

**CHAPTER 1257**

**DEPARTMENTAL SUPPLEMENTAL APPROPRIATIONS**

*S.F. 2212*

**AN ACT** relating to and making supplemental appropriations or decreasing appropriations to the department of human services, Iowa department of public health, state board of regents, department of general services, department of inspections and appeals, department of employment services, department of commerce, state department of transportation, department of corrections, department of public safety, department of justice, judicial department, department of elder affairs, department of agriculture and land stewardship, department of natural resources, department of cultural affairs, department of education, and college aid commission for the remainder of the fiscal year ending June 30, 1990, and providing an effective date.

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

**DEPARTMENT OF HUMAN SERVICES**

**Section 1.**

There is appropriated from the general fund of the state to the department of human services for the fiscal year beginning July 1, 1989, and ending June 30, 1990, the following amounts, or so much thereof as is necessary, to be used for the purposes designated:

- 1. For medical assistance to be used for the same purposes and to supplement funds appropriated by 1989 Iowa Acts, chapter 318, section 2:  
..... \$ 5,373,000
- 2. For foster care to be used for the same purposes and to supplement funds appropriated by 1989 Iowa Acts, chapter 318, section 12:  
..... \$ 635,316
- 3. For the juvenile home at Toledo to be used for the same purposes and to supplement funds appropriated by 1989 Iowa Acts, chapter 318, section 11:  
..... \$ 70,175
- 4. For the Iowa veterans home at Marshalltown to cover a shortfall in funds previously appropriated for administrative costs for the fiscal year ending June 30, 1990:  
..... \$ 180,000

**\*Sec. 2. NURSING FACILITY REIMBURSEMENT — APRIL 1990 ADJUSTMENT.**

*There is appropriated from the general fund of the state to the department of human services for the fiscal year beginning July 1, 1989, and ending June 30, 1990, the following amount or so much thereof as is necessary, to be used for the purpose designated:*

*For adjustment of nursing facility reimbursement rates in accordance with this section:*  
..... \$ 1,000,000

*Effective April 1, 1990, the maximum reimbursement rate for nursing facilities shall be the 74th percentile of facility costs as calculated from the March 31, 1990, unaudited compilation of cost and statistical data.\**

**Sec. 3.** 1989 Iowa Acts, chapter 318, section 4, unnumbered paragraphs 1 and 2, are amended to read as follows:

There is appropriated from the general fund of the state to the department of human services for the fiscal year beginning July 1, 1989, and ending June 30, 1990, the following amount, or so much thereof as is necessary, to be used for the purposes designated:

For state supplementary assistance:  
..... \$ 17,212,888  
17,102,888

**Sec. 4.** 1989 Iowa Acts, chapter 318, section 23, unnumbered paragraph 1, is amended to read as follows:

\*Item veto; see message at end of the Act

There is appropriated from the general fund of the state to the state candidate services fund for the fiscal year beginning July 1, 1989, and ending June 30, 1990, the following amount, or so much thereof as is necessary to be used by the department of human services for the purposes designated:

.....	\$	4,779,600
		<u>3,479,600</u>

\*Sec. 5. 1989 Iowa Acts, chapter 318, section 23, is amended by adding the following new subsections:

NEW SUBSECTION. 12. Notwithstanding section 8.33, funds appropriated under this section which are not obligated or encumbered shall not revert to the general fund on September 30, 1990, and shall not be transferred for deposit pursuant to subsection 13 until county expenditures are reimbursed pursuant to subsection 6.

NEW SUBSECTION. 13. Notwithstanding section 8.33, funds appropriated under this section which are not obligated or encumbered shall not revert to the general fund on September 30, 1990, but shall be deposited in the state supplementation of federal social services block grant fund for use in the fiscal year beginning July 1, 1990. It is the intent of the general assembly that the funds deposited in the state supplementation of federal social services block grant fund for this purpose shall be used in addition to moneys appropriated in the fiscal year beginning July 1, 1990, for this purpose.\*

IOWA DEPARTMENT OF PUBLIC HEALTH

Sec. 6. 1989 Iowa Acts, chapter 320, section 6, is amended to read as follows:

SEC. 6. There is appropriated from the separate fund created under section 321J.17 to the family and community health division of the Iowa department of public health for the fiscal year beginning July 1, 1989, and ending June 30, 1990, the amount of ~~\$101,000~~176,000, or so much thereof as is necessary, to pay the costs of medical examinations in crimes of sexual abuse and of treatments for prevention of venereal disease as required by section 709.10.

Sec. 7. 1989 Iowa Acts, chapter 304, section 1104, unnumbered paragraphs 1 and 2, are amended to read as follows:

There is appropriated from the general fund of the state to the Iowa department of public health for the fiscal year beginning July 1, 1989, and ending June 30, 1990, the following amount, or so much thereof as is necessary, to be used for the purposes designated:

For the office of rural health:

.....	\$	150,000
		<u>50,000</u>
.....	FTEs	2.0

STATE BOARD OF REGENTS

Sec. 8.

There is appropriated from the general fund of the state to the state board of regents for the fiscal year beginning July 1, 1989, and ending June 30, 1990, the following amounts, or so much thereof as is necessary, to be used for the purposes designated:

UNIVERSITY OF NORTHERN IOWA

For opening new buildings:

.....	\$	60,000
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Sec. 9.

There is appropriated from the general fund of the state to the state board of regents for the fiscal period beginning July 1, 1989, and ending June 30, 1991, the following amount, or so much thereof as is necessary, to be used for the purposes designated:

For continuation of the agricultural health and safety service pilot program:

.....	\$	40,000
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\*Item veto; see message at end of the Act

DEPARTMENT OF GENERAL SERVICES

Sec. 10.

There is appropriated from the general fund of the state to the department of general services for the fiscal year beginning July 1, 1989, and ending June 30, 1990, the following amount, or so much thereof as is necessary, to be used for the purposes designated:

For the payment of the computer lease-purchase:	\$	600,000
For capitol restoration:	\$	1,700,000

Sec. 11. 1989 Iowa Acts, chapter 315, section 7, subsection 6, is amended to read as follows:  
6. PRINTING AND MAIL DIVISION

For salaries, support, maintenance, miscellaneous purposes, and for not more than the following full-time equivalent positions:

	\$	445,439
		<u>535,439</u>
	FTEs	22.5

Sec. 12. 1989 Iowa Acts, chapter 315, section 8, subsection 2, is amended to read as follows:  
2. UTILITY COSTS

For payment of utility costs:	\$	1,667,302
		<u>1,867,302</u>

The department of general services may use funds appropriated in this subsection for utility costs to fund energy conservation projects in the state capitol complex which will have a one hundred percent payback within a twenty-four month period. The department of general services shall report quarterly to the co-chairpersons and ranking minority members of the administration appropriations subcommittee concerning the savings generated as a result of implementation of these projects.

DEPARTMENT OF INSPECTIONS AND APPEALS

Sec. 13. 1989 Iowa Acts, chapter 321, section 7, subsection 1, is amended to read as follows:  
1. GENERAL DEPARTMENT

For salaries, support, maintenance, miscellaneous purposes, and for not more than the following full-time equivalent positions:

	\$	4,124,300
	FTEs	250.50
		251.00

Of the amount appropriated, \$38,700, or so much thereof as is necessary, shall be expended for 1 FTE and necessary expenses in connection with the administration of payment claims to court-appointed counsel for adult and juvenile indigent defense costs.

3 FTEs responsible for conducting alcoholic beverage audits shall be transferred to the alcoholic beverage division of the department of commerce.

Sec. 14. 1989 Iowa Acts, chapter 321, section 8, unnumbered paragraph 3, is amended to read as follows:

For indigent court-appointed attorney fees for adults and juveniles, and to help process claims notwithstanding section 232.141 and chapter 815:

	\$	7,200,000
		<u>9,200,000</u>

Sec. 15. 1989 Iowa Acts, chapter 321, section 4, subsection 2, is amended by adding the following new paragraph after paragraph "b":

NEW PARAGRAPH. bb. The division may expend up to \$120,000 from the fund to offset the federal unemployment insurance shortfall.

DEPARTMENT OF COMMERCE

Sec. 16. 1989 Iowa Acts, chapter 321, section 11, subsection 1, unnumbered paragraphs 1 and 2, are amended to read as follows:

There is appropriated from the professional licensing revolving fund to the professional licensing and regulation division of the department of commerce, for the fiscal year beginning July 1, 1989, and ending June 30, 1990, the following amount, or so much thereof as is necessary, for the purposes designated:

For salaries, support, maintenance, miscellaneous purposes, and for not more than the following full-time equivalent positions:

.....	\$	679,675
		<u>694,675</u>
.....	FTEs	9.0
		<u>10.0</u>

\*Sec. 17. 1989 Iowa Acts, chapter 321, section 13, is amended by adding the following new unnumbered paragraph:

NEW UNNUMBERED PARAGRAPH. Any unencumbered or unobligated moneys, up to \$375,000, that remain from the appropriation for the fiscal year beginning July 1, 1989, and ending June 30, 1990, to the alcoholic beverages division from the beer and liquor control fund, shall not revert to the beer and liquor control fund but may be expended by the division for the purchase of computer hardware and software to support its alcoholic liquor wholesale operation and its licensing and regulation bureau.\*

STATE DEPARTMENT OF TRANSPORTATION

Sec. 18. 1989 Iowa Acts, chapter 317, section 13, subsection 2, is amended to read as follows:

2. For the purpose of making payments to the department of personnel for expenses incurred in administering the merit system on behalf of the state department of transportation, as required by chapter 19A:

.....	\$	16,000
		<u>32,000</u>

Sec. 19. 1989 Iowa Acts, chapter 317, section 14, is amended to read as follows:

SEC. 14. There is appropriated from the road use tax fund to the department of personnel for the fiscal year beginning July 1, 1989, and ending June 30, 1990, the following amount, or so much thereof as is necessary, to be used for the purposes designated:

For paying workers' compensation claims under chapter 85 on behalf of employees of the state department of transportation:

.....	\$	35,080
		<u>70,080</u>

Sec. 20. 1989 Iowa Acts, chapter 317, section 15, subsection 1, paragraph e, is amended to read as follows:

e. Highways:

.....	\$	124,381,000
.....	FTEs	2,870.0
		<u>2,871.0</u>

Sec. 21. 1989 Iowa Acts, chapter 317, section 15, subsection 3, is amended to read as follows:

3. For the purpose of making payments to the department of personnel for expenses incurred in administering the merit system on behalf of the state department of transportation, as required by chapter 19A:

.....	\$	304,000
		<u>646,000</u>

Sec. 22. 1989 Iowa Acts, chapter 317, section 16, is amended to read as follows:

\*Item veto; see message at end of the Act

SEC. 16. There is appropriated from the primary road fund to the department of personnel for the fiscal year beginning July 1, 1989, and ending June 30, 1990, the following amount, or so much thereof as is necessary, to be used for the purposes designated:

For paying workers' compensation claims under chapter 85 on behalf of the employees of the state department of transportation:

	\$ 666,540
	<u>1,331,540</u>

DEPARTMENT OF CORRECTIONS

Sec. 23.

There is appropriated from the general fund of the state to the department of corrections for the fiscal year beginning July 1, 1989, and ending June 30, 1990, the following amount, or so much thereof as is necessary, to be used for the purposes designated:

To establish individualized, personal development life management programs:

	\$ 100,000
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These programs shall include multisensory, sequential learning modules with an individualized plan of action for each client involving such areas as finance, career, employment, physical, health, education, family, home, spiritual, ethical, social, and cultural needs. These programs, which must be accredited by the recognized college oversight association, must result in the possibility of earned college credits or continuing education units, where applicable. These voluntary programs, shall be motivational, aid in development of responsible attitudes and habits, problem-solving and decision-making abilities, emotional control, and job seeking skills. The programs shall foster improved family and social relations. These programs shall be relevant, timely, convenient, portable, and accessible for clients, and must have been updated in the previous 2 years.

The department of corrections shall contract for this project with a provider of programs which have at least 15 years of working with criminal offender/ex-offender populations. The contract for this project shall be awarded to a private, nongovernmental organization created under chapter 496A. The department shall use the fixed price method of contracting authorized by the federal procurement regulation, f.p.r. 1-3.404.2, which imposes a minimum administrative burden on the department. The programs shall be made available to the first and sixth judicial district departments of correctional services, and at the correctional facility or facilities designated by the department. The contractor shall also provide health screening tests for the prevention of illness and disease, a plan for physical fitness, and an aptitude career assessment.

Sec. 24.

There is appropriated from the general fund of the state to the department of corrections for the fiscal year beginning July 1, 1989, and ending June 30, 1990, the following amounts, or so much thereof as is necessary, to be used for the purposes designated:

To provide for financial arrangements for the acquisition or construction by lease-purchase of real and personal property not exceeding a maximum cost, excluding the cost of interest expense and various fees associated with the acquisition of lease-purchase financing, of a total project cost of \$17,532,000 for land acquisition, for expanded prison facilities, for consolidation of certain community-based corrections district's facilities, and to supplement 1989 Iowa Acts, chapter 316 in the manner provided in the following subsections:

	\$ 200,000
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Notwithstanding section 8.33, moneys remaining unencumbered and unobligated on June 30, 1990, from the appropriation made in this section shall not revert but shall remain available for expenditure for purposes of this section for the fiscal year beginning July 1, 1990.

1. Up to \$3,900,000 for construction of 120 additional medium security dormitory style beds at the Rockwell City correctional facility.
2. Up to \$4,000,000 for construction of 100 additional medium security dormitory style beds at the Oakdale corrections campus.

3. Up to \$2,363,000 for construction of 50 additional minimum security cottage style or residential dormitory style beds at the Mitchellville correctional facility. The architectural plan shall include living units designed to promote and accomplish the goals of the family preservation program established in section 246.207.

4. Up to \$1,300,000 for construction of 60 minimum security dormitory style beds located in Polk county.

As a condition, limitation, and qualification of this appropriation, the beds shall be used for a 30-to-60-day shock revocation program for parole and probation violators. The beds shall be administered by the state department of corrections.

5. Up to \$3,500,000 for the addition of 200 community-based corrections residential beds with the locations to be determined by the state department of corrections, with at least 25 residential beds being dedicated for women. The construction of the 200 beds shall not begin until the department has notified and provided an explanation for the placement of the beds to the legislative council, the legislative fiscal committee, the joint justice system appropriations subcommittee, and the legislative fiscal bureau.

*\*6. Up to \$849,000 for the remodeling of administrative offices and the consolidation of certain district operations in the fifth judicial district department of correctional services.\**

7. Up to \$120,000 to supplement funds appropriated by 1989 Iowa Acts, chapter 316, section 7, subsection 6, for providing financing to begin construction of the 36 residential beds authorized under paragraph "d" for the eighth judicial district department of correctional services.

8. Up to \$1,000,000 for supplementing the appropriations available under subsections 4 and 5 for land acquisition costs and architectural fees if the appropriations available under those subsections are insufficient to pay all costs of land acquisition and architectural fees.

8A. Up to \$500,000 for the consolidation of work release, OWI, field services, and administrative offices for the sixth judicial district department of correctional services.

9. Notwithstanding the limitation on the amount available for use for each of the projects designated in subsections 1 through 8A, the dollar limitation may be exceeded for any project provided that the dollar limitations for other projects are reduced in the cumulative by that excess. However, a dollar limitation shall not be increased unless notification is provided to the legislative council, legislative fiscal committee, legislative fiscal bureau, and department of management prior to the increase in the dollar limitation.

10. Notwithstanding section 453.7, interest earned on the proceeds from the lease-purchase arrangement are available for the projects designated in subsections 1 through 8A.

Sec. 25. 1989 Iowa Acts, chapter 316, section 4, subsection 1, is amended to read as follows:

1. For the operation of adult correctional institutions, to be allocated as follows:

a. For the operation of the Fort Madison correctional facility, including salaries, support, maintenance, miscellaneous purposes, and for not more than the following full-time equivalent positions:

.....	\$	\$18,460,504
.....	FTEs	479.5

As a condition, limitation, and qualification of this appropriation, the facility shall employ 294 correctional officers. The additional correctional officers may be used to provide security for any increased activity of the inmate work detail program.

b. For the operation of the Anamosa correctional facility, including salaries, support, maintenance, miscellaneous purposes, and for not more than the following full-time equivalent positions:

.....	\$	\$13,286,645
.....		14,080,184
.....	FTEs	325.0

As a condition, limitation, and qualification of this appropriation, the facility shall employ 193 correctional officers and a part-time chaplain of a minority race, and an additional counselor. The additional correctional officers may be used to provide security for any increased activity of the inmate work detail program.

\*Item veto; see message at end of the Act

Of the funds appropriated, the department's budget for Anamosa shall include funding for a full-time substance abuse counselor for the Luster Heights facility, for the purpose of certification of a substance abuse program at that facility.

c. For the operation of the Oakdale correctional facility, including salaries, support, maintenance, miscellaneous purposes, and for not more than the following full-time equivalent positions:

.....	\$	9,141,174
		<u>9,313,882</u>
.....	FTEs	246.5

As a condition, limitation, and qualification of this appropriation, the facility shall employ 126 correctional officers, and an additional counselor. The additional correctional officers may be used to provide security for any increased activity of the inmate work detail program.

d. For the operation of the Newton correctional facility, including salaries, support, maintenance, miscellaneous purposes, and for not more than the following full-time equivalent positions:

.....	\$	2,401,032
		<u>2,415,632</u>
.....	FTEs	57.5

As a condition, limitation, and qualification of this appropriation, the facility shall employ 20 correctional officers. The additional correctional officers may be used to provide security for any increased activity of the inmate work detail program.

e. For the operation of the Mt. Pleasant correctional facility, including salaries, support, maintenance, miscellaneous purposes, and for not more than the following full-time equivalent positions:

.....	\$	10,118,391
		<u>10,151,241</u>
.....	FTEs	259.28

As a condition, limitation, and qualification of this appropriation, the facility shall employ 141 correctional officers, and a full-time protestant chaplain to provide religious counseling at the Oakdale and Mt. Pleasant correctional facilities. The additional correctional officers may be used to provide security for any increased activity of the inmate work detail program.

f. For the operation of the Rockwell City correctional facility, including salaries, support, maintenance, miscellaneous purposes, and for not more than the following full-time equivalent positions:

.....	\$	2,476,622
		<u>2,578,822</u>
.....	FTEs	67.0

As a condition, limitation, and qualification of this appropriation, the facility shall employ 39 correctional officers. The additional correctional officers may be used to provide security for any increased activity of the inmate work detail program.

g. For the operation of the Clarinda correctional facility, including salaries, support, maintenance, miscellaneous purposes, and for not more than the following full-time equivalent positions:

.....	\$	3,740,697
		<u>3,831,947</u>
.....	FTEs	105.65

As a condition, limitation, and qualification of this appropriation, the facility shall employ 62 correctional officers. The additional correctional officers may be used to provide security for any increased activity of the inmate work detail program.

h. For the operation of the Mitchellville correctional facility, including salaries, support, maintenance, miscellaneous purposes, and for not more than the following full-time equivalent positions:

.....	\$	3,143,574
		<u>3,247,708</u>
.....	FTEs	86.5

As a condition, limitation, and qualification of this appropriation, the facility shall employ 49 correctional officers. The additional correctional officers may be used to provide security for any increased activity of the inmate work detail program.

Sec. 26.

As a condition, limitation, and qualification of the supplemental appropriation made in section 25 of this Act, the funds may be used to supplement each institution listed in section 25 of this Act and employ 5 additional positions at Mitchellville, 28 additional positions at Anamosa, and 3 additional positions at Oakdale.

Sec. 27. 1989 Iowa Acts, chapter 316, section 5, subsections 2 and 3, are amended to read as follows:

2. For reimbursement of counties for temporary confinement of work release and parole violators, as provided in sections 246.908, 901.7, and 906.17:

.....	\$	119,580
		<u>239,580</u>

3. For federal prison reimbursement and miscellaneous contracts:

.....	\$	300,000
		<u>360,000</u>

The department of corrections shall use funds appropriated by this subsection to continue to contract for the service of a Muslim imam.

Sec. 28. 1989 Iowa Acts, chapter 316, section 7, subsection 2, unnumbered paragraph 1, is amended to read as follows:

For job training and development grant programs to award grants under contract to non-profit organizations for community-based correctional clients:

.....	\$	400,000
		<u>200,000</u>

Sec. 29. 1989 Iowa Acts, chapter 316, section 8, subsection 1, is amended to read as follows:

1. There is appropriated from the general fund of the state to the department of corrections for the fiscal year beginning July 1, 1989, and ending June 30, 1990, the following amounts, or so much thereof as is necessary, to be allocated as follows:

a. For the first judicial district department of correctional services, the following amount, or so much thereof as is necessary:

.....	\$	3,667,398
		<u>3,717,320</u>

The district department shall continue the intensive supervision program established within the district in 1988 Iowa Acts, chapter 1271, section 6, subsection 1, paragraph "a", and as a condition, limitation, and qualification of this appropriation \$53,680 shall be used for a sex offender treatment program to be established within the district.

b. For the second judicial district department of correctional services, the following amount, or so much thereof as is necessary:

.....	\$	2,950,616
		<u>2,995,637</u>

The district department shall continue the sex offender program established within the district in 1988 Iowa Acts, chapter 1271, section 6, subsection 1, paragraph "b", and as a condition, limitation, and qualification of this appropriation \$62,256 shall be used to expand the sex offender program established within the district and \$22,388 shall be used to expand the OWI program in the district established pursuant to 1986 Iowa Acts, chapter 1246, section 402.

c. For the third judicial district department of correctional services, the following amount, or so much thereof as is necessary:

.....	\$	1,675,891
		<u>1,700,930</u>



The district department shall continue the sex offender program established within the district in 1988 Iowa Acts, chapter 1271, section 6, subsection 1, paragraph "c", and as a condition, limitation, and qualification of this appropriation \$21,000 shall be used to expand the sex offender program established within the district and \$7,000 shall be used to expand the OWI program in the district established pursuant to 1986 Iowa Acts, chapter 1246, section 402.

d. For the fourth judicial district department of correctional services, the following amount, or so much thereof as is necessary:

..... \$ 1,661,335  
1,680,897

The district department shall continue the sex offender program established within the district in 1988 Iowa Acts, chapter 1271, section 6, subsection 1, paragraph "d", and as a condition, limitation, and qualification of this appropriation \$60,800 shall be used to expand the sex offender program and provide intensive supervision and treatment programs for sex offenders and an intensive supervision program for high-risk clients.

e. For the fifth judicial district department of correctional services, the following amount, or so much thereof as is necessary:

..... \$ 4,968,233  
5,025,572

The district department shall continue the intensive supervision program established within the district in 1988 Iowa Acts, chapter 1271, section 6, subsection 1, paragraph "e", and as a condition, limitation, and qualification of this appropriation \$20,000 shall be used for the rental of electronic monitoring equipment.

f. For the sixth judicial district department of correctional services, the following amount, or so much thereof as is necessary:

..... \$ 3,699,180  
3,747,405

The district department shall continue the intensive supervision program established within the district in 1988 Iowa Acts, chapter 1271, section 6, subsection 1, paragraph "f", and as a condition, limitation, and qualification of this appropriation \$35,823 shall be used for the establishment of a sex offender program within the district and \$15,280 shall be used to expand the OWI program in the district established pursuant to 1986 Acts, chapter 1246, section 402.

g. For the seventh judicial district department of correctional services, the following amount, or so much thereof as is necessary:

..... \$ 3,147,932  
3,186,854

The district department shall continue the intensive supervision program established within the district in 1988 Iowa Acts, chapter 1271, section 6, subsection 1, paragraph "g", and as a condition, limitation, and qualification of this appropriation \$41,435 shall be used for the expansion of intensive supervision programs, the establishment of an intensive supervision program for sex offenders and other high-risk clients, and a sex offender treatment program within the district.

In addition, as a condition, limitation, and qualification of this appropriation \$70,000 shall be used for job development programs.

h. For the eighth judicial district department of correctional services, the following amount, or so much thereof as is necessary:

..... \$ 1,582,702  
1,605,634

The district department shall continue the intensive supervision program established within the district in 1988 Iowa Acts, chapter 1271, section 6, subsection 1, paragraph "h", and as a condition, limitation, and qualification of this appropriation \$40,000 shall be used for the establishment of a sex offender program within the district.

i. For the department of corrections for the assistance and support of each judicial district department of correctional services, the following amount, or so much thereof as is necessary:

..... \$ 88,465

Sec. 30. 1989 Iowa Acts, chapter 316, section 9, is amended to read as follows:

SEC. 9. There is appropriated from the general fund of the state to the department of corrections for the fiscal year beginning July 1, 1989, and ending June 30, 1990, the following amounts, or so much thereof as is necessary, to be used for the purposes designated:

For the third judicial district department of correctional services for the planning, financing, land acquisition, and construction of a fifty-bed residential facility to replace the current twenty-five bed leased facility:

..... \$ 126,375

As a condition, limitation, and qualification of this appropriation, \$76,375 shall be used for the operating costs of ten new OWI program beds within the district, and \$50,000 shall be used for the operating costs of fifteen new community corrections residential beds within the district. The district may enter into financial arrangements for a direct loan, a lease, or a lease-purchase agreement to obtain land or to construct the facility. The fifty-bed facility shall include ten beds designated primarily for the OWI program.

Notwithstanding section 8.33, unobligated or unencumbered funds remaining on June 30, 1990, of the appropriation made in this section shall not revert to the general fund but shall be available for expenditure for the purposes for which appropriated in this section for the fiscal year beginning July 1, 1990.

DEPARTMENT OF PUBLIC SAFETY

\*Sec. 31.

There is appropriated from the general fund of the state to the department of public safety for the fiscal year beginning July 1, 1989, and ending June 30, 1990, the following amounts, or so much thereof as is necessary, to be used for the purposes designated:

For funding the department's administrative functions to implement the accreditation for law enforcement agencies:

..... \$ 25,000\*

\*Sec. 32.

There is appropriated from the general fund of the state to the department of public safety for the fiscal period beginning July 1, 1989, and ending June 30, 1991, the following amount, or so much thereof as is necessary, to be used for the purposes designated:

To purchase a new office facility as a law enforcement headquarters for the department:

..... \$ 220,000

Proceeds from the sale of an existing facility shall be deposited in the general fund of the state.\*

Sec. 33.

There is appropriated from the general fund of the state to the department of public safety, division of criminal investigation and bureau of identification, for the fiscal year beginning July 1, 1989, and ending June 30, 1990, the following amount, or so much thereof as is necessary, to be used for the purposes designated:

For riverboat gambling activities:

..... \$ 400,000

Sec. 34. 1989 Iowa Acts, chapter 317, section 10, subsection 3, is amended to read as follows:

3. For the purpose of making payments to the department of personnel for expenses incurred in administering workers' compensation on behalf of the highway safety division of highway safety and uniformed force:

..... \$ 55,544

175,544

\*Item veto; see message at end of the Act

DEPARTMENT OF JUSTICE

Sec. 35.

There is appropriated from the general fund of the state to the department of justice for the fiscal year beginning July 1, 1989, and ending June 30, 1990, the following amounts, or so much thereof as is necessary, to be used for the purposes designated:

For the victim compensation fund:

..... \$ 211,053

Sec. 36. 1989 Iowa Acts, chapter 316, section 1, subsection 3, is amended to read as follows:

3. Preparation of a new domestic abuse manual and updating of the desk manual for prosecutors:

..... \$ 15,000

Notwithstanding section 8.33, the moneys appropriated in this subsection that remain unencumbered or unobligated on June 30, 1990, shall not revert to the general fund of the state but shall remain available for expenditure for the purposes designated during the fiscal year beginning July 1, 1990.

JUDICIAL DEPARTMENT

Sec. 37.

There is appropriated from the general fund of the state to the judicial department for the fiscal period beginning July 1, 1989, and ending June 30, 1991, the following amount, or so much thereof as is necessary, for the purposes designated:

For the purchase of computer hardware and software for the child support system:

..... \$ 900,000

DEPARTMENT OF ELDER AFFAIRS

Sec. 38.

There is appropriated from the general fund of the state to the department of elder affairs for the fiscal period beginning July 1, 1989, and ending June 30, 1991, the following amount, or so much thereof as is necessary, for the purposes designated:

For contractual services for the elder law education program:

..... \$ 50,000

DEPARTMENT OF AGRICULTURE AND LAND STEWARDSHIP

*\*Sec. 39. 1989 Iowa Acts, chapter 311, section 1, subsection 1, paragraph a, is amended to read as follows:*

*a. From the general fund for salaries, support, maintenance, and miscellaneous purposes:*

..... \$ 1,191,977  
1,236,777\*

Sec. 40. 1989 Iowa Acts, chapter 311, section 1, subsection 2, paragraph a, is amended to read as follows:

a. From the general fund for salaries, support, maintenance, miscellaneous purposes, and for the following full-time equivalent positions:

..... \$ 1,308,381  
1,028,381  
..... FTEs 26.00

Sec. 41. 1989 Iowa Acts, chapter 311, section 1, subsection 5, paragraph a, is amended to read as follows:

a. From the general fund for salaries, support, maintenance, and miscellaneous purposes:

..... \$ 799,671  
818,571

\*Item veto; see message at end of the Act

Notwithstanding section 8.33, \$18,900 from the amount appropriated in this paragraph that remains unencumbered or unobligated on June 30, 1990, shall not revert to the general fund of the state but shall remain available for the purposes of a statewide gypsy moth detection survey during the fiscal year beginning July 1, 1990.

DEPARTMENT OF NATURAL RESOURCES

Sec. 42. 1989 Iowa Acts, chapter 311, section 6, subsection 1, paragraph a, is amended to read as follows:

a. For salaries, support, maintenance, miscellaneous purposes, and for not more than the following full-time equivalent positions:

.....	\$	12,850,534
		<u>12,820,534</u>
.....	FTEs	973.10

DEPARTMENT OF CULTURAL AFFAIRS

Sec. 43. 1989 Iowa Acts, chapter 319, section 1, subsection 4, unnumbered paragraph 1, is amended to read as follows:

For salaries, support, maintenance, miscellaneous purposes, and for not more than the following full-time equivalent positions:

.....	\$	1,977,406
		<u>1,827,406</u>
.....	FTEs	40.5

Sec. 44. 1989 Iowa Acts, chapter 319, section 1, subsection 5, unnumbered paragraph 1, is amended to read as follows:

For salaries, support, maintenance, capital expenditures, miscellaneous purposes, and for not more than the following full-time equivalent positions:

.....	\$	6,860,000
		<u>6,792,500</u>
.....	FTEs	103.0

Sec. 45. 1989 Iowa Acts, chapter 319, section 1, subsection 7, unnumbered paragraph 1, is amended to read as follows:

For state aid:

.....	\$	1,539,785
		<u>1,489,785</u>

DEPARTMENT OF EDUCATION

\*Sec. 46.

*There is appropriated from the general fund of the state to the department of education for the fiscal year beginning July 1, 1989, and ending June 30, 1990, the following amount, or so much thereof as is necessary, to be used for the purposes designated:*

*To provide funds for the employment resources center administered by the fifth judicial district's department of correctional services to assist clients:*

.....	\$	20,000*
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COLLEGE AID COMMISSION

Sec. 47.

The appropriation made to the college aid commission for student aid programs under 1989 Iowa Acts, chapter 319, section 7, subsection 2, shall be reduced for the fiscal year beginning July 1, 1989, from \$700,000 to \$500,000.

Sec. 48. 1989 Iowa Acts, chapter 319, section 10, is amended to read as follows:

\*Item veto; see message at end of the Act

SEC. 10. There is appropriated from the loan reserve account to the college aid commission for the fiscal year beginning July 1, 1989, and ending June 30, 1990, the following amount, or so much thereof as may be necessary, to be used for the operating costs of the Stafford loan program:

OPERATING COSTS

For salaries, support, maintenance, miscellaneous purposes, and for not more than the following full-time equivalent positions:

.....	\$	2,515,438
.....		<u>2,587,980</u>
.....	FTEs	31.23

Sec. 49.

This Act, being deemed of immediate importance, is effective upon enactment.

*Approved March 23, 1990, except the items which I hereby disapprove and which are designated as section 2 in its entirety; section 5 in its entirety; section 17 in its entirety; section 24, subsection 6 in its entirety; sections 31 and 32 in their entirety; section 39 in its entirety; and section 46 in its entirety. My reasons for vetoing these items are delineated in the item veto message pertaining to this Act to the president of the senate this same date a copy of which is attached hereto.*

TERRY E. BRANSTAD, Governor

Dear Madam President:

I hereby transmit Senate File 2212, an Act relating to and making supplemental appropriations or decreasing appropriations to the department of human services, Iowa department of public health, state board of regents, department of general services, department of inspections and appeals, department of employment services, department of commerce, state department of transportation, department of corrections, department of public safety, department of justice, judicial department, department of elder affairs, department of agriculture and land stewardship, department of natural resources, department of cultural affairs, department of education, and college aid commission for the remainder of the fiscal year ending June 30, 1990, and providing an effective date.

Senate File 2212 is, therefore, approved on this date with the following exceptions which I hereby disapprove.

I am unable to approve the item designated as Section 2, in its entirety. This section would appropriate \$1 million to the Department of Human Services for nursing facility reimbursement at the 74th percentile of facility costs as calculated from the March 31, 1990, unaudited compilation of cost and statistical data. This would become effective on April 1, 1990, three months earlier than my recommendation. I cannot approve this earlier increase in reimbursement rates due to fiscal constraints.

I am unable to approve the item designated as Section 5, in its entirety. This provision would require that any funds not spent for enhanced mental health, mental retardation, developmental disabilities services not revert but be deposited in the State Supplementation of Federal Social Services Block Grant Fund, after county expenditures for candidate services are reimbursed. Unexpended funds appropriated for one purpose should not be automatically transferred and, therefore, made available for another purpose, thereby circumventing the appropriation process.

I am unable to approve the item designated as Section 17, in its entirety. This section authorizes the Alcoholic Beverages Division to spend \$375,000 for a new computer for the liquor warehouse. Although it is important that this division have the equipment and facilities necessary to adequately perform the responsibilities with which they have been statutorily charged, I am not convinced that purchasing a new computer is the most efficient or effective way of meeting the Division's data processing needs. This may be a good opportunity for the Division to work with the Information Services Division of the Department of General Services to incorporate its data processing needs in the state's central data processing system. Although this is an expenditure from the Alcoholic Beverages Revolving Fund, any money saved in that fund will benefit the General Fund because any amounts in excess of that agency's expenses are transferred to the General Fund.

I am unable to approve the item designated as Section 24, subsection 6. This calls for up to \$849,000 for the remodeling of administrative offices and the consolidation of certain district operations in the Fifth Judicial District Department of Correctional Services. This project was not recommended by the Board of Corrections and has not been examined through the normal budgetary channels. Architectural estimates have not been furnished to the Department of Corrections and this project cannot be justified as a high priority when compared to other more pressing needs and with consideration of the state's fiscal condition.

I am unable to approve the item designated as Section 31, in its entirety. This section would appropriate \$25,000 from the general fund to the Department of Public Safety to implement the accreditation for law enforcement agencies. This \$25,000 would only be the beginning of accreditation costs and does not reflect salary costs of personnel who would be assigned to the accreditation project. Nebraska utilized nine officers and Missouri intends to utilize eleven. Other contiguous states are incurring costs as great as \$200,000. Reaccreditation is required every five years, indicating ongoing costs. The quality of Iowa law enforcement will not suffer if this new program is not implemented.

I am unable to approve Section 32, in its entirety. This section appropriates \$220,000 to purchase a new office facility as a law enforcement headquarters for the Department. The Department of Public Safety did not request new headquarters and the current and forecasted fiscal picture requires spending restraint. I can not at this time approve of this item.

I am unable to approve Section 39, in its entirety. This section would partially fund information specialists and support of accounting section positions at the Department of Agriculture and Land Stewardship with a \$44,800 appropriation. Due to fiscal constraints, I can not approve additional administrative expenses at this time.

I am unable to approve Section 46, in its entirety. This section would appropriate \$20,000 to the Department of Education for the lift-up program in the Fifth Judicial District. The Department of Corrections has advised me that funds are now available within the Fifth Judicial District, therefore, a supplemental appropriation is no longer required and I am unable to approve this section.

I find Senate File 2212 to contain many worthwhile provisions including many of my recommendations. Supplementary medical assistance, Capitol restoration, and the beginning of a major expansion in our correctional system are necessary and key portions of this bill. I object to the use of lease-purchase and prefer paying cash for these facilities, however, the legislature has made it clear that lease-purchase is the only method they will consider to finance the expansion of the correctional system.

For the above reasons, I hereby respectfully disapprove these items in accordance with Amendment IV of the Amendments of 1968 to the Constitution of the State of Iowa. All other items in Senate File 2212 are hereby approved as of this date.

Sincerely,  
TERRY E. BRANSTAD, *Governor*