes, and for not more than the following full-time

1 equivalent positions:

2 \$ 7,230,820
3 FTEs 79.00

4 b. The utilities division may expend additional funds,
5 including funds for additional personnel, if those additional
6 expenditures are actual expenses which exceed the funds
7 budgeted for utility regulation and the expenditures are fully
8 reimbursable. Before the division expends or encumbers an
9 amount in excess of the funds budgeted for regulation, the
10 division shall first do both of the following:

11 (1) Notify the department of management, the legislative
12 services agency, and the legislative fiscal committee of the
13 need for the expenditures.

14 (2) File with each of the entities named in subparagraph
15 (1) the legislative and regulatory justification for the
16 expenditures, along with an estimate of the expenditures.

17 7. CHARGES -- TRAVEL. Each division and the office of
18 consumer advocate shall include in its charges assessed or
19 revenues generated, an amount sufficient to cover the amount
20 stated in its appropriation, and any state-assessed indirect
21 costs determined by the department of administrative services.
22 The director of the department of commerce shall review on a
23 quarterly basis all out-of-state travel for the previous
24 quarter for officers and employees of each division of the
25 department if the travel is not already authorized by the
26 executive council.

27 Sec. 9. DEPARTMENT OF COMMERCE -- PROFESSIONAL LICENSING
28 AND REGULATION. There is appropriated from the housing
29 improvement fund of the Iowa department of economic
30 development to the bureau of professional licensing and
31 regulation of the banking division of the department of
32 commerce for the fiscal year beginning July 1, 2006, and
33 ending June 30, 2007, the following amount, or so much thereof
34 as is necessary, to be used for the purposes designated:

35 For salaries, support, maintenance, and miscellaneous

1 purposes:

2 \$ 62,317

3 Sec. 10. GOVERNOR AND LIEUTENANT GOVERNOR. There is
4 appropriated from the general fund of the state to the offices
5 of the governor and the lieutenant governor for the fiscal
6 year beginning July 1, 2006, and ending June 30, 2007, the
7 following amounts, or so much thereof as is necessary, to be
8 used for the purposes designated:

9 1. GENERAL OFFICE

10 For salaries, support, maintenance, and miscellaneous
11 purposes for the general office of the governor and the
12 general office of the lieutenant governor, and for not more
13 than the following full-time equivalent positions:

14 \$ 1,823,111

15 FTEs 19.25

16 2. TERRACE HILL QUARTERS

17 For salaries, support, maintenance, and miscellaneous
18 purposes for the governor's quarters at Terrace Hill, and for
19 not more than the following full-time equivalent positions:

20 \$ 378,633

21 FTEs 8.00

22 3. ADMINISTRATIVE RULES COORDINATOR

23 For salaries, support, maintenance, and miscellaneous
24 purposes for the office of administrative rules coordinator,
25 and for not more than the following full-time equivalent
26 positions:

27 \$ 150,013

28 FTEs 3.00

29 4. NATIONAL GOVERNORS ASSOCIATION

30 For payment of Iowa's membership in the national governors
31 association:

32 \$ 64,393

33 5. STATE-FEDERAL RELATIONS

34 For salaries, support, maintenance, and miscellaneous
35 purposes, and for not more than the following full-time

1 equivalent positions:

2	\$	115,748
3	FTEs	2.00

4 Sec. 11. GOVERNOR'S OFFICE OF DRUG CONTROL POLICY.

5 1. There is appropriated from the general fund of the
6 state to the governor's office of drug control policy for the
7 fiscal year beginning July 1, 2006, and ending June 30, 2007,
8 the following amount, or so much thereof as is necessary, to
9 be used for the purposes designated:

10 For salaries, support, maintenance, and miscellaneous
11 purposes, including statewide coordination of the drug abuse
12 resistance education (D.A.R.E.) programs or similar programs,
13 and for not more than the following full-time equivalent
14 positions:

15	\$	307,730
16	FTEs	8.00

17 2. The governor's office of drug control policy, in
18 consultation with the Iowa department of public health, and
19 after discussion and collaboration with all interested
20 agencies, shall coordinate substance abuse treatment and
21 prevention efforts in order to avoid duplication of services.

22 Sec. 12. DEPARTMENT OF HUMAN RIGHTS. There is
23 appropriated from the general fund of the state to the
24 department of human rights for the fiscal year beginning July
25 1, 2006, and ending June 30, 2007, the following amounts, or
26 so much thereof as is necessary, to be used for the purposes
27 designated:

28 1. CENTRAL ADMINISTRATION DIVISION

29 For salaries, support, maintenance, and miscellaneous
30 purposes, and for not more than the following full-time
31 equivalent positions:

32	\$	317,028
33	FTEs	7.00

34 2. DEAF SERVICES DIVISION

35 For salaries, support, maintenance, and miscellaneous

1 purposes, and for not more than the following full-time
2 equivalent positions:

3 \$ 374,367
4 FTEs 6.00

5 The fees collected by the division for provision of
6 interpretation services by the division to obligated agencies
7 shall be disbursed pursuant to the provisions of section 8.32,
8 and shall be dedicated and used by the division for continued
9 and expanded interpretation services.

10 3. STATUS OF IOWANS OF ASIAN AND PACIFIC ISLANDER HERITAGE
11 DIVISION

12 For support, maintenance, and miscellaneous purposes:

13 \$ 6,000

14 4. PERSONS WITH DISABILITIES DIVISION

15 For salaries, support, maintenance, and miscellaneous
16 purposes, and for not more than the following full-time
17 equivalent positions:

18 \$ 193,531
19 FTEs 3.20

20 5. LATINO AFFAIRS DIVISION

21 For salaries, support, maintenance, and miscellaneous
22 purposes, and for not more than the following full-time
23 equivalent positions:

24 \$ 170,749
25 FTEs 3.00

26 6. STATUS OF WOMEN DIVISION

27 For salaries, support, maintenance, and miscellaneous
28 purposes, including the Iowans in transition program, and the
29 domestic violence and sexual assault-related grants, and for
30 not more than the following full-time equivalent positions:

31 \$ 335,501
32 FTEs 3.00

33 7. STATUS OF AFRICAN-AMERICANS DIVISION

34 For salaries, support, maintenance, and miscellaneous
35 purposes, and for not more than the following full-time

1 equivalent positions:

2	\$	121,655
3	FTEs	2.00

4 8. CRIMINAL AND JUVENILE JUSTICE PLANNING DIVISION

5 For salaries, support, maintenance, and miscellaneous
6 purposes, and for not more than the following full-time
7 equivalent positions:

8	\$	1,098,026
9	FTEs	12.18

10 The criminal and juvenile justice planning advisory council
11 and the juvenile justice advisory council shall coordinate
12 their efforts in carrying out their respective duties relative
13 to juvenile justice.

14 9. SHARED STAFF. The divisions of the department of human
15 rights shall retain their individual administrators, but shall
16 share staff to the greatest extent possible.

17 Sec. 13. DEPARTMENT OF INSPECTIONS AND APPEALS. There is
18 appropriated from the general fund of the state to the
19 department of inspections and appeals for the fiscal year
20 beginning July 1, 2006, and ending June 30, 2007, the
21 following amounts, or so much thereof as is necessary, for the
22 purposes designated:

23 1. ADMINISTRATION DIVISION

24 For salaries, support, maintenance, and miscellaneous
25 purposes, and for not more than the following full-time
26 equivalent positions:

27	\$	1,657,318
28	FTEs	33.25

29 2. ADMINISTRATIVE HEARINGS DIVISION

30 For salaries, support, maintenance, and miscellaneous
31 purposes, and for not more than the following full-time
32 equivalent positions:

33	\$	634,647
34	FTEs	23.00

35 3. INVESTIGATIONS DIVISION

1 For salaries, support, maintenance, and miscellaneous
2 purposes, and for not more than the following full-time
3 equivalent positions:

4 \$ 1,484,421
5 FTEs 45.00

6 4. HEALTH FACILITIES DIVISION

7 For salaries, support, maintenance, and miscellaneous
8 purposes, and for not more than the following full-time
9 equivalent positions:

10 \$ 2,339,742
11 FTEs 118.25

12 5. EMPLOYMENT APPEAL BOARD

13 For salaries, support, maintenance, and miscellaneous
14 purposes, and for not more than the following full-time
15 equivalent positions:

16 \$ 54,600
17 FTEs 15.00

18 The employment appeal board shall be reimbursed by the
19 labor services division of the department of workforce
20 development for all costs associated with hearings conducted
21 under chapter 91C, related to contractor registration. The
22 board may expend, in addition to the amount appropriated under
23 this subsection, additional amounts as are directly billable
24 to the labor services division under this subsection and to
25 retain the additional full-time equivalent positions as needed
26 to conduct hearings required pursuant to chapter 91C.

27 6. CHILD ADVOCACY BOARD

28 For foster care review and the court appointed special
29 advocate program, including salaries, support, maintenance,
30 and miscellaneous purposes, and for not more than the
31 following full-time equivalent positions:

32 \$ 2,068,667
33 FTEs 38.99

34 a. The department of human services, in coordination with
35 the child advocacy board, and the department of inspections

1 and appeals, shall submit an application for funding available
2 pursuant to Title IV-E of the federal Social Security Act for
3 claims for child advocacy board, administrative review costs.

4 b. The court appointed special advocate program shall
5 investigate and develop opportunities for expanding fund-
6 raising for the program.

7 c. Administrative costs charged by the department of
8 inspections and appeals for items funded under this subsection
9 shall not exceed 4 percent of the amount appropriated in this
10 subsection.

11 Sec. 14. RACING AND GAMING COMMISSION.

12 1. RACETRACK REGULATION

13 There is appropriated from the general fund of the state to
14 the racing and gaming commission of the department of
15 inspections and appeals for the fiscal year beginning July 1,
16 2006, and ending June 30, 2007, the following amount, or so
17 much thereof as is necessary, to be used for the purposes
18 designated:

19 For salaries, support, maintenance, and miscellaneous
20 purposes for the regulation of pari-mutuel racetracks, and for
21 not more than the following full-time equivalent positions:

22	\$	2,657,394
23	FTEs	27.53

24 2. EXCURSION BOAT REGULATION

25 There is appropriated from the general fund of the state to
26 the racing and gaming commission of the department of
27 inspections and appeals for the fiscal year beginning July 1,
28 2006, and ending June 30, 2007, the following amount, or so
29 much thereof as is necessary, to be used for the purposes
30 designated:

31 For salaries, support, maintenance, and miscellaneous
32 purposes for administration and enforcement of the excursion
33 boat gambling laws, and for not more than the following full-
34 time equivalent positions:

35	\$	3,199,440
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1 FTEs 43.22

2 Sec. 15. USE TAX APPROPRIATION. There is appropriated
3 from the use tax receipts collected pursuant to sections
4 423.26 and 423.27 prior to their deposit in the road use tax
5 fund pursuant to section 423.43 to the administrative hearings
6 division of the department of inspections and appeals for the
7 fiscal year beginning July 1, 2006, and ending June 30, 2007,
8 the following amount, or so much thereof as is necessary, for
9 the purposes designated:

10 For salaries, support, maintenance, and miscellaneous
11 purposes:
12 \$ 1,482,436

13 Sec. 16. DEPARTMENT OF MANAGEMENT. There is appropriated
14 from the general fund of the state to the department of
15 management for the fiscal year beginning July 1, 2006, and
16 ending June 30, 2007, the following amounts, or so much
17 thereof as is necessary, to be used for the purposes
18 designated:

19 1. GENERAL OFFICE
20 For salaries, support, maintenance, and miscellaneous
21 purposes, and for not more than the following full-time
22 equivalent positions:
23 \$ 2,244,335
24 FTEs 32.00

25 2. ENTERPRISE RESOURCE PLANNING
26 If funding is provided for the redesign of the enterprise
27 resource planning budget system for the fiscal year beginning
28 July 1, 2006, then there is appropriated from the general fund
29 of the state to the department of management for the fiscal
30 year beginning July 1, 2006, and ending June 30, 2007, the
31 following amount, or so much thereof as is necessary, to be
32 used for the purposes designated:

33 For salaries, support, maintenance, and miscellaneous
34 purposes for administration of the enterprise resource
35 planning system, and for not more than the following full-time

1 equivalent position:

2 \$ 57,435

3 FTEs 1.00

4 3. SALARY MODEL ADMINISTRATOR

5 For salaries, support, and miscellaneous purposes of
6 the salary model administrator, and for not more than
7 the following full-time equivalent position:

8 \$ 127,936

9 FTEs 1.00

10 The salary model administrator shall work in conjunction
11 with the legislative services agency to maintain the state's
12 salary model used for analyzing, comparing, and projecting
13 state employee salary and benefit information, including
14 information relating to employees of the state board of
15 regents. The department of revenue, the department of
16 administrative services, the five institutions under the
17 jurisdiction of the state board of regents, the judicial
18 district departments of correctional services, and the state
19 department of transportation shall provide salary data to the
20 department of management and the legislative services agency
21 to operate the state's salary model. The format and frequency
22 of provision of the salary data shall be determined by the
23 department of management and the legislative services agency.
24 The information shall be used in collective bargaining
25 processes under chapter 20 and in calculating the funding
26 needs contained within the annual salary adjustment
27 legislation. A state employee organization as defined in
28 section 20.3, subsection 4, may request information produced
29 by the model, but the information provided shall not contain
30 information attributable to individual employees.

31 4. For conducting performance audits and developing
32 performance measures, including salaries, support,
33 maintenance, miscellaneous purposes, and for not more than the
34 following full-time equivalent positions:

35 \$ 108,000

1 FTEs 2.50
 2 5. For the department's LEAN process, including salaries,
 3 support, maintenance, miscellaneous purposes, and for not more
 4 than the following full-time equivalent position:
 5 \$ 108,000
 6 FTEs 1.00

7 Sec. 17. ROAD USE TAX APPROPRIATION. There is
 8 appropriated from the road use tax fund to the department of
 9 management for the fiscal year beginning July 1, 2006, and
 10 ending June 30, 2007, the following amount, or so much thereof
 11 as is necessary, to be used for the purposes designated:

12 For salaries, support, maintenance, and miscellaneous
 13 purposes:
 14 \$ 56,000

15 Sec. 18. DEPARTMENT OF REVENUE. There is appropriated
 16 from the general fund of the state to the department of
 17 revenue for the fiscal year beginning July 1, 2006, and ending
 18 June 30, 2007, the following amounts, or so much thereof as is
 19 necessary, to be used for the purposes designated:

20 For salaries, support, maintenance, and miscellaneous
 21 purposes, and for not more than the following full-time
 22 equivalent positions:
 23 \$ 23,138,575
 24 FTEs 392.64

25 Of the funds appropriated pursuant to this section,
 26 \$400,000 shall be used to pay the direct costs of compliance
 27 related to the collection and distribution of local sales and
 28 services taxes imposed pursuant to chapters 423B and 423E.

29 The director of revenue shall prepare and issue a state
 30 appraisal manual and the revisions to the state appraisal
 31 manual as provided in section 421.17, subsection 17, without
 32 cost to a city or county.

33 The department of revenue shall submit a written report to
 34 the general assembly by January 1, 2007, concerning the
 35 department's progress in developing a system to track tax

1 credits.

2 Sec. 19. MOTOR VEHICLE FUEL TAX APPROPRIATION. There is
3 appropriated from the motor fuel tax fund created by section
4 452A.77 to the department of revenue for the fiscal year
5 beginning July 1, 2006, and ending June 30, 2007, the
6 following amount, or so much thereof as is necessary, to be
7 used for the purposes designated:

8 For salaries, support, maintenance, and miscellaneous
9 purposes for administration and enforcement of the provisions
10 of chapter 452A and the motor vehicle use tax program:

11 \$ 1,258,042

12 Sec. 20. SECRETARY OF STATE. There is appropriated from
13 the general fund of the state to the office of the secretary
14 of state for the fiscal year beginning July 1, 2006, and
15 ending June 30, 2007, the following amounts, or so much
16 thereof as is necessary, to be used for the purposes
17 designated:

18 1. ADMINISTRATION AND ELECTIONS

19 For salaries, support, maintenance, and miscellaneous
20 purposes, and for not more than the following full-time
21 equivalent positions:

22 \$ 707,942

23 FTES 10.00

24 The state department or state agency which provides data
25 processing services to support voter registration file
26 maintenance and storage shall provide those services without
27 charge.

28 2. BUSINESS SERVICES

29 For salaries, support, maintenance, and miscellaneous
30 purposes, and for not more than the following full-time
31 equivalent positions:

32 \$ 2,003,091

33 FTES 32.00

34 Sec. 21. SECRETARY OF STATE FILING FEES REFUND.

35 Notwithstanding the obligation to collect fees pursuant to the

1 provisions of section 490.122, subsection 1, paragraphs "a"
2 and "s", and section 504.113, subsection 1, paragraphs "a",
3 "c", "d", "j", "k", "l", and "m", for the fiscal year
4 beginning July 1, 2006, and ending June 30, 2007, the
5 secretary of state may refund these fees to the filer pursuant
6 to rules established by the secretary of state. The decision
7 of the secretary of state not to issue a refund under rules
8 established by the secretary of state is final and not subject
9 to review pursuant to the provisions of the Iowa
10 administrative procedure Act, chapter 17A.

11 Sec. 22. TREASURER. There is appropriated from the
12 general fund of the state to the office of treasurer of state
13 for the fiscal year beginning July 1, 2006, and ending June
14 30, 2007, the following amount, or so much thereof as is
15 necessary, to be used for the purposes designated:

16 For salaries, support, maintenance, and miscellaneous
17 purposes, and for not more than the following full-time
18 equivalent positions:
19 \$ 922,899
20 FTEs 28.80

21 The office of treasurer of state shall supply clerical and
22 secretarial support for the executive council.

23 Sec. 23. IPERS -- GENERAL OFFICE. There is appropriated
24 from the Iowa public employees' retirement system fund to the
25 Iowa public employees' retirement system for the fiscal year
26 beginning July 1, 2006, and ending June 30, 2007, the
27 following amount, or so much thereof as is necessary, to be
28 used for the purposes designated:

29 For salaries, support, maintenance, and other operational
30 purposes to pay the costs of the Iowa public employees'
31 retirement system, and for not more than the following full-
32 time equivalent positions:
33 \$ 16,756,131
34 FTEs 95.13

35 Sec. 24. TRAVEL POLICY.

1 1. For the fiscal year beginning July 1, 2006, each
2 department or independent agency receiving an appropriation in
3 this Act shall review the employee policy for daily or short-
4 term travel including but not limited to the usage of motor
5 pool vehicles under the department of administrative services,
6 employee mileage reimbursement for the use of a personal
7 vehicle, and the usage of private automobile rental companies.
8 Following the review, the department or agency shall implement
9 revisions in the employee policy for daily or short-term
10 travel as necessary to maximize cost savings.

11 2. Each department or independent agency subject to
12 subsection 1 shall report to the general assembly's standing
13 committees on government oversight regarding the policy
14 revisions implemented and the savings realized from the
15 changes. An initial report shall be submitted on or before
16 December 1, 2006, and a follow-up report shall be submitted on
17 or before December 1, 2007.

18 Sec. 25. 2005 Iowa Acts, chapter 179, section 32, is
19 amended by adding the following new unnumbered paragraph:

20 NEW UNNUMBERED PARAGRAPH. Notwithstanding section 8.33,
21 moneys appropriated in this section that remain unencumbered
22 or unobligated at the close of the fiscal year shall not
23 revert but shall remain available for expenditure for the
24 purposes designated during the succeeding fiscal year.

25 Sec. 26. EFFECTIVE DATE. The section of this division of
26 this Act amending 2005 Iowa Acts, chapter 179, being deemed of
27 immediate importance, takes effect upon enactment.

28 DIVISION II

29 MISCELLANEOUS PROVISIONS

30 Sec. 27. Section 421.17, subsection 27, paragraphs a, c,
31 d, e, g, and h, Code Supplement 2005, are amended to read as
32 follows:

33 a. To establish, administer, and make available a
34 centralized debt collection capability and procedure for the
35 use by any state agency ~~as-defined-in-section-8A-504~~ or local

1 government entity including, but not limited to, the
2 department of revenue, along with other boards, commissions,
3 departments, and any other entity reported in the Iowa
4 comprehensive annual financial report, to collect delinquent
5 accounts, charges, fees, loans, taxes, or other indebtedness
6 owed to or being collected by the state. The department's
7 collection facilities shall only be available for use by other
8 state agencies or local government entities for their
9 discretionary use when resources are available to the director
10 and subject to the director's determination that use of the
11 procedure is feasible. The director shall prescribe the
12 appropriate form and manner in which this information is to be
13 submitted to the office of the department. The obligations or
14 indebtedness must be delinquent and not subject to litigation,
15 claim, appeal, or review pursuant to the appropriate remedies
16 of each state agency or local government entity.

17 c. The director shall establish a formal debt collection
18 policy for use by state agencies and local government entities
19 which have not established their own policy. Other state
20 agencies and local government entities may use the collection
21 facilities of the department pursuant to formal agreement with
22 the department. The agreement shall provide that the
23 information provided to the department shall be sufficient to
24 establish the obligation in a court of law and to render it as
25 a legal judgment on behalf of the state or the local
26 government agency. After transferring the file to the
27 department for collection, an individual state agency or the
28 local government agency shall terminate all collection
29 procedures and be available to provide assistance to the
30 department. Upon receipt of the file, the department shall
31 assume all liability for its actions without recourse to the
32 agency or the local government agency, and shall comply with
33 all applicable state and federal laws governing collection of
34 the debt. The department may use a participating agency's or
35 local government agency's statutory collection authority to

1 collect the participating agency's delinquent accounts,
2 charges, fees, loans, taxes, or other indebtedness owed to or
3 being collected by the state. The department has the powers
4 granted in this section regarding setoff from income tax
5 refunds or other accounts payable by the state for any of the
6 obligations transferred by state agencies or local government
7 agencies.

8 d. The department's existing right to credit against tax
9 due shall not be impaired by any right granted to, or duty
10 imposed upon, the department or other state agency or local
11 government agency by this section.

12 e. All state agencies and local government agencies shall
13 be given access, at the discretion of the director, to the
14 centralized computer data bank and, notwithstanding any other
15 provision of law to the contrary, may deny, revoke, or suspend
16 any license or deny any renewal authorized by the laws of this
17 state to any person who has defaulted on an obligation owed to
18 or collected by the state. The confidentiality provisions of
19 sections 422.20 and 422.72 do not apply to tax information
20 contained in the centralized computer data bank. State
21 agencies and local government agencies shall endeavor to
22 obtain the applicant's social security or federal tax
23 identification number, or state driver's license number from
24 all applicants.

25 g. The director shall adopt administrative rules to
26 implement this ~~section~~ subsection, including, but not limited
27 to, rules necessary to prevent conflict with federal laws and
28 regulations or the loss of federal funds, to establish
29 procedures necessary to guarantee due process of law, and to
30 provide for reimbursement of the department by other state
31 agencies and local government entities for the department's
32 costs related to debt collection for state agencies and local
33 government entities.

34 h. The director shall report quarterly to the legislative
35 fiscal committee, the legislative services agency, and the

1 chairpersons and ranking members of the joint administration
2 appropriations subcommittee on administration and regulation
3 concerning the implementation of the centralized debt
4 collection program, the number of departmental collection
5 programs initiated, the amount of debts collected, and an
6 estimate of future costs and benefits which may be associated
7 with the collection program. It is the intent of the general
8 assembly that the centralized debt collection program will
9 result in the collection of at least two dollars of
10 indebtedness for every dollar expended in administering the
11 collection program during a fiscal year. ~~It is also the~~
12 ~~intent of the general assembly that the centralized debt~~
13 ~~collection program be administered without the anticipation of~~
14 ~~future additional commitments of computer equipment and~~
15 ~~personnel.~~

16 Sec. 28. Section 421.17, subsection 27, Code Supplement
17 2005, is amended by adding the following new paragraph:

18 NEW PARAGRAPH. j. There is appropriated from the amount
19 of any debt actually collected pursuant to this subsection an
20 amount, not to exceed the amount collected, which is
21 sufficient to pay for salaries, support, maintenance,
22 services, and other costs incurred by the department related
23 to the administration of this subsection. The director shall
24 report annually to the legislative fiscal committee and the
25 legislative services agency on any additional positions added
26 and the costs incurred during the previous fiscal year
27 pursuant to this subsection.

28 Sec. 29. Section 422.26, unnumbered paragraph 6, Code
29 2005, is amended to read as follows:

30 ~~The department shall pay, from moneys appropriated to the~~
31 ~~department for this purpose,~~ a recording fee as provided in
32 section 331.604, for the recording of the lien, or for its
33 satisfaction.

34

DIVISION III

35 REASSIGNMENT OF PROFESSIONAL LICENSING AND REGULATION DIVISION

1 Sec. 30. Section 8A.412, subsection 19, Code Supplement
2 2005, is amended to read as follows:

3 19. The superintendent of the banking division of the
4 department of commerce, all members of the state banking
5 council, and all employees of the banking division except for
6 employees of the professional licensing and regulation bureau
7 of the division.

8 Sec. 31. Section 524.208, Code 2005, is amended to read as
9 follows:

10 524.208 EXAMINERS AND OTHER EMPLOYEES.

11 The superintendent may appoint examiners and other
12 employees as the superintendent deems necessary to the proper
13 discharge of the duties imposed upon the superintendent by the
14 laws of this state. Pay plans shall be established for
15 employees, other than clerical employees or employees of the
16 professional licensing and regulation bureau of the banking
17 division, who examine the accounts and affairs of state banks
18 and who examine the accounts and affairs of other persons,
19 subject to supervision and regulation by the superintendent,
20 which are substantially equivalent to those paid by the
21 federal deposit insurance corporation and other federal
22 supervisory agencies in this area of the United States.

23 Sec. 32. Section 524.211, subsection 5, Code 2005, is
24 amended to read as follows:

25 5. An employee of the banking division, other than the
26 superintendent or a member of the state banking council or one
27 of the boards in the professional licensing and regulation
28 bureau of the division, shall not perform any services for,
29 and shall not be a shareholder, member, partner, owner,
30 director, officer, or employee of, any enterprise, person, or
31 affiliate subject to the regulatory purview of the banking
32 division.

33 Sec. 33. Section 534.401, subsection 1, Code 2005, is
34 amended to read as follows:

35 1. SUPERINTENDENT OF SAVINGS AND LOAN ASSOCIATIONS. The

1 superintendent of savings and loan associations is the
2 ~~administrator of professional licensing and regulation~~
3 ~~appointed pursuant to section 546.107, subsection 27, or an~~
4 ~~individual appointed by the administrator as provided in~~
5 ~~section 546.107, subsection 6~~ superintendent of banking.

6 Sec. 34. Section 542.4, subsections 1 and 6, Code 2005,
7 are amended to read as follows:

8 1. An Iowa accountancy examining board is created within
9 the professional licensing and regulation bureau of the
10 banking division of the department of commerce to administer
11 and enforce this chapter. The board shall consist of eight
12 members, appointed by the governor and subject to senate
13 confirmation, all of whom shall be residents of this state.
14 Five of the eight members shall be holders of certificates
15 issued under section 542.6, one member shall be the holder of
16 a license issued under section 542.8, and two shall not be
17 certified public accountants or licensed public accountants
18 and shall represent the general public. At least three of the
19 holders of certificates issued under section 542.6 shall also
20 be qualified to supervise attest services as provided in
21 section 542.7. A certified or licensed member of the board
22 shall be actively engaged in practice as a certified public
23 accountant or as a licensed public accountant and shall have
24 been so engaged for five years preceding appointment, the last
25 two of which shall have been in this state. Professional
26 associations or societies composed of certified public
27 accountants or licensed public accountants may recommend the
28 names of potential board members to the governor. However,
29 the governor is not bound by the recommendations. A board
30 member is not required to be a member of any professional
31 association or society composed of certified public
32 accountants or licensed public accountants. The term of each
33 member of the board shall be three years, as designated by the
34 governor, and appointments to the board are subject to the
35 requirements of sections 69.16, 69.16A, and 69.19. Members of

1 the board appointed and serving pursuant to chapter 542C, Code
2 2001, on July 1, 2002, shall serve out the terms for which
3 they were appointed. Vacancies occurring during a term shall
4 be filled by appointment by the governor for the unexpired
5 term. Upon the expiration of the member's term of office, a
6 member shall continue to serve until a successor shall have
7 been appointed and taken office. The public members of the
8 board shall be allowed to participate in administrative,
9 clerical, or ministerial functions incident to giving the
10 examinations, but shall not determine the content or determine
11 the correctness of the answers. The licensed public
12 accountant member shall not determine the content of the
13 certified public accountant examination or determine the
14 correctness of the answers. Any member of the board whose
15 certificate under section 542.6 or license under section 542.8
16 is revoked or suspended shall automatically cease to be a
17 member of the board, and the governor may, after a hearing,
18 remove any member of the board for neglect of duty or other
19 just cause. A person who has served three successive complete
20 terms shall not be eligible for reappointment, but appointment
21 to fill an unexpired term shall not be considered a complete
22 term for this purpose.

23 6. The administrator of the professional licensing and
24 regulation bureau of the banking division of the department of
25 commerce shall provide staffing assistance to the board for
26 implementing this chapter.

27 Sec. 35. Section 542B.3, Code 2005, is amended to read as
28 follows:

29 542B.3 ENGINEERING AND LAND SURVEYING EXAMINING BOARD
30 CREATED.

31 An engineering and land surveying examining board is
32 created within the professional licensing and regulation
33 bureau of the banking division of the department of commerce.
34 The board consists of four members who are licensed
35 professional engineers, one member who is a licensed land

1 surveyor or a professional engineer who is also a licensed
2 land surveyor, and two members who are not licensed
3 professional engineers or land surveyors and who shall
4 represent the general public. Members shall be appointed by
5 the governor subject to confirmation by the senate. A
6 licensed member shall be actively engaged in the practice of
7 engineering or land surveying and shall have been so engaged
8 for five years preceding the appointment, the last two of
9 which shall have been in Iowa. Insofar as practicable,
10 licensed engineer members of the board shall be from different
11 branches of the profession of engineering. Professional
12 associations or societies composed of licensed engineers or
13 licensed land surveyors may recommend the names of potential
14 board members whose profession is representative of that
15 association or society to the governor. However, the governor
16 is not bound by the recommendations. A board member shall not
17 be required to be a member of any professional association or
18 society composed of professional engineers or land surveyors.
19 Sec. 36. Section 542B.9, Code 2005, is amended to read as
20 follows:

21 542B.9 ORGANIZATION OF THE BOARD -- STAFF.

22 The board shall elect annually from its members a
23 chairperson and a vice chairperson. The administrator of the
24 professional licensing and regulation bureau of the banking
25 division of the department of commerce shall hire and provide
26 staff to assist the board in implementing this chapter. The
27 board shall hold at least one meeting at the location of the
28 board's principal office, and meetings shall be called at
29 other times by the administrator at the request of the
30 chairperson or four members of the board. At any meeting of
31 the board, a majority of members constitutes a quorum.

32 Sec. 37. Section 543B.8, Code Supplement 2005, is amended
33 to read as follows:

34 543B.8 REAL ESTATE COMMISSION CREATED -- STAFF.

35 A real estate commission is created within the professional

1 licensing and regulation bureau of the banking division of the
2 department of commerce. The commission consists of five
3 members licensed under this chapter and two members not
4 licensed under this chapter and who shall represent the
5 general public. At least one of the licensed members shall be
6 a licensed real estate salesperson, except that if the
7 licensed real estate salesperson becomes a licensed real
8 estate broker during a term of office, that person may
9 complete the term, but is not eligible for reappointment on
10 the commission as a licensed real estate salesperson. A
11 licensed member shall be actively engaged in the real estate
12 business and shall have been so engaged for five years
13 preceding the appointment, the last two of which shall have
14 been in Iowa. Professional associations or societies of real
15 estate brokers or real estate salespersons may recommend the
16 names of potential commission members to the governor.
17 However, the governor is not bound by their recommendations.
18 A commission member shall not be required to be a member of
19 any professional association or society composed of real
20 estate brokers or salespersons. Commission members shall be
21 appointed by the governor subject to confirmation by the
22 senate. Appointments shall be for three-year terms and shall
23 commence and end as provided in section 69.19. A member shall
24 serve no more than three terms or nine years, whichever is
25 less. No more than one member shall be appointed from a
26 county. A commission member shall not hold any other elective
27 or appointive state or federal office. Vacancies shall be
28 filled for the unexpired term by appointment of the governor
29 and are subject to senate confirmation. A majority of the
30 commission members constitutes a quorum. The administrator of
31 the professional licensing and regulation bureau of the
32 banking division shall hire and provide staff to assist the
33 commission with implementing this chapter.
34 The administrator of the professional licensing and
35 regulation bureau of the banking division of the department of

1 commerce shall hire a real estate education director to assist
2 the commission in administering education programs for the
3 commission.

4 Sec. 38. Section 543B.54, Code 2005, is amended to read as
5 follows:

6 543B.54 REAL ESTATE EDUCATION FUND.

7 The Iowa real estate education fund is created as a
8 financial assurance mechanism to assist in the establishment
9 and maintenance of a real estate education program at the
10 university of northern Iowa and to assist the real estate
11 commission in providing an education director. The fund is
12 created as a separate fund in the state treasury, and any
13 funds remaining in the fund at the end of each fiscal year
14 shall not revert to the general fund, but shall remain in the
15 Iowa real estate education fund. Twenty-five dollars per
16 license from fees deposited for each real estate salesperson's
17 license and each broker's license shall be distributed and are
18 appropriated to the board of regents for the purpose of
19 establishing and maintaining a real estate education program
20 at the university of northern Iowa. The remaining moneys in
21 the fund shall be distributed and are appropriated to the
22 professional licensing and regulation bureau of the banking
23 division of the department of commerce for the purpose of
24 hiring and compensating a real estate education director and
25 regulatory compliance personnel.

26 Sec. 39. Section 543D.4, unnumbered paragraph 1, Code
27 2005, is amended to read as follows:

28 A real estate appraiser examining board is established
29 within the professional licensing and regulation bureau of the
30 banking division of the department of commerce. The board
31 consists of seven members, two of whom shall be public members
32 and five of whom shall be real estate appraisers.

33 Sec. 40. Section 544A.1, unnumbered paragraph 2, Code
34 2005, is amended to read as follows:

35 The architectural examining board is created within the

1 professional licensing and regulation bureau of the banking
2 division of the department of commerce. The board consists of
3 five members who possess a certificate of registration issued
4 under section 544A.9 and who have been in active practice of
5 architecture for not less than five years, the last two of
6 which shall have been in Iowa, and two members who do not
7 possess a certificate of registration issued under section
8 544A.9 and who shall represent the general public. Members
9 shall be appointed by the governor subject to confirmation by
10 the senate.

11 Sec. 41. Section 544A.5, Code 2005, is amended to read as
12 follows:

13 544A.5 DUTIES.

14 The architectural examining board shall enforce this
15 chapter, shall make rules for the examination of applicants
16 for the certificate of registration provided by this chapter,
17 and shall, after due public notice, hold meetings each year
18 for the purpose of examining applicants for registration and
19 the transaction of business pertaining to the affairs of the
20 board. Examinations shall be given as often as deemed
21 necessary, but not less than annually. Action at a meeting
22 shall not be taken without the affirmative votes of a majority
23 of the members of the board. The administrator of the
24 professional licensing and regulation bureau of the banking
25 division of the department of commerce shall hire and provide
26 staff to assist the board with implementing this chapter.

27 Sec. 42. Section 544B.3, unnumbered paragraph 1, Code
28 2005, is amended to read as follows:

29 A landscape architectural examining board is created within
30 the professional licensing and regulation bureau of the
31 banking division of the department of commerce. The board
32 consists of five members who are professional landscape
33 architects and two members who are not professional landscape
34 architects and who shall represent the general public.
35 Members shall be appointed by the governor, subject to

1 confirmation by the senate. A professional member shall be
2 actively engaged in the practice of landscape architecture or
3 the teaching of landscape architecture in an accredited
4 college or university, and shall have been so engaged for five
5 years preceding appointment, the last two of which shall have
6 been in Iowa. Associations or societies composed of
7 professional landscape architects may recommend the names of
8 potential board members to the governor. However, the
9 governor is not bound by the recommendations. A board member
10 shall not be required to be a member of any professional
11 association or society composed of professional landscape
12 architects.

13 Sec. 43. Section 544B.5, Code 2005, is amended to read as
14 follows:

15 544B.5 DUTIES.

16 The board shall enforce this chapter, shall make rules for
17 the examination of applicants for licensure, and, after public
18 notice, shall conduct examinations of applicants for
19 licensure. The board shall keep a record of its proceedings.
20 The board shall adopt an official seal which shall be affixed
21 to all certificates of licensure granted. The board may make
22 other rules, not inconsistent with law, as necessary for the
23 proper performance of its duties. The board shall maintain a
24 roster showing the name, place of business, and residence, and
25 the date and number of the certificate of licensure of every
26 professional landscape architect in this state. The
27 administrator of the professional licensing and regulation
28 bureau of the banking division of the department of commerce
29 shall hire and provide staff to assist the board in
30 implementing this chapter.

31 Sec. 44. Section 544C.1, subsection 2, Code Supplement
32 2005, is amended to read as follows:

33 2. "Division" "Bureau" means the professional licensing
34 and regulation bureau of the banking division of the
35 department of commerce.

1 Sec. 45. Section 544C.2, subsection 1, Code Supplement
2 2005, is amended to read as follows:

3 1. An interior design examining board is established
4 within the division bureau. The board consists of seven
5 members: five members who are interior designers who are
6 registered under this chapter and who have been in the active
7 practice of interior design for not less than five years, the
8 last two of which shall have been in Iowa; and two members who
9 are not registered under this chapter and who shall represent
10 the general public. Members shall be appointed by the
11 governor subject to confirmation by the senate.

12 Sec. 46. Section 544C.3, unnumbered paragraph 2, Code
13 Supplement 2005, is amended to read as follows:

14 The administrator of the division bureau shall provide
15 staff to assist the board in the implementation of this
16 chapter.

17 Sec. 47. Section 544C.5, unnumbered paragraph 1, Code
18 Supplement 2005, is amended to read as follows:

19 Each applicant for registration must meet the interior
20 design education and practical training requirements adopted
21 by rule by the board, and have passed an examination
22 prescribed by the board that is task-oriented, focused on
23 public safety, and validated by a recognized testing agency.
24 The division bureau shall register an individual who submits
25 an application to the board on the form and in the manner
26 prescribed by the board as a registered interior designer if
27 the individual satisfies the following requirements:

28 Sec. 48. Section 546.2, subsection 3, paragraph g, Code
29 2005, is amended by striking the paragraph.

30 Sec. 49. Section 546.3, Code 2005, is amended to read as
31 follows:

32 546.3 BANKING DIVISION.

33 1. The banking division shall regulate and supervise banks
34 under chapter 524, debt management licensees under chapter
35 533A, money services under chapter 533C, delayed deposit

1 services under chapter 533D, mortgage bankers and brokers
2 under chapter 535B, regulated loan companies under chapter
3 536, and industrial loan companies under chapter 536A, and
4 shall perform other duties assigned to the division by law.
5 The division is headed by the superintendent of banking who is
6 appointed pursuant to section 524.201. The state banking
7 council shall render advice within the division when requested
8 by the superintendent.

9 2. The banking division shall administer and manage the
10 professional licensing and regulation bureau within the
11 division. The division shall separately account for funds of
12 the bureau. However, the division may allocate costs for
13 administrative, technical, support, and other shared services
14 across the entire division.

15 Sec. 50. Section 546.5, Code 2005, is amended to read as
16 follows:

17 546.5 SAVINGS AND LOAN DIVISION.

18 The savings and loan division shall regulate and supervise
19 savings and loan associations and savings banks under chapter
20 534. The division is headed by the superintendent of savings
21 and loan associations who shall be ~~appointed-pursuant-to~~
22 section-534.401 the superintendent of banking.

23 Sec. 51. Section 546.10, Code Supplement 2005, is amended
24 to read as follows:

25 546.10 PROFESSIONAL LICENSING AND REGULATION DIVISION
26 BUREAU -- SUPERINTENDENT OF SAVINGS AND LOAN ASSOCIATIONS.

27 1. The professional licensing and regulation bureau of the
28 banking division shall administer and coordinate the licensing
29 and regulation of several professions by bringing together the
30 following licensing boards:

31 a. The engineering and land surveying examining board
32 created pursuant to chapter 542B.

33 b. The Iowa accountancy examining board created pursuant
34 to chapter 542.

35 c. The real estate commission created pursuant to chapter

1 543B.

2 d. The architectural examining board created pursuant to
3 chapter 544A.

4 e. The landscape architectural examining board created
5 pursuant to chapter 544B.

6 f. The real estate appraiser examining board created
7 pursuant to section 543D.4.

8 g. The interior design examining board created pursuant to
9 chapter 544C.

10 2. The division bureau is headed by the administrator of
11 professional licensing and regulation who shall be appointed
12 ~~by the governor subject to confirmation by the senate and~~
13 ~~shall serve a four-year term that begins and ends as provided~~
14 ~~in section 69:19~~ the superintendent of banking. A vacancy
15 ~~shall be filled for the unexpired portion of the term in the~~
16 ~~same manner as a full-term appointment is made.~~ The
17 administrator shall appoint and supervise staff and shall
18 coordinate activities for the licensing boards within the
19 division bureau. ~~The administrator shall act as a staff~~
20 ~~person to one or more of the licensing boards.~~

21 3. The licensing and regulation examining boards included
22 in the division bureau pursuant to subsection 1 retain the
23 powers granted them pursuant to the chapters in which they are
24 created, except for budgetary and personnel matters which
25 shall be handled by the administrator. Each licensing board
26 shall adopt rules pursuant to chapter 17A. Decisions by a
27 licensing board are final agency actions for purposes of
28 chapter 17A.

29 Notwithstanding subsection 5, eighty-five percent of the
30 funds received annually resulting from an increase in
31 licensing fees implemented on or after April 1, 2002, by a
32 licensing board or commission listed in subsection 1, is
33 appropriated to the professional licensing and regulation
34 division bureau to be allocated to the board or commission for
35 the fiscal year beginning July 1, 2002, and succeeding fiscal

1 years, for purposes related to the duties of the board or
2 commission, including but not limited to additional full-time
3 equivalent positions. The director of the department of
4 administrative services shall draw warrants upon the treasurer
5 of state from the funds appropriated as provided in this
6 section and shall make the funds available to the professional
7 licensing ~~division~~ and regulation bureau on a monthly basis
8 during each fiscal year.

9 4. The professional licensing and regulation bureau of the
10 banking division of the department of commerce may expend
11 additional funds, including funds for additional personnel, if
12 those additional expenditures are directly the cause of actual
13 examination expenses exceeding funds budgeted for
14 examinations. Before the ~~division~~ bureau expends or encumbers
15 an amount in excess of the funds budgeted for examinations,
16 the director of the department of management shall approve the
17 expenditure or encumbrance. Before approval is given, the
18 director of the department of management shall determine that
19 the examination expenses exceed the funds budgeted by the
20 general assembly to the ~~division~~ bureau and the ~~division~~
21 bureau does not have other funds from which the expenses can
22 be paid. Upon approval of the director of the department of
23 management, the ~~division~~ bureau may expend and encumber funds
24 for excess examination expenses. The amounts necessary to
25 fund the examination expenses shall be collected as fees from
26 additional examination applicants and shall be treated as
27 repayment receipts as defined in section 8.2, subsection 8.

28 5. Fees collected under chapters 542, 542B, 543B, 543D,
29 544A, ~~and 544B,~~ and 544C shall be paid to the treasurer of
30 state and credited to the general fund of the state. All
31 expenses required in the discharge of the duties and
32 responsibilities imposed upon the professional licensing and
33 regulation bureau of the banking division of the department of
34 commerce, the administrator, and the licensing boards by the
35 laws of this state shall be paid from moneys appropriated by

1 the general assembly for those purposes. All fees deposited
2 into the general fund of the state, as provided in this
3 subsection, shall be subject to the requirements of section
4 8.60.

5 ~~6--The-administrator-of-professional-licensing-and~~
6 ~~regulation-is-the-superintendent-of-savings-and-loan~~
7 ~~associations.--The-administrator-may-appoint-an-individual-to~~
8 ~~act-as-the-superintendent-who-shall-serve-as-the~~
9 ~~superintendent-at-the-pleasure-of-the-administrator.~~

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HOUSE FILE 2521

S-5201

1 Amend House File 2521, as amended, passed, and
2 reprinted by the House, as follows:

3 1. Page 1, by striking lines 12 and 13 and
4 inserting the following:

5 "..... \$ 5,836,824
6 FTEs 451.68"

7 2. Page 1, by inserting after line 16 the
8 following:

9 "Notwithstanding section 8.33, any excess funds
10 appropriated for utility costs in this subsection
11 shall not revert to the general fund of the state at
12 the end of the fiscal year but shall remain available
13 for expenditure for the purposes of this subsection
14 during the fiscal year beginning July 1, 2007."

15 3. Page 8, by inserting after line 3 the
16 following:

17 "6. TRANSITION COSTS

18 a. For payment of vacation allowances:

19 \$ 77,057

20 b. For payment to the governor-elect expense fund
21 in lieu of the appropriation from the general fund of
22 the state under section 7.13 to the governor-elect
23 expense fund:

24 \$ 100,000"

25 4. Page 14, by striking line 2 and inserting the
26 following:

27 "..... \$ 119,435"

28 5. Page 15, by inserting after line 6 the
29 following:

30 "6. For deposit in the local government innovation
31 fund established in section 8.64:

32 \$ 300,000"

33 6. Page 16, by inserting after line 1 the
34 following:

35 "If the director of revenue determines that
36 contracting for an upgrade of the department's
37 computer assisted collections system would result in
38 generating significantly increased net collection
39 revenues for the fiscal year beginning July 1, 2006,
40 and ending June 30, 2007, in excess of \$2,000,000, the
41 director is authorized to procure such upgrade from
42 the current vendor."

43 7. Page 18, by inserting after line 29 the
44 following:

45 "Sec. ____ . Section 70A.20, Code 2005, is amended
46 to read as follows:

47 70A.20 EMPLOYEES DISABILITY PROGRAM.

48 A state employees disability insurance program is
49 created, which shall be administered by the director
50 of the department of administrative services and which

S-5201

1 shall provide disability benefits in an amount and for
2 the employees as provided in this section. The
3 monthly disability benefits shall, at a minimum,
4 provide twenty percent of monthly earnings if employed
5 less than one year, forty percent of monthly earnings
6 if employed one year or more but less than two years,
7 and sixty percent of monthly earnings thereafter,
8 reduced by primary and family social security
9 determined at the time social security disability
10 payments commence, railroad retirement disability
11 income, workers' compensation if applicable, and any
12 other state-sponsored sickness or disability benefits
13 payable. However, the amount of benefits payable
14 under the Iowa public employees' retirement system
15 pursuant to chapter 97B shall not reduce the benefits
16 payable pursuant to this section. Subsequent social
17 security or railroad retirement increases shall not be
18 used to further reduce the insurance benefits payable.
19 As used in this section, "primary and family social
20 security" shall not include social security benefits
21 awarded to an adult child with a disability of the
22 state employee with a disability who does not reside
23 with the state employee with a disability if the
24 social security benefits were awarded to the adult
25 child with a disability prior to the approval of the
26 state employee's benefits under this section,
27 regardless of whether the United States social
28 security administration records the benefits to the
29 social security number of the adult child with a
30 disability, the state employee with a disability, or
31 any other family member, and such social security
32 benefits shall not reduce the benefits payable
33 pursuant to this section. As used in this section,
34 unless the context otherwise requires, "adult" means a
35 person who is eighteen years of age or older. State
36 employees shall receive credit for the time they were
37 continuously employed prior to and on July 1, 1974.
38 The following provisions apply to the employees
39 disability insurance program:

40 1. Waiting period, of no more than ninety working
41 days of continuous sickness or accident disability or
42 the expiration of accrued sick leave, whichever is
43 greater.

44 2. Maximum period benefits paid for both accident
45 or sickness disability:

46 a. If the disability occurs prior to the time the
47 employee attains the age of sixty-one years, the
48 maximum benefit period shall end sixty months after
49 continuous benefit payments begin or on the date on
50 which the employee attains the age of sixty-five

1 years, whichever is later.

2 b. If the disability occurs on or after the time
3 the employee attains the age of sixty-one years but
4 prior to the age of sixty-nine years, the maximum
5 benefit period shall end sixty months after continuous
6 benefit payments begin or on the date on which the
7 employee attains the age of seventy years, whichever
8 is earlier.

9 c. If the disability occurs on or after the time
10 the employee attains the age of sixty-nine years, the
11 maximum benefit period shall end twelve months after
12 continuous benefit payments begin.

13 3. a. Minimum and maximum benefits, of not less
14 than fifty dollars per month and not exceeding ~~two~~
15 three thousand dollars per month.

16 b. In no event shall benefits exceed one hundred
17 percent of the claimant's predisability covered
18 monthly compensation.

19 4. All probationary and permanent full-time state
20 employees shall be covered under the employees
21 disability insurance program, except board members and
22 members of commissions who are not full-time state
23 employees, and state employees who on July 1, 1974,
24 are under another disability program financed in whole
25 or in part by the state, and state employees who have
26 agreed to participation in another disability program
27 through a collective bargaining agreement. For
28 purposes of this section, members of the general
29 assembly serving on or after January 1, 1989, are
30 eligible for the plan during their tenure in office,
31 on the basis of enrollment rules established for full-
32 time state employees excluded from collective
33 bargaining as provided in chapter 20."

34 8. By renumbering as necessary.

By JOHN PUTNEY
ROGER STEWART

S-5201 FILED APRIL 18, 2006

HOUSE FILE 2521

S-5190

1 Amend House File 2521, as amended, passed, and
2 reprinted by the House, as follows:

3 1. Page 9, by striking lines 12 and 13 and
4 inserting the following:

5 "For salaries, support, maintenance, and
6 miscellaneous purposes, and for not more than the
7 following full-time equivalent position:

8	\$	86,000
9	FTEs	1.00"

By DARYL BEALL

S-5190 FILED APRIL 11, 2006

**SENATE AMENDMENT TO
HOUSE FILE 2521**

H-8560

1 Amend House File 2521, as amended, passed, and
2 reprinted by the House, as follows:

3 1. Page 1, by striking lines 12 and 13 and
4 inserting the following:

5 "..... \$ 5,836,824
6 FTEs 451.68"

7 2. Page 1, by inserting after line 16 the
8 following:

9 "Notwithstanding section 8.33, any excess funds
10 appropriated for utility costs in this subsection
11 shall not revert to the general fund of the state at
12 the end of the fiscal year but shall remain available
13 for expenditure for the purposes of this subsection
14 during the fiscal year beginning July 1, 2007."

15 3. Page 8, by inserting after line 3 the
16 following:

17 "6. TRANSITION COSTS

18 a. For payment of vacation allowances:

19 \$ 77,057

20 b. For payment to the governor-elect expense fund
21 in lieu of the appropriation from the general fund of
22 the state under section 7.13 to the governor-elect
23 expense fund:

24 \$ 100,000"

25 4. Page 14, by striking line 2 and inserting the
26 following:

27 "..... \$ 119,435"

28 5. Page 15, by inserting after line 6 the
29 following:

30 "6. For deposit in the local government innovation
31 fund established in section 8.64:

32 \$ 300,000"

33 6. Page 16, by inserting after line 1 the
34 following:

35 "If the director of revenue determines that
36 contracting for an upgrade of the department's
37 computer assisted collections system would result in
38 generating significantly increased net collection
39 revenues for the fiscal year beginning July 1, 2006,
40 and ending June 30, 2007, in excess of \$2,000,000, the
41 director is authorized to procure such upgrade from
42 the current vendor."

43 7. Page 18, by inserting after line 29 the
44 following:

45 "Sec. ____ . Section 70A.20, Code 2005, is amended
46 to read as follows:

47 70A.20 EMPLOYEES DISABILITY PROGRAM.

48 A state employees disability insurance program is
49 created, which shall be administered by the director
50 of the department of administrative services and which

H-8560

1 shall provide disability benefits in an amount and for
2 the employees as provided in this section. The
3 monthly disability benefits shall, at a minimum,
4 provide twenty percent of monthly earnings if employed
5 less than one year, forty percent of monthly earnings
6 if employed one year or more but less than two years,
7 and sixty percent of monthly earnings thereafter,
8 reduced by primary and family social security
9 determined at the time social security disability
10 payments commence, railroad retirement disability
11 income, workers' compensation if applicable, and any
12 other state-sponsored sickness or disability benefits
13 payable. However, the amount of benefits payable
14 under the Iowa public employees' retirement system
15 pursuant to chapter 97B shall not reduce the benefits
16 payable pursuant to this section. Subsequent social
17 security or railroad retirement increases shall not be
18 used to further reduce the insurance benefits payable.
19 As used in this section, "primary and family social
20 security" shall not include social security benefits
21 awarded to an adult child with a disability of the
22 state employee with a disability who does not reside
23 with the state employee with a disability if the
24 social security benefits were awarded to the adult
25 child with a disability prior to the approval of the
26 state employee's benefits under this section,
27 regardless of whether the United States social
28 security administration records the benefits to the
29 social security number of the adult child with a
30 disability, the state employee with a disability, or
31 any other family member, and such social security
32 benefits shall not reduce the benefits payable
33 pursuant to this section. As used in this section,
34 unless the context otherwise requires, "adult" means a
35 person who is eighteen years of age or older. State
36 employees shall receive credit for the time they were
37 continuously employed prior to and on July 1, 1974.
38 The following provisions apply to the employees
39 disability insurance program:

40 1. Waiting period, of no more than ninety working
41 days of continuous sickness or accident disability or
42 the expiration of accrued sick leave, whichever is
43 greater.

44 2. Maximum period benefits paid for both accident
45 or sickness disability:

46 a. If the disability occurs prior to the time the
47 employee attains the age of sixty-one years, the
48 maximum benefit period shall end sixty months after
49 continuous benefit payments begin or on the date on
50 which the employee attains the age of sixty-five

1 years, whichever is later.

2 b. If the disability occurs on or after the time
3 the employee attains the age of sixty-one years but
4 prior to the age of sixty-nine years, the maximum
5 benefit period shall end sixty months after continuous
6 benefit payments begin or on the date on which the
7 employee attains the age of seventy years, whichever
8 is earlier.

9 c. If the disability occurs on or after the time
10 the employee attains the age of sixty-nine years, the
11 maximum benefit period shall end twelve months after
12 continuous benefit payments begin.

13 3. a. Minimum and maximum benefits, of not less
14 than fifty dollars per month and not exceeding ~~two~~
15 three thousand dollars per month.

16 b. In no event shall benefits exceed one hundred
17 percent of the claimant's predisability covered
18 monthly compensation.

19 4. All probationary and permanent full-time state
20 employees shall be covered under the employees
21 disability insurance program, except board members and
22 members of commissions who are not full-time state
23 employees, and state employees who on July 1, 1974,
24 are under another disability program financed in whole
25 or in part by the state, and state employees who have
26 agreed to participation in another disability program
27 through a collective bargaining agreement. For
28 purposes of this section, members of the general
29 assembly serving on or after January 1, 1989, are
30 eligible for the plan during their tenure in office,
31 on the basis of enrollment rules established for full-
32 time state employees excluded from collective
33 bargaining as provided in chapter 20."

34 8. By renumbering as necessary.

RECEIVED FROM THE SENATE

H-8560 FILED APRIL 19, 2006

CONCURRED

Succ
SF / HF 2521

HSB 708
APPROPRIATIONS

HOUSE FILE _____

BY (PROPOSED COMMITTEE ON
APPROPRIATIONS BILL BY HOUSE
APPROPRIATIONS SUBCOMMITTEE
ON ADMINISTRATION AND REGULATION)

Passed House, Date _____ Passed Senate, Date _____

Vote: Ayes _____ Nays _____ Vote: Ayes _____ Nays _____

Approved _____

A BILL FOR

1 An Act relating to and making appropriations to certain state
2 departments, agencies, funds, and certain other entities,
3 providing for regulatory authority, and other properly related
4 matters.

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

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TLSB 5189HB 81

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DIVISION I

ADMINISTRATION AND REGULATION APPROPRIATIONS

Section 1. DEPARTMENT OF ADMINISTRATIVE SERVICES. There is appropriated from the general fund of the state to the department of administrative services for the fiscal year beginning July 1, 2006, and ending June 30, 2007, the following amounts, or so much thereof as is necessary, to be used for the purposes designated:

1. For salaries, support, maintenance, and miscellaneous purposes, and for not more than the following full-time equivalent positions:

.....	\$	5,048,824
.....	FTEs	443.68

UTILITY COSTS

2. For the payment of utility costs:

.....	\$	3,080,865
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Notwithstanding section 8.33, any excess funds appropriated for utility costs in this subsection shall not revert to the general fund of the state at the end of the fiscal year but shall remain available for expenditure for the purposes of this subsection during the fiscal year beginning July 1, 2007.

3. For financial administration duties:

.....	\$	200,000
-------	----	---------

4. Members of the general assembly serving as members of the deferred compensation advisory board shall be entitled to receive per diem and necessary travel and actual expenses pursuant to section 2.10, subsection 5, while carrying out their official duties as members of the board.

5. Any funds and premiums collected by the department for workers' compensation shall be segregated into a separate workers' compensation fund in the state treasury to be used for payment of state employees' workers' compensation claims and administrative costs. Notwithstanding section 8.33, unencumbered or unobligated moneys remaining in this workers' compensation fund at the end of the fiscal year shall not

1 revert but shall be available for expenditure for purposes of
2 the fund for subsequent fiscal years.

3 Sec. 2. REVOLVING FUNDS. There is appropriated to the
4 department of administrative services for the fiscal year
5 beginning July 1, 2006, and ending June 30, 2007, from the
6 revolving funds designated in chapter 8A and from internal
7 service funds created by the department, such amounts as the
8 department deems necessary for the operation of the department
9 consistent with the requirements of chapter 8A.

10 Sec. 3. FUNDING FOR IOWACCESS.

11 1. Notwithstanding section 321A.3, subsection 1, for the
12 fiscal year beginning July 1, 2006, and ending June 30, 2007,
13 the first \$1,000,000 collected and transferred by the
14 department of transportation to the treasurer of state with
15 respect to the fees for transactions involving the furnishing
16 of a certified abstract of a vehicle operating record under
17 section 321A.3, subsection 1, shall be transferred to the
18 IowAccess revolving fund established by section 8A.224 and
19 administered by the department of administrative services for
20 the purposes of developing, implementing, maintaining, and
21 expanding electronic access to government records as provided
22 by law.

23 2. All fees collected with respect to transactions
24 involving IowAccess shall be deposited in the IowAccess
25 revolving fund and shall be used only for the support of
26 IowAccess projects.

27 Sec. 4. STATE EMPLOYEE HEALTH INSURANCE ADMINISTRATION
28 CHARGE. For the fiscal year beginning July 1, 2006, and
29 ending June 30, 2007, the monthly per contract administrative
30 charge which may be assessed by the department of
31 administrative services shall be \$2.00 per contract on all
32 health insurance plans administered by the department.

33 Sec. 5. AUDITOR OF STATE. There is appropriated from the
34 general fund of the state to the office of the auditor of
35 state for the fiscal year beginning July 1, 2006, and ending

1 June 30, 2007, the following amount, or so much thereof as is
2 necessary, to be used for the purposes designated:

3 For salaries, support, maintenance, and miscellaneous
4 purposes, and for not more than the following full-time
5 equivalent positions:

6 \$ 1,207,341
7 FTEs 102.50

8 The auditor of state may retain additional full-time
9 equivalent positions as is reasonable and necessary to perform
10 governmental subdivision audits which are reimbursable
11 pursuant to section 11.20 or 11.21, to perform audits which
12 are requested by and reimbursable from the federal government,
13 and to perform work requested by and reimbursable from
14 departments or agencies pursuant to section 11.5A or 11.5B.
15 The auditor of state shall notify the department of
16 management, the legislative fiscal committee, and the
17 legislative services agency of the additional full-time
18 equivalent positions retained.

19 Sec. 6. IOWA ETHICS AND CAMPAIGN DISCLOSURE BOARD. There
20 is appropriated from the general fund of the state to the Iowa
21 ethics and campaign disclosure board for the fiscal year
22 beginning July 1, 2006, and ending June 30, 2007, the
23 following amount, or so much thereof as is necessary, for the
24 purposes designated:

25 For salaries, support, maintenance, and miscellaneous
26 purposes, and for not more than the following full-time
27 equivalent positions:

28 \$ 497,056
29 FTEs 6.00

30 Sec. 7. DEPARTMENT OF COMMERCE. There is appropriated
31 from the general fund of the state to the department of
32 commerce for the fiscal year beginning July 1, 2006, and
33 ending June 30, 2007, the following amounts, or so much
34 thereof as is necessary, for the purposes designated:

35 1. ALCOHOLIC BEVERAGES DIVISION

1 For salaries, support, maintenance, and miscellaneous
 2 purposes, and for not more than the following full-time
 3 equivalent positions:

4 \$ 1,930,962
 5 FTEs 36.00

6 2. BANKING DIVISION

7 For salaries, support, maintenance, and miscellaneous
 8 purposes, and for not more than the following full-time
 9 equivalent positions:

10 \$ 7,222,008
 11 FTEs 71.00

12 3. CREDIT UNION DIVISION

13 For salaries, support, maintenance, and miscellaneous
 14 purposes, and for not more than the following full-time
 15 equivalent positions:

16 \$ 1,455,874
 17 FTEs 18.00

18 4. INSURANCE DIVISION

19 a. For salaries, support, maintenance, and miscellaneous
 20 purposes, and for not more than the following full-time
 21 equivalent positions:

22 \$ 4,517,481
 23 FTEs 101.00

24 b. The insurance division may reallocate authorized full-
 25 time equivalent positions as necessary to respond to
 26 accreditation recommendations or requirements. The insurance
 27 division expenditures for examination purposes may exceed the
 28 projected receipts, refunds, and reimbursements, estimated
 29 pursuant to section 505.7, subsection 7, including the
 30 expenditures for retention of additional personnel, if the
 31 expenditures are fully reimbursable and the division first
 32 does both of the following:

33 (1) Notifies the department of management, the legislative
 34 services agency, and the legislative fiscal committee of the
 35 need for the expenditures.

1 (2) Files with each of the entities named in subparagraph
2 (1) the legislative and regulatory justification for the
3 expenditures, along with an estimate of the expenditures.

4 c. The insurance division shall allocate \$10,000 from the
5 examination receipts for the payment of its fees to the
6 national council of insurance legislators.

7 5. PROFESSIONAL LICENSING AND REGULATION BUREAU

8 For salaries, support, maintenance, and miscellaneous
9 purposes, and for not more than the following full-time
10 equivalent positions:

11	\$	793,462
12	FTEs	13.50

13 6. UTILITIES DIVISION

14 a. For salaries, support, maintenance, and miscellaneous
15 purposes, and for not more than the following full-time
16 equivalent positions:

17	\$	7,230,820
18	FTEs	79.00

19 b. The utilities division may expend additional funds,
20 including funds for additional personnel, if those additional
21 expenditures are actual expenses which exceed the funds
22 budgeted for utility regulation and the expenditures are fully
23 reimbursable. Before the division expends or encumbers an
24 amount in excess of the funds budgeted for regulation, the
25 division shall first do both of the following:

26 (1) Notify the department of management, the legislative
27 services agency, and the legislative fiscal committee of the
28 need for the expenditures.

29 (2) File with each of the entities named in subparagraph
30 (1) the legislative and regulatory justification for the
31 expenditures, along with an estimate of the expenditures.

32 7. CHARGES -- TRAVEL. Each division and the office of
33 consumer advocate shall include in its charges assessed or
34 revenues generated, an amount sufficient to cover the amount
35 stated in its appropriation, and any state-assessed indirect

1 costs determined by the department of administrative services.
2 The director of the department of commerce shall review on a
3 quarterly basis all out-of-state travel for the previous
4 quarter for officers and employees of each division of the
5 department if the travel is not already authorized by the
6 executive council.

7 Sec. 8. DEPARTMENT OF COMMERCE -- PROFESSIONAL LICENSING
8 AND REGULATION. There is appropriated from the housing
9 improvement fund of the Iowa department of economic
10 development to the bureau of professional licensing and
11 regulation of the banking division of the department of
12 commerce for the fiscal year beginning July 1, 2006, and
13 ending June 30, 2007, the following amount, or so much thereof
14 as is necessary, to be used for the purposes designated:

15 For salaries, support, maintenance, and miscellaneous
16 purposes:
17 \$ 62,317

18 Sec. 9. GOVERNOR AND LIEUTENANT GOVERNOR. There is
19 appropriated from the general fund of the state to the offices
20 of the governor and the lieutenant governor for the fiscal
21 year beginning July 1, 2006, and ending June 30, 2007, the
22 following amounts, or so much thereof as is necessary, to be
23 used for the purposes designated:

24 1. GENERAL OFFICE
25 For salaries, support, maintenance, and miscellaneous
26 purposes for the general office of the governor and the
27 general office of the lieutenant governor, and for not more
28 than the following full-time equivalent positions:
29 \$ 1,823,111
30 FTEs 19.25

31 2. TERRACE HILL QUARTERS
32 For salaries, support, maintenance, and miscellaneous
33 purposes for the governor's quarters at Terrace Hill, and for
34 not more than the following full-time equivalent positions:
35 \$ 378,633

1 FTEs 8.00
2 3. ADMINISTRATIVE RULES COORDINATOR
3 For salaries, support, maintenance, and miscellaneous
4 purposes for the office of administrative rules coordinator,
5 and for not more than the following full-time equivalent
6 positions:
7 \$ 150,013
8 FTEs 3.00
9 4. NATIONAL GOVERNORS ASSOCIATION
10 For payment of Iowa's membership in the national governors
11 association:
12 \$ 64,393
13 5. STATE-FEDERAL RELATIONS
14 For salaries, support, maintenance, and miscellaneous
15 purposes, and for not more than the following full-time
16 equivalent positions:
17 \$ 115,748
18 FTEs 2.00
19 Sec. 10. GOVERNOR'S OFFICE OF DRUG CONTROL POLICY.
20 1. There is appropriated from the general fund of the
21 state to the governor's office of drug control policy for the
22 fiscal year beginning July 1, 2006, and ending June 30, 2007,
23 the following amount, or so much thereof as is necessary, to
24 be used for the purposes designated:
25 For salaries, support, maintenance, and miscellaneous
26 purposes, including statewide coordination of the drug abuse
27 resistance education (D.A.R.E.) programs or similar programs,
28 and for not more than the following full-time equivalent
29 positions:
30 \$ 307,730
31 FTEs 8.00
32 2. The governor's office of drug control policy, in
33 consultation with the Iowa department of public health, and
34 after discussion and collaboration with all interested
35 agencies, shall coordinate substance abuse treatment and

1 prevention efforts in order to avoid duplication of services.

2 Sec. 11. DEPARTMENT OF HUMAN RIGHTS. There is
3 appropriated from the general fund of the state to the
4 department of human rights for the fiscal year beginning July
5 1, 2006, and ending June 30, 2007, the following amounts, or
6 so much thereof as is necessary, to be used for the purposes
7 designated:

8 1. CENTRAL ADMINISTRATION DIVISION

9 For salaries, support, maintenance, and miscellaneous
10 purposes, and for not more than the following full-time
11 equivalent positions:

12	\$	317,028
13	FTEs	7.00

14 2. DEAF SERVICES DIVISION

15 For salaries, support, maintenance, and miscellaneous
16 purposes, and for not more than the following full-time
17 equivalent positions:

18	\$	374,367
19	FTEs	6.00

20 The fees collected by the division for provision of
21 interpretation services by the division to obligated agencies
22 shall be disbursed pursuant to the provisions of section 8.32,
23 and shall be dedicated and used by the division for continued
24 and expanded interpretation services.

25 3. STATUS OF IOWANS OF ASIAN AND PACIFIC ISLANDER HERITAGE
26 DIVISION

27 For support, maintenance, and miscellaneous purposes:

28	\$	6,000
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29 4. PERSONS WITH DISABILITIES DIVISION

30 For salaries, support, maintenance, and miscellaneous
31 purposes, and for not more than the following full-time
32 equivalent positions:

33	\$	193,531
34	FTEs	3.20

35 5. LATINO AFFAIRS DIVISION

1 For salaries, support, maintenance, and miscellaneous
2 purposes, and for not more than the following full-time
3 equivalent positions:

4	\$	170,749
5	FTEs	3.00

6 6. STATUS OF WOMEN DIVISION

7 For salaries, support, maintenance, and miscellaneous
8 purposes, including the Iowans in transition program, and the
9 domestic violence and sexual assault-related grants, and for
10 not more than the following full-time equivalent positions:

11	\$	335,501
12	FTEs	3.00

13 7. STATUS OF AFRICAN-AMERICANS DIVISION

14 For salaries, support, maintenance, and miscellaneous
15 purposes, and for not more than the following full-time
16 equivalent positions:

17	\$	121,655
18	FTEs	2.00

19 8. CRIMINAL AND JUVENILE JUSTICE PLANNING DIVISION

20 For salaries, support, maintenance, and miscellaneous
21 purposes, and for not more than the following full-time
22 equivalent positions:

23	\$	1,098,026
24	FTEs	12.18

25 The criminal and juvenile justice planning advisory council
26 and the juvenile justice advisory council shall coordinate
27 their efforts in carrying out their respective duties relative
28 to juvenile justice.

29 9. SHARED STAFF. The divisions of the department of human
30 rights shall retain their individual administrators, but shall
31 share staff to the greatest extent possible.

32 Sec. 12. DEPARTMENT OF INSPECTIONS AND APPEALS. There is
33 appropriated from the general fund of the state to the
34 department of inspections and appeals for the fiscal year
35 beginning July 1, 2006, and ending June 30, 2007, the

1 following amounts, or so much thereof as is necessary, for the
2 purposes designated:

3 1. ADMINISTRATION DIVISION

4 For salaries, support, maintenance, and miscellaneous
5 purposes, and for not more than the following full-time
6 equivalent positions:

7 \$ 1,657,318
8 FTEs 33.25

9 2. ADMINISTRATIVE HEARINGS DIVISION

10 For salaries, support, maintenance, and miscellaneous
11 purposes, and for not more than the following full-time
12 equivalent positions:

13 \$ 634,647
14 FTEs 23.00

15 3. INVESTIGATIONS DIVISION

16 For salaries, support, maintenance, and miscellaneous
17 purposes, and for not more than the following full-time
18 equivalent positions:

19 \$ 1,484,421
20 FTEs 45.00

21 4. HEALTH FACILITIES DIVISION

22 For salaries, support, maintenance, and miscellaneous
23 purposes, and for not more than the following full-time
24 equivalent positions:

25 \$ 2,339,742
26 FTEs 118.25

27 5. EMPLOYMENT APPEAL BOARD

28 For salaries, support, maintenance, and miscellaneous
29 purposes, and for not more than the following full-time
30 equivalent positions:

31 \$ 54,600
32 FTEs 15.00

33 The employment appeal board shall be reimbursed by the
34 labor services division of the department of workforce
35 development for all costs associated with hearings conducted

1 under chapter 91C, related to contractor registration. The
2 board may expend, in addition to the amount appropriated under
3 this subsection, additional amounts as are directly billable
4 to the labor services division under this subsection and to
5 retain the additional full-time equivalent positions as needed
6 to conduct hearings required pursuant to chapter 91C.

7 6. CHILD ADVOCACY BOARD

8 For foster care review and the court appointed special
9 advocate program, including salaries, support, maintenance,
10 and miscellaneous purposes, and for not more than the
11 following full-time equivalent positions:

12	\$ 2,068,667
13	FTEs 38.99

14 a. The department of human services, in coordination with
15 the child advocacy board, and the department of inspections
16 and appeals, shall submit an application for funding available
17 pursuant to Title IV-E of the federal Social Security Act for
18 claims for child advocacy board, administrative review costs.

19 b. The court appointed special advocate program shall
20 investigate and develop opportunities for expanding fund-
21 raising for the program.

22 c. Administrative costs charged by the department of
23 inspections and appeals for items funded under this subsection
24 shall not exceed 4 percent of the amount appropriated in this
25 subsection.

26 Sec. 13. RACING AND GAMING COMMISSION.

27 1. RACETRACK REGULATION

28 There is appropriated from the general fund of the state to
29 the racing and gaming commission of the department of
30 inspections and appeals for the fiscal year beginning July 1,
31 2006, and ending June 30, 2007, the following amount, or so
32 much thereof as is necessary, to be used for the purposes
33 designated:

34 For salaries, support, maintenance, and miscellaneous
35 purposes for the regulation of pari-mutuel racetracks, and for

1 not more than the following full-time equivalent positions:

2	\$	2,657,394
3	FTEs	27.53

4 2. EXCURSION BOAT REGULATION

5 There is appropriated from the general fund of the state to
6 the racing and gaming commission of the department of
7 inspections and appeals for the fiscal year beginning July 1,
8 2006, and ending June 30, 2007, the following amount, or so
9 much thereof as is necessary, to be used for the purposes
10 designated:

11 For salaries, support, maintenance, and miscellaneous
12 purposes for administration and enforcement of the excursion
13 boat gambling laws, and for not more than the following full-
14 time equivalent positions:

15	\$	3,199,440
16	FTEs	43.22

17 Sec. 14. USE TAX APPROPRIATION. There is appropriated
18 from the use tax receipts collected pursuant to sections
19 423.26 and 423.27 prior to their deposit in the road use tax
20 fund pursuant to section 423.43 to the administrative hearings
21 division of the department of inspections and appeals for the
22 fiscal year beginning July 1, 2006, and ending June 30, 2007,
23 the following amount, or so much thereof as is necessary, for
24 the purposes designated:

25 For salaries, support, maintenance, and miscellaneous
26 purposes:

27	\$	1,482,436
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28 Sec. 15. DEPARTMENT OF MANAGEMENT. There is appropriated
29 from the general fund of the state to the department of
30 management for the fiscal year beginning July 1, 2006, and
31 ending June 30, 2007, the following amounts, or so much
32 thereof as is necessary, to be used for the purposes
33 designated:

34 1. GENERAL OFFICE

35 For salaries, support, maintenance, and miscellaneous

1 purposes, and for not more than the following full-time
2 equivalent positions:

3 \$ 2,244,335
4 FTEs 32.00

5 2. ENTERPRISE RESOURCE PLANNING

6 If funding is provided for the redesign of the enterprise
7 resource planning budget system for the fiscal year beginning
8 July 1, 2006, then there is appropriated from the general fund
9 of the state to the department of management for the fiscal
10 year beginning July 1, 2006, and ending June 30, 2007, the
11 following amount, or so much thereof as is necessary, to be
12 used for the purposes designated:

13 For salaries, support, maintenance, and miscellaneous
14 purposes for administration of the enterprise resource
15 planning system, and for not more than the following full-time
16 equivalent position:

17 \$ 57,435
18 FTEs 1.00

19 3. SALARY MODEL ADMINISTRATOR

20 For salaries, support, and miscellaneous purposes of
21 the salary model administrator, and for not more than
22 the following full-time equivalent position:

23 \$ 127,936
24 FTEs 1.00

25 The salary model administrator shall work in conjunction
26 with the legislative services agency to maintain the state's
27 salary model used for analyzing, comparing, and projecting
28 state employee salary and benefit information, including
29 information relating to employees of the state board of
30 regents. The department of revenue, the department of
31 administrative services, the five institutions under the
32 jurisdiction of the state board of regents, the judicial
33 district departments of correctional services, and the state
34 department of transportation shall provide salary data to the
35 department of management and the legislative services agency

1 to operate the state's salary model. The format and frequency
2 of provision of the salary data shall be determined by the
3 department of management and the legislative services agency.
4 The information shall be used in collective bargaining
5 processes under chapter 20 and in calculating the funding
6 needs contained within the annual salary adjustment
7 legislation. A state employee organization as defined in
8 section 20.3, subsection 4, may request information produced
9 by the model, but the information provided shall not contain
10 information attributable to individual employees.

11 4. For conducting performance audits and developing
12 performance measures, including salaries, support,
13 maintenance, miscellaneous purposes, and for not more than the
14 following full-time equivalent positions:

15	\$	108,000
16	FTEs	2.50

17 5. For the department's LEAN process, including salaries,
18 support, maintenance, miscellaneous purposes, and for not more
19 than the following full-time equivalent position:

20	\$	108,000
21	FTEs	1.00

22 Sec. 16. ROAD USE TAX APPROPRIATION. There is
23 appropriated from the road use tax fund to the department of
24 management for the fiscal year beginning July 1, 2006, and
25 ending June 30, 2007, the following amount, or so much thereof
26 as is necessary, to be used for the purposes designated:

27 For salaries, support, maintenance, and miscellaneous
28 purposes:

29	\$	56,000
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30 Sec. 17. DEPARTMENT OF REVENUE. There is appropriated
31 from the general fund of the state to the department of
32 revenue for the fiscal year beginning July 1, 2006, and ending
33 June 30, 2007, the following amounts, or so much thereof as is
34 necessary, to be used for the purposes designated:

35 For salaries, support, maintenance, and miscellaneous

1 purposes, and for not more than the following full-time
2 equivalent positions:

3 \$ 23,138,575
4 FTEs 392.64

5 Of the funds appropriated pursuant to this section,
6 \$400,000 shall be used to pay the direct costs of compliance
7 related to the collection and distribution of local sales and
8 services taxes imposed pursuant to chapters 423B and 423E.

9 The director of revenue shall prepare and issue a state
10 appraisal manual and the revisions to the state appraisal
11 manual as provided in section 421.17, subsection 17, without
12 cost to a city or county.

13 The department of revenue shall submit a written report to
14 the general assembly by January 1, 2007, concerning the
15 department's progress in developing a system to track tax
16 credits.

17 Sec. 18. MOTOR VEHICLE FUEL TAX APPROPRIATION. There is
18 appropriated from the motor fuel tax fund created by section
19 452A.77 to the department of revenue for the fiscal year
20 beginning July 1, 2006, and ending June 30, 2007, the
21 following amount, or so much thereof as is necessary, to be
22 used for the purposes designated:

23 For salaries, support, maintenance, and miscellaneous
24 purposes for administration and enforcement of the provisions
25 of chapter 452A and the motor vehicle use tax program:

26 \$ 1,258,042

27 Sec. 19. SECRETARY OF STATE. There is appropriated from
28 the general fund of the state to the office of the secretary
29 of state for the fiscal year beginning July 1, 2006, and
30 ending June 30, 2007, the following amounts, or so much
31 thereof as is necessary, to be used for the purposes
32 designated:

33 1. ADMINISTRATION AND ELECTIONS

34 For salaries, support, maintenance, and miscellaneous
35 purposes, and for not more than the following full-time

1 equivalent positions:

2	.....	\$	707,942
3	.....	FTEs	10.00

4 The state department or state agency which provides data
5 processing services to support voter registration file
6 maintenance and storage shall provide those services without
7 charge.

8 2. BUSINESS SERVICES

9 For salaries, support, maintenance, and miscellaneous
10 purposes, and for not more than the following full-time
11 equivalent positions:

12	.....	\$	2,003,091
13	.....	FTEs	32.00

14 Sec. 20. SECRETARY OF STATE FILING FEES REFUND.

15 Notwithstanding the obligation to collect fees pursuant to the
16 provisions of section 490.122, subsection 1, paragraphs "a"
17 and "s", and section 504.113, subsection 1, paragraphs "a",
18 "c", "d", "j", "k", "l", and "m", for the fiscal year
19 beginning July 1, 2006, and ending June 30, 2007, the
20 secretary of state may refund these fees to the filer pursuant
21 to rules established by the secretary of state. The decision
22 of the secretary of state not to issue a refund under rules
23 established by the secretary of state is final and not subject
24 to review pursuant to the provisions of the Iowa
25 administrative procedure Act, chapter 17A.

26 Sec. 21. TREASURER. There is appropriated from the
27 general fund of the state to the office of treasurer of state
28 for the fiscal year beginning July 1, 2006, and ending June
29 30, 2007, the following amount, or so much thereof as is
30 necessary, to be used for the purposes designated:

31 For salaries, support, maintenance, and miscellaneous
32 purposes, and for not more than the following full-time
33 equivalent positions:

34	.....	\$	922,899
35	.....	FTEs	28.80

1 The office of treasurer of state shall supply clerical and
2 secretarial support for the executive council.

3 Sec. 22. IPERS -- GENERAL OFFICE. There is appropriated
4 from the Iowa public employees' retirement system fund to the
5 Iowa public employees' retirement system for the fiscal year
6 beginning July 1, 2006, and ending June 30, 2007, the
7 following amount, or so much thereof as is necessary, to be
8 used for the purposes designated:

9 For salaries, support, maintenance, and other operational
10 purposes to pay the costs of the Iowa public employees'
11 retirement system, and for not more than the following full-
12 time equivalent positions:

13	\$ 16,756,131
14	FTEs 95.13

15 Sec. 23. TRAVEL POLICY.

16 1. For the fiscal year beginning July 1, 2006, each
17 department or independent agency receiving an appropriation in
18 this Act shall review the employee policy for daily or short-
19 term travel including but not limited to the usage of motor
20 pool vehicles under the department of administrative services,
21 employee mileage reimbursement for the use of a personal
22 vehicle, and the usage of private automobile rental companies.
23 Following the review, the department or agency shall implement
24 revisions in the employee policy for daily or short-term
25 travel as necessary to maximize cost savings.

26 2. Each department or independent agency subject to
27 subsection 1 shall report to the general assembly's standing
28 committees on government oversight regarding the policy
29 revisions implemented and the savings realized from the
30 changes. An initial report shall be submitted on or before
31 December 1, 2006, and a follow-up report shall be submitted on
32 or before December 1, 2007.

33 DIVISION II
34 MISCELLANEOUS PROVISIONS

35 Sec. 24. Section 421.17, subsection 27, paragraphs a, c,

1 d, e, g, and h, Code Supplement 2005, are amended to read as
2 follows:

3 a. To establish, administer, and make available a
4 centralized debt collection capability and procedure for the
5 use by any state agency ~~as defined in section 8A-504~~ or local
6 government entity including, but not limited to, the
7 department of revenue, along with other boards, commissions,
8 departments, and any other entity reported in the Iowa
9 comprehensive annual financial report, to collect delinquent
10 accounts, charges, fees, loans, taxes, or other indebtedness
11 owed to or being collected by the state. The department's
12 collection facilities shall only be available for use by other
13 state agencies or local government entities for their
14 discretionary use when resources are available to the director
15 and subject to the director's determination that use of the
16 procedure is feasible. The director shall prescribe the
17 appropriate form and manner in which this information is to be
18 submitted to the office of the department. The obligations or
19 indebtedness must be delinquent and not subject to litigation,
20 claim, appeal, or review pursuant to the appropriate remedies
21 of each state agency or local government entity.

22 c. The director shall establish a formal debt collection
23 policy for use by state agencies and local government entities
24 which have not established their own policy. Other state
25 agencies and local government entities may use the collection
26 facilities of the department pursuant to formal agreement with
27 the department. The agreement shall provide that the
28 information provided to the department shall be sufficient to
29 establish the obligation in a court of law and to render it as
30 a legal judgment on behalf of the state or the local
31 government agency. After transferring the file to the
32 department for collection, an individual state agency or the
33 local government agency shall terminate all collection
34 procedures and be available to provide assistance to the
35 department. Upon receipt of the file, the department shall

1 assume all liability for its actions without recourse to the
2 agency or the local government agency, and shall comply with
3 all applicable state and federal laws governing collection of
4 the debt. The department may use a participating agency's or
5 local government agency's statutory collection authority to
6 collect the participating agency's delinquent accounts,
7 charges, fees, loans, taxes, or other indebtedness owed to or
8 being collected by the state. The department has the powers
9 granted in this section regarding setoff from income tax
10 refunds or other accounts payable by the state for any of the
11 obligations transferred by state agencies or local government
12 agencies.

13 d. The department's existing right to credit against tax
14 due shall not be impaired by any right granted to, or duty
15 imposed upon, the department or other state agency or local
16 government agency by this section.

17 e. All state agencies and local government agencies shall
18 be given access, at the discretion of the director, to the
19 centralized computer data bank and, notwithstanding any other
20 provision of law to the contrary, may deny, revoke, or suspend
21 any license or deny any renewal authorized by the laws of this
22 state to any person who has defaulted on an obligation owed to
23 or collected by the state. The confidentiality provisions of
24 sections 422.20 and 422.72 do not apply to tax information
25 contained in the centralized computer data bank. State
26 agencies and local government agencies shall endeavor to
27 obtain the applicant's social security or federal tax
28 identification number, or state driver's license number from
29 all applicants.

30 g. The director shall adopt administrative rules to
31 implement this section subsection, including, but not limited
32 to, rules necessary to prevent conflict with federal laws and
33 regulations or the loss of federal funds, to establish
34 procedures necessary to guarantee due process of law, and to
35 provide for reimbursement of the department by other state

1 agencies and local government entities for the department's
 2 costs related to debt collection for state agencies and local
 3 government entities.

4 h. The director shall report quarterly to the legislative
 5 fiscal committee, the legislative services agency, and the
 6 chairpersons and ranking members of the joint administration
 7 appropriations subcommittee on administration and regulation
 8 concerning the implementation of the centralized debt
 9 collection program, the number of departmental collection
 10 programs initiated, the amount of debts collected, and an
 11 estimate of future costs and benefits which may be associated
 12 with the collection program. It is the intent of the general
 13 assembly that the centralized debt collection program will
 14 result in the collection of at least two dollars of
 15 indebtedness for every dollar expended in administering the
 16 collection program during a fiscal year. ~~It is also the~~
 17 ~~intent of the general assembly that the centralized debt~~
 18 ~~collection program be administered without the anticipation of~~
 19 ~~future additional commitments of computer equipment and~~
 20 ~~personnel.~~

21 Sec. 25. Section 421.17, subsection 27, Code Supplement
 22 2005, is amended by adding the following new paragraph:

23 NEW PARAGRAPH. j. There is appropriated from the amount
 24 of any debt actually collected pursuant to this subsection an
 25 amount, not to exceed the amount collected, which is
 26 sufficient to pay for salaries, support, maintenance,
 27 services, and other costs incurred by the department related
 28 to the administration of this subsection. The director shall
 29 report annually to the legislative fiscal committee and the
 30 legislative services agency on any additional positions added
 31 and the costs incurred during the previous fiscal year
 32 pursuant to this subsection.

33 Sec. 26. Section 422.26, unnumbered paragraph 6, Code
 34 2005, is amended to read as follows:

35 The department shall pay ~~from moneys appropriated to the~~

1 ~~department-for-this-purpose~~, a recording fee as provided in
2 section 331.604, for the recording of the lien, or for its
3 satisfaction.

4

DIVISION III

5 REASSIGNMENT OF PROFESSIONAL LICENSING AND REGULATION DIVISION

6 Sec. 27. Section 8A.412, subsection 19, Code Supplement
7 2005, is amended to read as follows:

8 19. The superintendent of the banking division of the
9 department of commerce, all members of the state banking
10 council, and all employees of the banking division except for
11 employees of the professional licensing and regulation bureau
12 of the division.

13 Sec. 28. Section 524.208, Code 2005, is amended to read as
14 follows:

15 524.208 EXAMINERS AND OTHER EMPLOYEES.

16 The superintendent may appoint examiners and other
17 employees as the superintendent deems necessary to the proper
18 discharge of the duties imposed upon the superintendent by the
19 laws of this state. Pay plans shall be established for
20 employees, other than clerical employees or employees of the
21 professional licensing and regulation bureau of the banking
22 division, who examine the accounts and affairs of state banks
23 and who examine the accounts and affairs of other persons,
24 subject to supervision and regulation by the superintendent,
25 which are substantially equivalent to those paid by the
26 federal deposit insurance corporation and other federal
27 supervisory agencies in this area of the United States.

28 Sec. 29. Section 524.211, subsection 5, Code 2005, is
29 amended to read as follows:

30 5. An employee of the banking division, other than the
31 superintendent or a member of the state banking council or one
32 of the boards in the professional licensing and regulation
33 bureau of the division, shall not perform any services for,
34 and shall not be a shareholder, member, partner, owner,
35 director, officer, or employee of, any enterprise, person, or

1 affiliate subject to the regulatory purview of the banking
2 division.

3 Sec. 30. Section 534.401, subsection 1, Code 2005, is
4 amended to read as follows:

5 1. SUPERINTENDENT OF SAVINGS AND LOAN ASSOCIATIONS. The
6 superintendent of savings and loan associations is the
7 ~~administrator of professional licensing and regulation~~
8 ~~appointed pursuant to section 546.107 subsection 27 or an~~
9 ~~individual appointed by the administrator as provided in~~
10 ~~section 546.107 subsection 6~~ superintendent of banking.

11 Sec. 31. Section 542.4, subsections 1 and 6, Code 2005,
12 are amended to read as follows:

13 1. An Iowa accountancy examining board is created within
14 the professional licensing and regulation bureau of the
15 banking division of the department of commerce to administer
16 and enforce this chapter. The board shall consist of eight
17 members, appointed by the governor and subject to senate
18 confirmation, all of whom shall be residents of this state.
19 Five of the eight members shall be holders of certificates
20 issued under section 542.6, one member shall be the holder of
21 a license issued under section 542.8, and two shall not be
22 certified public accountants or licensed public accountants
23 and shall represent the general public. At least three of the
24 holders of certificates issued under section 542.6 shall also
25 be qualified to supervise attest services as provided in
26 section 542.7. A certified or licensed member of the board
27 shall be actively engaged in practice as a certified public
28 accountant or as a licensed public accountant and shall have
29 been so engaged for five years preceding appointment, the last
30 two of which shall have been in this state. Professional
31 associations or societies composed of certified public
32 accountants or licensed public accountants may recommend the
33 names of potential board members to the governor. However,
34 the governor is not bound by the recommendations. A board
35 member is not required to be a member of any professional

1 association or society composed of certified public
2 accountants or licensed public accountants. The term of each
3 member of the board shall be three years, as designated by the
4 governor, and appointments to the board are subject to the
5 requirements of sections 69.16, 69.16A, and 69.19. Members of
6 the board appointed and serving pursuant to chapter 542C, Code
7 2001, on July 1, 2002, shall serve out the terms for which
8 they were appointed. Vacancies occurring during a term shall
9 be filled by appointment by the governor for the unexpired
10 term. Upon the expiration of the member's term of office, a
11 member shall continue to serve until a successor shall have
12 been appointed and taken office. The public members of the
13 board shall be allowed to participate in administrative,
14 clerical, or ministerial functions incident to giving the
15 examinations, but shall not determine the content or determine
16 the correctness of the answers. The licensed public
17 accountant member shall not determine the content of the
18 certified public accountant examination or determine the
19 correctness of the answers. Any member of the board whose
20 certificate under section 542.6 or license under section 542.8
21 is revoked or suspended shall automatically cease to be a
22 member of the board, and the governor may, after a hearing,
23 remove any member of the board for neglect of duty or other
24 just cause. A person who has served three successive complete
25 terms shall not be eligible for reappointment, but appointment
26 to fill an unexpired term shall not be considered a complete
27 term for this purpose.

28 6. The administrator of the professional licensing and
29 regulation bureau of the banking division of the department of
30 commerce shall provide staffing assistance to the board for
31 implementing this chapter.

32 Sec. 32. Section 542B.3, Code 2005, is amended to read as
33 follows:

34 542B.3 ENGINEERING AND LAND SURVEYING EXAMINING BOARD
35 CREATED.

1 An engineering and land surveying examining board is
2 created within the professional licensing and regulation
3 bureau of the banking division of the department of commerce.
4 The board consists of four members who are licensed
5 professional engineers, one member who is a licensed land
6 surveyor or a professional engineer who is also a licensed
7 land surveyor, and two members who are not licensed
8 professional engineers or land surveyors and who shall
9 represent the general public. Members shall be appointed by
10 the governor subject to confirmation by the senate. A
11 licensed member shall be actively engaged in the practice of
12 engineering or land surveying and shall have been so engaged
13 for five years preceding the appointment, the last two of
14 which shall have been in Iowa. Insofar as practicable,
15 licensed engineer members of the board shall be from different
16 branches of the profession of engineering. Professional
17 associations or societies composed of licensed engineers or
18 licensed land surveyors may recommend the names of potential
19 board members whose profession is representative of that
20 association or society to the governor. However, the governor
21 is not bound by the recommendations. A board member shall not
22 be required to be a member of any professional association or
23 society composed of professional engineers or land surveyors.
24 Sec. 33. Section 542B.9, Code 2005, is amended to read as
25 follows:

26 542B.9 ORGANIZATION OF THE BOARD -- STAFF.

27 The board shall elect annually from its members a
28 chairperson and a vice chairperson. The administrator of the
29 professional licensing and regulation bureau of the banking
30 division of the department of commerce shall hire and provide
31 staff to assist the board in implementing this chapter. The
32 board shall hold at least one meeting at the location of the
33 board's principal office, and meetings shall be called at
34 other times by the administrator at the request of the
35 chairperson or four members of the board. At any meeting of

1 the board, a majority of members constitutes a quorum.

2 Sec. 34. Section 543B.8, Code Supplement 2005, is amended
3 to read as follows:

4 543B.8 REAL ESTATE COMMISSION CREATED -- STAFF.

5 A real estate commission is created within the professional
6 licensing and regulation bureau of the banking division of the
7 department of commerce. The commission consists of five
8 members licensed under this chapter and two members not
9 licensed under this chapter and who shall represent the
10 general public. At least one of the licensed members shall be
11 a licensed real estate salesperson, except that if the
12 licensed real estate salesperson becomes a licensed real
13 estate broker during a term of office, that person may
14 complete the term, but is not eligible for reappointment on
15 the commission as a licensed real estate salesperson. A
16 licensed member shall be actively engaged in the real estate
17 business and shall have been so engaged for five years
18 preceding the appointment, the last two of which shall have
19 been in Iowa. Professional associations or societies of real
20 estate brokers or real estate salespersons may recommend the
21 names of potential commission members to the governor.
22 However, the governor is not bound by their recommendations.
23 A commission member shall not be required to be a member of
24 any professional association or society composed of real
25 estate brokers or salespersons. Commission members shall be
26 appointed by the governor subject to confirmation by the
27 senate. Appointments shall be for three-year terms and shall
28 commence and end as provided in section 69.19. A member shall
29 serve no more than three terms or nine years, whichever is
30 less. No more than one member shall be appointed from a
31 county. A commission member shall not hold any other elective
32 or appointive state or federal office. Vacancies shall be
33 filled for the unexpired term by appointment of the governor
34 and are subject to senate confirmation. A majority of the
35 commission members constitutes a quorum. The administrator of

1 the professional licensing and regulation bureau of the
2 banking division shall hire and provide staff to assist the
3 commission with implementing this chapter.

4 The administrator of the professional licensing and
5 regulation bureau of the banking division of the department of
6 commerce shall hire a real estate education director to assist
7 the commission in administering education programs for the
8 commission.

9 Sec. 35. Section 543B.54, Code 2005, is amended to read as
10 follows:

11 543B.54 REAL ESTATE EDUCATION FUND.

12 The Iowa real estate education fund is created as a
13 financial assurance mechanism to assist in the establishment
14 and maintenance of a real estate education program at the
15 university of northern Iowa and to assist the real estate
16 commission in providing an education director. The fund is
17 created as a separate fund in the state treasury, and any
18 funds remaining in the fund at the end of each fiscal year
19 shall not revert to the general fund, but shall remain in the
20 Iowa real estate education fund. Twenty-five dollars per
21 license from fees deposited for each real estate salesperson's
22 license and each broker's license shall be distributed and are
23 appropriated to the board of regents for the purpose of
24 establishing and maintaining a real estate education program
25 at the university of northern Iowa. The remaining moneys in
26 the fund shall be distributed and are appropriated to the
27 professional licensing and regulation bureau of the banking
28 division of the department of commerce for the purpose of
29 hiring and compensating a real estate education director and
30 regulatory compliance personnel.

31 Sec. 36. Section 543D.4, unnumbered paragraph 1, Code
32 2005, is amended to read as follows:

33 A real estate appraiser examining board is established
34 within the professional licensing and regulation bureau of the
35 banking division of the department of commerce. The board

1 consists of seven members, two of whom shall be public members
2 and five of whom shall be real estate appraisers.

3 Sec. 37. Section 544A.1, unnumbered paragraph 2, Code
4 2005, is amended to read as follows:

5 The architectural examining board is created within the
6 professional licensing and regulation bureau of the banking
7 division of the department of commerce. The board consists of
8 five members who possess a certificate of registration issued
9 under section 544A.9 and who have been in active practice of
10 architecture for not less than five years, the last two of
11 which shall have been in Iowa, and two members who do not
12 possess a certificate of registration issued under section
13 544A.9 and who shall represent the general public. Members
14 shall be appointed by the governor subject to confirmation by
15 the senate.

16 Sec. 38. Section 544A.5, Code 2005, is amended to read as
17 follows:

18 544A.5 DUTIES.

19 The architectural examining board shall enforce this
20 chapter, shall make rules for the examination of applicants
21 for the certificate of registration provided by this chapter,
22 and shall, after due public notice, hold meetings each year
23 for the purpose of examining applicants for registration and
24 the transaction of business pertaining to the affairs of the
25 board. Examinations shall be given as often as deemed
26 necessary, but not less than annually. Action at a meeting
27 shall not be taken without the affirmative votes of a majority
28 of the members of the board. The administrator of the
29 professional licensing and regulation bureau of the banking
30 division of the department of commerce shall hire and provide
31 staff to assist the board with implementing this chapter.

32 Sec. 39. Section 544B.3, unnumbered paragraph 1, Code
33 2005, is amended to read as follows:

34 A landscape architectural examining board is created within
35 the professional licensing and regulation bureau of the

1 banking division of the department of commerce. The board
2 consists of five members who are professional landscape
3 architects and two members who are not professional landscape
4 architects and who shall represent the general public.
5 Members shall be appointed by the governor, subject to
6 confirmation by the senate. A professional member shall be
7 actively engaged in the practice of landscape architecture or
8 the teaching of landscape architecture in an accredited
9 college or university, and shall have been so engaged for five
10 years preceding appointment, the last two of which shall have
11 been in Iowa. Associations or societies composed of
12 professional landscape architects may recommend the names of
13 potential board members to the governor. However, the
14 governor is not bound by the recommendations. A board member
15 shall not be required to be a member of any professional
16 association or society composed of professional landscape
17 architects.

18 Sec. 40. Section 544B.5, Code 2005, is amended to read as
19 follows:

20 544B.5 DUTIES.

21 The board shall enforce this chapter, shall make rules for
22 the examination of applicants for licensure, and, after public
23 notice, shall conduct examinations of applicants for
24 licensure. The board shall keep a record of its proceedings.
25 The board shall adopt an official seal which shall be affixed
26 to all certificates of licensure granted. The board may make
27 other rules, not inconsistent with law, as necessary for the
28 proper performance of its duties. The board shall maintain a
29 roster showing the name, place of business, and residence, and
30 the date and number of the certificate of licensure of every
31 professional landscape architect in this state. The
32 administrator of the professional licensing and regulation
33 bureau of the banking division of the department of commerce
34 shall hire and provide staff to assist the board in
35 implementing this chapter.

1 Sec. 41. Section 544C.1, subsection 2, Code Supplement
2 2005, is amended to read as follows:

3 2. "~~Division~~" "Bureau" means the professional licensing
4 and regulation bureau of the banking division of the
5 department of commerce.

6 Sec. 42. Section 544C.2, subsection 1, Code Supplement
7 2005, is amended to read as follows:

8 1. An interior design examining board is established
9 within the ~~division~~ bureau. The board consists of seven
10 members: five members who are interior designers who are
11 registered under this chapter and who have been in the active
12 practice of interior design for not less than five years, the
13 last two of which shall have been in Iowa; and two members who
14 are not registered under this chapter and who shall represent
15 the general public. Members shall be appointed by the
16 governor subject to confirmation by the senate.

17 Sec. 43. Section 544C.3, unnumbered paragraph 2, Code
18 Supplement 2005, is amended to read as follows:

19 The administrator of the ~~division~~ bureau shall provide
20 staff to assist the board in the implementation of this
21 chapter.

22 Sec. 44. Section 544C.5, unnumbered paragraph 1, Code
23 Supplement 2005, is amended to read as follows:

24 Each applicant for registration must meet the interior
25 design education and practical training requirements adopted
26 by rule by the board, and have passed an examination
27 prescribed by the board that is task-oriented, focused on
28 public safety, and validated by a recognized testing agency.
29 The ~~division~~ bureau shall register an individual who submits
30 an application to the board on the form and in the manner
31 prescribed by the board as a registered interior designer if
32 the individual satisfies the following requirements:

33 Sec. 45. Section 546.2, subsection 3, paragraph g, Code
34 2005, is amended by striking the paragraph.

35 Sec. 46. Section 546.3, Code 2005, is amended to read as

1 follows:

2 546.3 BANKING DIVISION.

3 1. The banking division shall regulate and supervise banks
4 under chapter 524, debt management licensees under chapter
5 533A, money services under chapter 533C, delayed deposit
6 services under chapter 533D, mortgage bankers and brokers
7 under chapter 535B, regulated loan companies under chapter
8 536, and industrial loan companies under chapter 536A, and
9 shall perform other duties assigned to the division by law.
10 The division is headed by the superintendent of banking who is
11 appointed pursuant to section 524.201. The state banking
12 council shall render advice within the division when requested
13 by the superintendent.

14 2. The banking division shall administer and manage the
15 professional licensing and regulation bureau within the
16 division. The division shall separately account for funds of
17 the bureau. However, the division may allocate costs for
18 administrative, technical, support, and other shared services
19 across the entire division.

20 Sec. 47. Section 546.5, Code 2005, is amended to read as
21 follows:

22 546.5 SAVINGS AND LOAN DIVISION.

23 The savings and loan division shall regulate and supervise
24 savings and loan associations and savings banks under chapter
25 534. The division is headed by the superintendent of savings
26 and loan associations who shall be appointed-pursuant-to
27 ~~section-534-401~~ the superintendent of banking.

28 Sec. 48. Section 546.10, Code Supplement 2005, is amended
29 to read as follows:

30 546.10 PROFESSIONAL LICENSING AND REGULATION DIVISION
31 BUREAU -- SUPERINTENDENT OF SAVINGS AND LOAN ASSOCIATIONS.

32 1. The professional licensing and regulation bureau of the
33 banking division shall administer and coordinate the licensing
34 and regulation of several professions by bringing together the
35 following licensing boards:

1 a. The engineering and land surveying examining board
2 created pursuant to chapter 542B.

3 b. The Iowa accountancy examining board created pursuant
4 to chapter 542.

5 c. The real estate commission created pursuant to chapter
6 543B.

7 d. The architectural examining board created pursuant to
8 chapter 544A.

9 e. The landscape architectural examining board created
10 pursuant to chapter 544B.

11 f. The real estate appraiser examining board created
12 pursuant to section 543D.4.

13 g. The interior design examining board created pursuant to
14 chapter 544C.

15 2. The division bureau is headed by the administrator of
16 professional licensing and regulation who shall be appointed
17 ~~by-the-governor-subject-to-confirmation-by-the-senate-and~~
18 ~~shall-serve-a-four-year-term-that-begins-and-ends-as-provided~~
19 ~~in-section-69-19~~ the superintendent of banking. A vacancy
20 ~~shall-be-filled-for-the-unexpired-portion-of-the-term-in-the~~
21 ~~same-manner-as-a-full-term-appointment-is-made.~~ The
22 administrator shall appoint and supervise staff and shall
23 coordinate activities for the licensing boards within the
24 division bureau. ~~The-administrator-shall-act-as-a-staff~~
25 ~~person-to-one-or-more-of-the-licensing-boards.~~

26 3. The licensing and regulation examining boards included
27 in the division bureau pursuant to subsection 1 retain the
28 powers granted them pursuant to the chapters in which they are
29 created, except for budgetary and personnel matters which
30 shall be handled by the administrator. Each licensing board
31 shall adopt rules pursuant to chapter 17A. Decisions by a
32 licensing board are final agency actions for purposes of
33 chapter 17A.

34 Notwithstanding subsection 5, eighty-five percent of the
35 funds received annually resulting from an increase in

1 licensing fees implemented on or after April 1, 2002, by a
2 licensing board or commission listed in subsection 1, is
3 appropriated to the professional licensing and regulation
4 division bureau to be allocated to the board or commission for
5 the fiscal year beginning July 1, 2002, and succeeding fiscal
6 years, for purposes related to the duties of the board or
7 commission, including but not limited to additional full-time
8 equivalent positions. The director of the department of
9 administrative services shall draw warrants upon the treasurer
10 of state from the funds appropriated as provided in this
11 section and shall make the funds available to the professional
12 licensing division and regulation bureau on a monthly basis
13 during each fiscal year.

14 4. The professional licensing and regulation bureau of the
15 banking division of the department of commerce may expend
16 additional funds, including funds for additional personnel, if
17 those additional expenditures are directly the cause of actual
18 examination expenses exceeding funds budgeted for
19 examinations. Before the division bureau expends or encumbers
20 an amount in excess of the funds budgeted for examinations,
21 the director of the department of management shall approve the
22 expenditure or encumbrance. Before approval is given, the
23 director of the department of management shall determine that
24 the examination expenses exceed the funds budgeted by the
25 general assembly to the division bureau and the division
26 bureau does not have other funds from which the expenses can
27 be paid. Upon approval of the director of the department of
28 management, the division bureau may expend and encumber funds
29 for excess examination expenses. The amounts necessary to
30 fund the examination expenses shall be collected as fees from
31 additional examination applicants and shall be treated as
32 repayment receipts as defined in section 8.2, subsection 8.

33 5. Fees collected under chapters 542, 542B, 543B, 543D,
34 544A, and 544B, and 544C shall be paid to the treasurer of
35 state and credited to the general fund of the state. All

1 expenses required in the discharge of the duties and
2 responsibilities imposed upon the professional licensing and
3 regulation bureau of the banking division of the department of
4 commerce, the administrator, and the licensing boards by the
5 laws of this state shall be paid from moneys appropriated by
6 the general assembly for those purposes. All fees deposited
7 into the general fund of the state, as provided in this
8 subsection, shall be subject to the requirements of section
9 8.60.

10 ~~6.---The-administrator-of-professional-licensing-and~~
11 ~~regulation-is-the-superintendent-of-savings-and-loan~~
12 ~~associations.---The-administrator-may-appoint-an-individual-to~~
13 ~~act-as-the-superintendent-who-shall-serve-as-the~~
14 ~~superintendent-at-the-pleasure-of-the-administrator.~~

15 EXPLANATION

16 Division I of this bill relates to and appropriates moneys
17 to various state departments, agencies, and funds for the
18 fiscal year beginning July 1, 2006, and ending June 30, 2007.
19 The division makes appropriations to state departments and
20 agencies including the department of administrative services,
21 auditor of state, Iowa ethics and campaign disclosure board,
22 department of commerce, office of governor including the
23 lieutenant governor, Terrace Hill quarters and drug control
24 policy office, department of human rights, department of
25 inspections and appeals, department of management, Iowa public
26 employees' retirement system, secretary of state, treasurer of
27 state, and department of revenue. The division also
28 appropriates funding for the state's membership in the
29 national governors association. Finally, the division
30 includes a directive for the departments and independent
31 agencies receiving an appropriation in the bill to review
32 employee policy for daily or short-term travel and to
33 implement policy revisions to maximize cost savings. The
34 directive includes requirements for reporting to the
35 committees on government oversight.

1 Division II makes changes to statutory provisions related
2 to the appropriations made in the bill.

3 Code section 421.17, subsection 27, concerning debt
4 collection by the department of revenue for state agencies, is
5 amended to permit other state agencies and local governments
6 to utilize the centralized debt collection facility. A
7 standing appropriation is made from the collections generated
8 to allow the department of revenue to be able to recoup its
9 costs. The department's costs may include upgrades to
10 computer systems and adding additional personnel.

11 Code section 422.26, concerning tax liens, is amended to
12 provide that the department of revenue is required to pay the
13 recording fee for the lien whether moneys are appropriated to
14 the department for that purpose or not.

15 Division III of the bill eliminates the professional
16 licensing and regulation division within the department of
17 commerce and reassigns it as a bureau of the banking division.
18 The superintendent of banking is made the administrator of the
19 professional licensing and regulation bureau established by
20 the bill and is also made the superintendent of savings and
21 loan associations.

22 The bill provides that the banking division shall
23 administer and manage the new professional licensing and
24 regulation bureau but shall separately account for funds of
25 the bureau. The bill does allow the division to allocate the
26 costs of providing administrative support to the bureau across
27 the banking division.

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1. For salaries, support, maintenance, and miscellaneous purposes, and for not more than the following full-time equivalent positions:

..... \$ 5,836,824
..... FTEs 451.68

UTILITY COSTS

2. For the payment of utility costs:

..... \$ 3,080,865

Notwithstanding section 8.33, any excess funds appropriated for utility costs in this subsection shall not revert to the general fund of the state at the end of the fiscal year but shall remain available for expenditure for the purposes of this subsection during the fiscal year beginning July 1, 2007.

It is the intent of the general assembly that the department shall reduce utility costs through energy conservation practices. The goal of the general assembly is to reduce energy use by ten percent to save money, conserve energy resources, and reduce pollution.

3. For financial administration duties:

..... \$ 200,000

4. Members of the general assembly serving as members of the deferred compensation advisory board shall be entitled to receive per diem and necessary travel and actual expenses pursuant to section 2.10, subsection 5, while carrying out their official duties as members of the board.

5. Any funds and premiums collected by the department for workers' compensation shall be segregated into a separate workers' compensation fund in the state treasury to be used for payment of state employees' workers' compensation claims and administrative costs. Notwithstanding section 8.33, unencumbered or unobligated moneys remaining in this workers' compensation fund at the end of the fiscal year shall not revert but shall be available for expenditure for purposes of the fund for subsequent fiscal years.

HOUSE FILE 2521

AN ACT

RELATING TO AND MAKING APPROPRIATIONS TO CERTAIN STATE DEPARTMENTS, AGENCIES, FUNDS, AND CERTAIN OTHER ENTITIES, PROVIDING FOR REGULATORY AUTHORITY, AND OTHER PROPERLY RELATED MATTERS AND PROVIDING AN EFFECTIVE DATE.

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

DIVISION I

ADMINISTRATION AND REGULATION APPROPRIATIONS

Section 1. DEPARTMENT OF ADMINISTRATIVE SERVICES. There is appropriated from the general fund of the state to the department of administrative services for the fiscal year beginning July 1, 2006, and ending June 30, 2007, the following amounts, or so much thereof as is necessary, to be used for the purposes designated:

Sec. 2. DEPARTMENTAL START-UP FUNDING -- REVOLVING FUNDS.

1. In addition to the amount appropriated to the department of administrative services in section 1, subsection 1 of this Act, the department is authorized to expend an additional amount not to exceed \$359,560 per fiscal year for the purposes of the department for the fiscal period commencing July 1, 2006, and ending June 30, 2010, and an additional amount not to exceed \$91,810 for the fiscal year commencing July 1, 2010. Such amounts shall be expended from general fund moneys deposited in revolving funds under the control of the department that were appropriated to the department pursuant to 2004 Iowa Acts, chapter 1175, section 2.

2. Amounts expended pursuant to this section shall be considered repayment amounts to the general fund and shall reduce the total amount to be repaid to the general fund until such time as the total amount of the general fund moneys deposited in revolving funds under the control of the department that were appropriated to the department pursuant to 2004 Iowa Acts, chapter 1175, section 2, are repaid.

Sec. 3. REVOLVING FUNDS. There is appropriated to the department of administrative services for the fiscal year beginning July 1, 2006, and ending June 30, 2007, from the revolving funds designated in chapter 8A and from internal service funds created by the department, such amounts as the department deems necessary for the operation of the department consistent with the requirements of chapter 8A.

Sec. 4. FUNDING FOR IOWACCESS.

1. Notwithstanding section 321A.3, subsection 1, for the fiscal year beginning July 1, 2006, and ending June 30, 2007, the first \$1,000,000 collected and transferred by the department of transportation to the treasurer of state with respect to the fees for transactions involving the furnishing

of a certified abstract of a vehicle operating record under section 321A.3, subsection 1, shall be transferred to the IowAccess revolving fund established by section 8A.224 and administered by the department of administrative services for the purposes of developing, implementing, maintaining, and expanding electronic access to government records as provided by law.

2. All fees collected with respect to transactions involving IowAccess shall be deposited in the IowAccess revolving fund and shall be used only for the support of IowAccess projects.

Sec. 5. STATE EMPLOYEE HEALTH INSURANCE ADMINISTRATION CHARGE. For the fiscal year beginning July 1, 2006, and ending June 30, 2007, the monthly per contract administrative charge which may be assessed by the department of administrative services shall be \$2.00 per contract on all health insurance plans administered by the department.

Sec. 6. AUDITOR OF STATE. There is appropriated from the general fund of the state to the office of the auditor of state for the fiscal year beginning July 1, 2006, and ending June 30, 2007, the following amount, or so much thereof as is necessary, to be used for the purposes designated:

For salaries, support, maintenance, and miscellaneous purposes, and for not more than the following full-time equivalent positions:
..... \$ 1,207,341
..... FTEs 102.50

The auditor of state may retain additional full-time equivalent positions as is reasonable and necessary to perform governmental subdivision audits which are reimbursable pursuant to section 11.20 or 11.21, to perform audits which are requested by and reimbursable from the federal government, and to perform work requested by and reimbursable from

departments or agencies pursuant to section 11.5A or 11.5B. The auditor of state shall notify the department of management, the legislative fiscal committee, and the legislative services agency of the additional full-time equivalent positions retained.

Sec. 7. IOWA ETHICS AND CAMPAIGN DISCLOSURE BOARD. There is appropriated from the general fund of the state to the Iowa ethics and campaign disclosure board for the fiscal year beginning July 1, 2006, and ending June 30, 2007, the following amount, or so much thereof as is necessary, for the purposes designated:

For salaries, support, maintenance, and miscellaneous purposes, and for not more than the following full-time equivalent positions:
..... \$ 497,056
..... FTEs 6.00

Sec. 8. DEPARTMENT OF COMMERCE. There is appropriated from the general fund of the state to the department of commerce for the fiscal year beginning July 1, 2006, and ending June 30, 2007, the following amounts, or so much thereof as is necessary, for the purposes designated:

1. ALCOHOLIC BEVERAGES DIVISION

For salaries, support, maintenance, and miscellaneous purposes, and for not more than the following full-time equivalent positions:
..... \$ 1,930,962
..... FTEs 36.00

2. BANKING DIVISION

For salaries, support, maintenance, and miscellaneous purposes, and for not more than the following full-time equivalent positions:
..... \$ 7,222,008
..... FTEs 71.00

3. CREDIT UNION DIVISION

For salaries, support, maintenance, and miscellaneous purposes, and for not more than the following full-time equivalent positions:
..... \$ 1,455,874
..... FTEs 18.00

4. INSURANCE DIVISION

a. For salaries, support, maintenance, and miscellaneous purposes, and for not more than the following full-time equivalent positions:
..... \$ 4,517,481
..... FTEs 101.00

b. The insurance division may reallocate authorized full-time equivalent positions as necessary to respond to accreditation recommendations or requirements. The insurance division expenditures for examination purposes may exceed the projected receipts, refunds, and reimbursements, estimated pursuant to section 505.7, subsection 7, including the expenditures for retention of additional personnel, if the expenditures are fully reimbursable and the division first does both of the following:

(1) Notifies the department of management, the legislative services agency, and the legislative fiscal committee of the need for the expenditures.

(2) Files with each of the entities named in subparagraph (1) the legislative and regulatory justification for the expenditures, along with an estimate of the expenditures.

c. The insurance division shall allocate \$10,000 from the examination receipts for the payment of its fees to the national council of insurance legislators.

5. PROFESSIONAL LICENSING AND REGULATION BUREAU

For salaries, support, maintenance, and miscellaneous purposes, and for not more than the following full-time

equivalent positions:

.....	\$	793,462
.....	FTEs	13.50

6. UTILITIES DIVISION

a. For salaries, support, maintenance, and miscellaneous purposes, and for not more than the following full-time equivalent positions:

.....	\$	7,230,820
.....	FTEs	79.00

b. The utilities division may expend additional funds, including funds for additional personnel, if those additional expenditures are actual expenses which exceed the funds budgeted for utility regulation and the expenditures are fully reimbursable. Before the division expends or encumbers an amount in excess of the funds budgeted for regulation, the division shall first do both of the following:

(1) Notify the department of management, the legislative services agency, and the legislative fiscal committee of the need for the expenditures.

(2) File with each of the entities named in subparagraph (1) the legislative and regulatory justification for the expenditures, along with an estimate of the expenditures.

7. CHARGES -- TRAVEL. Each division and the office of consumer advocate shall include in its charges assessed or revenues generated, an amount sufficient to cover the amount stated in its appropriation, and any state-assessed indirect costs determined by the department of administrative services. The director of the department of commerce shall review on a quarterly basis all out-of-state travel for the previous quarter for officers and employees of each division of the department if the travel is not already authorized by the executive council.

Sec. 9. DEPARTMENT OF COMMERCE -- PROFESSIONAL LICENSING AND REGULATION. There is appropriated from the housing improvement fund of the Iowa department of economic development to the bureau of professional licensing and regulation of the banking division of the department of commerce for the fiscal year beginning July 1, 2006, and ending June 30, 2007, the following amount, or so much thereof as is necessary, to be used for the purposes designated:

For salaries, support, maintenance, and miscellaneous purposes:

.....	\$	62,317
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Sec. 10. GOVERNOR AND LIEUTENANT GOVERNOR. There is appropriated from the general fund of the state to the offices of the governor and the lieutenant governor for the fiscal year beginning July 1, 2006, and ending June 30, 2007, the following amounts, or so much thereof as is necessary, to be used for the purposes designated:

1. GENERAL OFFICE

For salaries, support, maintenance, and miscellaneous purposes for the general office of the governor and the general office of the lieutenant governor, and for not more than the following full-time equivalent positions:

.....	\$	1,823,111
.....	FTEs	19.25

2. TERRACE HILL QUARTERS

For salaries, support, maintenance, and miscellaneous purposes for the governor's quarters at Terrace Hill, and for not more than the following full-time equivalent positions:

.....	\$	378,633
.....	FTEs	8.00

3. ADMINISTRATIVE RULES COORDINATOR

For salaries, support, maintenance, and miscellaneous purposes for the office of administrative rules coordinator,

and for not more than the following full-time equivalent positions:

.....	\$	150,013
.....	FTEs	3.00

4. NATIONAL GOVERNORS ASSOCIATION

For payment of Iowa's membership in the national governors association:

.....	\$	64,393
-------	----	--------

5. STATE-FEDERAL RELATIONS

For salaries, support, maintenance, and miscellaneous purposes, and for not more than the following full-time equivalent positions:

.....	\$	115,748
.....	FTEs	2.00

6. TRANSITION COSTS

a. For payment of vacation allowances:

.....	\$	77,057
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b. For payment to the governor-elect expense fund in lieu of the appropriation from the general fund of the state under section 7.13 to the governor-elect expense fund:

.....	\$	100,000
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Sec. 11. GOVERNOR'S OFFICE OF DRUG CONTROL POLICY.

1. There is appropriated from the general fund of the state to the governor's office of drug control policy for the fiscal year beginning July 1, 2006, and ending June 30, 2007, the following amount, or so much thereof as is necessary, to be used for the purposes designated:

For salaries, support, maintenance, and miscellaneous purposes, including statewide coordination of the drug abuse resistance education (D.A.R.E.) programs or similar programs, and for not more than the following full-time equivalent positions:

.....	\$	307,730
.....	FTEs	8.00

2. The governor's office of drug control policy, in consultation with the Iowa department of public health, and after discussion and collaboration with all interested agencies, shall coordinate substance abuse treatment and prevention efforts in order to avoid duplication of services.

Sec. 12. DEPARTMENT OF HUMAN RIGHTS. There is appropriated from the general fund of the state to the department of human rights for the fiscal year beginning July 1, 2006, and ending June 30, 2007, the following amounts, or so much thereof as is necessary, to be used for the purposes designated:

1. CENTRAL ADMINISTRATION DIVISION

For salaries, support, maintenance, and miscellaneous purposes, and for not more than the following full-time equivalent positions:

.....	\$	317,028
.....	FTEs	7.00

2. DEAF SERVICES DIVISION

For salaries, support, maintenance, and miscellaneous purposes, and for not more than the following full-time equivalent positions:

.....	\$	374,367
.....	FTEs	6.00

The fees collected by the division for provision of interpretation services by the division to obligated agencies shall be disbursed pursuant to the provisions of section 8.32, and shall be dedicated and used by the division for continued and expanded interpretation services.

3. STATUS OF IOWANS OF ASIAN AND PACIFIC ISLANDER HERITAGE DIVISION

For support, maintenance, and miscellaneous purposes:

.....	\$	6,000
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4. PERSONS WITH DISABILITIES DIVISION

For salaries, support, maintenance, and miscellaneous purposes, and for not more than the following full-time equivalent positions:

..... \$ 193,531
..... FTEs 3.20

5. LATINO AFFAIRS DIVISION

For salaries, support, maintenance, and miscellaneous purposes, and for not more than the following full-time equivalent positions:

..... \$ 170,749
..... FTEs 3.00

6. STATUS OF WOMEN DIVISION

For salaries, support, maintenance, and miscellaneous purposes, including the Iowans in transition program, and the domestic violence and sexual assault-related grants, and for not more than the following full-time equivalent positions:

..... \$ 335,501
..... FTEs 3.00

7. STATUS OF AFRICAN-AMERICANS DIVISION

For salaries, support, maintenance, and miscellaneous purposes, and for not more than the following full-time equivalent positions:

..... \$ 121,655
..... FTEs 2.00

8. CRIMINAL AND JUVENILE JUSTICE PLANNING DIVISION

For salaries, support, maintenance, and miscellaneous purposes, and for not more than the following full-time equivalent positions:

..... \$ 1,098,026
..... FTEs 12.18

The criminal and juvenile justice planning advisory council and the juvenile justice advisory council shall coordinate

their efforts in carrying out their respective duties relative to juvenile justice.

9. SHARED STAFF. The divisions of the department of human rights shall retain their individual administrators, but shall share staff to the greatest extent possible.

Sec. 13. DEPARTMENT OF INSPECTIONS AND APPEALS. There is appropriated from the general fund of the state to the department of inspections and appeals for the fiscal year beginning July 1, 2006, and ending June 30, 2007, the following amounts, or so much thereof as is necessary, for the purposes designated:

1. ADMINISTRATION DIVISION

For salaries, support, maintenance, and miscellaneous purposes, and for not more than the following full-time equivalent positions:

..... \$ 1,657,318
..... FTEs 33.25

2. ADMINISTRATIVE HEARINGS DIVISION

For salaries, support, maintenance, and miscellaneous purposes, and for not more than the following full-time equivalent positions:

..... \$ 634,647
..... FTEs 23.00

3. INVESTIGATIONS DIVISION

For salaries, support, maintenance, and miscellaneous purposes, and for not more than the following full-time equivalent positions:

..... \$ 1,484,421
..... FTEs 45.00

4. HEALTH FACILITIES DIVISION

For salaries, support, maintenance, and miscellaneous purposes, and for not more than the following full-time equivalent positions:

..... \$ 2,339,742
 FTEs 118.25

5. EMPLOYMENT APPEAL BOARD

For salaries, support, maintenance, and miscellaneous purposes, and for not more than the following full-time equivalent positions:

..... \$ 54,600
 FTEs 15.00

The employment appeal board shall be reimbursed by the labor services division of the department of workforce development for all costs associated with hearings conducted under chapter 91C, related to contractor registration. The board may expend, in addition to the amount appropriated under this subsection, additional amounts as are directly billable to the labor services division under this subsection and to retain the additional full-time equivalent positions as needed to conduct hearings required pursuant to chapter 91C.

6. CHILD ADVOCACY BOARD

For foster care review and the court appointed special advocate program, including salaries, support, maintenance, and miscellaneous purposes, and for not more than the following full-time equivalent positions:

..... \$ 2,068,667
 FTEs 38.99

a. The department of human services, in coordination with the child advocacy board, and the department of inspections and appeals, shall submit an application for funding available pursuant to Title IV-E of the federal Social Security Act for claims for child advocacy board, administrative review costs.

b. The court appointed special advocate program shall investigate and develop opportunities for expanding fund-raising for the program.

c. Administrative costs charged by the department of inspections and appeals for items funded under this subsection shall not exceed 4 percent of the amount appropriated in this subsection.

Sec. 14. RACING AND GAMING COMMISSION.

1. RACETRACK REGULATION

There is appropriated from the general fund of the state to the racing and gaming commission of the department of inspections and appeals for the fiscal year beginning July 1, 2006, and ending June 30, 2007, the following amount, or so much thereof as is necessary, to be used for the purposes designated:

For salaries, support, maintenance, and miscellaneous purposes for the regulation of pari-mutuel racetracks, and for not more than the following full-time equivalent positions:
 \$ 2,657,394
 FTEs 27.53

2. EXCURSION BOAT REGULATION

There is appropriated from the general fund of the state to the racing and gaming commission of the department of inspections and appeals for the fiscal year beginning July 1, 2006, and ending June 30, 2007, the following amount, or so much thereof as is necessary, to be used for the purposes designated:

For salaries, support, maintenance, and miscellaneous purposes for administration and enforcement of the excursion boat gambling laws, and for not more than the following full-time equivalent positions:
 \$ 3,199,440
 FTEs 43.22

Sec. 15. USE TAX APPROPRIATION. There is appropriated from the use tax receipts collected pursuant to sections 423.26 and 423.27 prior to their deposit in the road use tax

fund pursuant to section 423.43 to the administrative hearings division of the department of inspections and appeals for the fiscal year beginning July 1, 2006, and ending June 30, 2007, the following amount, or so much thereof as is necessary, for the purposes designated:

For salaries, support, maintenance, and miscellaneous purposes:
..... \$ 1,482,436

Sec. 16. DEPARTMENT OF MANAGEMENT. There is appropriated from the general fund of the state to the department of management for the fiscal year beginning July 1, 2006, and ending June 30, 2007, the following amounts, or so much thereof as is necessary, to be used for the purposes designated:

1. GENERAL OFFICE

For salaries, support, maintenance, and miscellaneous purposes, and for not more than the following full-time equivalent positions:
..... \$ 2,244,335
..... FTEs 32.00

2. ENTERPRISE RESOURCE PLANNING

If funding is provided for the redesign of the enterprise resource planning budget system for the fiscal year beginning July 1, 2006, then there is appropriated from the general fund of the state to the department of management for the fiscal year beginning July 1, 2006, and ending June 30, 2007, the following amount, or so much thereof as is necessary, to be used for the purposes designated:

For salaries, support, maintenance, and miscellaneous purposes for administration of the enterprise resource planning system, and for not more than the following full-time equivalent position:
..... \$ 119,435
..... FTEs 1.00

3. SALARY MODEL ADMINISTRATOR

For salaries, support, and miscellaneous purposes of the salary model administrator, and for not more than the following full-time equivalent position:

..... \$ 127,936
..... FTEs 1.00

The salary model administrator shall work in conjunction with the legislative services agency to maintain the state's salary model used for analyzing, comparing, and projecting state employee salary and benefit information, including information relating to employees of the state board of regents. The department of revenue, the department of administrative services, the five institutions under the jurisdiction of the state board of regents, the judicial district departments of correctional services, and the state department of transportation shall provide salary data to the department of management and the legislative services agency to operate the state's salary model. The format and frequency of provision of the salary data shall be determined by the department of management and the legislative services agency. The information shall be used in collective bargaining processes under chapter 20 and in calculating the funding needs contained within the annual salary adjustment legislation. A state employee organization as defined in section 20.3, subsection 4, may request information produced by the model, but the information provided shall not contain information attributable to individual employees.

4. For conducting performance audits and developing performance measures, including salaries, support, maintenance, miscellaneous purposes, and for not more than the following full-time equivalent positions:

..... \$ 108,000
..... FTEs 2.50

5. For the department's LEAN process, including salaries, support, maintenance, miscellaneous purposes, and for not more than the following full-time equivalent position:

..... \$ 108,000
..... FTEs 1.00

6. For deposit in the local government innovation fund established in section 8.64:

..... \$ 300,000

Sec. 17. ROAD USE TAX APPROPRIATION. There is appropriated from the road use tax fund to the department of management for the fiscal year beginning July 1, 2006, and ending June 30, 2007, the following amount, or so much thereof as is necessary, to be used for the purposes designated:

For salaries, support, maintenance, and miscellaneous purposes:

..... \$ 56,000

Sec. 18. DEPARTMENT OF REVENUE. There is appropriated from the general fund of the state to the department of revenue for the fiscal year beginning July 1, 2006, and ending June 30, 2007, the following amounts, or so much thereof as is necessary, to be used for the purposes designated:

For salaries, support, maintenance, and miscellaneous purposes, and for not more than the following full-time equivalent positions:

..... \$ 23,138,575
..... FTEs 392.64

Of the funds appropriated pursuant to this section, \$400,000 shall be used to pay the direct costs of compliance related to the collection and distribution of local sales and services taxes imposed pursuant to chapters 423B and 423E.

The director of revenue shall prepare and issue a state appraisal manual and the revisions to the state appraisal manual as provided in section 421.17, subsection 17, without cost to a city or county.

The department of revenue shall submit a written report to the general assembly by January 1, 2007, concerning the department's progress in developing a system to track tax credits.

If the director of revenue determines that contracting for an upgrade of the department's computer assisted collections system would result in generating significantly increased net collection revenues for the fiscal year beginning July 1, 2006, and ending June 30, 2007, in excess of \$2,000,000, the director is authorized to procure such upgrade from the current vendor.

Sec. 19. MOTOR VEHICLE FUEL TAX APPROPRIATION. There is appropriated from the motor fuel tax fund created by section 452A.77 to the department of revenue for the fiscal year beginning July 1, 2006, and ending June 30, 2007, the following amount, or so much thereof as is necessary, to be used for the purposes designated:

For salaries, support, maintenance, and miscellaneous purposes for administration and enforcement of the provisions of chapter 452A and the motor vehicle use tax program:

..... \$ 1,258,042

Sec. 20. SECRETARY OF STATE. There is appropriated from the general fund of the state to the office of the secretary of state for the fiscal year beginning July 1, 2006, and ending June 30, 2007, the following amounts, or so much thereof as is necessary, to be used for the purposes designated:

1. ADMINISTRATION AND ELECTIONS

For salaries, support, maintenance, and miscellaneous purposes, and for not more than the following full-time equivalent positions:

..... \$ 707,942
..... FTEs 10.00

The state department or state agency which provides data processing services to support voter registration file maintenance and storage shall provide those services without charge.

2. BUSINESS SERVICES

For salaries, support, maintenance, and miscellaneous purposes, and for not more than the following full-time equivalent positions:

.....	\$	2,003,091
.....	FTEs	32.00

Sec. 21. SECRETARY OF STATE FILING FEES REFUND.

Notwithstanding the obligation to collect fees pursuant to the provisions of section 490.122, subsection 1, paragraphs "a" and "s", and section 504.113, subsection 1, paragraphs "a", "c", "d", "j", "k", "l", and "m", for the fiscal year beginning July 1, 2006, and ending June 30, 2007, the secretary of state may refund these fees to the filer pursuant to rules established by the secretary of state. The decision of the secretary of state not to issue a refund under rules established by the secretary of state is final and not subject to review pursuant to the provisions of the Iowa administrative procedure Act, chapter 17A.

Sec. 22. TREASURER. There is appropriated from the general fund of the state to the office of treasurer of state for the fiscal year beginning July 1, 2006, and ending June 30, 2007, the following amount, or so much thereof as is necessary, to be used for the purposes designated:

For salaries, support, maintenance, and miscellaneous purposes, and for not more than the following full-time equivalent positions:

.....	\$	922,899
.....	FTEs	28.80

The office of treasurer of state shall supply clerical and secretarial support for the executive council.

Sec. 23. IPERS -- GENERAL OFFICE. There is appropriated from the Iowa public employees' retirement system fund to the Iowa public employees' retirement system for the fiscal year beginning July 1, 2006, and ending June 30, 2007, the following amount, or so much thereof as is necessary, to be used for the purposes designated:

For salaries, support, maintenance, and other operational purposes to pay the costs of the Iowa public employees' retirement system, and for not more than the following full-time equivalent positions:

.....	\$	16,756,131
.....	FTEs	95.13

Sec. 24. TRAVEL POLICY.

1. For the fiscal year beginning July 1, 2006, each department or independent agency receiving an appropriation in this Act shall review the employee policy for daily or short-term travel including but not limited to the usage of motor pool vehicles under the department of administrative services, employee mileage reimbursement for the use of a personal vehicle, and the usage of private automobile rental companies. Following the review, the department or agency shall implement revisions in the employee policy for daily or short-term travel as necessary to maximize cost savings.

2. Each department or independent agency subject to subsection 1 shall report to the general assembly's standing committees on government oversight regarding the policy revisions implemented and the savings realized from the changes. An initial report shall be submitted on or before December 1, 2006, and a follow-up report shall be submitted on or before December 1, 2007.

Sec. 25. 2005 Iowa Acts, chapter 179, section 32, is amended by adding the following new unnumbered paragraph:
NEW UNNUMBERED PARAGRAPH. Notwithstanding section 8.33, moneys appropriated in this section 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 during the succeeding fiscal year.

Sec. 26. EFFECTIVE DATE. The section of this division of this Act amending 2005 Iowa Acts, chapter 179, being deemed of immediate importance, takes effect upon enactment.

DIVISION II

MISCELLANEOUS PROVISIONS

Sec. 27. Section 70A.20, Code 2005, is amended to read as follows:

70A.20 EMPLOYEES DISABILITY PROGRAM.

A state employees disability insurance program is created, which shall be administered by the director of the department of administrative services and which shall provide disability benefits in an amount and for the employees as provided in this section. The monthly disability benefits shall, at a minimum, provide twenty percent of monthly earnings if employed less than one year, forty percent of monthly earnings if employed one year or more but less than two years, and sixty percent of monthly earnings thereafter, reduced by primary and family social security determined at the time social security disability payments commence, railroad retirement disability income, workers' compensation if applicable, and any other state-sponsored sickness or disability benefits payable. However, the amount of benefits payable under the Iowa public employees' retirement system pursuant to chapter 97B shall not reduce the benefits payable pursuant to this section. Subsequent social security or railroad retirement increases shall not be used to further

reduce the insurance benefits payable. As used in this section, "primary and family social security" shall not include social security benefits awarded to an adult child with a disability of the state employee with a disability who does not reside with the state employee with a disability if the social security benefits were awarded to the adult child with a disability prior to the approval of the state employee's benefits under this section, regardless of whether the United States social security administration records the benefits to the social security number of the adult child with a disability, the state employee with a disability, or any other family member, and such social security benefits shall not reduce the benefits payable pursuant to this section. As used in this section, unless the context otherwise requires, "adult" means a person who is eighteen years of age or older. State employees shall receive credit for the time they were continuously employed prior to and on July 1, 1974. The following provisions apply to the employees disability insurance program:

1. Waiting period, of no more than ninety working days of continuous sickness or accident disability or the expiration of accrued sick leave, whichever is greater.

2. Maximum period benefits paid for both accident or sickness disability:

a. If the disability occurs prior to the time the employee attains the age of sixty-one years, the maximum benefit period shall end sixty months after continuous benefit payments begin or on the date on which the employee attains the age of sixty-five years, whichever is later.

b. If the disability occurs on or after the time the employee attains the age of sixty-one years but prior to the age of sixty-nine years, the maximum benefit period shall end sixty months after continuous benefit payments begin or on the

date on which the employee attains the age of seventy years, whichever is earlier.

c. If the disability occurs on or after the time the employee attains the age of sixty-nine years, the maximum benefit period shall end twelve months after continuous benefit payments begin.

3. a. Minimum and maximum benefits, of not less than fifty dollars per month and not exceeding two ~~two~~ three thousand dollars per month.

b. In no event shall benefits exceed one hundred percent of the claimant's predisability covered monthly compensation.

4. All probationary and permanent full-time state employees shall be covered under the employees disability insurance program, except board members and members of commissions who are not full-time state employees, and state employees who on July 1, 1974, are under another disability program financed in whole or in part by the state, and state employees who have agreed to participation in another disability program through a collective bargaining agreement. For purposes of this section, members of the general assembly serving on or after January 1, 1989, are eligible for the plan during their tenure in office, on the basis of enrollment rules established for full-time state employees excluded from collective bargaining as provided in chapter 20.

Sec. 28. Section 421.17, subsection 27, paragraphs a, c, d, e, g, and h, Code Supplement 2005, are amended to read as follows:

a. To establish, administer, and make available a centralized debt collection capability and procedure for the use by any state agency as defined in section 8A-504 or local government entity including, but not limited to, the department of revenue, along with other boards, commissions, departments, and any other entity reported in the Iowa

comprehensive annual financial report, to collect delinquent accounts, charges, fees, loans, taxes, or other indebtedness owed to or being collected by the state. The department's collection facilities shall only be available for use by other state agencies or local government entities for their discretionary use when resources are available to the director and subject to the director's determination that use of the procedure is feasible. The director shall prescribe the appropriate form and manner in which this information is to be submitted to the office of the department. The obligations or indebtedness must be delinquent and not subject to litigation, claim, appeal, or review pursuant to the appropriate remedies of each state agency or local government entity.

c. The director shall establish a formal debt collection policy for use by state agencies and local government entities which have not established their own policy. Other state agencies and local government entities may use the collection facilities of the department pursuant to formal agreement with the department. The agreement shall provide that the information provided to the department shall be sufficient to establish the obligation in a court of law and to render it as a legal judgment on behalf of the state or the local government agency. After transferring the file to the department for collection, an individual state agency or the local government agency shall terminate all collection procedures and be available to provide assistance to the department. Upon receipt of the file, the department shall assume all liability for its actions without recourse to the agency or the local government agency, and shall comply with all applicable state and federal laws governing collection of the debt. The department may use a participating agency's or local government agency's statutory collection authority to collect the participating agency's delinquent accounts,

charges, fees, loans, taxes, or other indebtedness owed to or being collected by the state. The department has the powers granted in this section regarding setoff from income tax refunds or other accounts payable by the state for any of the obligations transferred by state agencies or local government agencies.

d. The department's existing right to credit against tax due shall not be impaired by any right granted to, or duty imposed upon, the department or other state agency or local government agency by this section.

e. All state agencies and local government agencies shall be given access, at the discretion of the director, to the centralized computer data bank and, notwithstanding any other provision of law to the contrary, may deny, revoke, or suspend any license or deny any renewal authorized by the laws of this state to any person who has defaulted on an obligation owed to or collected by the state. The confidentiality provisions of sections 422.20 and 422.72 do not apply to tax information contained in the centralized computer data bank. State agencies and local government agencies shall endeavor to obtain the applicant's social security or federal tax identification number, or state driver's license number from all applicants.

g. The director shall adopt administrative rules to implement this section subsection, including, but not limited to, rules necessary to prevent conflict with federal laws and regulations or the loss of federal funds, to establish procedures necessary to guarantee due process of law, and to provide for reimbursement of the department by other state agencies and local government entities for the department's costs related to debt collection for state agencies and local government entities.

h. The director shall report quarterly to the legislative fiscal committee, the legislative services agency, and the chairpersons and ranking members of the joint administration appropriations subcommittee on administration and regulation concerning the implementation of the centralized debt collection program, the number of departmental collection programs initiated, the amount of debts collected, and an estimate of future costs and benefits which may be associated with the collection program. It is the intent of the general assembly that the centralized debt collection program will result in the collection of at least two dollars of indebtedness for every dollar expended in administering the collection program during a fiscal year. ~~It is also the intent of the general assembly that the centralized debt collection program be administered without the anticipation of future additional commitments of computer equipment and personnel.~~

Sec. 29. Section 421.17, subsection 27, Code Supplement 2005, is amended by adding the following new paragraph:

NEW PARAGRAPH. j. There is appropriated from the amount of any debt actually collected pursuant to this subsection an amount, not to exceed the amount collected, which is sufficient to pay for salaries, support, maintenance, services, and other costs incurred by the department related to the administration of this subsection. The director shall report annually to the legislative fiscal committee and the legislative services agency on any additional positions added and the costs incurred during the previous fiscal year pursuant to this subsection.

Sec. 30. Section 422.26, unnumbered paragraph 6, Code 2005, is amended to read as follows:

The department shall pay ~~from moneys appropriated to the department for this purpose,~~ a recording fee as provided in

section 331.604, for the recording of the lien, or for its satisfaction.

DIVISION III

REASSIGNMENT OF PROFESSIONAL LICENSING AND REGULATION DIVISION

Sec. 31. Section 8A.412, subsection 19, Code Supplement 2005, is amended to read as follows:

19. The superintendent of the banking division of the department of commerce, all members of the state banking council, and all employees of the banking division except for employees of the professional licensing and regulation bureau of the division.

Sec. 32. Section 524.208, Code 2005, is amended to read as follows:

524.208 EXAMINERS AND OTHER EMPLOYEES.

The superintendent may appoint examiners and other employees as the superintendent deems necessary to the proper discharge of the duties imposed upon the superintendent by the laws of this state. Pay plans shall be established for employees, other than clerical employees or employees of the professional licensing and regulation bureau of the banking division, who examine the accounts and affairs of state banks and who examine the accounts and affairs of other persons, subject to supervision and regulation by the superintendent, which are substantially equivalent to those paid by the federal deposit insurance corporation and other federal supervisory agencies in this area of the United States.

Sec. 33. Section 524.211, subsection 5, Code 2005, is amended to read as follows:

5. An employee of the banking division, other than the superintendent or a member of the state banking council or one of the boards in the professional licensing and regulation bureau of the division, shall not perform any services for, and shall not be a shareholder, member, partner, owner,

director, officer, or employee of, any enterprise, person, or affiliate subject to the regulatory purview of the banking division.

Sec. 34. Section 534.401, subsection 1, Code 2005, is amended to read as follows:

1. SUPERINTENDENT OF SAVINGS AND LOAN ASSOCIATIONS. The superintendent of savings and loan associations is the ~~administrator of professional licensing and regulation appointed pursuant to section 546-107-subsection 2, or an individual appointed by the administrator as provided in section 546-107-subsection 6~~ superintendent of banking.

Sec. 35. Section 542.4, subsections 1 and 6, Code 2005, are amended to read as follows:

1. An Iowa accountancy examining board is created within the professional licensing and regulation bureau of the banking division of the department of commerce to administer and enforce this chapter. The board shall consist of eight members, appointed by the governor and subject to senate confirmation, all of whom shall be residents of this state. Five of the eight members shall be holders of certificates issued under section 542.6, one member shall be the holder of a license issued under section 542.8, and two shall not be certified public accountants or licensed public accountants and shall represent the general public. At least three of the holders of certificates issued under section 542.6 shall also be qualified to supervise attest services as provided in section 542.7. A certified or licensed member of the board shall be actively engaged in practice as a certified public accountant or as a licensed public accountant and shall have been so engaged for five years preceding appointment, the last two of which shall have been in this state. Professional associations or societies composed of certified public accountants or licensed public accountants may recommend the

names of potential board members to the governor. However, the governor is not bound by the recommendations. A board member is not required to be a member of any professional association or society composed of certified public accountants or licensed public accountants. The term of each member of the board shall be three years, as designated by the governor, and appointments to the board are subject to the requirements of sections 69.16, 69.16A, and 69.19. Members of the board appointed and serving pursuant to chapter 542C, Code 2001, on July 1, 2002, shall serve out the terms for which they were appointed. Vacancies occurring during a term shall be filled by appointment by the governor for the unexpired term. Upon the expiration of the member's term of office, a member shall continue to serve until a successor shall have been appointed and taken office. The public members of the board shall be allowed to participate in administrative, clerical, or ministerial functions incident to giving the examinations, but shall not determine the content or determine the correctness of the answers. The licensed public accountant member shall not determine the content of the certified public accountant examination or determine the correctness of the answers. Any member of the board whose certificate under section 542.6 or license under section 542.8 is revoked or suspended shall automatically cease to be a member of the board, and the governor may, after a hearing, remove any member of the board for neglect of duty or other just cause. A person who has served three successive complete terms shall not be eligible for reappointment, but appointment to fill an unexpired term shall not be considered a complete term for this purpose.

6. The administrator of the professional licensing and regulation bureau of the banking division of the department of commerce shall provide staffing assistance to the board for implementing this chapter.

Sec. 36. Section 542B.3, Code 2005, is amended to read as follows:

542B.3 ENGINEERING AND LAND SURVEYING EXAMINING BOARD
CREATED.

An engineering and land surveying examining board is created within the professional licensing and regulation bureau of the banking division of the department of commerce. The board consists of four members who are licensed professional engineers, one member who is a licensed land surveyor or a professional engineer who is also a licensed land surveyor, and two members who are not licensed professional engineers or land surveyors and who shall represent the general public. Members shall be appointed by the governor subject to confirmation by the senate. A licensed member shall be actively engaged in the practice of engineering or land surveying and shall have been so engaged for five years preceding the appointment, the last two of which shall have been in Iowa. Insofar as practicable, licensed engineer members of the board shall be from different branches of the profession of engineering. Professional associations or societies composed of licensed engineers or licensed land surveyors may recommend the names of potential board members whose profession is representative of that association or society to the governor. However, the governor is not bound by the recommendations. A board member shall not be required to be a member of any professional association or society composed of professional engineers or land surveyors.

Sec. 37. Section 542B.9, Code 2005, is amended to read as follows:

542B.9 ORGANIZATION OF THE BOARD -- STAFF.

The board shall elect annually from its members a chairperson and a vice chairperson. The administrator of the professional licensing and regulation bureau of the banking

division of the department of commerce shall hire and provide staff to assist the board in implementing this chapter. The board shall hold at least one meeting at the location of the board's principal office, and meetings shall be called at other times by the administrator at the request of the chairperson or four members of the board. At any meeting of the board, a majority of members constitutes a quorum.

Sec. 38. Section 543B.8, Code Supplement 2005, is amended to read as follows:

543B.8 REAL ESTATE COMMISSION CREATED -- STAFF.

A real estate commission is created within the professional licensing and regulation bureau of the banking division of the department of commerce. The commission consists of five members licensed under this chapter and two members not licensed under this chapter and who shall represent the general public. At least one of the licensed members shall be a licensed real estate salesperson, except that if the licensed real estate salesperson becomes a licensed real estate broker during a term of office, that person may complete the term, but is not eligible for reappointment on the commission as a licensed real estate salesperson. A licensed member shall be actively engaged in the real estate business and shall have been so engaged for five years preceding the appointment, the last two of which shall have been in Iowa. Professional associations or societies of real estate brokers or real estate salespersons may recommend the names of potential commission members to the governor. However, the governor is not bound by their recommendations. A commission member shall not be required to be a member of any professional association or society composed of real estate brokers or salespersons. Commission members shall be appointed by the governor subject to confirmation by the senate. Appointments shall be for three-year terms and shall

commence and end as provided in section 69.19. A member shall serve no more than three terms or nine years, whichever is less. No more than one member shall be appointed from a county. A commission member shall not hold any other elective or appointive state or federal office. Vacancies shall be filled for the unexpired term by appointment of the governor and are subject to senate confirmation. A majority of the commission members constitutes a quorum. The administrator of the professional licensing and regulation bureau of the banking division shall hire and provide staff to assist the commission with implementing this chapter.

The administrator of the professional licensing and regulation bureau of the banking division of the department of commerce shall hire a real estate education director to assist the commission in administering education programs for the commission.

Sec. 39. Section 543B.54, Code 2005, is amended to read as follows:

543B.54 REAL ESTATE EDUCATION FUND.

The Iowa real estate education fund is created as a financial assurance mechanism to assist in the establishment and maintenance of a real estate education program at the university of northern Iowa and to assist the real estate commission in providing an education director. The fund is created as a separate fund in the state treasury, and any funds remaining in the fund at the end of each fiscal year shall not revert to the general fund, but shall remain in the Iowa real estate education fund. Twenty-five dollars per license from fees deposited for each real estate salesperson's license and each broker's license shall be distributed and are appropriated to the board of regents for the purpose of establishing and maintaining a real estate education program at the university of northern Iowa. The remaining moneys in

the fund shall be distributed and are appropriated to the professional licensing and regulation bureau of the banking division of the department of commerce for the purpose of hiring and compensating a real estate education director and regulatory compliance personnel.

Sec. 40. Section 543D.4, unnumbered paragraph 1, Code 2005, is amended to read as follows:

A real estate appraiser examining board is established within the professional licensing and regulation bureau of the banking division of the department of commerce. The board consists of seven members, two of whom shall be public members and five of whom shall be real estate appraisers.

Sec. 41. Section 544A.1, unnumbered paragraph 2, Code 2005, is amended to read as follows:

The architectural examining board is created within the professional licensing and regulation bureau of the banking division of the department of commerce. The board consists of five members who possess a certificate of registration issued under section 544A.9 and who have been in active practice of architecture for not less than five years, the last two of which shall have been in Iowa, and two members who do not possess a certificate of registration issued under section 544A.9 and who shall represent the general public. Members shall be appointed by the governor subject to confirmation by the senate.

Sec. 42. Section 544A.5, Code 2005, is amended to read as follows:

544A.5 DUTIES.

The architectural examining board shall enforce this chapter, shall make rules for the examination of applicants for the certificate of registration provided by this chapter, and shall, after due public notice, hold meetings each year for the purpose of examining applicants for registration and

the transaction of business pertaining to the affairs of the board. Examinations shall be given as often as deemed necessary, but not less than annually. Action at a meeting shall not be taken without the affirmative votes of a majority of the members of the board. The administrator of the professional licensing and regulation bureau of the banking division of the department of commerce shall hire and provide staff to assist the board with implementing this chapter.

Sec. 43. Section 544B.3, unnumbered paragraph 1, Code 2005, is amended to read as follows:

A landscape architectural examining board is created within the professional licensing and regulation bureau of the banking division of the department of commerce. The board consists of five members who are professional landscape architects and two members who are not professional landscape architects and who shall represent the general public. Members shall be appointed by the governor, subject to confirmation by the senate. A professional member shall be actively engaged in the practice of landscape architecture or the teaching of landscape architecture in an accredited college or university, and shall have been so engaged for five years preceding appointment, the last two of which shall have been in Iowa. Associations or societies composed of professional landscape architects may recommend the names of potential board members to the governor. However, the governor is not bound by the recommendations. A board member shall not be required to be a member of any professional association or society composed of professional landscape architects.

Sec. 44. Section 544B.5, Code 2005, is amended to read as follows:

544B.5 DUTIES.

The board shall enforce this chapter, shall make rules for the examination of applicants for licensure, and, after public notice, shall conduct examinations of applicants for licensure. The board shall keep a record of its proceedings. The board shall adopt an official seal which shall be affixed to all certificates of licensure granted. The board may make other rules, not inconsistent with law, as necessary for the proper performance of its duties. The board shall maintain a roster showing the name, place of business, and residence, and the date and number of the certificate of licensure of every professional landscape architect in this state. The administrator of the professional licensing and regulation bureau of the banking division of the department of commerce shall hire and provide staff to assist the board in implementing this chapter.

Sec. 45. Section 544C.1, subsection 2, Code Supplement 2005, is amended to read as follows:

2. "Division" "Bureau" means the professional licensing and regulation bureau of the banking division of the department of commerce.

Sec. 46. Section 544C.2, subsection 1, Code Supplement 2005, is amended to read as follows:

1. An interior design examining board is established within the division bureau. The board consists of seven members: five members who are interior designers who are registered under this chapter and who have been in the active practice of interior design for not less than five years, the last two of which shall have been in Iowa; and two members who are not registered under this chapter and who shall represent the general public. Members shall be appointed by the governor subject to confirmation by the senate.

Sec. 47. Section 544C.3, unnumbered paragraph 2, Code Supplement 2005, is amended to read as follows:

The administrator of the division bureau shall provide staff to assist the board in the implementation of this chapter.

Sec. 48. Section 544C.5, unnumbered paragraph 1, Code Supplement 2005, is amended to read as follows:

Each applicant for registration must meet the interior design education and practical training requirements adopted by rule by the board, and have passed an examination prescribed by the board that is task-oriented, focused on public safety, and validated by a recognized testing agency. The division bureau shall register an individual who submits an application to the board on the form and in the manner prescribed by the board as a registered interior designer if the individual satisfies the following requirements:

Sec. 49. Section 546.2, subsection 3, paragraph g, Code 2005, is amended by striking the paragraph.

Sec. 50. Section 546.3, Code 2005, is amended to read as follows:

546.3 BANKING DIVISION.

1. The banking division shall regulate and supervise banks under chapter 524, debt management licensees under chapter 533A, money services under chapter 533C, delayed deposit services under chapter 533D, mortgage bankers and brokers under chapter 535B, regulated loan companies under chapter 536, and industrial loan companies under chapter 536A, and shall perform other duties assigned to the division by law. The division is headed by the superintendent of banking who is appointed pursuant to section 524.201. The state banking council shall render advice within the division when requested by the superintendent.

2. The banking division shall administer and manage the professional licensing and regulation bureau within the division. The division shall separately account for funds of

the bureau. However, the division may allocate costs for administrative, technical, support, and other shared services across the entire division.

Sec. 51. Section 546.5, Code 2005, is amended to read as follows:

546.5 SAVINGS AND LOAN DIVISION.

The savings and loan division shall regulate and supervise savings and loan associations and savings banks under chapter 534. The division is headed by the superintendent of savings and loan associations who shall be ~~appointed pursuant to section 534.401~~ the superintendent of banking.

Sec. 52. Section 546.10, Code Supplement 2005, is amended to read as follows:

546.10 PROFESSIONAL LICENSING AND REGULATION ~~DIVISION~~ BUREAU -- SUPERINTENDENT OF SAVINGS AND LOAN ASSOCIATIONS.

1. The professional licensing and regulation bureau of the banking division shall administer and coordinate the licensing and regulation of several professions by bringing together the following licensing boards:

- a. The engineering and land surveying examining board created pursuant to chapter 542B.
- b. The Iowa accountancy examining board created pursuant to chapter 542.
- c. The real estate commission created pursuant to chapter 543B.
- d. The architectural examining board created pursuant to chapter 544A.
- e. The landscape architectural examining board created pursuant to chapter 544B.
- f. The real estate appraiser examining board created pursuant to section 543D.4.
- g. The interior design examining board created pursuant to chapter 544C.

2. The division bureau is headed by the administrator of professional licensing and regulation who shall be ~~appointed by the governor subject to confirmation by the senate and shall serve a four-year term that begins and ends as provided in section 69.19~~ the superintendent of banking. ~~A vacancy shall be filled for the unexpired portion of the term in the same manner as a full-term appointment is made.~~ The administrator shall appoint and supervise staff and shall coordinate activities for the licensing boards within the division bureau. ~~The administrator shall act as a staff person to one or more of the licensing boards.~~

3. The licensing and regulation examining boards included in the division bureau pursuant to subsection 1 retain the powers granted them pursuant to the chapters in which they are created, except for budgetary and personnel matters which shall be handled by the administrator. Each licensing board shall adopt rules pursuant to chapter 17A. Decisions by a licensing board are final agency actions for purposes of chapter 17A.

Notwithstanding subsection 5, eighty-five percent of the funds received annually resulting from an increase in licensing fees implemented on or after April 1, 2002, by a licensing board or commission listed in subsection 1, is appropriated to the professional licensing and regulation division bureau to be allocated to the board or commission for the fiscal year beginning July 1, 2002, and succeeding fiscal years, for purposes related to the duties of the board or commission, including but not limited to additional full-time equivalent positions. The director of the department of administrative services shall draw warrants upon the treasurer of state from the funds appropriated as provided in this section and shall make the funds available to the professional licensing division and regulation bureau on a monthly basis during each fiscal year.

4. The professional licensing and regulation bureau of the banking division of the department of commerce may expend additional funds, including funds for additional personnel, if those additional expenditures are directly the cause of actual examination expenses exceeding funds budgeted for examinations. Before the division bureau expends or encumbers an amount in excess of the funds budgeted for examinations, the director of the department of management shall approve the expenditure or encumbrance. Before approval is given, the director of the department of management shall determine that the examination expenses exceed the funds budgeted by the general assembly to the division bureau and the division bureau does not have other funds from which the expenses can be paid. Upon approval of the director of the department of management, the division bureau may expend and encumber funds for excess examination expenses. The amounts necessary to fund the examination expenses shall be collected as fees from additional examination applicants and shall be treated as repayment receipts as defined in section 8.2, subsection 8.

5. Fees collected under chapters 542, 542B, 543B, 543D, 544A, and 544B, and 544C shall be paid to the treasurer of state and credited to the general fund of the state. All expenses required in the discharge of the duties and responsibilities imposed upon the professional licensing and regulation bureau of the banking division of the department of commerce, the administrator, and the licensing boards by the laws of this state shall be paid from moneys appropriated by the general assembly for those purposes. All fees deposited into the general fund of the state, as provided in this subsection, shall be subject to the requirements of section 8.60.

~~6. The administrator of professional licensing and regulation is the superintendent of savings and loan~~

~~associations. The administrator may appoint an individual to act as the superintendent who shall serve as the superintendent at the pleasure of the administrator.~~

CHRISTOPHER C. RANTS
Speaker of the House

JEFFREY M. LAMBERTI
President of the Senate

I hereby certify that this bill originated in the House and is known as House File 2521, Eighty-first General Assembly.

MARGARET THOMSON
Chief Clerk of the House

Approved _____, 2006

THOMAS J. VILSACK
Governor