

CHAPTER 1311
FEDERAL FUNDS APPROPRIATIONS
S.F. 2352

AN ACT appropriating federal funds made available from federal block grants, allocating portions of federal block grants, and providing procedures if federal funds are more or less than anticipated or if federal block grants are more or less than anticipated or if categorical grants are consolidated into new or existing block grants.

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

DIVISION I

Section 1. ALCOHOL AND DRUG ABUSE AND MENTAL HEALTH SERVICES APPROPRIATION.

1. There is appropriated from the fund created by section 8.41 to the department of substance abuse, two million two hundred ninety-two thousand (2,292,000) dollars for the federal fiscal year beginning October 1, 1984, and ending September 30, 1985. The funds appropriated by this section are the anticipated funds to be received from the federal government for federal fiscal year 1985 under Pub. L. No. 97-35, Title IX, Subtitle A, as amended, which provides for the alcohol and drug abuse and mental health services block grant. The department shall expend the funds appropriated by this section as provided in the federal law making the funds available and in conformance with chapter 17A.

2. An amount not exceeding two hundred seventeen thousand (217,000) dollars of the funds appropriated in subsection 1 shall be used by the department of substance abuse for administrative expenses. From the funds set aside by this subsection for administrative expenses, the department of substance abuse shall pay to the auditor of state an amount sufficient to pay the cost of auditing the use and administration of the state's portion of the funds appropriated in subsection 1. The auditor of state shall bill the department of substance abuse for the costs of the audit.

3. Eight and seventy-five hundredths percent of the funds appropriated in subsection 1 shall be transferred to the division of mental health, mental retardation, and developmental disabilities within the department of human services and allocated for community mental health centers.

4. After deducting the funds allocated in subsections 2 and 3, the remaining funds appropriated in subsection 1 shall be allocated according to the following percentages to supplement appropriations for the following programs within the department of substance abuse:

a. Drug abuse programs	38.89 percent
b. Alcohol abuse programs	38.89 percent
c. Alcohol and drug prevention programs	22.22 percent

It is the intent of the general assembly that the department of substance abuse expend not more than two million three hundred ninety-eight thousand (2,398,000) dollars during the state fiscal year beginning July 1, 1984 and ending June 30, 1985 from funds created by section 8.41 during the state fiscal year beginning July 1, 1984 and ending June 30, 1985.

Sec. 2. MATERNAL AND CHILD HEALTH SERVICES APPROPRIATIONS.

1. There is appropriated from the fund created by section 8.41 to the state department of health, the sum of four million five hundred fifty-eight thousand one hundred seventy-six (4,558,176) dollars for the federal fiscal year beginning October 1, 1984, and ending September 30, 1985. The funds appropriated by this section are the funds anticipated to be received from the federal government for federal fiscal year 1985 under Pub. L. No. 97-35, Title XXI, Subtitle D, as amended, which provides for the maternal and child health services block grant. The department shall expend the funds appropriated by this section as provided in the federal law making the funds available and in conformance with chapter 17A.

2. Sixty-three percent of the funds appropriated in subsection 1 shall be allocated to supplement appropriations for maternal and child health programs within the personal and family health division of the state department of health. Of these funds, forty-five thousand seven hundred seventy-two (45,772) dollars shall be set aside for sudden infant death syndrome, twenty-five thousand (25,000) dollars shall be set aside for the institution of a lead poisoning prevention program, and one hundred ninety-nine thousand forty-eight (199,048) dollars shall be set aside for the statewide perinatal care program.

Thirty-seven percent of the funds appropriated in subsection 1 shall be transferred to the university of Iowa hospitals and clinics under the control of the state board of regents for regional and mobile child health specialty clinics.

3. An amount not exceeding one hundred twenty-two thousand thirty (122,030) dollars of the funds allocated in subsection 2 to the state department of health shall be used by the state department of health for administrative expenses. From the funds set aside by this subsection for administrative expenses, the state department of health shall pay to the auditor of state an amount sufficient to pay the cost of auditing the use and administration of the state department of health's portion of the funds allocated in subsection 2. The auditor of state shall bill the state department of health for the costs of the audit.

It is the intent of the general assembly that the departments of health, human services, and public instruction and the university of Iowa's regional and mobile child health specialty clinics continue to pursue to the maximum extent feasible the coordination and integration of services to women and children in selected pilot areas. It is expected that these agencies prepare a progress report for the general assembly indicating objectives accomplished and barriers encountered in the pursuit of these integration efforts.

Sec. 3. TRANSFER OF FUNDS. Those federal maternal and child health services block grant funds transferred from the federal preventive health and health services block grant funds under section 4, subsection 4 of this Act for the federal fiscal year beginning October 1, 1984, and ending September 30, 1985, are transferred to the division of personal and family health for maternal and child health programs and to the university of Iowa's regional and mobile child health specialty clinics according to the percentages specified in section 2, subsection 2 of this Act.

Sec. 4. PREVENTIVE HEALTH AND HEALTH SERVICES APPROPRIATIONS.

1. There is appropriated from the fund created by section 8.41 to the state department of health, one million twenty-five thousand one hundred sixty (1,025,160) dollars for the federal fiscal year beginning October 1, 1984, and ending September 30, 1985. The funds appropriated by this section are the anticipated funds to be received from the federal government for federal fiscal year 1985 under Pub. L. No. 97-35, Title IX, Subtitle A, as amended, which provides for the preventive health and health services block grant. The department shall expend the funds appropriated by this section as provided in the federal law making the funds available and in conformance with chapter 17A.

2. An amount not exceeding ninety-eight thousand seven hundred seventeen (98,717) dollars of the funds appropriated in subsection 1 shall be used by the state department of health for administrative expenses. From the funds set aside by this subsection for administrative expenses, the state department of health shall pay to the auditor of state an amount sufficient to pay the cost of auditing the use and administration of the state's portion of the funds appropriated in subsection 1. The auditor of state shall bill the state department of health for the costs of the audit.

3. Of the funds appropriated in subsection 1, the specific amount of funds required by Pub. L. No. 97-35, Title IX, Subtitle A, as amended, shall be allocated to the rape prevention program.

4. Pursuant to Pub. L. No. 97-35, Title IX, Subtitle A, as amended, seven percent of the funds appropriated in subsection 1 is transferred within the special fund in the state treasury established under section 8.41, for use by the state department of health as authorized by Pub. L. No. 97-35, Title XXI, Subtitle D, as amended, and section 3 of this Act.

5. After deducting the funds allocated and transferred in subsections 2, 3, and 4, the remaining funds appropriated in subsection 1 shall be allocated according to the following percentages to supplement appropriations for the following programs within the following divisions of the state department of health:

a. Disease prevention division for hypertension grants	15.2 percent
b. Disease prevention division for risk reduction services	21.0 percent
c. Community health division and disease prevention division for health incentive grants	17.9 percent
d. Community health division for emergency medical services	30.0 percent
e. Personal and family health division for fluoridation grants	15.9 percent

DIVISION II

Sec. 5. COMMUNITY SERVICES APPROPRIATIONS.

1. a. There is appropriated from the special fund created in section 8.41 to the office for planning and programming, the sum of three million six hundred twenty-three thousand seventy-one (3,623,071) dollars for the federal fiscal year beginning October 1, 1984 and ending September 30, 1985. The funds appropriated by this paragraph are the anticipated funds to be received from the federal government for the federal fiscal year 1985 under Pub. L. No. 97-35, Title VI, Subtitle B, as amended, which provides for the community services block grant. The office for planning and programming shall expend the funds appropriated by this paragraph as provided in the federal law and in conformance with chapter 17A.

b. The director of the office for planning and programming shall allocate not less than ninety percent of the amount of the block grant based upon the size of the poverty level population in the community action area compared to the size of the poverty level population in the state. The director of the office for planning and programming after consultation with community action agencies shall allocate an amount not exceeding five percent of the amount of financial assistance based upon other measures of need in each community action area.

2. An amount not exceeding one hundred eighty-one thousand one hundred fifty-three (181,153) dollars of the funds appropriated in subsection 1 shall be used by the office for planning and programming for administrative expenses. From the funds authorized under this

subsection for administrative expenses, the office for planning and programming shall pay to the auditor of state an amount sufficient to pay the cost of auditing the use and administration of the state's portion of the funds appropriated in subsection 1. The auditor of state shall bill the office for planning and programming for the costs of the audit.

Sec. 6. COMMUNITY DEVELOPMENT APPROPRIATIONS.

1. There is appropriated from the special fund created in section 8.41 to the office for planning and programming, the sum of twenty-four million seven hundred seventy-five thousand (24,775,000) dollars for the federal fiscal year beginning October 1, 1984 and ending September 30, 1985. The funds appropriated by this section are the anticipated funds to be received from the federal government under Pub. L. No. 97-35, Title III, Subtitle A, as amended, which provides for the community development block grant. The office for planning and programming shall expend the funds appropriated by this paragraph as provided in the federal law and in conformance with chapter 17A.

2. An amount not exceeding nine hundred ninety-one thousand (991,000) dollars shall be used by the office for planning and programming for administrative expenses. The total amount used for administrative expenses includes four hundred ninety-five thousand five hundred (495,500) dollars of funds appropriated in subsection 1 and a matching contribution from the state equal to four hundred ninety-five thousand five hundred (495,500) dollars from the appropriation of state funds for the community development block grant and state appropriations for related activities of the office for planning and programming. The total administrative expenses at the state level, from both federal and state sources, shall not exceed four percent of the amount appropriated in subsection 1. From the funds authorized for administrative expenses by this subsection, the office for planning and programming shall pay to the auditor of state an amount sufficient to pay the cost of auditing the use and administration of the state's portion of the funds appropriated in subsection 1. The auditor of state shall bill the office for planning and programming for the costs of the audit.

DIVISION III

Sec. 7. EDUCATION APPROPRIATIONS.

1. There is appropriated from the fund created by section 8.41 to the department of public instruction for the federal fiscal year beginning July 1, 1984 and ending June 30, 1985, the amount received from Pub. L. No. 97-35, Title V, Subtitle D, chapter 2, as amended, which provides for the education block grant not to exceed five million four hundred thousand (5,400,000) dollars. The department shall expend the funds appropriated by this section as provided in the federal law making the funds available and in conformance with chapter 17A.

2. Twenty percent of the funds appropriated in subsection 1, not to exceed one million eighty thousand (1,080,000) dollars, shall be used by the department for basic skills development, state leadership and support services, educational improvement and support services, special projects, and state administrative expenses and auditing. However, not more than two hundred twenty-five thousand (225,000) dollars shall be used by the department for state administrative expenses.

3. Eighty percent of the funds appropriated in subsection 1 shall be allocated by the department to local educational agencies in this state, as local educational agency is defined in Pub. L. No. 97-35, Title V, Subtitle D, as amended. The amount allocated under this subsection shall be allocated to local educational agencies according to the following percentages and enrollments:

a. Seventy-five percent shall be allocated on the basis of enrollments in public and approved nonpublic schools.

b. Twenty percent shall be allocated on the basis of the number of disadvantaged children in local educational agencies whose incidence ratio for disadvantaged children is above the state average incidence ratio.

c. Five percent shall be allocated on the basis of the number of limited English speaking children whose language imposes a barrier to learning.

Sec. 8. Funds appropriated in section 7 of this Act shall not be used to aid schools or programs that illegally discriminate in employment or educational programs on the basis of sex, race, color, national origin, or disability.

DIVISION IV

Sec. 9. LOW-INCOME HOME ENERGY ASSISTANCE APPROPRIATIONS.

1. There is appropriated from the fund created by section 8.41 to the energy policy council, the sum of thirty-six million seven hundred nineteen thousand eight hundred (36,719,800) dollars for the federal fiscal year beginning October 1, 1984 and ending September 30, 1985. The funds appropriated by this section are the funds anticipated to be received from the federal government for the federal fiscal year 1985 under Pub. L. No. 97-35, Title XXVI, as amended, which provides for the low-income home energy assistance block grant. The energy policy council shall expend the funds appropriated by this section as provided in the federal law making the funds available and in conformance with chapter 17A.

2. An amount not exceeding two million eight hundred ninety-two thousand (2,892,000) dollars or nine percent of the funds appropriated in subsection 1, whichever is less, may be used for administrative expenses, not more than two hundred ninety thousand (290,000) dollars of which shall be used for administrative expenses of the energy policy council. From the total funds set aside by this subsection for administrative expenses, an amount sufficient to pay the cost of an audit of the use and administration of the state's portion of the funds appropriated is allocated for that purpose. The auditor shall bill the energy policy council for the costs of the audit.

3. The remaining funds appropriated in this section shall be allocated to help eligible households, as defined in accordance with Pub. L. No. 97-35, as amended, to meet the costs of home energy. After reserving a reasonable portion of the funds not to exceed one million dollars to carry forward into the federal fiscal year beginning October 1, 1985, at least ten percent and not more than fifteen percent of the funds appropriated by this section shall be used for low-income residential weatherization or other related home repairs for low-income households. The funds transferred to low-income weatherization shall include money for administrative expenses.

Sec. 10. SOCIAL SERVICES APPROPRIATIONS.

1. There is appropriated from the fund created by section 8.41 to the department of human services, thirty-three million nine hundred forty-four thousand four hundred ninety-one (33,944,491) dollars for the federal fiscal year beginning October 1, 1984 and ending September 30, 1985. Funds appropriated by this section are the funds anticipated to be received from the federal government for the federal fiscal year 1985 under Pub. L. No. 97-35, Title XXIII, Subtitle C, as codified in 42 U.S.C. secs. 1397-1397f, which provides for the social services block grant. The department of human services shall expend the funds appropriated by this section as provided in the federal law making the funds available and in conformance with chapter 17A.

2. Not more than one million nine hundred forty-two thousand seven hundred eight (1,942,708) dollars of the funds appropriated in subsection 1 shall be used by the department of human services for general administration for the federal fiscal year beginning October 1, 1984

and ending September 30, 1985. From the funds set aside by this subsection for general administration, the department of human services shall pay to the auditor of state an amount sufficient to pay the cost of auditing the use and administration of the state's portion of the funds appropriated in subsection 1. The auditor of state shall bill the department of human services for the costs of the audit.

3. In addition to the allocation for general administration in subsection 2, the remaining funds appropriated in subsection 1 shall be allocated to supplement appropriations for the federal fiscal year beginning October 1, 1984 and ending September 30, 1985 for the following programs within the department of human services:

	1984-1985 Federal Fiscal Year
a. Field operations	\$ 13,563,326
b. Home-based services	\$ 155,791
c. Foster care	\$ 4,935,799
d. Protective day care	\$ 790,479
e. Purchase of local services	\$ 11,189,103
f. County administration	\$ 1,232,321
g. Volunteers	\$ 134,964

4. The social services block grant state advisory committee, formerly known as the Title XX state advisory committee, and the social services block grant district advisory committees, formerly known as the Title XX district advisory committees, shall continue to advise the department of policy matters with respect to the social services block grant funds allocated by the federal government to this state through June 30, 1985.

Sec. 11. SOCIAL SERVICES BLOCK GRANT PLAN. The department of human services shall develop a plan for the use of federal social services block grant funds for the state fiscal year beginning July 1, 1985 and ending June 30, 1986.

The proposed plan shall include all programs and services at the state level which the department proposes to fund with federal social services block grant funds, and shall identify state and other funds which the department proposes to use to fund the state programs and services.

The proposed plan shall also include all local programs and services which are eligible to be funded with federal social services block grant funds, the total amount of federal social services block grant funds available for the local programs and services, and the manner of distribution of the federal social services block grant funds to the counties. The proposed plan shall identify state and local funds which will be used to fund the local programs and services.

The proposed plan shall be submitted with the department's budget requests to the governor and the general assembly.

DIVISION VI

Sec. 12. PROCEDURE FOR REDUCED FEDERAL FUNDS.

1. Except for section 7 of this Act, if the funds received from the federal government for the block grants specified in this Act are less than the amounts appropriated, the funds actually received shall be prorated by the governor for the various programs, other than for the rape prevention program under section 4, subsection 3 of this Act, for which each block grant is available according to the percentages that each program is to receive as specified in this Act. However, if the governor determines that the funds allocated by the percentages will not be sufficient to effect the purposes of a particular program, or if the appropriation is not

allocated by percentage, the governor may allocate the funds in a manner which will effect to the greatest extent possible the purposes of the various programs for which the block grants are available.

2. Before the governor implements the actions provided for in subsection 1, the following procedures shall be taken:

a. The chairpersons and ranking members of the standing committees of the senate and house on appropriations, the director of the legislative fiscal bureau, and the appropriate chairpersons and ranking members of subcommittees of the committees on appropriations shall be notified of the proposed action.

b. The notice shall include the proposed allocations, and information on the reasons why particular percentages or amounts of funds are allocated to the individual programs, the departments and programs affected, and other information deemed useful. Chairpersons notified shall be allowed at least two weeks to review and comment on the proposed action before the action is taken.

Sec. 13. PROCEDURE FOR INCREASED FEDERAL FUNDS.

1. If funds received from the federal government in the form of block grants exceed the amounts appropriated in sections 2, 4, and 7, subsection 3, of this Act, the excess shall be prorated to the appropriate programs according to the percentages specified in those sections, except additional funds shall not be prorated for administrative expenses.

2. If funds received from the federal government in the form of block grants exceed the amounts appropriated in sections 1, 5, 6 and section 7, subsection 2 of this Act, the excess shall be deposited in the special fund created in section 8.41 and is subject to appropriation by the general assembly.

3. If funds received from the federal government from block grants exceed the amounts appropriated in section 9 of this Act, at least twelve and one-half percent and not more than fifteen percent of the excess shall be allocated to the low-income weatherization program.

4. If funds received from the federal government from the social services block grant exceed the amount appropriated in section 10 of this Act, the excess shall be allocated for the purchase of local services and the department of human services may waive the requirement of local matching funds.

Sec. 14. PROCEDURE FOR CONSOLIDATED, CATEGORICAL, OR EXPANDED FEDERAL BLOCK GRANTS. Notwithstanding section 8.41, federal funds made available to the state which are authorized for the federal fiscal year beginning October 1, 1984 resulting from the federal government consolidating former categorical grants into block grants, or which expand block grants included in Pub. L. No. 97-35, as amended, to include additional programs formerly funded by categorical grants, which are not otherwise appropriated by the general assembly, are appropriated for the programs formerly receiving the categorical grants, subject to the conditions of this section. The governor shall, whenever possible, allocate from the block grant to each program in the same proportion as the amount of federal funds received by the program during the 1984 federal fiscal year as modified by the 1984 Session of the Seventieth General Assembly for the fiscal year beginning July 1, 1984 compared to the total federal funds received in the 1984 federal fiscal year by all programs consolidated into the block grant. However, if one agency did not have categorical funds appropriated for the federal fiscal year ending September 30, 1984 but had anticipated applying for funds during the fiscal year ending September 30, 1985, the governor may allocate the funds in order to provide funding.

If the amount received in the form of a consolidated or expanded block grant is less than the total amount of federal funds received for the programs in the form of categorical grants for the 1984 federal fiscal year, state funds appropriated to the program by the general assembly to match the federal funds shall be reduced by the same proportion of the reduction in federal funds for the program. State funds released by the reduction shall be deposited in a special fund in the state treasury and are available for appropriation by the general assembly. The governor shall notify the chairpersons and ranking members of the senate and house standing committees on appropriations, the legislative fiscal director, and the appropriate chairpersons and ranking members of the subcommittees of those committees before making the allocation of federal funds or any proportional reduction of state funds under this section. The notice shall state the amount of federal funds to be allocated to each program, the amount of federal funds received by the program during the 1984 federal fiscal year, the amount by which state funds for the program will be reduced according to this section and the amount of state funds received by the program during the 1984 fiscal year. Chairpersons notified shall be allowed at least two weeks to review and comment on the proposed action before the action is taken.

If the amount received in the form of a consolidated or expanded block grant is more than the total amount of federal funds received for the programs in the form of categorical grants for the 1984 federal fiscal year, the excess funds shall be deposited in the special fund created in section 8.41 and are subject to the provisions of that section.

Sec. 15. PROCEDURE FOR FUTURE FEDERAL ACTIONS.

1. If federal block grant funding is increased or decreased for the federal fiscal year following the year for which the block grants are appropriated by this Act, the actions prescribed in sections 12 and 13 of this Act shall be modified by the governor as allowed by federal law in order that a consistent plan will be available for the affected state fiscal years.

2. Before the governor implements the actions provided for in subsection 1, the following procedures shall be taken:

a. The chairpersons and ranking members of the senate and house standing committees on appropriations, the appropriate chairpersons and ranking members of subcommittees of those committees, and the director of the legislative fiscal bureau shall be notified of the proposed action.

b. The notice shall include the proposed allocations, information on the reasons why particular percentages or amounts of funds are allocated to the individual programs, the departments and programs affected, and other information deemed useful. Chairpersons notified shall be allowed at least two weeks to review and comment on the proposed action before the action is taken.

Sec. 16. 1983 Iowa Acts, chapter 194, section 5, subsection 2, is amended to read as follows:

2. Sixty-three percent of the funds appropriated in subsection 1 shall be allocated to supplement appropriations for maternal and child health programs within the personal and family health division of the state department of health. Thirty-seven percent of the funds appropriated in subsection 1 shall be transferred to the university of Iowa hospitals and clinics under the control of the state board of regents for regional and mobile child health speciality* clinics. The personal and family health division of the state department of health and the regional and mobile child health specialty clinics at the university of Iowa hospitals and clinics under the council of the state board of regents shall jointly develop and implement a plan for the expenditure of these funds in accordance with this subsection. These funds shall be targeted, to the extent possible, to areas of high unemployment and to disadvantaged families who lack adequate third party reimbursement to pay for care. Any unencumbered funds

*According to enrolled Act

allocated to the state department of health under this subsection shall be transferred August 1, 1984 to the university of Iowa hospitals and clinics under the control of the state board of regents for regional and mobile child health specialty clinics.

Sec. 17. 1983 Iowa Acts, chapter 194, section 11, subsection 2, is amended to read as follows:

2. An amount not exceeding two million seven hundred ~~eighty-eight~~ thousand ~~(2,750,000)~~ (2,788,000) dollars or nine percent of the funds appropriated in subsection 1, whichever is less, may be used for administrative expenses not more than two hundred eighty thousand (280,000) dollars of which shall be used for administrative expenses of the energy policy council. From the total funds set aside by this subsection for administrative expenses, an amount sufficient to pay the cost of an audit of the use and administration of the state's portion of the funds appropriated is allocated for that purpose. The auditor shall bill the energy policy council for the costs of the audit.

Approved May 14, 1984

CHAPTER 1312

SUBSTANCE ABUSE TREATMENT APPROPRIATIONS

S.F. 2353

AN ACT relating to the funding of and to substance abuse treatment and prevention programs by making appropriations to the department of substance abuse for the fiscal year beginning July 1, 1984 and ending June 30, 1985 for administration, program grants, treatment programs not licensed by the department, and prevention programs, requiring the treasurer of state to deposit certain amounts of the sales made by the state liquor stores in a special fund, requiring the beer and liquor control council to adjust the sales margin on liquor August 1, 1984 to raise certain revenue, requiring the state to incur one hundred percent of the cost of substance abuse treatment at certain programs for the fiscal year beginning July 1, 1984 and ending June 30, 1985, crediting certain fees to the beer and liquor control fund, requiring the department of substance abuse to distribute program grant funding by a certain formula, requiring an assessment of a patient before admittance to a state mental health institute for substance abuse treatment, prohibiting counties from certifying a supplemental levy for certain substance abuse treatment facilities, requiring the county auditor to recompute the levy rates to reduce the amount budgeted for certain substance abuse treatment programs in the fiscal year beginning July 1, 1984 and ending June 30, 1985, and providing an effective date.

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

Section 1. The treasurer of state shall transfer into a special revenue account in the general fund of the state, a sum of money equal to seven percent of the gross amount of sales made by the state liquor stores in the cities of the state from the beer and liquor control fund on a monthly basis, and any amounts so transferred shall be used by the department of substance abuse for substance abuse treatment and prevention programs in an amount determined by the general assembly and any amounts received in excess of the amounts appropriated to the department of substance abuse shall be considered part of the general