



CHESTER J. CULVER
GOVERNOR

OFFICE OF THE GOVERNOR

PATTY JUDGE
LT. GOVERNOR

May 26, 2009

The Honorable Michael Mauro
Secretary of State
State Capitol Building
LOCAL

Dear Mr. Secretary:

I hereby transmit:

House File 820, an Act relating to state and local financial matters by revising certain appropriations and appropriating federal funds made available from federal block grants, federal American Recovery and Reinvestment Act of 2009 funding, and other federal 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, and including effective and retroactive applicability date provisions.

The above House File is hereby approved this date.

Sincerely,

A handwritten signature in black ink, appearing to read "Chester J. Culver", written over the word "Sincerely,".

Chester J. Culver
Governor

CJC:bdj

cc: Secretary of the Senate
Chief Clerk of the House





HOUSE FILE 820

AN ACT

RELATING TO STATE AND LOCAL FINANCIAL MATTERS BY REVISING CERTAIN APPROPRIATIONS AND APPROPRIATING FEDERAL FUNDS MADE AVAILABLE FROM FEDERAL BLOCK GRANTS, FEDERAL AMERICAN RECOVERY AND REINVESTMENT ACT OF 2009 FUNDING, AND OTHER FEDERAL 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, AND INCLUDING EFFECTIVE AND RETROACTIVE APPLICABILITY DATE PROVISIONS.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

DIVISION I

FEDERAL BLOCK GRANT AND OTHER
FEDERAL FUNDING -- FY 2009-2010

Section 1. SUBSTANCE ABUSE APPROPRIATION.

1. There is appropriated from the fund created by section 8.41 to the department of public health for the federal fiscal year beginning October 1, 2009, and ending September 30, 2010, the following amount:

..... \$ 13,477,961

a. Funds appropriated in this subsection are the anticipated funds to be received from the federal government for the designated federal fiscal year under 42 U.S.C., ch. 6A, subc. XVII, part B, subpart ii, which provides for the substance abuse prevention and treatment block grant. The department shall expend the funds appropriated in this subsection as provided in the federal law making the funds available and in conformance with chapter 17A.

b. Of the funds appropriated in this subsection, an amount not exceeding 5 percent shall be used by the department for administrative expenses.

c. The department shall expend no less than an amount equal to the amount expended for treatment services in the state fiscal year beginning July 1, 2008, for pregnant women and women with dependent children.

d. Of the funds appropriated in this subsection, an amount not exceeding \$24,585 shall be used for audits.

2. At least 20 percent of the funds remaining from the appropriation made in subsection 1 shall be allocated for prevention programs.

3. In implementing the federal substance abuse prevention and treatment block grant under 42 U.S.C., ch. 6A, subc. XVII, and any other applicable provisions of the federal Public Health Service Act under 42 U.S.C., ch. 6A, the department shall apply the provisions of Pub. L. No. 106-310, § 3305, as codified in 42 U.S.C. § 300x-65, relating to services under such federal law being provided by religious and other nongovernmental organizations.

Sec. 2. COMMUNITY MENTAL HEALTH SERVICES APPROPRIATION.

1. a. There is appropriated from the fund created by section 8.41 to the department of human services for the federal fiscal year beginning October 1, 2009, and ending September 30, 2010, the following amount:

..... \$ 3,500,167

b. Funds appropriated in this subsection are the anticipated funds to be received from the federal government for the designated federal fiscal year under 42 U.S.C., ch. 6A, subc. XVII, part B, subpart i, which provides for the community mental health services block grant. The department shall expend the funds appropriated in this subsection as provided in the federal law making the funds available and in conformance with chapter 17A.

c. The department shall allocate not less than 95 percent of the amount of the block grant to eligible community mental health services providers for carrying out the plan submitted to and approved by the federal substance abuse and mental health services administration for the fiscal year involved.

d. Of the amount allocated to eligible services providers under paragraph "c", 70 percent shall be distributed to the state's accredited community mental health centers established or designated by counties in accordance with law or administrative rule. If a county has not established or

designated a community mental health center and has received a waiver from the mental health, mental retardation, developmental disabilities, and brain injury commission, the mental health services provider designated by that county is eligible to receive funding distributed pursuant to this paragraph in lieu of a community mental health center. The funding distributed shall be used by recipients of the funding for the purpose of developing and providing evidence-based practices and emergency services to adults with a serious mental illness and children with a serious emotional disturbance. The distribution amounts shall be announced at the beginning of the federal fiscal year and distributed on a quarterly basis according to the formulas used in previous fiscal years. Recipients shall submit quarterly reports containing data consistent with the performance measures approved by the federal substance abuse and mental health services administration.

2. An amount not exceeding 5 percent of the funds appropriated in subsection 1 shall be used by the department of human services for administrative expenses. From the funds set aside by this subsection for administrative expenses, the department 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 for the costs of the audits.

Sec. 3. MATERNAL AND CHILD HEALTH SERVICES APPROPRIATIONS.

1. There is appropriated from the fund created by section 8.41 to the department of public health for the federal fiscal year beginning October 1, 2009, and ending September 30, 2010, the following amount:

..... \$ 6,512,104

a. The funds appropriated in this subsection are the funds anticipated to be received from the federal government for the designated federal fiscal year under 42 U.S.C., ch. 7, subc. V, which provides for the maternal and child health services block grant. The department shall expend the funds appropriated in this subsection as provided in the federal law making the funds available and in conformance with chapter 17A.

b. Funds appropriated in this subsection shall not be used by the university of Iowa hospitals and clinics for indirect costs.

2. An amount not exceeding 10 percent of the funds appropriated in subsection 1 shall be used by the department of public health for administrative expenses.

3. The departments of public health, human services, and education and the university of Iowa's mobile and regional child health specialty clinics shall continue to pursue to the maximum extent feasible the coordination and integration of services to women and children.

4. a. Sixty-three percent of the remaining funds appropriated in subsection 1 shall be allocated to supplement appropriations for maternal and child health programs within the department of public health. Of these funds, \$300,291 shall be set aside for the statewide perinatal care program.

b. Thirty-seven percent of the remaining funds appropriated in subsection 1 shall be allocated to the university of Iowa hospitals and clinics under the control of the state board of regents for mobile and regional child health specialty clinics. The university of Iowa hospitals and clinics shall not receive an allocation for indirect costs from the funds for this program. Priority shall be given to establishment and maintenance of a statewide system of mobile and regional child health specialty clinics.

5. The department of public health shall administer the statewide maternal and child health program and the disabled children's program by conducting mobile and regional child health specialty clinics and conducting other activities to improve the health of low-income women and children and to promote the welfare of children with actual or potential handicapping conditions and chronic illnesses in accordance with the requirements of Title V of the federal Social Security Act.

Sec. 4. PREVENTIVE HEALTH AND HEALTH SERVICES APPROPRIATIONS.

1. There is appropriated from the fund created by section 8.41 to the department of public health for the federal fiscal year beginning October 1, 2009, and ending September 30, 2010, the following amount:

..... \$ 1,064,859

Funds appropriated in this subsection are the funds anticipated to be received from the federal government for the designated federal fiscal year under 42 U.S.C., ch. 6A, subc. XVII, part A, which provides for the preventive health and health services block grant. The department shall expend the funds appropriated in this subsection as provided in the federal law making the funds available and in conformance with chapter 17A.

2. Of the funds appropriated in subsection 1, an amount not more than 10 percent shall be used by the department for administrative expenses.

3. Of the funds appropriated in subsection 1, the specific amount of funds stipulated by the notice of the block grant award shall be allocated for services to victims of sex offenses and for rape prevention education.

4. After deducting the funds allocated in subsections 2 and 3, the remaining funds appropriated in subsection 1 may be used by the department for healthy people 2010/healthy Iowans 2010 program objectives, preventive health advisory committee, and risk reduction services, including nutrition programs, health incentive programs, chronic disease services, emergency medical services, monitoring of the fluoridation program and start-up fluoridation grants, and acquired immune deficiency syndrome services. The moneys specified in this subsection shall not be used by the university of Iowa hospitals and clinics or by the state hygienic laboratory for the funding of indirect costs.

Sec. 5. STOP VIOLENCE AGAINST WOMEN GRANT PROGRAM APPROPRIATION.

1. There is appropriated from the fund created by section 8.41 to the department of justice for the federal fiscal year beginning October 1, 2009, and ending September 30, 2010, the following amount:

..... \$ 1,393,190

Funds appropriated in this subsection are the anticipated funds to be received from the federal government for the designated fiscal year under 42 U.S.C., ch. 46, § 3796gg-1, which provides for grants to combat violent crimes against women. The department of justice shall expend the funds appropriated in this subsection as provided in the federal law making the funds available and in conformance with chapter 17A.

2. An amount not exceeding 10 percent of the funds appropriated in subsection 1 shall be used by the department of justice for administrative expenses. From the funds set aside by this subsection for administrative expenses, the department 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.

Sec. 6. RESIDENTIAL SUBSTANCE ABUSE TREATMENT FOR STATE PRISONERS FORMULA GRANT PROGRAM. There is appropriated from the fund created by section 8.41 to the governor's office of drug control policy for the federal fiscal year beginning October 1, 2009, and ending September 30, 2010, the following amount:

..... \$ 77,360

Funds appropriated in this section are the funds anticipated to be received from the federal government for the designated fiscal year under 42 U.S.C., ch. 46, subc. XII-G, which provides grants for substance abuse treatment programs in state and local correctional facilities. The drug policy coordinator shall expend the funds appropriated in this section as provided in federal law making the funds available and in conformance with chapter 17A.

Sec. 7. EDWARD BYRNE JUSTICE ASSISTANCE GRANT PROGRAM APPROPRIATION.

1. There is appropriated from the fund created by section 8.41 to the governor's office of drug control policy for the federal fiscal year beginning October 1, 2009, and ending September 30, 2010, the following amount:

..... \$ 1,052,157

Funds appropriated in this subsection are the anticipated funds to be received from the federal government for the designated fiscal year under 42 U.S.C., ch. 46, subc. V, which provides for the Edward Byrne memorial justice assistance grant program. The drug policy coordinator shall expend the funds appropriated in this subsection as provided in the federal law making the funds available and in conformance with chapter 17A.

2. An amount not exceeding 10 percent of the funds appropriated in subsection 1 shall be used by the drug policy coordinator for administrative expenses. From the funds set

aside by this subsection for administrative expenses, the drug policy coordinator 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.

Sec. 8. COMMUNITY SERVICES APPROPRIATIONS.

1. a. There is appropriated from the fund created by section 8.41 to the division of community action agencies of the department of human rights for the federal fiscal year beginning October 1, 2009, and ending September 30, 2010, the following amount:

..... \$ 7,037,445

Funds appropriated in this subsection are the funds anticipated to be received from the federal government for the designated federal fiscal year under 42 U.S.C., ch. 106, which provides for the community services block grant. The division of community action agencies of the department of human rights shall expend the funds appropriated in this subsection as provided in the federal law making the funds available and in conformance with chapter 17A.

b. The administrator of the division of community action agencies of the department of human rights shall allocate not less than 95 percent of the amount of the block grant to eligible community action agencies for programs benefiting low-income persons. Each eligible agency shall receive a minimum allocation of not less than \$100,000. The minimum allocation shall be achieved by redistributing increased funds from agencies experiencing a greater share of available funds. The funds shall be distributed on the basis of the poverty-level population in the area represented by the community action areas compared to the size of the poverty-level population in the state.

2. An amount not exceeding 5 percent of the funds appropriated in subsection 1 shall be used by the division of community action agencies of the department of human rights for administrative expenses. It is the intent of the general assembly to limit the administrative expenses percentage to 4 percent for the succeeding fiscal year. From the funds set aside by this subsection for administrative expenses, the division of community action agencies of the department of human rights 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 division of community action agencies for the costs of the audits.

Sec. 9. COMMUNITY DEVELOPMENT APPROPRIATIONS.

1. There is appropriated from the fund created by section 8.41 to the department of economic development for the federal fiscal year beginning October 1, 2009, and ending September 30, 2010, the following amount:

..... \$ 25,700,000

Funds appropriated in this subsection are the funds anticipated to be received from the federal government for the designated federal fiscal year under 42 U.S.C., ch. 69, which provides for community development block grants. The department of economic development shall expend the funds appropriated in this subsection as provided in the federal law making the funds available and in conformance with chapter 17A.

2. An amount not exceeding \$1,128,000 for the federal fiscal year beginning October 1, 2009, shall be used by the department of economic development for administrative expenses for the community development block grant. The total amount used for administrative expenses includes \$614,000 for the federal fiscal year beginning October 1, 2009, of funds appropriated in subsection 1 and a matching contribution from the state equal to \$514,000 from the appropriation of state funds for the community development block grant and state appropriations for related activities of the department of economic development. From the funds set aside for administrative expenses by this subsection, the department of economic development 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 for the costs of the audit.

Sec. 10. LOW-INCOME HOME ENERGY ASSISTANCE APPROPRIATIONS.

1. There is appropriated from the fund created by section 8.41 to the division of community action agencies of the department of human rights for the federal fiscal year beginning October 1, 2009, and ending September 30, 2010, the following amount:

..... \$ 36,762,408

The funds appropriated in this subsection are the funds anticipated to be received from the federal government for the designated federal fiscal year under 42 U.S.C., ch. 94, subc. II, which provides for the low-income home energy assistance block grants. The division of community action agencies of the department of human rights shall expend the funds appropriated in this subsection as provided in the federal law making the funds available and in conformance with chapter 17A.

2. Up to 15 percent of the amount appropriated in this section that is actually received shall be used for residential weatherization or other related home repairs for low-income households. Of this allocation amount, not more than 10 percent may be used for administrative expenses.

3. After subtracting the allocation in subsection 2, up to 10 percent of the remainder is allocated for administrative expenses of the low-income home energy assistance program of which \$377,000 is allocated for administrative expenses of the division. The costs of auditing the use and administration of the portion of the appropriation in this section that is retained by the state shall be paid from the amount allocated in this subsection to the division. The auditor of state shall bill the division for the audit costs.

4. The remainder of the appropriation in this section following the allocations made in subsections 2 and 3, shall be used to help eligible households as defined in 42 U.S.C., ch. 94, subc. II, to meet home energy costs.

5. Not more than 10 percent of the amount appropriated in this section that is actually received may be carried forward for use in the succeeding federal fiscal year.

6. Expenditures for assessment and resolution of energy problems shall be limited to 5 percent of the amount appropriated in this section that is actually received.

Sec. 11. SOCIAL SERVICES APPROPRIATIONS.

1. There is appropriated from the fund created by section 8.41 to the department of human services for the federal fiscal year beginning October 1, 2009, and ending September 30, 2010, the following amount:

..... \$ 16,680,041

Funds appropriated in this subsection are the funds anticipated to be received from the federal government for the designated federal fiscal year under 42 U.S.C., ch. 7, subc. XX, which provides for the social services block grant. The department of human services shall expend the funds appropriated in this subsection as provided in the federal law making the funds available and in conformance with chapter 17A.

2. Not more than \$1,065,049 of the funds appropriated in subsection 1 shall be used by the department of human services for general administration. From the funds set aside in 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.

3. In addition to the allocation for general administration in subsection 2, the remaining funds appropriated in subsection 1 shall be allocated in the following amounts to supplement appropriations for the federal fiscal year beginning October 1, 2009, for the following programs within the department of human services:

- a. Field operations:
..... \$ 6,370,179
- b. Child and family services:
..... \$ 951,463
- c. Local administrative costs and other local services:
..... \$ 675,575
- d. Volunteers:
..... \$ 73,963
- e. MH/MR/DD/BI community services (local purchase):
..... \$ 7,540,812

Sec. 12. SOCIAL SERVICES BLOCK GRANT PLAN. The department of human services during each state fiscal year shall develop a plan for the use of federal social services block grant funds for the subsequent state fiscal year.

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.

Sec. 13. PROJECTS FOR ASSISTANCE IN TRANSITION FROM HOMELESSNESS.

1. Upon receipt of the minimum formula grant from the federal alcohol, drug abuse, and mental health administration to provide mental health services for the homeless, for the federal fiscal year beginning October 1, 2009, and ending September 30, 2010, the department of human services shall assure that a project which receives funds under the formula grant from either the federal or local match share of 25 percent in order to provide outreach services to persons who have chronic mental illness and are homeless or who are subject to a significant probability of becoming homeless shall do all of the following:

a. Provide community mental health services, diagnostic services, crisis intervention services, and habilitation and rehabilitation services.

b. Refer clients to medical facilities for necessary hospital services, and to entities that provide primary health services and substance abuse services.

c. Provide appropriate training to persons who provide services to persons targeted by the grant.

d. Provide case management to homeless persons.

e. Provide supportive and supervisory services to certain homeless persons living in residential settings which are not otherwise supported.

2. Projects may expend funds for housing services including minor renovation, expansion and repair of housing, security deposits, planning of housing, technical assistance in applying for housing, improving the coordination of housing services, the costs associated with matching eligible homeless individuals with appropriate housing, and one-time rental payments to prevent eviction.

Sec. 14. CHILD CARE AND DEVELOPMENT APPROPRIATION. There is appropriated from the fund created by section 8.41 to the department of human services for the federal fiscal year beginning October 1, 2009, and ending September 30, 2010, the following amount:

..... \$ 43,311,572

Funds appropriated in this section are the funds anticipated to be received from the federal government under 42 U.S.C., ch. 105, subc. II-B, which provides for the child care and development block grant. The department shall expend the funds appropriated in this section as provided in the federal law making the funds available and in conformance with chapter 17A.

Moneys appropriated in this section that remain unencumbered or unobligated at the close of the fiscal year shall revert to be available for appropriation for purposes of the child care and development block grant in the succeeding fiscal year.

Sec. 15. PROCEDURE FOR REDUCED FEDERAL FUNDS.

1. 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 services to victims of sex offenses and for rape prevention education 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 accomplish 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 accomplish 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 senate and house standing committees on appropriations, the appropriate chairpersons and ranking members of subcommittees of those committees, and the director of the legislative services agency 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 and ranking members notified shall be allowed at least two weeks to review and comment on the proposed action before the action is taken.

Sec. 16. 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 1, 2, 3, 4, 7, 9, and 11 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 actual funds received from the federal government from block grants exceed the amount appropriated in section 10 of this Act for the low-income home energy assistance program, not more than 15 percent of the excess may be allocated to the low-income residential weatherization program and not more than 5 percent of the excess may be used for administrative costs.

3. If funds received from the federal government from community services block grants exceed the amount appropriated in section 8 of this Act, 100 percent of the excess is allocated to the community services block grant program.

Sec. 17. PROCEDURE FOR EXPENDITURE OF ADDITIONAL FEDERAL FUNDS. If other federal grants, receipts, and funds and other nonstate grants, receipts, and funds become available or are awarded which are not available or awarded during the period in which the general assembly is in session, but which require expenditure by the applicable department or agency prior to March 15 of the fiscal year beginning July 1, 2009, and ending June 30, 2010, these grants, receipts, and funds are appropriated to the extent necessary, provided that the fiscal committee of the legislative council is notified within thirty days of receipt of the grants, receipts, or funds and the fiscal committee of the legislative council has an opportunity to comment on the expenditure of the grants, receipts, or funds.

Sec. 18. DEPARTMENT OF ADMINISTRATIVE SERVICES. Federal grants, receipts, and funds and other nonstate grants,

receipts, and funds, available in whole or in part of the fiscal year beginning July 1, 2009, and ending June 30, 2010, are appropriated to the department of administrative services for the purposes set forth in the grants, receipts, or conditions accompanying the receipt of the funds, unless otherwise provided by law.

Sec. 19. DEPARTMENT OF AGRICULTURE AND LAND STEWARDSHIP. Federal grants, receipts, and funds and other nonstate grants, receipts, and funds, available in whole or in part for the fiscal year beginning July 1, 2009, and ending June 30, 2010, are appropriated to the department of agriculture and land stewardship for the purposes set forth in the grants, receipts, or conditions accompanying the receipt of the funds, unless otherwise provided by law.

Sec. 20. OFFICE OF AUDITOR OF STATE. Federal grants, receipts, and funds and other nonstate grants, receipts, and funds, available in whole or in part for the fiscal year beginning July 1, 2009, and ending June 30, 2010, are appropriated to the office of auditor of state for the purposes set forth in the grants, receipts, or conditions accompanying the receipt of the funds, unless otherwise provided by law.

Sec. 21. DEPARTMENT FOR THE BLIND. Federal grants, receipts, and funds and other nonstate grants, receipts, and funds, available in whole or in part for the fiscal year beginning July 1, 2009, and ending June 30, 2010, are appropriated to the department for the blind for the purposes set forth in the grants, receipts, or conditions accompanying the receipt of the funds, unless otherwise provided by law.

Sec. 22. IOWA STATE CIVIL RIGHTS COMMISSION. Federal grants, receipts, and funds and other nonstate grants, receipts, and funds, available in whole or in part for the fiscal year beginning July 1, 2009, and ending June 30, 2010, are appropriated to the Iowa state civil rights commission for the purposes set forth in the grants, receipts, or conditions accompanying the receipt of the funds, unless otherwise provided by law.

Sec. 23. COLLEGE STUDENT AID COMMISSION. Federal grants, receipts, and funds and other nonstate grants, receipts, and funds, available in whole or in part for the fiscal year beginning July 1, 2009, and ending June 30, 2010, are

appropriated to the college student aid commission for the purposes set forth in the grants, receipts, or conditions accompanying the receipt of the funds, unless otherwise provided by law.

Sec. 24. DEPARTMENT OF COMMERCE. Federal grants, receipts, and funds and other nonstate grants, receipts, and funds, available in whole or in part for the fiscal year beginning July 1, 2009, and ending June 30, 2010, are appropriated to the department of commerce for the purposes set forth in the grants, receipts, or conditions accompanying the receipt of the funds, unless otherwise provided by law.

Sec. 25. DEPARTMENT OF CORRECTIONS. Federal grants, receipts, and funds and other nonstate grants, receipts, and funds, available in whole or in part for the fiscal year beginning July 1, 2009, and ending June 30, 2010, are appropriated to the department of corrections for the purposes set forth in the grants, receipts, or conditions accompanying the receipt of the funds, unless otherwise provided by law.

Sec. 26. DEPARTMENT OF CULTURAL AFFAIRS. Federal grants, receipts, and funds and other nonstate grants, receipts, and funds, available in whole or in part for the fiscal year beginning July 1, 2009, and ending June 30, 2010, are appropriated to the department of cultural affairs for the purposes set forth in the grants, receipts, or conditions accompanying the receipt of the funds, unless otherwise provided by law.

Sec. 27. DEPARTMENT OF ECONOMIC DEVELOPMENT. Federal grants, receipts, and funds and other nonstate grants, receipts, and funds, available in whole or in part for the fiscal year beginning July 1, 2009, and ending June 30, 2010, are appropriated to the department of economic development for the purposes set forth in the grants, receipts, or conditions accompanying the receipt of the funds, unless otherwise provided by law.

Sec. 28. DEPARTMENT OF EDUCATION. Federal grants, receipts, and funds and other nonstate grants, receipts, and funds, available in whole or in part for the fiscal year beginning July 1, 2009, and ending June 30, 2010, are appropriated to the department of education for the purposes set forth in the grants, receipts, or conditions accompanying the receipt of the funds, unless otherwise provided by law.

Sec. 29. DEPARTMENT OF ELDER AFFAIRS. Federal grants, receipts, and funds and other nonstate grants, receipts, and funds, available in whole or in part for the fiscal year beginning July 1, 2009, and ending June 30, 2010, are appropriated to the department of elder affairs for the purposes set forth in the grants, receipts, or conditions accompanying the receipt of the funds, unless otherwise provided by law.

Sec. 30. OFFICE OF ENERGY INDEPENDENCE. Federal grants, receipts, and funds and other nonstate grants, receipts, and funds, available in whole or in part for the fiscal year beginning July 1, 2009, and ending June 30, 2010, are appropriated to the office of energy independence for the purposes set forth in the grants, receipts, or conditions accompanying the receipt of the funds, unless otherwise provided by law.

Sec. 31. IOWA ETHICS AND CAMPAIGN DISCLOSURE BOARD. Federal grants, receipts, and funds and other nonstate grants, receipts, and funds, available in whole or in part for the fiscal year beginning July 1, 2009, and ending June 30, 2010, are appropriated to the Iowa ethics and campaign disclosure board for the purposes set forth in the grants, receipts, or conditions accompanying the receipt of the funds, unless otherwise provided by law.

Sec. 32. IOWA FINANCE AUTHORITY. Federal grants, receipts, and funds and other nonstate grants, receipts, and funds, available in whole or in part for the fiscal year beginning July 1, 2009, and ending June 30, 2010, are appropriated to the Iowa finance authority for the purposes set forth in the grants, receipts, or conditions accompanying the receipt of the funds, unless otherwise provided by law.

Sec. 33. OFFICES OF THE GOVERNOR AND LIEUTENANT GOVERNOR. Federal grants, receipts, and funds and other nonstate grants, receipts, and funds, available in whole or in part for the fiscal year beginning July 1, 2009, and ending June 30, 2010, are appropriated to the offices of the governor and lieutenant governor for the purposes set forth in the grants, receipts, or conditions accompanying the receipt of the funds, unless otherwise provided by law.

Sec. 34. GOVERNOR'S OFFICE OF DRUG CONTROL POLICY. Federal grants, receipts, and funds and other nonstate grants,

receipts, and funds, available in whole or in part for the fiscal year beginning July 1, 2009, and ending June 30, 2010, are appropriated to the governor's office of drug control policy for the purposes set forth in the grants, receipts, or conditions accompanying the receipt of the funds, unless otherwise provided by law.

Sec. 35. DEPARTMENT OF HUMAN RIGHTS. Federal grants, receipts, and funds and other nonstate grants, receipts, and funds, available in whole or in part for the fiscal year beginning July 1, 2009, and ending June 30, 2010, are appropriated to the department of human rights for the purposes set forth in the grants, receipts, or conditions accompanying the receipt of the funds, unless otherwise provided by law.

Sec. 36. DEPARTMENT OF HUMAN SERVICES. Federal grants, receipts, and funds and other nonstate grants, receipts, and funds, available in whole or in part for the fiscal year beginning July 1, 2009, and ending June 30, 2010, are appropriated to the department of human services, for the purposes set forth in the grants, receipts, or conditions accompanying the receipt of the funds, unless otherwise provided by law.

Sec. 37. DEPARTMENT OF INSPECTIONS AND APPEALS. Federal grants, receipts, and funds and other nonstate grants, receipts, and funds, available in whole or in part for the fiscal year beginning July 1, 2009, and ending June 30, 2010, are appropriated to the department of inspections and appeals for the purposes set forth in the grants, receipts, or conditions accompanying the receipt of the funds, unless otherwise provided by law.

Sec. 38. JUDICIAL BRANCH. Federal grants, receipts, and funds and other nonstate grants, receipts, and funds, available in whole or in part for the fiscal year beginning July 1, 2009, and ending June 30, 2010, are appropriated to the judicial branch for the purposes set forth in the grants, receipts, or conditions accompanying the receipt of the funds, unless otherwise provided by law.

Sec. 39. DEPARTMENT OF JUSTICE. Federal grants, receipts, and funds and other nonstate grants, receipts, and funds, available in whole or in part for the fiscal year beginning July 1, 2009, and ending June 30, 2010, are appropriated to

the department of justice for the purposes set forth in the grants, receipts, or conditions accompanying the receipt of the funds, unless otherwise provided by law.

Sec. 40. IOWA LAW ENFORCEMENT ACADEMY. Federal grants, receipts, and funds and other nonstate grants, receipts, and funds, available in whole or in part for the fiscal year beginning July 1, 2009, and ending June 30, 2010, are appropriated to the Iowa law enforcement academy for the purposes set forth in the grants, receipts, or conditions accompanying the receipt of the funds, unless otherwise provided by law.

Sec. 41. DEPARTMENT OF MANAGEMENT. Federal grants, receipts, and funds and other nonstate grants, receipts, and funds, available in whole or in part for the fiscal year beginning July 1, 2009, and ending June 30, 2010, are appropriated to the department of management for the purposes set forth in the grants, receipts, or conditions accompanying the receipt of the funds, unless otherwise provided by law.

Sec. 42. DEPARTMENT OF NATURAL RESOURCES. Federal grants, receipts, and funds and other nonstate grants, receipts, and funds, available in whole or in part for the fiscal year beginning July 1, 2009, and ending June 30, 2010, are appropriated to the department of natural resources for the purposes set forth in the grants, receipts, or conditions accompanying the receipt of the funds, unless otherwise provided by law.

Sec. 43. BOARD OF PAROLE. Federal grants, receipts, and funds and other nonstate grants, receipts, and funds, available in whole or in part for the fiscal year beginning July 1, 2009, and ending June 30, 2010, are appropriated to the board of parole for the purposes set forth in the grants, receipts, or conditions accompanying the receipt of the funds, unless otherwise provided by law.

Sec. 44. DEPARTMENT OF PUBLIC DEFENSE. Federal grants, receipts, and funds and other nonstate grants, receipts, and funds, available in whole or in part for the fiscal year beginning July 1, 2009, and ending June 30, 2010, are appropriated to the department of public defense for the purposes set forth in the grants, receipts, or conditions accompanying the receipt of the funds, unless otherwise provided by law.

Sec. 45. PUBLIC EMPLOYMENT RELATIONS BOARD. Federal grants, receipts, and funds and other nonstate grants, receipts, and funds, available in whole or in part for the fiscal year beginning July 1, 2009, and ending June 30, 2010, are appropriated to the public employment relations board for the purposes set forth in the grants, receipts, or conditions accompanying the receipt of the funds, unless otherwise provided by law.

Sec. 46. DEPARTMENT OF PUBLIC HEALTH. Federal grants, receipts, and funds and other nonstate grants, receipts, and funds, available in whole or in part for the fiscal year beginning July 1, 2009, and ending June 30, 2010, are appropriated to the department of public health for the purposes set forth in the grants, receipts, or conditions accompanying the receipt of the funds, unless otherwise provided by law.

Sec. 47. DEPARTMENT OF PUBLIC SAFETY. Federal grants, receipts, and funds and other nonstate grants, receipts, and funds, available in whole or in part for the fiscal year beginning July 1, 2009, and ending June 30, 2010, are appropriated to the department of public safety, for the purposes set forth in the grants, receipts, or conditions accompanying the receipt of the funds, unless otherwise provided by law.

Sec. 48. STATE BOARD OF REGENTS. Federal grants, receipts, and funds and other nonstate grants, receipts, and funds, available in whole or in part for the fiscal year beginning July 1, 2009, and ending June 30, 2010, are appropriated to the state board of regents for the purposes set forth in the grants, receipts, or conditions accompanying the receipt of the funds, unless otherwise provided by law.

Sec. 49. DEPARTMENT OF REVENUE. Federal grants, receipts, and funds and other nonstate grants, receipts, and funds, available in whole or in part for the fiscal year beginning July 1, 2009, and ending June 30, 2010, are appropriated to the department of revenue for the purposes set forth in the grants, receipts, or conditions accompanying the receipt of the funds, unless otherwise provided by law.

Sec. 50. OFFICE OF SECRETARY OF STATE. Federal grants, receipts, and funds and other nonstate grants, receipts, and funds, available in whole or in part for the fiscal year

beginning July 1, 2009, and ending June 30, 2010, are appropriated to the office of secretary of state for the purposes set forth in the grants, receipts, or conditions accompanying the receipt of the funds, unless otherwise provided by law.

Sec. 51. IOWA STATE FAIR AUTHORITY. Federal grants, receipts, and funds and other nonstate grants, receipts, and funds, available in whole or in part for the fiscal year beginning July 1, 2009, and ending June 30, 2010, are appropriated to the Iowa state fair authority for the purposes set forth in the grants, receipts, or conditions accompanying the receipt of the funds, unless otherwise provided by law.

Sec. 52. OFFICE FOR STATE-FEDERAL RELATIONS. Federal grants, receipts, and funds and other nonstate grants, receipts, and funds, available in whole or in part for the fiscal year beginning July 1, 2009, and ending June 30, 2010, are appropriated to the office for state-federal relations for the purposes set forth in the grants, receipts, or conditions accompanying the receipt of the funds, unless otherwise provided by law.

Sec. 53. IOWA TELECOMMUNICATIONS AND TECHNOLOGY COMMISSION. Federal grants, receipts, and funds and other nonstate grants, receipts, and funds, available in whole or in part for the fiscal year beginning July 1, 2009, and ending June 30, 2010, are appropriated to the Iowa telecommunications and technology commission for the purposes set forth in the grants, receipts, or conditions accompanying the receipt of the funds, unless otherwise provided by law.

Sec. 54. OFFICE OF TREASURER OF STATE. Federal grants, receipts, and funds and other nonstate grants, receipts, and funds, available in whole or in part for the fiscal year beginning July 1, 2009, and ending June 30, 2010, are appropriated to the office of treasurer of state for the purposes set forth in the grants, receipts, or conditions accompanying the receipt of the funds, unless otherwise provided by law.

Sec. 55. DEPARTMENT OF TRANSPORTATION. Federal grants, receipts, and funds and other nonstate grants, receipts, and funds, available in whole or in part for the fiscal year beginning July 1, 2009, and ending June 30, 2010, are appropriated to the department of transportation for the

purposes set forth in the grants, receipts, or conditions accompanying the receipt of the funds, unless otherwise provided by law.

Sec. 56. DEPARTMENT OF VETERANS AFFAIRS. Federal grants, receipts, and funds and other nonstate grants, receipts, and funds, available in whole or in part for the fiscal year beginning July 1, 2009, and ending June 30, 2010, are appropriated to the department of veterans affairs for the purposes set forth in the grants, receipts, or conditions accompanying the receipt of the funds, unless otherwise provided by law.

Sec. 57. DEPARTMENT OF WORKFORCE DEVELOPMENT. Federal grants, receipts, and funds and other nonstate grants, receipts, and funds, available in whole or in part for the fiscal year beginning July 1, 2009, and ending June 30, 2010, are appropriated to the department of workforce development for the purposes set forth in the grants, receipts, or conditions accompanying the receipt of the funds, unless otherwise provided by law.

DIVISION II

FEDERAL AMERICAN RECOVERY AND REINVESTMENT ACT OF 2009 FUNDING

Sec. 58. APPLICABILITY OF APPROPRIATIONS -- TRANSFERS -- UNANTICIPATED FUNDS.

1. a. The appropriations of available federal grants, receipts, and funds made to the departments and agencies in division I of this Act and in 2008 Iowa Acts, chapter 1177, sections 17 through 57, do not apply to the federal funding available through the federal American Recovery and Reinvestment Act of 2009 for the fiscal years addressed by the federal Act or to additional, unanticipated funding from federal law enacted after the effective date of this division of this Act.

b. However, if it is determined by the department of management, with the written consent of the governor, that federal grants, receipts, and funds available through the federal American Recovery and Reinvestment Act of 2009 are needed and are available without any match requirement and have not been appropriated in this division of this Act or are provided through federal match of state or local funds that have been appropriated, the appropriations described in paragraph "a" shall apply.

2. The department of management, with the written consent and approval of the governor, may exercise the transfer authority authorized in section 8.39, to transfer any of the appropriations made in this division of this Act to appropriations made from the general fund of the state for the fiscal year beginning July 1, 2008, or the fiscal year beginning July 1, 2009, provided the transfer is made within the same fiscal year for which the appropriation is made in this division of this Act. Any such transfer is subject to the notice provisions of section 8.39, subsection 3.

Sec. 59. FEDERAL RECOVERY AND REINVESTMENT FUND
APPROPRIATION FOR SCHOOLS -- FY 2008-2009.

1. There is appropriated from the federal recovery and reinvestment fund created in section 8.41A, as enacted in this division of this Act, to the department of management for the fiscal year beginning July 1, 2008, and ending June 30, 2009, the following amounts, or so much thereof as is necessary, to be used for the purposes designated:

From funding designated for education stabilization, to be used for state foundation aid to school districts in accordance with section 257.16, subsection 1:

..... \$ 40,000,000

2. The appropriation made in subsection 1 is in lieu of an equal amount of the appropriation from the general fund of the state in section 257.16, subsection 1, for the fiscal year beginning July 1, 2008, and ending June 30, 2009, after applying the reduction made pursuant to executive order number 10 issued December 22, 2008, and shall be used to pay that part of state foundation aid which represents the allowable growth amounts for all school districts under section 257.8, subsection 1.

3. For purposes of distributing the appropriation made in subsection 1 to school districts, the distribution amount shall be calculated as part of the May 2009 payment to each school district in the same ratio that the weighted enrollment, determined in accordance with section 257.6, subsection 5, of the school district for the budget year beginning July 1, 2008, bears to the total weighted enrollment of all school districts in the state for that budget year. However, if the federal funding is not received in time to be included in the May 2009 payment, the distribution amount

shall instead be included in the earliest possible payment to each school district, calculated as provided in this subsection.

Sec. 60. STATE FOUNDATION AID FOR SCHOOLS -- FY 2009-2010. Notwithstanding the standing appropriation in section 257.16, subsection 1, for state foundation aid for the fiscal year beginning July 1, 2009, and ending June 30, 2010, the amount appropriated from the general fund of the state pursuant to that section for the following designated purpose shall not exceed the following amount:

For state foundation aid under section 257.16, subsection 1:

..... \$2,587,500,000

1. Of the amount designated in this section for state foundation aid, \$309,001,736 is allocated for the teacher salary supplements, the professional development supplements, and the early intervention supplement in accordance with section 257.10, subsections 9 through 11, and section 257.37A.

2. If the remaining balance of the moneys designated in this section, after the allocation made in subsection 1, is less than the amount required to pay the remainder of state foundation aid pursuant to section 257.16, subsection 1, the difference shall be deducted from the payments to each school district and area education agency in the manner provided in section 257.16, subsection 4. The reduction for area education agencies shall be added to the reduction made pursuant to section 257.35, subsection 5, as amended by this division of this Act.

Sec. 61. FEDERAL RECOVERY AND REINVESTMENT FUND APPROPRIATIONS -- FY 2009-2010. There is appropriated from the federal recovery and reinvestment fund created in section 8.41A, as enacted in this division of this Act, to the department of management for the fiscal year beginning July 1, 2009, and ending June 30, 2010, the following amounts, or so much thereof as is necessary, to be used for the purposes designated:

1. From funding designated for education stabilization:

a. For state foundation aid to schools, to be used as provided in this lettered paragraph for state foundation aid to schools in accordance with section 257.16, subsection 1:

..... \$202,546,705

(1) The appropriation made in this lettered paragraph is in lieu of an equal amount of the appropriation made from the general fund of the state for the fiscal year beginning July 1, 2009, and ending June 30, 2010, pursuant to section 257.16, as limited by this division of this Act, and shall be used to pay that part of state foundation aid which represents the allowable growth amounts for all school districts under section 257.8, subsection 1.

(2) For purposes of distributing the appropriation made in this lettered paragraph to school districts, the distribution amount shall be calculated equally in the monthly payment to each school district in the same ratio that the weighted enrollment, determined in accordance with section 257.6, subsection 5, of the school district for the budget year beginning July 1, 2009, bears to the total weighted enrollment of all school districts in the state for that budget year.

b. For distribution to school districts for professional development related to implementation of the model core curriculum adopted by the state board of education in accordance with section 256.7, subsection 26, and implemented in accordance with section 280.3, subsection 3:

..... \$ 2,000,000

(1) The department of education shall distribute funds appropriated in this lettered paragraph for the purpose of this lettered paragraph based on the average per diem contract salary for each district as reported to the department for the school year beginning July 1, 2008, multiplied by the total number of full-time equivalent teachers in the base year. These funds shall not supplant existing funding for professional development activities.

(2) Notwithstanding any provision to the contrary, moneys received by a school district under this lettered paragraph shall not revert but shall remain available for the same purpose in the succeeding fiscal year.

(3) A school district shall submit a report to the department of education in a manner determined by the department describing its use of the funds received under this lettered paragraph. The department shall submit a report on school district use of the moneys distributed pursuant to this lettered paragraph to the department of management and the legislative services agency not later than January 15 of the

fiscal year for which moneys are allocated for purposes of this lettered paragraph.

c. For instructional support state aid under section 257.20, for the fiscal year beginning July 1, 2009, in lieu of the appropriation made in section 257.20, subsection 2:

..... \$ 13,103,950

Notwithstanding section 257.20, subsection 3, the appropriation made in this lettered paragraph shall be allocated in the same manner as the allocation of the appropriation was made for the same purpose in the previous fiscal year.

d. For distribution by the department of management to the institutions under the control of the state board of regents:

..... \$ 80,280,000

The department of management shall report to the legislative services agency on or before July 1, 2009, as to the distribution of the amount appropriated in this lettered paragraph among the five institutions.

e. For general state financial aid to merged areas as defined in section 260C.2 in accordance with chapters 258 and 260C to supplement the appropriation made for this purpose in 2009 Iowa Acts, Senate File 470, if enacted:

..... \$ 23,100,000

The amount appropriated in this lettered paragraph shall be allocated to merged areas in proportion to each merged area's share of general state financial aid appropriated in 2009 Iowa Acts, Senate File 470, if enacted.

2. From funding designated for government stabilization, for administration and regulation:

a. For the department of administrative services:

..... \$ 100,000

b. For the department of inspections and appeals, for health facility and dependent adult-related investigations:

..... \$ 400,000

c. For the department of management:

..... \$ 200,000

d. For the legislative services agency:

..... \$ 100,000

3. From funding designated for government stabilization, for general state financial aid to merged areas as defined in section 260C.2 in accordance with chapters 258 and 260C to

supplement the appropriation made for this purpose in 2009 Iowa Acts, Senate File 470, if enacted:

..... \$ 2,500,000

The amount appropriated in this subsection shall be allocated to merged areas in proportion to each merged area's share of general state financial aid appropriated in 2009 Iowa Acts, Senate File 470, if enacted.

4. From funding designated for government stabilization, for the department of corrections:

a. For the operation of the Fort Madison correctional facility:

..... \$ 4,347,000

b. For the operation of the Anamosa correctional facility:

..... \$ 931,000

c. For the operation of the Oakdale correctional facility:

..... \$ 2,030,000

d. For the operation of the Newton correctional facility:

..... \$ 1,029,000

e. For the operation of the Mt. Pleasant correctional facility:

..... \$ 903,000

f. For the operation of the Rockwell City correctional facility:

..... \$ 301,000

g. For the operation of the Clarinda correctional facility:

..... \$ 2,506,000

h. For the operation of the Mitchellville correctional facility:

..... \$ 679,000

i. For the operation of the Fort Dodge correctional facility:

..... \$ 1,064,000

j. For general administration of the department:

..... \$ 210,000

5. From funding designated for government stabilization, for the department of public defense for the military division:

..... \$ 180,000

6. From funding designated for government stabilization, for the department of public safety:

..... \$ 750,000

7. From funding designated for government stabilization, for the department of public health:

a. For elderly wellness:

..... \$ 700,000

b. For community capacity:

..... \$ 500,000

c. For resource management, to be allocated to the areas of greatest need:

..... \$ 1,800,000

8. From funding designated for government stabilization, for the department of human services:

a. For the medical assistance program:

..... \$ 6,237,173

Of the funds appropriated in this lettered paragraph, \$6,000,000 is allocated for rebasing of nursing facility reimbursement and \$237,173 for interpreter services associated with 2009 Iowa Acts, Senate File 389, if enacted.

b. For coverage of children under the medical assistance and hawk-i programs and for additional coverage provisions for children under 2009 Iowa Acts, Senate File 389, if enacted:

..... \$ 6,263,231

Of the funds appropriated in this lettered paragraph, \$510,249 is allocated for supplemental dental services under the hawk-i program.

c. For transfer to the department of public health to be used for 0.25 full-time equivalent position and other costs associated with the volunteer health care provider program:

..... \$ 20,000

d. For the property tax relief fund in lieu of an equal amount of the appropriation made from the general fund of the state in section 426B.1, subsection 2:

..... \$ 10,480,000

Notwithstanding section 426B.1, subsection 2, for the fiscal year beginning July 1, 2009, the amount of the appropriation made from the general fund of the state in section 426B.1, subsection 2, shall be reduced by \$2,964,543 and the appropriation made from the property tax relief fund and for the fiscal year to supplement the medical assistance program in section 426B.1, subsection 3, shall be reduced by the same amount.

e. For the risk pool created in the property tax relief fund in accordance with section 426B.5:

..... \$ 10,000,000

f. For a demonstration project providing health care coverage premium assistance for direct care workers to implement recommendations developed pursuant to 2008 Iowa Acts, chapter 1188, section 72:

..... \$ 400,000

g. For the department's field operations, if 2009 Iowa Acts, Senate File 389, is enacted:

..... \$ 680,596

The funds appropriated in this lettered paragraph shall be used for 17.00 additional full-time equivalent positions for implementation costs associated with 2009 Iowa Acts, Senate File 389, if enacted.

h. For child and family services:

..... \$ 2,500,000

Of the amount appropriated in this lettered paragraph, \$500,000 shall be used for additional funding of shelter care.

9. From funding designated for government stabilization, for the state department of transportation:

..... \$ 5,550,000

Fifty percent of the amount appropriated in this subsection shall be deposited into the street construction fund of the cities and fifty percent shall be deposited into the secondary road fund of the counties, to be used for construction, reconstruction, repair, and maintenance of city roads or secondary roads. The moneys allocated to such funds shall be expended within two years. The department shall, in cooperation with the cities and counties, provide a report to the legislative services agency regarding the projects funded by this appropriation by January 15 each year until the projects are completed.

Sec. 62. AMERICAN RECOVERY AND REINVESTMENT ACT OF 2009 -- ALLOCATION FOR INFANT AND TODDLER CARE QUALITY.

1. Of the moneys appropriated from the additional funding allocated under the federal American Recovery and Reinvestment Act of 2009 for the federal child care and development block grant to the department of human services for the fiscal year beginning July 1, 2009, and ending June 30, 2010, that are federally designated for activities that improve the quality

of infant and toddler care, \$2,365,556 is transferred to the early childhood programs grant account in the Iowa empowerment fund and shall be used in accordance with this section for a program through community empowerment areas for supporting low-income families in securing high-quality child care.

2. The funds transferred pursuant to this section shall be distributed as grants to community empowerment areas by applying the formula for the early childhood program grant account in section 28.9, subsection 4, paragraph "b". Notwithstanding section 8.33, the funds shall be available for expenditure by community empowerment areas in accordance with this section for the fiscal year beginning July 1, 2009, and the succeeding fiscal year.

3. For the purposes of this subsection, "federal poverty level" means the poverty level defined by the most recently revised poverty income guidelines published by the United States department of health and human services. The program shall provide financial assistance to families with infants and toddlers less than age two that have a family income of more than 145 percent but not more than 185 percent of the federal poverty level. However, the department may adjust the qualifying criteria or the financial assistance purpose provisions specified in this subsection or make other changes as necessary for implementation to conform with federal requirements for the funding. Outcome reporting and other grant requirements shall be developed by the department in cooperation with the Iowa empowerment board.

4. The financial assistance shall be for any of the following purposes:

a. For making temporary payments to qualifying families whose members are recently unemployed and seeking work to use in meeting immediate family needs.

b. For providing sliding scale subsidies for qualifying families for child care provided to the families' infants and toddlers by providers who are accredited by the national association for the education of young children or the national association for family child care, or who have a rating at level 3 or higher under the child care quality rating system implemented pursuant to section 237A.30.

Sec. 63. DEPARTMENT OF HUMAN SERVICES TRANSFERS -- FY 2008-2009. There is transferred to the human services

reinvestment fund created in this division of this Act, from the following appropriations made for the purposes indicated from the general fund of the state to the department of human services for the fiscal year beginning July 1, 2008, and ending June 30, 2009, the following amounts:

- 1. For child support recovery, in 2008 Iowa Acts, chapter 1187, section 8:
..... \$ 3,465,000
- 2. For child and family services, in 2008 Iowa Acts, chapter 1187, section 16:
..... \$ 1,128,221
- 3. For adoption subsidy, in 2008 Iowa Acts, chapter 1187, section 17:
..... \$ 1,151,849
- 4. For the state resource center at Glenwood, in 2008 Iowa Acts, chapter 1187, section 22, subsection 1, paragraph "a":
..... \$ 2,301,276
- 5. For the state resource center at Woodward, in 2008 Iowa Acts, chapter 1187, section 22, subsection 1, paragraph "b":
..... \$ 1,347,221

Sec. 64. DEPARTMENT OF HUMAN SERVICES TRANSFERS -- FY 2009-2010. There is transferred to the human services reinvestment fund created in this division of this Act, from the following appropriations made for the purposes indicated from the general fund of the state in 2009 Iowa Acts, House File 811, if enacted, to the department of human services for the fiscal year beginning July 1, 2009, and ending June 30, 2010, the following amounts:

- 1. For child support recovery:
..... \$ 2,937,999
- 2. For child and family services:
..... \$ 1,387,581

For fiscal year 2009-2010 the statewide expenditure target under section 232.143 for group foster care maintenance and services shall be \$32,812,819 in lieu of the target amount specified in the appropriation from which this transfer is made.

- 3. For the state resource center at Glenwood:
..... \$ 2,544,675
- 4. For the state resource center at Woodward:
..... \$ 642,029

Sec. 65. HUMAN SERVICES REINVESTMENT FUND.

1. The human services reinvestment fund is created in the office of the treasurer of state under the authority of the department of human services.

2. There is appropriated from the human services reinvestment fund to the department of human services for the fiscal year beginning July 1, 2009, and ending June 30, 2010, the following amounts to be used for the following designated purposes:

- a. For the Iowa juvenile home at Toledo:
..... \$ 836,515
- b. For the state training school at Eldora:
..... \$ 1,327,300
- c. For the state mental health institute at Cherokee:
..... \$ 673,209
- d. For the state mental health institute at Clarinda:
..... \$ 804,256
- e. For the state mental health institute at Independence:
..... \$ 1,177,799
- f. For the state mental health institute at Mt. Pleasant:
..... \$ 222,694
- g. For distribution to counties for state case services for persons with mental illness, mental retardation, and developmental disabilities:
..... \$ 325,430
- h. For costs associated with the commitment and treatment of sexually violent predators in the unit located at the state mental health institute at Cherokee:
..... \$ 503,554
- i. For the department's field operations:
..... \$ 8,386,761
- j. For the department's general administration:
..... \$ 1,500,000

3. There is appropriated from the human services reinvestment fund for the fiscal year beginning July 1, 2009, and ending June 30, 2010, the following amount to be used for the following designated purpose:

For the legislative services agency to be used for costs associated with the legislative health care coverage commission created in 2009 Iowa Acts, Senate File 389, if enacted, or a similar legislative commission:
..... \$ 315,000

Notwithstanding section 8.33, moneys appropriated in this subsection that remain unencumbered or unobligated at the close of the fiscal year shall not revert but shall remain available for expenditure for the purposes designated until the close of the fiscal year that begins July 1, 2010.

4. Any unexpended or unobligated moneys remaining in the human services reinvestment fund at the close of the fiscal year beginning July 1, 2009, or succeeding fiscal years shall be credited to the general fund of the state.

Sec. 66. COMMUNITY DEVELOPMENT BLOCK GRANT -- HOUSING AND RECOVERY ACT.

1. There is appropriated from the fund created by section 8.41 to the department of economic development for the federal fiscal year beginning October 1, 2007, and ending September 30, 2008, the following amount:

..... \$ 21,607,197

2. The funds appropriated in this section are community development block grant funds awarded to the state under the federal Housing and Economic Recovery Act of 2008, Pub. L. No. 110-289.

3. The department of economic development shall expend the funds appropriated in this section for emergency assistance for redevelopment of abandoned and foreclosed homes and residential properties, commonly referred to as the neighborhood stabilization program, as provided in the federal law and in conformance with chapter 17A. An amount not to exceed 4 percent of the funds appropriated in this section shall be used by the department for administrative expenses. From the funds set aside for administrative expenses, the department 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 this section.

4. This section is retroactively applicable to October 1, 2007.

Sec. 67. COMMUNITY DEVELOPMENT BLOCK GRANT -- DISASTER RELIEF.

1. There is appropriated from the fund created by section 8.41 to the department of economic development for the federal fiscal year beginning October 1, 2007, and ending September 30, 2008, the following amount:

..... \$125,297,142

2. The funds appropriated in this section are federal community development block grant funds awarded to the state under the federal Consolidated Security, Disaster Assistance, and Continuing Appropriations Act, 2009, Pub. L. No. 110-329.

3. The department of economic development shall expend the funds appropriated in this section for disaster relief, long-term recovery, and restoration of infrastructure as provided in the federal law making the funds available and in conformance with chapter 17A. An amount not to exceed 3 percent of the funds appropriated in this section shall be used by the department for administrative expenses. From the funds set aside for administrative expenses, the department 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 this section.

4. If the actual federal funding received is less than or greater than the amount appropriated in this section, the procedures specified in 2007 Iowa Acts, chapter 204, section 16 or 17, are applicable.

5. This section is retroactively applicable to October 1, 2007.

Sec. 68. NEW SECTION. 8.41A FEDERAL RECOVERY AND REINVESTMENT FUND.

1. A federal recovery and reinvestment fund is created in the state treasury under the control of the department of management consisting of moneys received from the federal government for state and local government fiscal relief under the federal American Recovery and Reinvestment Act of 2009, Pub. L. No. 111-5, and other moneys received for state and local government fiscal relief under any other federal legislation. Notwithstanding section 12C.7, interest or earnings on moneys in the fund shall be credited to the fund. Notwithstanding section 8.33, moneys credited to the fund that remain unexpended or unobligated at the end of a fiscal year shall not revert to any other fund.

2. Moneys appropriated from the fund shall be expended as provided in the federal law making the moneys available and in conformance with chapter 17A.

3. The recipient of an appropriation made from the fund shall account for the appropriation in a manner agreed to by the department of management and the legislative services agency.

4. The governor shall create an Iowa accountability and transparency board to monitor the state's use of federal American Recovery and Reinvestment Act of 2009 funding in order to prevent fraud, waste, and abuse, and to make recommendations to the governor and general assembly to assure best practices are implemented for the use of the funding.

Sec. 69. Section 257.35, subsection 5, Code 2009, is amended to read as follows:

5. Notwithstanding subsection 1, and in addition to the reduction applicable pursuant to subsection 2, the state aid for area education agencies and the portion of the combined district cost calculated for these agencies for the each fiscal year of the fiscal period beginning July 1, 2008, and ending June 30, 2010, shall be reduced by the department of management by two million five hundred thousand dollars. The reduction for each area education agency for each fiscal year of the fiscal period beginning July 1, 2008, and ending June 30, 2010, shall be prorated based on the reduction that the agency received in the fiscal year beginning July 1, 2003.

Sec. 70. Section 298.10, Code 2009, is amended to read as follows:

298.10 LEVY FOR CASH RESERVE.

1. The board of directors of a school district may certify for levy by April 15 of a school year, a tax on all taxable property in the school district in order to raise an amount for a necessary cash reserve for a school district's general fund. The amount raised for a necessary cash reserve does not increase a school district's authorized expenditures as defined in section 257.7.

2. For fiscal years beginning on or after July 1, 2012, the cash reserve levy for a budget year shall not exceed twenty percent of the general fund expenditures for the year previous to the base year minus the general fund unexpended fund balance for the year previous to the base year.

Sec. 71. 2009 Iowa Acts, Senate File 376, section 13, subsection 5, unnumbered paragraph 1, if enacted, is amended to read as follows:

For ~~public~~ broadband technology grants for the deployment and sustainability of high-speed broadband access:

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

Sec. 72. 2009 Iowa Acts, House File 414, section 45, subsection 2, is amended to read as follows:

2. The section of this division of this Act appropriating federal community development block grant funds is retroactively applicable to ~~June 30, 2008~~ October 1, 2007.

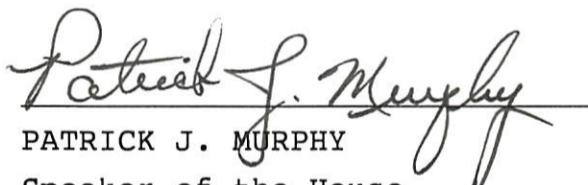
Sec. 73. 2009 Iowa Acts, House File 811, section 32, subsection 1, paragraph a, subparagraph (1), if enacted, is amended to read as follows:

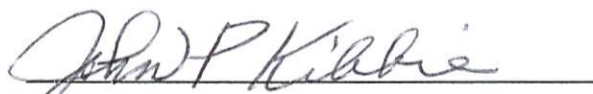
(1) For the fiscal year beginning July 1, 2009, the total state funding amount for the nursing facility budget shall not exceed ~~\$146,803,575~~ \$152,803,575.

Sec. 74. EFFECTIVE DATE -- RETROACTIVE APPLICABILITY.


1. Except as provided in subsection 2, this division of this Act, being deemed of immediate importance, takes effect upon enactment.

2. The section of this division of this Act amending section 257.35 is retroactively applicable to July 1, 2008.



PATRICK J. MURPHY
Speaker of the House


JOHN P. KIBBIE
President of the Senate

I hereby certify that this bill originated in the House and is known as House File 820, Eighty-third General Assembly.


MARK BRANDSGARD
Chief Clerk of the House

Approved May 26th, 2009


CHESTER J. CULVER
Governor