

cents per thousand dollars of the assessed valuation of the taxable property in the district up to a maximum of one hundred eighty thousand dollars payable during the fiscal year commencing July 1, 1992, and an increase of fifteen thousand dollars in the amount payable during each subsequent fiscal year.

5. For an extension district having a population of two hundred thousand or more and as provided in subsection 6, an annual levy of five cents per thousand dollars of the assessed valuation of the taxable property in the district up to a maximum of two hundred thousand dollars payable during the fiscal year commencing July 1, 1992, and an increase of twenty-five thousand dollars in the amount payable during each subsequent fiscal year.

6. An extension council of an extension district may choose to be subject to the levy and revenue limits specified in paragraphs "b" of subsections 1, 2, 3, and 4 and subsection 5 for the purpose of the annual levy for the fiscal year commencing July 1, 1991. Before an extension district may be subject to the levy and revenue limits specified in paragraphs "b" of subsections 1, 2, 3, and 4 and subsection 5, for fiscal years beginning on or after July 1, 1992, the question of whether the district shall be subject to the levy and revenue limits as specified in such subsections must be submitted to the registered voters of the district. The question shall be submitted at the time of a state general election. If the question is approved by a majority of those voting on the question the levy and revenue limits specified in paragraphs "b" of subsections 1, 2, 3, and 4 and subsection 5, shall thereafter apply to the extension district. The question need only be approved at one state general election. If a majority of those voting on the question vote against the question, the district may continue to submit the question at subsequent state general elections until approved.

The extension council in each extension district shall comply with the provisions of chapter 24.

Sec. 2. Section 1 of this Act applies to property taxes levied for the fiscal year beginning July 1, 1991, which are payable in the fiscal year beginning July 1, 1992, and applies to property taxes levied for each subsequent fiscal year.

Approved May 9, 1991

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## CHAPTER 157

### ARTS AND CULTURAL ENHANCEMENT AND ENDOWMENT PROGRAM

*S.F. 268*

**AN ACT** establishing the arts and cultural enhancement and endowment program.

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

Section 1. INTENT. The general assembly finds the following:

1. The purpose of the programs supported by the department of cultural affairs and the state's arts and cultural organizations is to encourage and broaden public appreciation of and education and involvement in cultural activities.

2. The mechanisms to provide state funding for cultural activities in Iowa already exist; what is needed is increased financial support of arts and cultural programs.

3. The arts division of the department of cultural affairs utilizes public input in the formulation and review of state arts policies and programs.

4. The number and variety of private and public sector efforts now committed to further strengthening the artistic and cultural life of Iowa both attest to the health of the state's artistic and cultural life and at the same time increase the responsibility of the department of cultural affairs to ensure that the efforts are coordinated, cost-efficient, and not duplicative.

SUBCHAPTER I  
DEFINITIONS AND FINANCING

Sec. 2. NEW SECTION. 303C.1 DEFINITIONS.

For the purposes of this chapter, the following definitions apply:

1. "Arts" means music, dance, theater, opera and music theater, visual arts, literature, design arts, media arts, and folk and traditional arts.
2. "Culture" or "cultural" means programs and activities which explore past and present human experience.
3. "Department" means the department of cultural affairs.
4. "Endowment account" means the arts and cultural endowment account established in section 303C.2, which consists of funds received from private sources, and which may include funds appropriated by the general assembly.
5. "Endowment program" means the arts and cultural endowment program established in section 303C.7.
6. "Enhancement account" means the arts and cultural enhancement account established in section 303C.2, which consists, upon the making of an appropriation by the general assembly, of public funds.
7. "Enhancement program" means the arts and cultural enhancement program created in section 303C.3.
8. "Foundation" means the arts and cultural endowment foundation established in section 303C.7.

Sec. 3. NEW SECTION. 303C.2 IOWA ARTS AND CULTURAL ENHANCEMENT AND ENDOWMENT ACCOUNTS ESTABLISHED.

The Iowa arts and cultural enhancement account and the Iowa arts and cultural endowment account are established in the office of the treasurer of state. The moneys deposited in each account shall be invested by the treasurer of state in investments authorized for the Iowa public employees' retirement fund in section 97B.7. Interest earned on each account shall be transferred to the credit of that account. The provisions of section 8.33 do not apply to the accounts.

1. ENHANCEMENT ACCOUNT. The enhancement account shall be administered by the arts division of the department for purposes of the enhancement program described in section 303C.3.

Upon the making of an appropriation by the general assembly for deposit in the enhancement account, funds in the enhancement account shall be used as follows: eighty percent shall be available for distribution on a matching basis to nonprofit organizations pursuant to section 303C.4; fifteen percent shall be available for distribution as block grants to qualified organizations pursuant to section 303C.5; and five percent shall be available to the arts division for the administration of the regional conferences and the statewide caucus on arts and cultural enhancement pursuant to section 303C.6 and for the administration of the enhancement program.

2. ENDOWMENT ACCOUNT. The endowment account shall be administered by the endowment foundation established in section 303C.7, subsection 2, for purposes of the endowment program established in section 303C.7, subsection 1.

Beginning in 1993, the endowment foundation shall, annually, on July 1, certify to the department of management and the legislative fiscal bureau, the amount of funds received from private sources for use in the endowment program. The general assembly may appropriate funds to the endowment account. However, the use of funds in the endowment account described in this subsection is not contingent upon the making of an appropriation by the general assembly.

Only the interest on the funds in the endowment account is available for use for the endowment program, and shall be allocated as follows: ninety-five percent for distribution for grants, fellowships, and scholarships to nonprofessional, professional, and student artists pursuant to section 303C.7, subsection 1; and five percent to the endowment foundation established in section 303C.7, subsection 2, for the administration of the endowment program.

SUBCHAPTER II  
ENHANCEMENT PROGRAM

**Sec. 4. NEW SECTION. 303C.3 ARTS AND CULTURAL ENHANCEMENT PROGRAM CREATED.**

The arts and cultural enhancement program is created within the department and administered by the arts division. Upon the making of an appropriation by the general assembly, funds in the enhancement account established in section 303C.2, subsection 1, are available for the purposes of this subchapter. The enhancement program consists of the following:

1. Matching funds provided to nonprofit organizations.
2. Block grants provided to qualified organizations.
3. Regional conferences and statewide caucus held on arts and cultural enhancement.

**Sec. 5. NEW SECTION. 303C.4 MATCHING FUNDS PROVIDED TO NONPROFIT ORGANIZATIONS.**

Enhancement account funds shall be available, upon certification by the department of the availability of matching funds from private sources, to nonprofit organizations for the purposes of education, outreach, and enhancement. An organization proposing a program must have available funds from private sources in order to receive an equal amount of public funds contained in the enhancement account. The department shall consider the recommendations of the caucus on arts and cultural enhancement made pursuant to section 303C.6, and the recommendations of the advisory council created in section 303C.5, and shall adopt rules pursuant to chapter 17A governing the distribution of funds to organizations. Proposed programs shall do at least one of the following:

1. **EDUCATION.** Provide for the development or expansion of essential nonrevenue producing arts or cultural educational programs which would supplement an existing curriculum.
2. **OUTREACH.** Provide for one or more of the following:
  - a. **RURAL ACCESS.** Allow cultural resources to be available to small communities which lack arts and cultural resources.
  - b. **SOCIAL AWARENESS.** Assist in programs enabling arts organizations to participate in and encourage a healthy community environment.
  - c. **CULTURAL DIVERSITY.** Increase the awareness and acceptance of cultural diversity through arts and culture.
  - d. **SERVING SPECIAL POPULATIONS.** Provide programs and innovative projects for the following, including but not limited to: at-risk youth, talented and gifted persons, underserved persons, disabled persons, senior citizens, or other special needs persons.
3. **ENHANCEMENT.** Provide for one or more of the following:
  - a. **PROGRAM ENHANCEMENT.** Allow arts and cultural organizations to improve or enhance the quality of programs currently offered.
  - b. **ARTIST AND ARTS EDUCATORS ENHANCEMENT.** Fund projects which would increase and support professional and student artists, and arts educators.

**Sec. 6. NEW SECTION. 303C.5 BLOCK GRANTS PROVIDED TO QUALIFIED ORGANIZATIONS.**

1. Enhancement account funds shall be available for distribution to qualified organizations for the purposes of enhancing the quality of local arts and cultural programs. In order to qualify for a block grant, an organization must represent at least seventy percent of its defined membership. The department shall adopt rules pursuant to chapter 17A governing the distribution of block grants.

2. An advisory council consisting of organizations funded by the department pursuant to this section, and representatives of the Iowa assembly for local arts agencies, Iowa alliance for arts education, Iowa arts coalition, the Iowa museum association, the chairperson of the statewide caucus, the department of education, and the Iowa humanities board is established. The advisory council shall review and advise the department regarding the awarding of funds pursuant to section 303C.4.

**Sec. 7. NEW SECTION. 303C.6 REGIONAL CONFERENCES AND STATEWIDE CAUCUS ON ARTS AND CULTURAL ENHANCEMENT.**

1. The department shall administer the regional conferences and statewide caucus on arts and cultural enhancement. The purpose of the conferences and caucus is to guide the development of the arts and cultural enhancement program by identifying opportunities for programs regarding education, outreach, and enhancement, by reviewing any recommended changes in enhancement program policies, programs, and funding, and by making recommendations to the department regarding distribution of matching funds to nonprofit organizations pursuant to section 303C.4.

2. Biennially, during odd-numbered years, the department shall convene a statewide caucus on arts and cultural enhancement. The caucus shall be held for one day during the month of June in the capitol complex, Des Moines.

a. Prior to a caucus, the department shall make arrangements to hold a conference in each of six regions of the state as defined by the Iowa arts council. The department shall promote attendance of interested persons at each conference. A designee of the department shall call each conference to order and serve as temporary chairperson until persons attending elect a chairperson. The department shall provide persons attending with current information regarding cultural enhancement programs and expenditures. Persons attending shall identify opportunities for programs in the areas of education, outreach, and enhancement and review recommended changes in enhancement account policies, programs, and funding, and make recommendations in the form of a resolution. The persons attending each conference shall elect six persons to serve as delegates to the caucus, and one person to serve as chairperson of the region. The selection of persons at each conference to serve as delegates to the caucus shall conform to the gender balance requirements of section 69.16A.

b. A designee of the department shall call the caucus to order and serve as temporary chairperson until persons attending the caucus elect a chairperson. Persons attending the caucus shall discuss the recommendations of the regional conferences and decide upon recommendations to be made to the department. Elected chairpersons of the regional conferences shall meet with representatives of the department and present the recommendations of the caucus.

3. The expenses of the department in making the arrangements for and the conducting of the conferences and the caucus, and the expenses of the delegates at the caucus shall be paid from funds in the enhancement account designated for purposes of the regional conferences and caucus.

**SUBCHAPTER III  
ENDOWMENT PROGRAM**

**Sec. 8. NEW SECTION. 303C.7 ARTS AND CULTURAL ENDOWMENT PROGRAM ESTABLISHED, ARTS AND CULTURAL ENDOWMENT FOUNDATION ESTABLISHED.**

1. The arts and cultural endowment program is established. The arts and cultural endowment foundation established in this section shall administer the endowment program and shall adopt rules pursuant to chapter 17A to fulfill the purposes of this section. Interest on the funds in the endowment account established in section 303C.2, subsection 2, is available for the purposes of this section. The endowment foundation shall establish criteria for the awarding of grants, fellowships, and scholarships to nonprofessional, professional, and student artists to develop, encourage, and enhance the arts and cultural programs in the state, upon submission of a proposal by the artist. The artist shall request no more than twenty-five thousand dollars in the proposal.

2. The arts and cultural endowment foundation is established. The exercise of the powers granted to the endowment foundation in this chapter is an essential governmental function. The administrative functions of the endowment foundation shall be performed by persons appointed in equal number by the department and the Iowa humanities board. The persons appointed shall elect the officers of the endowment foundation. The endowment foundation shall be located in the department's offices. The endowment foundation may solicit and accept gifts, grants,

donations, bequests, and in-kind contributions for deposit in the endowment account. The endowment foundation shall, to the extent possible, use gifts, donations, and bequests in accordance with the expressed desires of the person making the gift, donation, or bequest.

Sec. 9. Section 303.1, subsection 2, paragraph i, Code 1991, is amended by striking the paragraph.

Sec. 10. Section 303.2, subsection 4, paragraph d, Code 1991, is amended by striking the paragraph.

Sec. 11. Section 303.87, subsection 3, Code 1991, is amended by striking the subsection.

Sec. 12. TRANSFER OF FUNDS. Notwithstanding the nonreversion provision in section 99E.32, subsection 7, and the reversion provision in 1990 Iowa Acts, chapter 1255, section 37, subsection 2, moneys appropriated to the department of cultural affairs and allocated for the artists endowment program which are not used by or on the effective date of this Act shall be deposited by the department in equal amounts in the enhancement account and the endowment account created in this Act.

Sec. 13. Sections 303.89 and 303.90, Code 1991, are repealed.

Approved May 10, 1991

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## CHAPTER 158

### MEDICAL ASSISTANCE PROGRAM

*S.F. 343*

**AN ACT** relating to the medical assistance program.

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

Section 1. Section 249A.2, Code 1991, is amended by adding the following new subsection:  
**NEW SUBSECTION. 5A.** "Group health plan cost sharing" means payment under the medical assistance program of a premium, a coinsurance amount, a deductible amount, or any other cost sharing obligation for a group health plan as required by Title XIX of the federal Social Security Act, section 1906, as codified in 42 U.S.C. § 1396e.

Sec. 2. Section 249A.2, subsection 7, Code 1991, is amended to read as follows:

7. "~~Medicare cost sharing~~ cost sharing" means payment under the medical assistance program of a premium, a coinsurance amount, or a deductible amount for federal medicare as ~~required~~ provided by Title XIX of the federal Social Security Act, section 1905(p)(3), as codified in 42 U.S.C. § 1396d(p)(3).

Sec. 3. Section 249A.3, subsection 8, Code 1991, is amended to read as follows:

8. Medicare cost sharing shall be provided to or on behalf of an individual who is a resident of the state or a resident who is temporarily absent from the state and who is either a qualified medicare beneficiary as defined under Title XIX of the federal Social Security Act, section 1905(p)(1), as codified in 42 U.S.C. § 1396d(p)(1) or a qualified disabled and working person as defined under Title XIX of the federal Social Security Act, section 1905(s), as codified in 42 U.S.C. § 1396d(s).

Sec. 4. Section 249A.3, Code 1991, is amended by adding the following new subsection:  
**NEW SUBSECTION. 10.** Group health plan cost sharing shall be provided as required by Title XIX of the federal Social Security Act, section 1906, as codified in 42 U.S.C. § 1396e.