

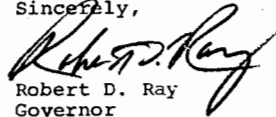
House File 33 was introduced in the 1977 session of the legislature in a form that presumed it would be passed in 1977 and become effective July 1, 1977. The authors of the bill made the appropriation available for the period beginning January 1, 1978, and ending June 30, 1978.

Since House File 33 did not receive final passage in 1977, it was held over and passed in the 1978 session. Unfortunately the appropriation was not updated to reflect the new effective date of the bill, July 1, 1978. Therefore, we end up with the ironic situation that the appropriation will expire the day before the bill becomes effective. Hence, none of the appropriation may be used for its intended purpose.

The legislature has taken quick action to make sure that this situation does not occur. Funds have been appropriated in Senate File 2241 and House File 2440 for reimbursement to counties for expenses resulting from autopsies of suspected victims of the Sudden Infant Death Syndrome during the fiscal year ending in 1979. We fully expect the bill to receive final passage and be sent to the Governor for approval. Once that is accomplished, we will have funding for this important program.

For the above reasons, I hereby disapprove this item in accordance with Amendment 4 of the Amendments of 1968 to the Constitution of the State of Iowa. All other items of House File 33 are hereby approved this date.

Sincerely,



Robert D. Ray
Governor

CHAPTER 1124

COUNTY REAL ESTATE PROJECTS SUBMISSION TO VOTERS

H. F. 2227

AN ACT increasing the dollar limit of real estate projects for which a proposition need not be submitted to electors in the case of federal revenue sharing or matching funds and funds on hand in all counties except counties having a population of more than two hundred thousand, and permitting use of federal revenue sharing funds and federal grants and county funds for the purpose of courthouse remodeling in counties having a population of more than two hundred thousand.

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

Section 1. Section three hundred forty-five point one (345.1), Code 1977, as amended by Acts of the Sixty-seventh General Assembly, 1977 Session, chapter one hundred eleven (111), section one (1), is amended to read as follows:

345.1 EXPENDITURES--WHEN VOTE NECESSARY. The board of supervisors shall not order the erection of, or the building of an addition or extension to, or the remodeling or

reconstruction or relocation and replacement of a courthouse, jail, county hospital, county care facility or any other county building or facility, except as otherwise provided, when the probable cost will exceed ten thousand dollars, nor the purchase of real estate for county purposes exceeding ten thousand dollars in value, until a proposition therefor shall have been first submitted to the qualified electors of the county, and voted for by a majority of all persons voting for and against such proposition at a general or special election, notice of the same being given as in other special elections. However, such proposition need not be submitted to the voters if any such erection, construction, remodeling, reconstruction, relocation and replacement, or purchase of real estate may be accomplished from funds on hand or from federal revenue-sharing funds or federal matching funds and without the levy of additional taxes and if the probable cost of the entire project will not exceed ~~one~~ two hundred thousand dollars in a county having a population of twenty-five thousand or less, ~~one~~ two hundred fifty thousand dollars in counties having a population of more than twenty-five thousand but not more than fifty thousand, ~~two~~ three hundred thousand dollars in counties having a population of more than fifty thousand but not more than one hundred thousand, ~~two-hundred~~ fifty four hundred thousand dollars in counties having a population of more than one hundred thousand but not more than two hundred thousand, and five hundred thousand dollars in counties having a population of more than two hundred thousand. If a county project should be determined to cost in excess of the dollar limitation for the population category of such county, the proposition must be submitted to the qualified electors of the county without regard to the source from which such funds may be derived. However a proposition need not be submitted to the qualified electors to expend federal revenue-sharing funds for a mental health or mental retardation project, or when specific projects using federal funds other than federal revenue-sharing funds, not requiring any matching funds are approved for a county, or when a relocation and replacement is made necessary by the acquisition of county property for a federal or state project, and the cost of the relocation does not exceed the amount of the award of damages by the state or federal government, or to expend federal revenue sharing funds for courthouse remodeling when the courthouse is located in a county having a population

of more than two hundred thousand, or a combination of federal revenue sharing funds and federal funds other than federal revenue sharing funds requiring less than fifteen percent county matching funds are used for the project. When the expenditures authorized in this section exceed fifty thousand dollars and the proposition need not be submitted to the voters, the board of supervisors shall hold a public hearing on the proposition. Notice of the hearing shall be published at least two weeks prior to the hearing, in the newspaper published in the county having the largest circulation in the county. In determining whether the expenditure should be made, the board of supervisors shall give full consideration to the testimony given during the hearing.

Approved April 27, 1978

CHAPTER 1125

REFRACTORY PRISONERS

S. F. 2042

AN ACT removing a sheriff's authorization to chain a disorderly prisoner in a jail and a sheriff's authorization to feed a prisoner only bread and water.

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

Section 1. Section three hundred fifty-six point fourteen (356.14), Code 1977, is amended to read as follows:

356.14 REFRACTORY PRISONERS. If any person confined in a jail is refractory or disorderly, or willfully destroys or injures any part thereof or of its contents, the sheriff may ~~chain-or~~ secure such person, or cause him or her to be kept in solitary confinement, not more than ten days for any one offense, during which time ~~he~~ the person may be fed ~~with bread-and-water-only,~~ minimum diet requirements as established by the department of social services unless other food is necessary for the preservation of ~~his~~ the person's health.

Approved April 13, 1978