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Bill

Appropriations

HF 45

Relates to public funding and regulatory matters and revises appropriations. Provides for a limitation on state expenditures for office supplies, equipment, printing and binding, marketing, and out-of-state travel from the date of enactment, March 7, 2011, through June 30, 2011. Concerns implementation of a state master marketing contract for state agencies. Provides that a state agency of the executive branch not use its public funds to employ a person whose position within the agency is primarily representing the agency relative to the passage, defeat, approval or modification of legislation that is being considered by the General Assembly. Concerns the state-owned passenger vehicle fleet located within Polk County and the lease of state buildings and office space located anywhere within the state; requires that a request for proposal be issued for the sale or lease of the Iowa Communications Network; provides that, beginning July 1, 2011, the DOT shall not renew membership in North America's Corridor Coalition; directs the DOT, for the period beginning March 7, 2011, through June 30, 2011, to only pay for wildflowers or other aesthetic plantings when justified to prevent erosion, control weed growth or reduce maintenance costs; and reduces FY 2011 funding for the free Des Moines shuttle service. Requires each department providing state funding to a political subdivision of the state to annually review the statutory and regulatory requirements applicable to the political subdivision's receipt of the funding and propose changes to remove any statutory, regulatory or policy provisions preventing recovery of any unencumbered or unobligated money if the political subdivision is not in compliance with requirements associated with the receipt of funding. Establishes the Taxpayer Transparency Act and requires the Department of Management to develop and make available to the public a searchable budget database and Internet site by January 1, 2013, and a searchable tax rate database and Internet site by January 1, 2012. *SF 533, Sections 49 and 51, make technical amendments to HF 45, Sections 39 and 50. Includes various effective dates.*

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[HF 646](#)

Administration and Regulations Appropriations:

Makes appropriations to various state agencies, positions, and funds, including the Department of Administrative Services (DAS), the Auditor of State, the Department of Commerce, the Governor and Lieutenant Governor, the Governor’s Office of Drug Control Policy, the Department of Human Rights, the Department of Inspections and Appeals, the Department of Management, and other state agencies for FY 2012 and FY 2013. Sections 2 and 35 address leasing authority; require state agencies to forward copies of building or office space lease agreements to the DAS prior to July 1, 2011; provide that the DAS shall provide space management services and lease all state agency building and office space throughout the state by December 1, 2011; and authorize the DAS to assess a fee to state agencies for which leases are negotiated or renewed. Sections 3 and 44 provide for an electronic online travel reimbursement process, authorization form, and searchable database for out-of-state travel, and require the DAS to submit a plan to convert to a paperless travel reimbursement process to the governor on or before January 1, 2012. Sections 5 and 63 require the first \$750,000 of fees collected for furnishing certified abstracts of motor vehicle operating records be transferred to the Iowa Access Revolving Loan Fund to maintain and expand electronic access to government records. Sections 6 and 64 allow the DAS to assess \$2 per month per contract for all health insurance plans administered by the DAS. Sections 21, 23, 25, 29, 79, 81, 83 and 87 appropriate moneys from the Road Use Tax Fund and the Motor Fuel Tax Fund to various state agencies to support administrative services provided to the DOT. Sections 32 and 34 strike the requirement that the DAS annually report to the General Assembly on state purchases of recycled and soybean-based products. Section 33 relates to state competitive bidding procedures and requires bidders for a state construction contract to disclose the names of all subcontractors and suppliers who will work on the project within 48 hours of the published date and time by which bids must be submitted, prohibits a bidder from replacing a subcontractor or supplier without approval of the state agency awarding the contract, and requires bidders to disclose certain information if changes related to subcontractors or suppliers are made prior to or after award of the contract. Sections 37-42 relate to management of the state

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fleet by the DAS; the DOT and certain other state agencies are exempted from these sections. Section 39 strikes a requirement that 10 percent of all new passenger vehicles and light pickup trucks purchased by the DAS be equipped with alternative methods of propulsion. Section 42 establishes a plan to privatize a portion of the state fleet managed by the DAS. Division II provides for FY 2013 appropriations and related provisions. *Section 89 provides that the bill takes effect upon enactment and applies retroactively to July 1, 2011.*

★[HF 648](#)

Infrastructure Appropriations:

Makes appropriations from various funds including the Rebuild Iowa Infrastructure Fund (RIIF), the Technology Reinvestment Fund (TRF), the Revenue Bonds Capitals Fund, and the Revenue Bonds Capitals II Fund to various state agencies, including the DOT, and makes miscellaneous Code changes. Division I, Section 1, subsection 11, appropriates RIIF funding to the DOT for FY 2012: \$3 million for recreational trails, \$1.5 million for the Public Transit Infrastructure Grant Program, \$1.5 million for infrastructure improvements at commercial service airports, and \$750,000 for infrastructure improvements at general aviation airports. Division II, Section 3, subsection 7, appropriates \$50,000 from the TRF to the Department of Management to develop a searchable Internet database for budget and financial information. Section 3, subsection 8, appropriates money from the TRF to the Department of Public Safety (DPS) for the statewide public safety radio network and the purchase of compatible radio communications equipment and requires the DPS to submit a funding status report. Division V, Section 7, relates to reciprocity between Iowa bidders and nonresidents bidders in public bidding and contracting. Sections 8 and 9 amend Code provisions to strike the requirement that Iowa governing bodies provide preference for Iowa labor in the construction or building of any public improvement or works. Sections 10 and 11 provide that Division V takes effect September 1, 2011, and applies to all public improvement, public works and public road contracts entered into on or after September 1, 2011. Division VIII contains miscellaneous Code changes, including amending the definition of "vertical infrastructure." Section 23 requires the DAS to annually issue a request for proposals for leasing privately owned office space for state employees in downtown

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Des Moines. Division XI makes changes to prior appropriations. Section 35 amends 2009 Iowa Acts, chapter 184, section 3, to provide that 10 percent of the \$2 million appropriated to the DOT for the Railroad Revolving Loan and Grant Fund for FY 2012 be allocated to the planning and development of rail ports in Iowa. Section 36 amends 2010 Iowa Acts, chapter 1184, section 2, to repeal the \$6.5 million appropriated to the DOT for the Passenger Rail Service Revolving Fund for FY 2012. *Section 10 provides that Division V takes effect September 1, 2011. Section 50 states that, unless otherwise provided, the bill takes effect upon enactment and applies retroactively to July 1, 2011. (The governor item vetoed language related to "resident subcontractor" contained in Division V, Section 7.)*

★[HF 683](#)

DOT Appropriations:

Makes transportation- and infrastructure-related appropriations to the DOT from the Road Use Tax Fund and the Primary Road Fund for FY 2012 and FY 2013. Division I appropriates funding and allocates 3,109 full-time equivalent (FTE) positions for FY 2012. Division II appropriates partial funding and allocates 3,109 FTE positions for FY 2013. Division III, Section 5, provides that the bill takes effect upon enactment and applies retroactively to July 1, 2011.

[HF 698](#)

Relates to and makes appropriations for a period of short duration beginning July 1, 2011, and ending July 31, 2011. *Takes effect upon enactment, June 30, 2011.*

[SF 508](#)

Federal Block Grant Appropriations:

Appropriates federal block grant funding to various state agencies for FY 2012 and FY 2013. Section 18 appropriates FY 2012 federal and other non-state grants, receipts and funds to 40 state agencies, including the DOT, for the purposes set forth in the grants, receipts, or conditions accompanying the receipt of the funds. Section 37 makes the same appropriations for FY 2013. *SF 533, Section 149, provides that SF 508 takes effect upon enactment and applies retroactively to July 1, 2011. (The governor item vetoed SF 508, Section 36.)*

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SF 510

Justice System Appropriations:

Makes appropriations to the justice system, including the Department of Justice, the Department of Corrections, the Iowa Law Enforcement Academy, the Department of Public Defense, the Department of Public Safety, and other state agencies for FY 2012 and FY 2013. Sections 9 and 38 require state agencies to obtain bids from the Iowa State Industries for purchases of office furniture exceeding \$5,000 or in accordance with the agency's administrative rules. Sections 14 and 43 state it is the intent of the General Assembly that members of the state patrol be assigned to patrol highways and roads in lieu of inspecting school buses for the school districts. *Section 47 provides that the bill takes effect upon enactment and applies retroactively to July 1, 2011.*

★SF 533

Standing and Salary Appropriations:

Relates to the compensation and benefits of state employees; makes, and adjusts appropriations; provides for funding of property tax credits and reimbursements; provides for matters related to tax credits; provides for fees and penalties; and provides for related matters. Sections 1 and 41 address the budget process for FY 2012 and FY 2013. Sections 9 and 48 relate to the salary model administrator position. Section 17 relates to leases for state office buildings and office space. Section 33 addresses the manner by which assessments against property owned by the state and not under control of the DOT are to be paid. Section 34 addresses the manner by which cities may assess the state for the cost of certain public improvements. Sections 59 and 60 make a technical correction to HF 651. Section 61 makes a technical correction to Code section 327B.5 related to registration of carrier authority. Section 88 provides for a limitation on railroad liability in a specific circumstance. Section 93 corrects Code section 321J.2 concerning the assessment of a second offense operating while intoxicated fine amount. Section 99 amends the definition of "construction contract" in SF 396, to strike reference to "highways, roads, streets, bridges, tunnels, transportation facilities, airports" from the definition of "construction contract." Section 100 repeals Code chapter 327K, the Midwest Interstate Passenger Rail Compact. Division X addresses state government reorganization, including state agency electronic

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renewal notices, state agency lean events and shared resources, review of agency fees, streamlined hiring, and the possibility of merging payroll systems into the centralized payroll system operated by the DAS. *Various sections make amendments to HF 45, HF 148, HF 536, HF 651, SF 194, SF 236, SF 396, SF 475, SF 508, SF 510 and SF 531. Includes various conditional and effective date provisions. Section 158 states that, unless otherwise provided, the bill takes effect upon enactment and applies retroactively to July 1, 2011. (The governor item vetoed SF 533, Sections 6, 45, 90 and 108.)*

Highway

HF 299

Allows for the establishment of a local copper theft ordinance requiring record keeping by salvage dealers, amends state damage and trespass laws that pertain to the unlawful possession of or entry upon specified personal and public utility property, and provides penalties.

HF 516

Relates to the construction of subdivision improvements and certain notice requirements.

SF 299

Relates to environmental protection, including solid waste, sewage works, hazardous waste, infectious medical waste, and pesticide and fertilizer contamination. Repeals Code section 455B.504 requiring the Environmental Protection Commission to adopt rules that required a person who owns or operates an infectious medical waste collection or transportation operator to obtain an operating permit prior to initial operation. The transportation of infectious waste is regulated by the DOT through adoption of applicable federal regulations.

SF 315

Relates to emergency management planning, replaces references to the county emergency management coordinator with references to local emergency management coordinator, and replaces references to political subdivisions of a county with references to political subdivisions of an emergency management commission or joint commission.

SF 393

Relates to drainage and levee districts by providing for the delivery of a written communication to state and local government.

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- [SF 396](#) Relates to the regulation of indemnification provisions in construction contracts and defines construction contract to exclude public agreements relating to highways, roads and streets. *SF 533, Section 99, amends SF 396, Section 1.*
- [SF 535](#) Relates to the Water Resources Coordinating Council, including by transferring the council from the Office of the Governor to the secretary of agriculture and providing that the secretary of agriculture and not the governor serve as the council's chairperson. Clarifies that the Department of Natural Resources is responsible for regional watershed assessment, planning and prioritization, and certain other functions.

Motor Vehicle

- [HF 290](#) Relates to the use of motorcycles equipped with detachable stabilizing rear wheels on Iowa roads.
- [HF 299](#) Allows for the establishment of a local copper theft ordinance requiring record keeping by salvage dealers, amends state damage and trespass laws that pertain to the unlawful possession of or entry upon specified personal and public utility property, and provides penalties.
- [HF 651](#) Provides for a civil war sesquicentennial, a fallen peace officer, and five special military combat special vehicle registration plates. Requires the DOT to begin issuing a specific special registration plate upon receipt of 250 orders for the specific plate, each with an accompanying \$20 start-up fee. Directs the state treasurer to transfer monthly the special fees collected for a special registration plate to a specific agency or state fund. *SF 533, Sections 59 and 60, make technical amendments to HF 651, Section 2.*
- [HF 676](#) Provides an exemption from the fee for new registration for motor vehicles leased to federal, state or local governmental agencies and to certain nonprofit entities that are also exempt from the payment of sales tax. An exemption from the fee for new registration is provided under current law for vehicles that are sold to the same governmental agencies and nonprofit entities.

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[SF 149](#)

Allows the DOT to accept reports from advanced registered nurse practitioners and physician assistants disclosing a physical or mental condition that renders a person incompetent to operate a motor vehicle.

[★SF 205](#)

Relates to DOT matters, including motor vehicle regulations and public transit funding programs. Makes changes related to the definition of conviction, vehicles re-titled in the name of a surviving spouse, federal medical certification of drivers who are issued commercial driver licenses (CDL), issuance of citations to teen drivers who use an electronic communication device while driving, vision reports for CDL applicants, operators of empty school buses, property damage reporting threshold for reporting all-terrain vehicle and snowmobile accidents, issuance of temporary restricted licenses in certain circumstances, travel trailer dealers or employees convicted of certain crimes, transfer of a motor carrier passenger certificate, Unified Carrier Registration Agreement, and a department public transit report requirement.

[SF 236](#)

Relates to public safety including the Iowa Law Enforcement Academy Council, State Fire Service and Emergency Response Council, state building code commissioner, fingerprint records, disposition records, sex offender registry, and access to deferred judgment docket records. Expands the Iowa Law Enforcement Academy Council from seven to 13 voting members and adds a DOT's Office of Motor Vehicle Enforcement member to the council.

[SF 312](#)

Relates to business-trade trucks and special trucks, eliminates the requirement for unique registration plates for such trucks, and prohibits the owner of a business-trade truck or special truck from being issued special fire fighter registration plates for more than one vehicle. States the DOT may adopt rules requiring the use of a sticker or other means to identify motor vehicles registered as business-trade or special trucks. *The Act applies for registration plates issued during registration periods beginning on or after January 1, 2012.*

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- [SF 418](#) Relates to the disclosure of specified information in connection with new motor vehicle repairs. States that a violation of the disclosure requirements provided in new Code section 321.69A is an unlawful practice under Code section 714.16.
- [SF 470](#) Relates to the duties and operations of Iowa’s community colleges. Sections 15-18 allow out-of-state providers to conduct drinking driver courses that are supervised and approved by the Department of Education (DOE). An out-of-state provider must prove to the DOE the course is comparable to those offered by Iowa community colleges, substance abuse treatment programs, and state correctional facilities.
- [SF 531](#) Relates to motor fuels, including biofuels and renewable fuels dispensed by retail dealers. Amends existing Code provisions requiring retail dealers to report motor fuel gallonage to the Department of Revenue by specifically recognizing site-by-site or companywide reporting. Amends Code section 321.145 to reduce funding appropriated from the Statutory Allocations Fund (SAF) to the Underground Storage Tank Fund and makes a new appropriation from the SAF to the Renewable Fuel Infrastructure Fund created in Code section 15G.205. *Includes various effective date and applicability provisions.*

Planning and Modal: Air, Rail, Trails, Transit and Water

- ★[SF 205](#) **Relates to DOT matters, including motor vehicle regulations and public transit funding programs. Makes changes related to the definition of conviction, vehicles re-titled in the name of a surviving spouse, federal medical certification of drivers who are issued commercial driver licenses (CDL), issuance of citations to teen drivers who use an electronic communication device while driving, vision reports for CDL applicants, operators of empty school buses, property damage reporting threshold for reporting all-terrain vehicle and snowmobile accidents, issuance of temporary restricted licenses in certain circumstances, travel trailer dealers or employees convicted of certain crimes, transfer of a motor carrier passenger certificate, Unified Carrier Registration Agreement, and a department public transit report requirement.**

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Government and Administration

- [HF 126](#) A bill for an act relating to the filing of lobbyist registrations and lobbyist's client reports with the General Assembly.
- [HF 148](#) Relates to state expenditure requirements involving the Revenue Estimating Conference and appropriation transfers. Requires the Revenue Estimating Conference to meet at least three times each year and agree to estimates for the current fiscal year and the following fiscal year. Places restrictions on the ability of the governor and the director of the Department of Management to make intradepartmental and interdepartmental transfers during a fiscal year. *Takes effect upon enactment, June 30, 2011.*
- [HF 392](#) Makes changes to the Iowa Plumber, Mechanical Professional, and Contractor Licensing Act, including amending fees for various licenses. *Takes effect upon enactment, April 28, 2011.*
- [HF 484](#) Relates to the investment of certain public funds in companies doing business in Iran by the treasurer of state, Iowa public retirement systems, and the state Board of Regents.
- [HF 493](#) Requires a public employee charged with a felony to pay a civil penalty equal to the cash wages received during a paid leave of absence and to pay contract termination payments if convicted.
- [HF 536](#) Concerns the duties and responsibilities of the state auditor, including procedures applicable to governmental subdivisions and certain governmental subdivision associations.
- [HF 590](#) Makes changes to the organization of the state executive branch agencies responsible for administering economic development programs. Establishes a collaborative public-private structure for the state's economic development programs named the Iowa Partnership for Economic Progress to consist of the Iowa Economic Development Authority (a state agency) and the Iowa Innovation Corporation (a nonprofit organization). The authority is to assume the duties and responsibilities of the current state economic development

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agency and board, be run by a board of 11 voting members appointed by the governor and seven nonvoting members, and establish the corporation as a private nonprofit organization for the purpose of receiving and disbursing funds from public or private sources to further the economic development and well-being of the state. The corporation is required to collaborate with the authority, and may enter into contracts with the authority, but is not a state government agency or administrative unit and may not receive appropriations from the General Assembly. *Takes effect upon enactment and applies retroactively to July 1, 2011.*

[HF 682](#)

Provides for the redistricting of Iowa congressional and legislative districts. Section 3 establishes the procedure to elect representatives from the new districts to Congress and to the state Senate and House of Representatives. *Takes effect upon enactment, April 19, 2011.*

[SCR 7](#)

Relates to the joint rules governing lobbyists of the state Senate and House of Representatives of the Eighty-fourth General Assembly.

[SF 194](#)

Relates to the Iowa military code and military service by making various changes, including the use of governmental facilities for designated military events. *Includes various effective dates.*

[SF 197](#)

Modifies provisions applicable to fire protection systems and electrician licensure requirements. Amends the definition of routine maintenance of fire protection systems and extends the period for state-licensed electricians to fulfill continuing education requirements. *Takes effect upon enactment, April 19, 2011.*

[SF 236](#)

Relates to public safety including the Iowa Law Enforcement Academy Council, State Fire Service and Emergency Response Council, state building code commissioner, fingerprint records, disposition records, sex offender registry, and access to deferred judgment docket records. Expands the Iowa Law Enforcement Academy Council from seven to 13 voting members and adds a DOT's Office of Motor Vehicle Enforcement member to the council.

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- [SF 289](#) Relates to open records and open meetings. Requires notice be provided of certain reconvened meetings of a governmental body, provides for damages if a governmental body member knowingly participates in a violation of Iowa open meeting or open record laws, specifies information in otherwise confidential public employee records that shall be public record, amends provisions concerning settlements involving government bodies, and makes other changes. *Takes effect upon enactment, May 12, 2011.*
- [SF 299](#) Relates to environmental protection, including solid waste, sewage works, hazardous waste, infectious medical waste, and pesticide and fertilizer contamination. Repeals Code section 455B.504 requiring the Environmental Protection Commission to adopt rules that required a person who owns or operates an infectious medical waste collection or transportation operator to obtain an operating permit prior to initial operation. The transportation of infectious waste is regulated by the DOT through adoption of applicable federal regulations.
- [SF 315](#) Relates to emergency management planning, replaces references to the county emergency management coordinator with references to local emergency management coordinator, and replaces references to political subdivisions of a county with references to political subdivisions of an emergency management commission or joint commission.
- [SF 474](#) Relates to non-substantive Code corrections. *Includes effective date and retroactive applicability provisions.*
- [SF 475](#) Relates to statutory Code corrections that may adjust language to reflect current practices, insert earlier omissions, delete redundancies and inaccuracies, delete temporary language, resolve inconsistencies and conflicts, update ongoing provisions or remove ambiguities. *Includes effective date and retroactive applicability provisions.*

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Bills or proposals initiated by the DOT are shown in boldface type.

★ *A full or partial bill explanation is included for these bills.*

Please see the Comments by Code Chapter or Section for a detailed list of sections of interest to the DOT that were amended by 2011 Iowa Acts.