

19 of agriculture, the department may revoke or refuse to renew any
 20 permit issued under the authority of this section, if intent to defraud
 21 is established. The failure to fulfill any contract to repurchase the seed
 22 crop produced from any agricultural seed, other than hybrid seed corn,
 23 if the same meets the requirements set forth in the contract and the
 24 standards specified in this chapter, shall be prima-facie evidence of
 25 intent to defraud the purchaser at the time of entering into the con-
 26 tract.

Approved April 18, 1973.

CHAPTER 174

TESTING MOTOR FUELS

H. F. 203

AN ACT relating to the testing of motor fuels.

Be It Enacted by the General Assembly of the State of Iowa:

1 SECTION 1. Section two hundred fourteen A point seven (214A.7),
 2 Code 1973, is amended to read as follows:
 3 214A.7 Department inspection—samples tested. The department
 4 of agriculture, its agents or employees, shall, from time to time, make
 5 or cause to be made tests of any motor vehicle fuel which is being sold,
 6 or held or offered for sale within this state, and for such purposes such
 7 inspectors shall have the right to enter upon the premises of any whole-
 8 sale dealer or retail dealer in motor vehicle fuels within this state, and
 9 to take from any container a sample of such motor vehicle fuel, not to
 10 exceed eight fluid ounces, which sample shall be sealed and appropri-
 11 ately marked or labeled by such inspector and delivered to the depart-
 12 ment. The department shall make, or cause to be made, complete
 13 analyses or tests of such motor vehicle fuel by the methods specified
 14 in section 214A.2, and shall furnish to such wholesale dealer or retail
 15 dealer a certified copy of the results of such tests.

Approved May 24, 1973.

CHAPTER 175

CHILDREN, BLIND AND DISABLED AID

S. F. 570

AN ACT relating to aid to dependent children, blind assistance, and aid to the disabled,
 and limitations on county poor fund millage levies.

Be It Enacted by the General Assembly of the State of Iowa:

1 SECTION 1. Chapter two hundred seventeen (217), Code 1973, is
 2 amended by adding the following new section:
 3 NEW SECTION. The commissioner of social services or his designee,
 4 shall employ such personnel as are necessary for the performance of
 5 the duties and responsibilities assigned to the department. All em-
 6 ployees shall be selected on a basis of fitness for the work to be per-

7 formed with due regard to training and experience and shall be sub-
8 ject to the provisions of chapter nineteen A (19A) of the Code.

9 In a county having more than 250,000 population, an agreement in
10 existence on June 1, 1973 between the county and an employee organi-
11 zation representing employees who become subject to the preceding
12 paragraph of this section shall remain in effect with respect to such
13 employees for a period ending December 31, 1974.

1 SEC. 2. Section two hundred thirty-nine point eight (239.8), Code
2 1973, is amended to read as follows:

3 **239.8 Removal from county.** When any child for whose benefit a
4 grant of assistance has been made removes or is removed from the
5 county ~~giving in which he resided at the time he was granted assist-~~
6 ~~ance, it shall be the duty of the recipient to immediately notify the~~
7 ~~county board of the county giving assistance of the fact of such re-~~
8 ~~moval and of the city or town (or the nearest city or town) and of~~
9 ~~the county to which the child has removed. If the removal is into~~
10 ~~another county in the state, the county which has been giving assist-~~
11 ~~ance shall continue the assistance for a period of six months after the~~
12 ~~date of removal, but if the removal is out of the state, assistance shall~~
13 ~~be continued as long as the child remains otherwise eligible for assist-~~
14 ~~ance under this chapter or until he becomes eligible for assistance from~~
15 ~~the state to which he has moved, but in no case may assistance pay-~~
16 ~~ments from this state be continued for more than one year beyond the~~
17 ~~date of the child's removal from this state; provided, further, that~~
18 ~~during the period in which such assistance may be paid, the county~~
19 ~~board shall, by regular contact with the proper state or local welfare~~
20 ~~agency in the state to which such child has been removed, review and~~
21 ~~determine such child's eligibility for assistance other than with respect~~
22 ~~to the residence eligibility requirement. Thereafter any assistance can~~
23 ~~be granted only in the manner provided for herein as to obtaining~~
24 ~~assistance, and can be only in and from the county in which the child~~
25 ~~is then living.~~

26 *Periodic status reports shall be requested of the recipients to assist*
27 *in determining eligibility for assistance payments.*

1 SEC. 3. Section two hundred thirty-nine point twelve (239.12),
2 Code 1973, is amended to read as follows:

3 **239.12 Fund for Aid to dependent children account—reimbursement**
4 **to state.** There is hereby established in the state treasury a fund
5 *an account* to be known as the "Fund for Aid to Dependent Children
6 *Account*" to which shall be credited all funds appropriated by the state
7 for the payment of administrative expenses, assistance and benefits
8 under this chapter, and all other moneys received at any time for such
9 purposes, and all funds paid by counties to the state division as pro-
10 vided by this chapter. All assistance and benefits under this chapter,
11 and the administrative expenses incident thereto, except compensation
12 and expenses paid to the county board members, shall be paid from
13 said fund account. The state division shall report to the county board
14 quarterly the total amount of assistance and benefits paid during the
15 preceding quarter to recipients chargeable to the county. The county
16 board shall promptly report the same to the county board of super-
17 visors which shall then order paid from the county poor fund a sum
18 representing the county's share thereof determined in the manner here-

19 before provided, which payment shall be credited to the fund for aid to
20 dependent children.

21 Any unexpended balance of the fund appropriated or allocated by the
22 state which remains in the fund for aid to dependent children at the
23 end of each biennium shall not revert to the general fund of the state,
24 any law to the contrary notwithstanding.

1 SEC. 4. For the extended fiscal year beginning January 1, 1974 and
2 ending June 30, 1975, and for that period only, the maximum levy
3 for support of the poor in each county, expressed in mills, shall be
4 computed by the state comptroller as prescribed by this section. This
5 computation shall be in lieu of any other statutory limitation for the
6 period January 1, 1974 through June 30, 1975.

7 1. The tentative maximum poor fund millage levy for each county
8 shall be equal to one hundred fifty percent of the total millage levy
9 which that county made for the poor fund under all applicable statutes
10 for the budget year beginning January 1, 1972 and ending December
11 31, 1972.

12 2. The reduction in the levy for the poor fund in each county, due
13 to elimination of county responsibility for aid to dependent children,
14 aid to the blind, aid to the disabled and for certain foster care expendi-
15 tures, shall be established as follows:

16 a. The amount charged the county by the department of social
17 services during the calendar year 1972 as the county's share of pay-
18 ments made by the state for aid to dependent children, aid to the
19 blind, aid to the disabled, and foster care for children who were under
20 the custody, care or supervision of the state department of social
21 services or of a county department of social services, shall be deter-
22 mined.

23 b. The assessed valuation of property against which the county
24 made its poor fund millage levy in 1971, payable in 1972, shall be
25 determined.

26 c. The millage rate required to produce the amount determined
27 pursuant to paragraph a of this subsection, levied upon the assessed
28 valuation determined pursuant to paragraph b of this subsection, shall
29 be computed. One hundred fifty percent of this millage rate shall be
30 the millage reduction in the poor fund levy of the county.

31 3. The maximum poor fund millage levy for the extended fiscal year
32 in each county shall be established as follows:

33 a. From the county's tentative maximum poor fund levy determined
34 pursuant to subsection one (1) of this section, subtract the millage
35 reduction in the poor fund levy of the county determined pursuant to
36 subsection two (2) of this section.

37 b. The maximum poor fund millage levy for the extended fiscal year
38 shall be the millage levy determined pursuant to paragraph a of this
39 subsection increased by seven and one-half percent. However, the
40 state appeal board established by chapter twenty-four (24) of the
41 Code may permit a higher levy to the extent required in order to pre-
42 vent severe hardship due to unusual circumstances beyond the control
43 of the county government, or in order to adjust for an abnormally low
44 levy for the 1972 budget year.

1 SEC. 5. NEW SECTION. For each fiscal year following the ex-
2 tended fiscal year the maximum levy for the support of the poor in

3 each county shall be two-thirds of the maximum poor fund millage
4 levy for the extended fiscal year beginning January 1, 1974 and end-
5 ing June 30, 1975, determined pursuant to section four (4) of this
6 Act. However, the state appeal board may permit a higher levy for
7 any year to the extent required in order to prevent severe hardship
8 due to unusual circumstances beyond the control of the county govern-
9 ment.

1 SEC. 6. Sections two hundred thirty-four point twelve (234.12),
2 two hundred thirty-four point thirteen (234.13), two hundred thirty-
3 nine point eleven (239.11), two hundred forty-one point twenty
4 (241.20), two hundred forty-one point twenty-one (241.21), two hun-
5 dred forty-one point twenty-two (241.22), two hundred forty-one A
6 point thirteen (241A.13), two hundred forty-one A point fourteen
7 (241A.14), and two hundred forty-one A point fifteen (241A.15), and
8 subsection two (2) of section two hundred forty-one point four
9 (241.4), Code 1973, are repealed.

1 SEC. 7. Sections two (2), three (3), and six (6) of this Act shall
2 be effective January 1, 1974, except that in section six (6) of this Act
3 sections two hundred thirty-four point twelve (234.12) and two hun-
4 dred thirty-four point thirteen (234.13) shall be repealed effective
5 July 1, 1973.

1 SEC. 8. During the period beginning January 1, 1974 and ending
2 July 1, 1975, when the board of supervisors of any county determines
3 by resolution that the poor fund levy is not sufficient, it may levy an
4 additional tax which shall not exceed three-quarters of one mill on all
5 property in the county. Warrants may be issued to provide the funds
6 as needed until the levy and collection of taxes is accomplished. The
7 board of supervisors shall not levy such additional taxes or issue war-
8 rants until the action is approved by the state appeal board.

1 SEC. 9. If House File 772 is enacted by the Sixty-fifth General
2 Assembly, 1973 Session, and is approved by the governor, the words
3 "extended fiscal year" in section four (4) of this Act shall mean "fis-
4 cal year", and the fiscal year commencing January 1, 1974 shall end on
5 December 31, 1974. In addition, the tentative maximum poor fund
6 millage levy for each county in section four (4), subsection one (1),
7 of this Act shall be equal to one hundred percent of the total millage
8 levy which that county made for the poor fund in the budget year
9 beginning January 1, 1972 as provided in section four (4), subsection
10 one (1) of this Act and the millage reduction in the poor fund levy
11 of the county in section four (4), subsection two (2), paragraph c, of
12 this Act shall be equal to one hundred percent of the millage rate
13 determined pursuant to section four (4), subsection two (2), para-
14 graph c, of this Act. The maximum poor fund millage levy provided
15 in section four (4), subsection three (3), of this Act shall be for the
16 fiscal year commencing January 1, 1974 and ending December 31, 1974
17 and shall not be for the extended fiscal year. The maximum poor fund
18 millage levy shall be the millage levy determined pursuant to para-
19 graph a of subsection three (3) increased by five percent.

20 If House File 772 becomes law, section four (4) of this Act, before
21 modification pursuant to this section, shall apply to the extended fiscal
22 year commencing January 1, 1975 and ending June 30, 1976, except

23 that the percentage increase provided in section four (4), subsection
 24 three (3), paragraph b, of this Act shall not apply. Section five (5)
 25 of this Act shall apply to the fiscal year commencing July 1, 1976
 26 and ending June 30, 1977 and each fiscal year thereafter, and the max-
 27 imum levy for support of the poor in each county shall be one hun-
 28 dred percent of the maximum poor fund millage levy for the fiscal
 29 year commencing January 1, 1974 and ending December 31, 1974,
 30 determined pursuant to section four (4) of this Act. Also, the period
 31 provided for in section eight (8) of this Act shall begin on January
 32 1, 1974 and end on December 31, 1974 and the additional tax which
 33 may be levied shall not exceed one-half of one mill.

Approved June 30, 1973.

CHAPTER 176

CORRECTIONAL PROGRAMS

S. F. 482

AN ACT relating to the establishment of community-based correctional programs and services.

Be It Enacted by the General Assembly of the State of Iowa:

1 SECTION 1. Chapter two hundred seventeen (217), Code 1973, is
 2 amended by adding thereto sections two (2) through six (6) of this
 3 Act.

1 SEC. 2. NEW SECTION. As used in this Act, unless the context
 2 otherwise requires:

3 "Community-based correctional programs and services" means
 4 locally administered correctional programs and services designed to
 5 rehabilitate persons charged with or convicted of a felony or indict-
 6 able misdemeanor and persons on parole or probation as a result of a
 7 sentence for or conviction of these offenses.

1 SEC. 3. NEW SECTION. Community-based correctional programs
 2 and services may be established to serve the judicial districts of the
 3 state.

1 SEC. 4. NEW SECTION. The department of social services shall
 2 provide assistance, support and guidelines for the establishment and
 3 operation of community-based correctional programs and services.

1 SEC. 5. NEW SECTION. The department of social services shall
 2 provide for the allocation of any state funds appropriated for the
 3 establishment, operation, maintenance, support and evaluation of com-
 4 munity-based correctional programs and services. State funds shall
 5 not be allocated unless the department has reviewed and approved the
 6 programs and services for compliance with state guidelines.

7 If community-based correctional programs and services are not
 8 established in a judicial district, or if established are designed to
 9 serve only part of the judicial district, the department of social ser-
 10 vices may provide community-based correctional programs and ser-