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September 28, 2021

Victoria Newton  
Executive Secretary  
Executive Council  
State Capitol  
LOCAL

Re: Proposed Updated Guidelines Allocating Chapter 29C.20 Funds

Dear Victoria:

As requested by the Executive Council, I am providing the following recommendation for updating the Executive Council's Guidelines for Allocating Chapter 29C.20 Funds.

The Guidelines were adopted by the Council on December 24, 1979 after consultation with the office of the State Auditor, the Attorney General, the Board of Regents and the Administrative Rules Coordinator. A copy of the Guidelines is attached. Item 6 of the Guidelines provides that the Council may approve Chapter 29C.20 claims valued up to \$500,000 for "permanent repairs or acquisition of replacement tools or supplies." Claims over that amount are referred to the legislature. While claims of this size have been relatively rare since the Guidelines were approved, there is an increasing need for the Council to have greater flexibility to respond to the emergency requests of State Government. To address this need, I propose that the claim limit set out in Item 6 of the Guidelines be recalculated to adjust for inflation at the beginning of each new fiscal year and the recalculated cap applied to claims during that fiscal year. Thus, the claim limit for the fiscal year beginning July 1, 2021 would be adjusted to \$1,770,000 (\$500,000 adjusted for inflation from December 1979 to June 30, 2021).

I recommend that the Executive Council vote to amend the Item 6 of the December 1979 Guidelines to provide for an annual inflation adjustment to the claim limit and ask the State Treasurer to provide the adjusted value for approval at the first Executive Council meeting of each new fiscal year.

Respectfully,

JEFFREY S. THOMPSON  
Solicitor General

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## Executive Council of Iowa

OFFICE OF THE SECRETARY  
CAPITOL BUILDING  
DES MOINES, IOWA 50319  
A.C. 513 281-5117

GOLDA BEALS  
SECRETARY

OCTOBER 21, 1985

### MEMORANDUM

TO: All Departments

FROM: Golda Beals

SUBJECT: Guidelines for Allocating 29C.20 Funds.

The following guidelines for processing 29C.20 Claims, were adopted by the Executive Council in meeting held December 24, 1979. This memo is a reminder that they are still in effect:

1. The loss must be reported to the Secretary of the Executive Council and to the Auditor of State on or before the end of the next regular working day following the loss.
2. Any losses claimed for theft must be accompanied with a police report written by the appropriate security force for the jurisdiction submitted the claim.
3. Expenses for necessary demolition, debris removal and cleanup will be allowed.
4. Expenses to provide necessary repairs to protect or preserve the damaged property until the ensuing session of the Legislature will be allowed.
5. Expenses essential to the continuation of a program or service until the ensuing session of the Legislature will be allowed.
6. All permanent repairs or acquisition of replacement tools or supplies, which are estimated to cost in excess of \$500,000 per loss, will be referred to the Legislature for an appropriation, except in those instances where the cost of temporary measures could reasonably be expected to exceed the cost of permanent repairs or replacement within the dollar guidelines established herein.
7. No claim will be allowed for the replacement of any equipment damaged or destroyed, the loss of which could have been avoided by reasonable care, prudence and foresight.

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8. No claim will be allowed for the repair or replacement of any property which is not owned by the State or Federal government. For the purposes of this rule, claims for State property will be allowed when inventoried in accordance with the rules promulgated by the Department of General Services. Claims for Federal property will be allowed when the acquisition of such property was authorized by the terms of a grant.
9. All claims against 29C:20 funds shall be forwarded by the Secretary of the Executive Council to the Auditor for review and recommendation. In all cases, a copy of the Auditor's recommendation shall be forwarded to the claiming agency. Whenever the Auditor does not approve the total amount claimed, he shall seek to resolve the differences with the claiming agency. If the differences cannot be resolved, the agency may provide the Council with a written response and/or request a personal appearance before the Executive Council.
10. All requests for warrants against an Executive Council allocation shall first be reviewed and a recommendation made to the Executive Council by the Auditor of State. In all cases, a copy of the Auditor's recommendations shall be forwarded to the claiming agency. Whenever the Auditor does not approve the total amount requested, the Auditor shall seek to resolve the differences with the claiming agency. If the differences cannot be resolved, the agency may provide the Council with a written response and/or request a personal appearance before the Executive Council.