

Sec. 9. NEW SECTION. 122C.9 UNIFORMITY OF APPLICATION AND CONSTRUCTION.

This chapter shall be so applied and construed as to effectuate its general purpose to make uniform the law with respect to the subject of this chapter among those states which enact the uniform management of institutional funds Act.

Approved March 29, 1990

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## CHAPTER 1097

### HISTORICAL RESOURCE DEVELOPMENT

*S.F. 2369*

**AN ACT** relating to the historic resource development program.

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

Section 1. Section 303.2, subsection 2, Code 1989, is amended by adding the following new paragraph:

NEW PARAGRAPH. j. Administer the historical resource development program established in section 303.16.

Sec. 2. Section 303.16, subsections 1 and 2, Code Supplement 1989, are amended to read as follows:

1. The ~~department~~ historical division shall administer a program of grants and loans for historical resource development throughout the state, subject to funds for such grants and loans being made available through the appropriations process or otherwise provided by law.

2. The purpose of the historical resource development program is to preserve, conserve, interpret, and enhance historical resources that will encourage and support the economic and cultural health and development of the state and the communities in which the resources are located. For this purpose, the ~~department~~ division may make grants and loans as otherwise provided by law with funds as may be made available by applicable law.

Sec. 3. Section 303.16, subsection 3, paragraph a, Code Supplement 1989, is amended to read as follows:

a. County and city governments that are certified local governments by the state historic preservation officer, and agencies of certified local governments.

Sec. 4. Section 303.16, subsection 4, Code Supplement 1989, is amended to read as follows:

4. Grants and loans may be made for the following ~~categories~~ of purposes:

a. Acquisition and development of historical ~~properties~~ resources.

b. Preservation and conservation of historical ~~properties~~ resources.

c. Interpretation of historical resources.

~~Not less than twenty percent nor more than fifty percent of the funds in a single grant cycle shall be allocated to any one category.~~

d. Professional training and educational programs on the acquisition, development, preservation, conservation, and interpretation of historical resources.

Sec. 5. Section 303.16, Code Supplement 1989, is amended by adding the following new subsection:

NEW SUBSECTION. 4A. Grants and loans shall be awarded in each of the following categories:

a. Museums.

- b. Documentary collections.
- c. Historic preservation.

Not less than twenty percent and not more than sixty percent of the program's funds appropriated in one fiscal year shall be allocated to any single category.

Sec. 6. Section 303.16, subsection 5, Code Supplement 1989, is amended to read as follows:  
5. Grants and loans are subject to the following restrictions:

a. ~~Grants shall not~~ Not more than twenty percent of the total grant moneys combined shall be given to or received by any state agency, institution or its representative or agent.

b. Grants or loan funds shall not be used to support operating expenses or programs as defined by the ~~department's division's~~ rules.

c. Grant or loan funds shall not be used to support ~~publications,~~ public relations, or marketing expenses.

d. ~~Grant or loan funds shall not support or partially support salaries or benefits of anyone employed directly by the recipient. This restriction does not prohibit the recipient from contracting with individuals for specific work of limited duration, under federal internal revenue service guidelines for contract work.~~

e d. Not more than one hundred thousand dollars or twenty percent of the annual appropriation, whichever is more, shall be granted and loaned to recipients within any a single county in any given grant cycle.

f e. Not more than one hundred thousand dollars or ten percent of the annual appropriation, whichever is more, may shall be granted ~~or~~ and loaned to any single recipient or its agent within a single fiscal year.

g f. ~~Grants or loans~~ under this program may be given only after review and recommendation by the state historical society board of trustees. The division may contract with lending institutions chartered in this state to act as agents for the administration of loans under the program, in which case, the lending institution may have the right of final approval of loans, subject to the division's administrative rules. If the division does not contract with a lending institution, loans may be made only after review and recommendation by the state historical society board of trustees.

h. ~~All grant or loan funds must be expended by employing individuals or businesses located within the state of Iowa.~~

g. The division shall not award grants or loans to be used for goods or services obtained outside the state, unless the proposed recipient demonstrates that it is neither feasible nor prudent to obtain the goods or services within the state.

Sec. 7. Section 303.16, subsection 7, Code Supplement 1989, is amended to read as follows:

7. ~~The department division may use ten percent of the amount appropriated to the department annual appropriation to the division, but in no event more than seventy-five thousand dollars for administration of the grant and loan program.~~

Sec. 8. Section 303.16, subsection 8, Code Supplement 1989, is amended to read as follows:

8. a. ~~The department division may establish a historical resource grant and loan fund composed of any money appropriated by the general assembly for that purpose, funds allocated pursuant to section 455A.19, and of any other moneys available to and obtained or accepted by the department division from the federal government or private sources for placement in that fund. Each loan made under this section shall be for a period not to exceed ten years, shall bear interest at a rate determined by the state historical board, and shall be repayable to the revolving loan fund in equal yearly installments due March 1 of each year the loan is in effect. The interest rate upon loans for which payment is delinquent shall accelerate immediately to the current legal usury limit. Applicants are eligible for not more than one hundred thousand dollars in loans outstanding at any time under this program. A single lending institution contracting with the division pursuant to this section shall not hold more than five hundred thousand dollars worth of outstanding loans under the program.~~

b. The ~~department~~ division may:

(1) ~~Contract, sue and be sued, and promulgate~~ adopt administrative rules necessary to carry out the provisions of this section, but the ~~department~~ division shall not in any manner directly or indirectly pledge the credit of the state of Iowa.

(2) Authorize payment from the historical resource grant and loan fund, from fees and from any income received by investments of money in the fund for costs, commissions, attorney fees and other reasonable expenses related to and necessary for making and protecting direct loans under this section, and for the recovery of moneys loaned or the management of property acquired in connection with such loans.

Approved March 29, 1990

## CHAPTER 1098

### SPOUSAL SUPPORT DEBTS

*S.F. 2388*

**AN ACT** relating to administrative procedures for the establishment, determination, and collection of certain spousal support debts.

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

#### Section 1. NEW SECTION. 249B.1 DEFINITIONS.

As used in this chapter, unless the context otherwise requires:

1. "Community spouse" means an individual who has not resided or is not likely to reside in a hospital or a health care facility for more than twenty-nine consecutive days and is married to an institutionalized spouse.

2. "Community spouse resource allowance" means a resource amount established for a community spouse pursuant to state policy adopted in accordance with the federal Social Security Act, section 1924(f)(2), as codified in 42 U.S.C. § 1396r-5(f)(2).

3. "Court order" means a judgment or order of a court of this state or another state requiring the payment of a set or determinable amount of monetary support.

4. "Department" means the department of human services.

5. "Institutionalized spouse" means a married individual who has resided or is likely to reside in a hospital or a health care facility for more than twenty-nine consecutive days.

6. "Medical assistance" means "medical assistance", "additional medical assistance", "discretionary medical assistance" or "medicare cost-sharing" as defined in section 249A.2 which is provided to an individual pursuant to chapter 249A and Title XIX of the federal Social Security Act.

7. "Minimum monthly maintenance needs allowance" or "minimum allowance" means the minimum monthly maintenance needs allowance established for the community spouse in accordance with Title XIX of the federal Social Security Act, section 1924(d)(3), as codified in 42 U.S.C. § 1396r-5(d)(3).

#### Sec. 2. NEW SECTION. 249B.2 CREATION OF SPOUSAL SUPPORT DEBT.

1. Medical assistance provided to an institutionalized spouse due to the institutionalized spouse's assignment of support rights, an inability to execute an assignment of support rights, or hardship, creates a spousal support debt due and owing to the department from the community spouse in an amount equal to the medical assistance provided on behalf of the institutionalized spouse.

2. The department may recover the spousal support debt from any income or resources of the community spouse that is not exempt for medical assistance eligibility purposes and that