

CHAPTER 3
EXECUTIVE, LEGISLATIVE AND JUDICIAL

H. F. 742

AN ACT relating to and making appropriations to various executive, legislative and judicial departments and agencies.

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

Section 1. There is appropriated from the general fund of the state for each fiscal year of the fiscal biennium beginning July 1, 1979 and ending June 30, 1981 to the following named agency, the following amounts, or so much thereof as is necessary, to be used for the purposes designated:

	<u>1979-1980</u>	<u>1980-1981</u>
	<u>Fiscal Year</u>	<u>Fiscal Year</u>
GOVERNOR		
1. For salaries, support, maintenance and miscellaneous purposes of the general office of the governor	\$ 543,020	\$ 538,980
2. For the governor's expenses connected with office	\$ 6,000	\$ 6,000
3. For salaries and support of not more than eight point five full-time equivalent positions and maintenance of the Terrace Hill governor's mansion which shall be open for the public without prior appointment a minimum of twenty hours per week and a minimum of five days per week, in addition to arranged special group tours, and closed during the months of January and February except for special tours which may be conducted at the discretion of the Terrace Hill site coordinator	\$ 174,570	\$ 171,580

Sec. 2. There is appropriated from the general fund of the state to the office of the governor for each fiscal year of the fiscal biennium commencing July 1, 1979 and ending June 30, 1981, the following amount or so much thereof as is necessary, to be used for the purposes designated:

	<u>1979-1980</u>	<u>1980-1981</u>
	<u>Fiscal Year</u>	<u>Fiscal Year</u>
1. AD HOC COMMITTEES, COUNCILS, AND TASK FORCES		

For the payment of expenses of ad hoc committees, councils and task forces appointed by the governor to research and analyze a particular subject area relevant to the problems and responsibilities of state and local government, includ-

ing the employment of professional, technical and administrative staff and the payment of per diem, not exceeding forty dollars, and actual expenses of committee, council or task force members. It is the intent of the general assembly and a condition of this appropriation that personnel hired for the staffing of any ad hoc committee, council, or task force be terminated upon the completion of the committee, council or task force's final report \$ 50,000 \$ 50,000

2. OFFICE OF THE ADMINISTRATIVE RULES COORDINATOR

For salaries and support of not more than two full-time equivalent positions and miscellaneous purposes \$ 55,762 \$ 55,134

Sec. 3. There is appropriated from the general fund of the state for each fiscal year of the fiscal biennium beginning July 1, 1979 and ending June 30, 1981, except as otherwise provided, to the following named agencies, the following amounts, or so much thereof as is necessary, to be used for the purposes designated:

	1979-1980	1980-1981
	<u>Fiscal Year</u>	<u>Fiscal Year</u>

1. OFFICE FOR PLANNING AND PROGRAMMING

a. For salaries and support of not more than sixty-six point twenty full-time equivalent positions, maintenance and miscellaneous purposes ... \$ 804,420 \$ 810,963

b. For funds to match federal supplemental EDA discretionary funds \$ 50,000 \$ 50,000

Unencumbered funds appropriated by this paragraph shall be available and shall not revert to the general fund until June 30, 1983, notwithstanding other provisions of this section or section eight point thirty-three (8.33) of the Code.

It is a condition of this appropriation that each economic development administration grant and approval of the grant be coordinated with the Iowa development commission before final grant approval is made.

c. For rural community development, including not more than ten thousand (10,000) dollars to be expended for administration expenses, pursuant to chapter three hundred eighty-seven (387) of the Code \$ 250,000

Notwithstanding the provisions of section eight point thirty-three (8.33) of the Code funds appropriated in this paragraph shall not revert until June 30, 1981.

d. For funds for salaries, support, maintenance, and miscellaneous purposes required to match federal funds for planning and administration of the federal Highway Safety Act \$ 75,000 \$ 75,000

2. IOWA MERIT EMPLOYMENT DEPARTMENT

For the general office for salaries and support of not more than fifty-seven point fifty full-time equivalent positions, maintenance and miscellaneous purposes

\$ 1,184,759 \$ 1,195,247

Notwithstanding section eight point thirty-three (8.33) of the Code, unencumbered or unobligated funds not to exceed one hundred fifty thousand (150,000) dollars appropriated for the implementation of a data processing system appropriated by chapter four (4), section one (1), subsection seven (7) of the Acts of the Sixty-seventh General Assembly, 1977 Session and by chapter one thousand seventeen (1017), section one (1), subsection eight (8) of the Acts of the Sixty-seventh General Assembly, 1978 Session, for use by the Iowa merit employment department, remaining on June 30, 1979 shall not revert to the general fund of the state, but shall carry forward for use during fiscal year 1979-80 and shall revert in the same manner as if appropriated for such fiscal year.

3. BUREAU OF LABOR

For salaries and support of not more than ninety-two point twelve full-time equivalent positions, maintenance and miscellaneous purposes .

\$ 1,181,330 \$ 1,177,511

4. LIEUTENANT GOVERNOR

For the lieutenant governor's compensation and expenses as provided in subsection two (2) of section two point ten (2.10) of the Code including service as a member of the legislative council and for per diem and expenses incurred while performing duties of the lieutenant governor when the general assembly is not in session, including travel, postage and not more than three point fifty full-time equivalent positions

\$ 87,560 \$ 86,050

Sec. 4. There is appropriated from the general fund of the state for each fiscal year of the fiscal biennium beginning July 1, 1979 and ending June 30, 1981 to the office for planning and programming the following amounts, or so much thereof as is necessary, to be used for the purposes designated:

	1979-1980	1980-1981
	<u>Fiscal Year</u>	<u>Fiscal Year</u>
1. For the demographic center	\$ 45,139	\$ 45,139
2. For administration purposes by the office for planning and programming for the census data center	\$ 20,000	\$ 20,000
3. For allocation to the state board of regents for distribution in the board's discretion to the census data centers of the three state universities	\$ 76,500	\$ 76,500

There is established a census data center coordinating unit composed of the state librarian, a representative of the office for planning and programming, and three representatives each representing one of the state universities. The census data center coordinating unit shall provide for not less than fifty census data training sessions throughout the state.

Sec. 5. There is appropriated from the general fund of of* the state for each fiscal year of the fiscal biennium beginning July 1, 1979 and ending June 30, 1981 to the following named department, the following amounts, or so much thereof as is necessary, to be used for the purposes designated:

	1979-1980	1980-1981
	<u>Fiscal Year</u>	<u>Fiscal Year</u>
DEPARTMENT OF JUSTICE		
1. For the general office of attorney general for salaries and support of not more than one hundred thirty point fifty full-time equivalent positions, maintenance and miscellaneous purposes	\$ 2,135,620	\$ 2,120,793
2. Prosecuting attorney training program For salaries and support of not more than two full-time equivalent positions, maintenance and miscellaneous purposes which funds shall be used to attract federal and county funding	\$ 53,040	\$ 51,670
3. Prosecuting intern program; however, counties participating in the prosecuting intern program shall match funds appropriated by this subsection	\$ 52,500	\$ 52,500

Sec. 6. There is appropriated from the general fund of the state for each fiscal year of the fiscal biennium beginning July 1, 1979 and ending June 30, 1981 to the following named agencies, the following amounts, or so much thereof as is necessary, to be used for the purposes designated:

	1979-1980	1980-1981
	<u>Fiscal Year</u>	<u>Fiscal Year</u>
1. IOWA ACADEMY OF SCIENCE For support and maintenance	\$ 4,500	\$ 4,500
2. IOWA STATE ARTS COUNCIL For salaries and support of not more than twelve point seventy-five full-time equivalent positions and maintenance and miscellaneous purposes including funds to match federal grants ...	\$ 297,845	\$ 292,749
3. CAPITOL PLANNING COMMISSION For per diem of forty dollars per day and expenses of the members in carrying out their duties under chapter eighteen A (18A) of the Code .	\$ 5,000	\$ 5,000
4. IOWA STATE HISTORICAL DEPARTMENT a. For the division of the state historical society for salaries and support of not more than seventeen full-time equivalent positions and maintenance and miscellaneous purposes. The division of the state historical society may publish and print the <u>Iowa Journal</u> and the <u>Iowa Goldfinch</u> and shall sell the publications and use the proceeds to pay the costs of publication and printing	\$ 441,359	\$ 441,390

*According to enrolled Act

b. For the division of historic preservation for salaries and support of not more than sixteen point seventy-two full-time equivalent positions, maintenance, and miscellaneous purposes	\$ 155,299	\$ 161,742
c. For the division of historic museum and archives for salaries and support of not more than twenty-nine point fifty full-time equivalent positions, maintenance, and miscellaneous purposes	\$ 465,335	\$ 462,724
d. For the state historical board for per diem and expenses	\$ 15,000	\$ 15,000
e. For the division of the state historical society for repair of an elevator in the centennial building	\$ 11,000	
5. IOWA LIBRARY DEPARTMENT		
a. For the state library for salaries and support of not more than forty-nine point thirty-three full-time equivalent positions, maintenance, and miscellaneous purposes. It is the intent of the general assembly that library materials maintained by individual state agencies be incorporated into the cataloging system of the state library	\$ 700,177	\$ 710,577
b. For the regional library system for state aid including a cost-of-living increase of seven percent each year of the biennium of salaries as they exist on June 21, 1979 and June 19, 1980 to be given to regional library employees	\$ 994,788	\$ 1,030,808
6. EXECUTIVE COUNCIL		
For salaries and support of not more than two full-time equivalent positions, maintenance, and miscellaneous purposes	\$ 52,321	\$ 52,174
7. COUNCIL OF STATE GOVERNMENTS		
For the support of the membership assessment. It is a condition of this appropriation that any state employee or official attending meetings, conferences, or seminars sponsored by the council of state governments shall file with the presiding officer of each house who may provide a copy to the house and senate committee whose jurisdiction corresponds with the subject matter of the meeting, conference, or seminar attended a written report relating to the subject matter considered	\$ 37,900	\$ 37,900
8. NATIONAL CONFERENCE OF STATE LEGISLATURES		
For support of membership assessment. It is a condition of this appropriation that any legis-		

lative employee or official attending meetings, conferences, or seminars, sponsored by the national conference of state legislatures, shall file with the presiding officer of each house who may provide a copy to the house and senate committee whose jurisdiction corresponds with the subject matter of the meetings, conferences, or seminars attended, a written report relating to the subject matter considered \$ 34,140 \$ 34,140

9. COMMISSION ON UNIFORM STATE LAWS

For support of the commission and expenses of members \$ 8,200 \$ 8,800

10. LEGISLATIVE FISCAL BUREAU

For salaries and support of not more than twelve full-time equivalent positions, maintenance, and miscellaneous purposes \$ 357,017 \$ 355,167

11. LEGISLATIVE SERVICE BUREAU

a. For salaries, support, maintenance and miscellaneous purposes. It is the intent of the general assembly and a condition of the appropriation for the fiscal year 1980-1981 that new positions required for reapportionment purposes be filled on a temporary basis during that fiscal year \$ 711,029 \$ 753,133

b. For drafting, research, and Code data processing programs and services \$ 15,000 \$ 15,000

12. PIONEER LAWMAKERS \$ 250 \$ 750

13. OFFICE OF CITIZENS' AIDE

For salaries and support of not more than eight point thirty full-time equivalent positions, maintenance, and miscellaneous purposes .. \$ 195,000 \$ 200,000

Sec. 7. There is appropriated from the general fund of the state for each fiscal year of the fiscal biennium beginning July 1, 1979 and ending June 30, 1981 to the following named judicial department agencies, the following amounts, or so much thereof as is necessary, to be used for the purposes designated:

	1979-1980	1980-1981
	<u>Fiscal Year</u>	<u>Fiscal Year</u>

1. COURTS

For salaries of supreme court justices, appellate court judges, district court judges, district associate judges, judicial magistrates, and staff, maintenance, equipment and miscellaneous purposes \$ 8,908,014 \$ 8,707,393

2. BOARDS AND COMMISSION--JUDICIAL DEPARTMENT

For salaries and support of not more than point fifty full-time equivalent positions, and

maintenance, and miscellaneous purposes of the board of law examiners and board of examiners of shorthand reporters and judicial qualifications commission \$ 51,801 \$ 53,404

3. ADMINISTRATION

For salaries and support of not more than twenty point fifty full-time equivalent positions, maintenance, equipment, and miscellaneous purposes of the court administrator, and clerk of the supreme court \$ 498,916 \$ 528,818

4. JUDICIAL RETIREMENT

For the state contribution to the judicial retirement system provided for in chapter six hundred five A (605A) of the Code the following amounts which are in addition to the amount of three percent of such salaries \$ 308,613 \$ 308,613

Sec. 8. Section six hundred five point two (605.2), Code 1979, is amended to read as follows:

605.2 EXPENSES. Where a magistrate or judge of the district court, court of appeals or supreme court is required, in the discharge of official duties, to leave the county of the magistrate's or judge's residence ~~or--leave--the city-of-the-judge's-residence-to-perform-such-duties,~~ the magistrate or judge shall be paid such actual and necessary expenses ~~for--living-quarters-and living-expenses-not-to-exceed-the-sum--of--twenty-two--dollars--per--day--and transportation-expenses-as-shall-be~~ incurred in the performance of his or her duties not to exceed a maximum amount set by the supreme court by rule prescribing the maximum amount, terms and conditions for reimbursement. ~~Expenses--for--judges--of--the--court--of--appeals--are--limited--as--provided--in section-684-45.~~

Sec. 9. There is appropriated to the office of the governor for the citizens privacy task force created by the Acts of the Sixty-seventh General Assembly, 1978 Session, chapter one thousand one hundred ninety-one (1191), section one (1), for the fiscal period beginning July 1, 1979 and ending December 31, 1979, the sum of twenty-four thousand fifty-five (24,055) dollars, or so much thereof as is necessary, for salaries and support of not more than one full-time equivalent position, maintenance and miscellaneous purposes.

Sec. 10. There is appropriated from the general fund of the state for each fiscal year of the fiscal biennium beginning July 1, 1979 and ending June 30, 1981 to the following named agency, the following amounts, or so much thereof as is necessary, to be used for the purposes designated:

	1979-1980	1980-1981
	<u>Fiscal Year</u>	<u>Fiscal Year</u>

- 1. DEPARTMENT OF GENERAL SERVICES
 - a. OFFICE OF THE DIRECTOR

For salaries and support of not more than seven full-time equivalent positions, maintenance, and miscellaneous services, however, the

funds appropriated in this paragraph shall not be used if the director enters into any contract, or initiates negotiations or proceedings, for construction of any building or other capitol project which would be in violation of section seven hundred twenty-one point two (721.2), subsection one (1), Code 1979 \$ 158,104 \$ 157,291

b. GENERAL ADMINISTRATION

For salaries and support of not more than twenty-five point fifteen full-time equivalent positions, maintenance, and miscellaneous purposes \$ 366,456 \$ 366,203

c. UTILITY COSTS

For payment of utility costs \$ 1,215,011 \$ 1,303,335

d. BUILDINGS AND GROUNDS

For salaries and support of not more than two hundred twelve full-time equivalent positions, maintenance and miscellaneous purposes \$ 2,770,024 \$ 2,775,665

e. PRINTING DIVISION

For salaries and support of not more than six full-time equivalent positions, and maintenance, and miscellaneous purposes. It is the intent of the general assembly and a condition of this appropriation that a complete listing of state boards, commissions, and agencies, in addition to those required by subsection four (4) of section fourteen point ten (14.10) of the Code, be inserted in the sessions laws \$ 122,038 \$ 184,001

f. COMMUNICATIONS DIVISION

For salaries and support of not more than seventeen point seventy full-time equivalent positions, maintenance, and miscellaneous purposes \$ 336,670 \$ 336,051

g. RECORDS MANAGEMENT

For salaries and support of not more than seventeen full-time equivalent positions, maintenance, and miscellaneous purposes \$ 331,932 \$ 327,217

h. RISK MANAGEMENT

For salaries and support of not more than two full-time equivalent positions, maintenance, and miscellaneous purposes \$ 48,834 \$ 50,812

2. DEPARTMENT OF GENERAL SERVICES--REVOLVING FUNDS

a. From the centralized printing permanent revolving fund established by section eighteen point fifty-seven (18.57) of the Code for salaries and support of not more than thirty-three

full-time equivalent positions and maintenance and miscellaneous purposes \$ 553,478 \$ 542,398

b. The remainder of the centralized printing permanent revolving fund is appropriated for the expense incurred in supplying paper stock, off-set printing, copy preparation, binding, distribution costs, original payment of printing and binding claims and contingencies arising during the fiscal years beginning July 1, 1979 and July 1, 1980 which are legally payable from this fund.

c. From the general service revolving fund established by section eighteen point nine (18.9) of the Code for salaries and support of not more than nineteen point fifty full-time equivalent positions and maintenance and miscellaneous purposes \$ 356,790 \$ 357,564

d. The remainder of the general service revolving fund is appropriated for the payment of expenses incurred through purchases by various state departments and for contingencies arising during the fiscal years beginning July 1, 1979 and July 1, 1980 which are legally payable from this fund.

e. From the vehicle dispatcher revolving fund established by section eighteen point one hundred nineteen (18.119) of the Code for salaries and support of not more than twenty-two point fifty full-time equivalent positions, maintenance and miscellaneous purposes including ten thousand (10,000) dollars to purchase a ten thousand gallon tank for gasohol \$ 390,388 \$ 375,515

f. The remainder of the vehicle dispatcher revolving fund is appropriated for the purchase of gasoline, oil, tires, repairs and all other maintenance expenses incurred in the operation of state-owned motor vehicles and for contingencies arising during the fiscal years beginning July 1, 1979 and July 1, 1980 which are legally payable from this fund.

Sec. 11. Acts of the Sixty-seventh General Assembly, 1978 Session, chapter one thousand twenty-three (1023), section one (1), is amended to read as follows:

SECTION 1. There is appropriated from the general fund of the state to the legislative fiscal bureau for the fiscal period beginning with the effective date of this Act and ending June 30, ~~1979~~ 1981 the sum of five hundred eighty-five thousand (585,000) dollars, or so much thereof as is necessary, for the purpose of developing, maintaining, and using a data processing interactive decision evaluation action system created by section

three (3) of this Act. Funds appropriated by this section shall be expended for the purposes specified in this section, section two (2) and subsection two (2) of section three (3) of this Act.

Sec. 12. Chapter two (2), Code 1979, is amended by adding the following new section:

NEW SECTION. PROGRAM EVALUATIONS.

1. The general assembly may by concurrent resolution or the legislative council may direct the legislative fiscal bureau to conduct a program evaluation of any agency of the state government. Upon the passage of the concurrent resolution or receiving the direction of the legislative council, the legislative fiscal director shall inform the chairpersons of the committees responsible for appropriations of the anticipated cost of the program evaluation and the number and nature of additional personnel needed to conduct the program evaluation and shall notify the official responsible for the program to be evaluated.

2. In conducting the program evaluation, the legislative fiscal bureau shall make certain determinations including but not limited to the following:

a. Whether the state agency is conducting programs and activities and expending funds appropriated to it in compliance with the Acts of the general assembly, the Code, and any federal, state or local rules which are applicable.

b. Whether the state agency is conducting authorized activities and programs pursuant to objectives intended by the general assembly.

c. Whether the state agency is conducting programs and activities and expending funds appropriated to it in an efficient and effective manner.

d. Whether there are areas in which significant inconsistency, duplication, or overlapping of activities or programs occur either within the agency or with respect to other agencies or programs.

e. The productivity of the agency's operations measured in terms of cost-benefit relationships or other accepted measures of effectiveness.

3. Upon the completion of the program evaluation, the legislative fiscal director shall provide a copy of the report to the governing official or board of the agency and afford the agency a reasonable opportunity to respond to the findings and recommendations of the report. The response shall be included in the report and the report released to the legislative council. Until its release the report shall be regarded as confidential by all persons properly having custody of it.

4. The legislative fiscal director shall establish a division in the legislative fiscal bureau to conduct program evaluations. Members of the legislative fiscal bureau assigned to the program evaluation division may assist and be assisted by other members of the bureau in their respective duties.

Sec. 13. There is appropriated from the general fund of the state to the legislative fiscal bureau for each fiscal year of the fiscal biennium beginning July 1, 1979 and ending June 30, 1981 the following amounts, or so much thereof as is necessary, for the purpose of carrying out program evaluations:

	<u>1979-1980</u>	<u>1980-1981</u>
	<u>Fiscal Year</u>	<u>Fiscal Year</u>
For salaries and support of not more than three full-time equivalent positions, and maintenance and miscellaneous purposes	\$ 70,000	\$ 80,000

Sec. 14. Section twenty-eight B point one (28B.1), unnumbered paragraph two (2), Code 1979, is amended to read as follows:

Appointments shall be made ~~during--April~~ prior to the fourth Monday in January of the first regular session of the general assembly. Members shall take office on ~~May-1~~ February first following their appointment and serve for two-year terms or until their successors are appointed and take office.

Sec. 15. Section twenty-nine C point twenty (29C.20), Code 1979, is amended by adding the following new subsection:

NEW SUBSECTION. A governmental subdivision which loses fifty percent or more of its income required to sustain its annual operating budget because of the destruction of the taxable or revenue producing property due to a natural disaster, may receive at the discretion of the executive council a grant not to exceed fifty percent of the governmental subdivision's operating budget for the fiscal year in which the natural disaster occurs. The amount of the financial grant shall not exceed twenty-five thousand dollars for a fiscal year. The executive council may require such information as is necessary prior to making the financial grant.

Sec. 16. Section fifteen (15) of this Act shall apply to a governmental subdivision which loses income due to a natural disaster occurring after March 1, 1979. The Code editor shall codify the subsection created in section fifteen (15) of this Act as subsection three (3) of section twenty-nine C point twenty (29C.20) of the Code and renumber the remaining sections in accordance with this Act.

Sec. 17. Section three hundred eighty-seven point two (387.2), unnumbered paragraph one (1), Code 1979, is amended to read as follows:

The Iowa rural community development committee is established within the ~~community-betterment-division-of-the-iowa-development-commission~~ office for planning and programming and is composed of the following:

Sec. 18. All federal grants to and the federal receipts of the agency appropriated funds under this division are appropriated for the purposes set forth in such federal grants and receipts.

Approved June 10, 1979