

FY 2003 Salary, Statutory Changes, and Corrective Changes Bill House File 2623

Last Action:

**House Appropriations
Committee**

April 9, 2002

An Act relating to the compensation and benefits for public officials and employees, regulatory and other properly related matters of the state, and making appropriations.



LEGISLATIVE FISCAL BUREAU

NOTES ON BILLS AND AMENDMENTS (NOBA)

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**EXECUTIVE SUMMARY
NOTES ON BILLS AND AMENDMENTS**

**HOUSE FILE 2623
FY 2003 SALARY, STATUTORY CHANGES, &
CORRECTIVE CHANGES BILL**

**SIGNIFICANT SALARY ACT
PROVISIONS**

- Transfers \$30.0 million from the Board of Regents demutualization proceeds to the Department of Management Salary Adjustment Fund. (Page 1, Line 3)
- Authorizes the Salary Adjustment Fund for FY 2003 to fund the negotiated bargaining agreements for contract-covered employees and noncontract employees. Provides a 3.0% across-the-board increase and merit step increases for noncontract employees of the State, excluding the Board of Regents, effective October 25, 2002. (Page 1, Line 15)
- Allocates \$18.0 million from the Salary Adjustment Fund to the Board of Regents for salary increases. (Page 4, Line 1)
- Allocates \$3.0 million to the Judicial Branch to fund a 3.0% increase for Justices, Judges, and magistrates starting December 20, 2002. (Page 4, Line 18)
- Appropriates Road Use Tax Fund (RUTF) and Primary Road Fund (PRF) moneys to pay salary increases for employees supported from these Funds. (Page 5, Line 24 and Page 5, Line 33)
- Requires the General Fund appropriation to the Salary Adjustment Fund to be used to pay salary increases supported by General Fund appropriations. (Page 6, Line 18)
- Specifies that sworn peace officers in the Department of Public Safety, not covered by a collective bargaining agreement, receive the same per diem meal allowance as covered sworn peace officers. (Page 6, Line 33)
- Funds the position of a salary model administrator-coordinator within the Department of Management. (Page 7, Line 6)
- Eliminates the requirement that the Departments of Management and Revenue and Finance certify that State General Fund savings will result from innovation projects prior to the Innovations Fund Committee approval of projects for loans. (Page 10, Line 2)
- Changes statutory language relating to the State Treasurer regarding the use of credit cards for payments to the State. Allows the State to pass the cost of using credit card receipts to the payer. (Page 10, Line 21)
- Requires the Legislative Service Bureau to solicit and process orders for all printed Codes, Session Laws, Administrative Codes and Bulletins, Court Rules, and the State Roster. (Page 12, Line 27)
- Permits persons that are conditional aliens, and were battered or subject to extreme cruelty, to be eligible for participation in the Family Investment Program. (Page 13, Line 23)

**SIGNIFICANT CHANGES TO THE
CODE OF IOWA**

**EXECUTIVE SUMMARY
NOTES ON BILLS AND AMENDMENTS**

**HOUSE FILE 2623
FY 2003 SALARY, STATUTORY CHANGES, &
CORRECTIVE CHANGES BILL**

**SIGNIFICANT CHANGES TO THE
CODE OF IOWA (CONTINUED)**

- Permits the Department of Human Services to use either the Balanced Budget Act of 1997 or the federal Ticket to Work Incentives Improvement Act for purposes of providing the Medicaid buy-in to persons with disabilities that have earned income. (Page 14, Line 29)
- Limits the amount of withholding tax credit funds that can be diverted from the General Fund to the Accelerated Career Education (ACE) Program to \$3.0 million for FY 2003. (Page 17, line 23)
- Specifies that costs related to summoning jurors be taken from the Jury Witness Fee Revolving Fund instead of directly from the General Fund. (Page 23, Line 17)
- Allows nonreversion of FY 2002 funds remaining for the Iowa Veterans Home. (Page 24, Line 16)
- Changes language in SF 2326 (FY 2003 Omnibus Appropriations Bill) related to the FY 2003 General Fund appropriation for mental health allowable growth. (Page 27, Line 12)
- Limits the costs for enforcement that can be billed to riverboats and racetracks. (Page 31, Line 5)

INTENT LANGUAGE

- Requires the Department of Cultural Affairs to conduct a study to identify an appropriate place in the State Capitol for a plaque and display honoring Iowa recipients of the Medal of Honor. (Page 24, Line 35)
- Requires the Departments of General Services, Personnel, and Information Technology to consult with affected departments in identifying duplicative positions or studying reorganizations within State government. (Page 25, Line 7)

**CORRECTIVE AND TECHNICAL
AMENDMENTS**

- Makes non-substantive corrective and technical amendments to various bills if enacted by the General Assembly during the 2002 Legislative Session and signed by the Governor. (Page 32, Line 17 through Page 42, Line 26)

EFFECTIVE DATES

- Specifies that nonreversion language relating to the Iowa Veterans Home is effective upon enactment. (Page 32, Line 11)
- Specifies that changes in this Bill relating to the State Military Code and the date for development of an expedited charter school application are effective upon enactment. (Page 42, Line 27)

CONTINGENT EFFECTIVE DATE

- Specifies that changes to banking statutory language in this Bill are contingent upon passage of HF 681 (Pledging of Collateral). (Page 42, Line 31)

**MENTAL HEALTH ALLOWABLE
GROWTH FOR FY 2004**

- Appropriates \$19.1 million from the General Fund to the Department of Human Services for mental health allowable growth for FY 2004. (Page 43, Line 2)

House File 2623

House File 2623 provides for the following changes to the Code of Iowa.

Page #	Line #	Bill Section	Action	Code Section	Description
8	31	13	Amends	Sec. 21.3, SF 2304, 2002 Iowa Acts	Corrects Pay Period Date
9	8	14	Amends	Sec. 25.3 and 25.4, SF 2304, 2002 Iowa Acts	Corrects Pay Period Date
9	29	15	Amends	Sec. 421.46(2), Code Supplement 2001	Strikes Section Relating to Terminal Liability Fund
10	2	17	Amends	Sec. 8.63(4)	Innovations Fund Loan Approvals and Repayments
10	21	18	Amends	Sec. 12.21	Accepting Credit Card Payments
11	13	19	Amends	Sec. 14B.203(3), Code Supplement 2001	Credit Card Payments to the Information Technology Department
11	26	20	Amends	Sec. 14B.205	Credit Card Payments to the Information Technology Department
12	4	21	Amends	Sec. 15.108(9)(e), Code Supplement 2001	Credit Card Payments to the Department of Economic Development
12	15	22	Amends	Sec. 15E.112(1)	Administration of Value-added Agricultural Products and Processes Fund by Department of Economic Development
12	27	23	Amends	Sec. 18.75(6)	Legislative Service Bureau Written Material
13	4	24	Adds	Sec. 18.97A	Distribution of Printed State Materials
13	11	25	Adds	Sec. 101.24(5)	Duties of the State Fire Marshal Related to Above Ground Storage Tanks
13	23	26	Adds	Sec. 239B.2B	Eligibility of Noncitizens for Participation in the Family Investment Program
14	29	27	Amends	Sec. 249A.3(2)(a), Code Supplement 2001	Medicaid Buy-In
17	17	28	Amends	Sec. 256.67(1), Code Supplement 2001	Library Service Areas
17	23	29	Amends	Sec. 260G.4B(1), Code Supplement 2001	Accelerated Career Education (ACE) Program Job Credits

Page #	Line #	Bill Section	Action	Code Section	Description
18	28	30	Amends	Sec. 368.4, as amended by HF 582, if enacted	Notice of Hearing for Annexation Moratorium
19	15	31	Amends	Sec. 368.26, if enacted by HF 582	Technical Correction Relating to Provision of Municipal Services
19	34	32	Amends	Sec. 421.17(31), Code Supplement 2001	Credit Card Payments to the Department of Revenue and Finance
20	9	33	Amends	Sec. 421.17(34)(f), Code Supplement 2001	Credit Card Payments to the Department of Revenue and Finance
20	19	34	Amends	Sec. 455A.4(5)	Credit Card Payments to the Department of Natural Resources
20	30	35	Amends	Sec. 476.97(11)(g)(4), as amended by SF 429	Telephone Regulation
21	7	36	Amends	Sec. 514I.5(3)	HAWK-I Board Membership
21	21	37	Amends	Sec. 541A.1(7)	Individual Development Accounts Definition
22	5	38	Amends	Sec. 541A.3(1)	Individual Development Accounts Savings Refunds
22	19	39	Amends	Sec. 541A.3(5)	Individual Development Accounts Claims for Savings Refunds
22	35	40	Amends	Sec. 556.12(1)	Publication Date of Abandoned Property List by State Treasurer
23	17	41	Amends	Sec. 602.1302(3)	Payment of Jurors from Jury Witness Revolving Fund
23	32	39	Amends	Sec. 602.8108(5)	Use of Court Technology and Modernization Fund
24	16	43	Adds	Sec. 7.2(g), Chapter 182, 2001 Iowa Acts	Nonreversion of Funds for Iowa Veterans Home
24	31	44	Amends	Sec. 904.108(1)(o), Code Supplement 2001	Correctional Training Program
26	17	50	Amends	Sec. 25, SF 2326, if enacted	Treasurer of State Contingent FTE Positions
26	28	51	Amends	Sec. 91.10, SF 2326, 2002 Iowa Acts	Scope of Practice Review Committee with the Department of Public Health
27	10	52	Repeals	Sec. 98, SF 2326, 2002 Iowa Acts	Repeals the Department of Public Health Scope of Practice Review Project

Page #	Line #	Bill Section	Action	Code Section	Description
27	12	53	Amends	Sec. 134, SF 2326, if enacted	FY 2003 Mental Health Allowable Growth
30	16	54	Amends	104.12, SF 2326, if enacted	Telecare Pilot Program Revision
31	5	55	Amends	Sec. 154.2, SF 2326 if enacted	Riverboat and Racetrack Enforcement Expenditure Billing Limitation
31	23	56	Amends	Sec. 175.14, SF 2326, 2002 Iowa Acts	Eliminates Public Transit Assistance Appropriation
31	26	57	Nwthstnd	Sec. 312.2(14)	Public Transit Assistance Appropriation
31	34	58	Repeals	All, Chapter 2A	Repeals Commission on Compensation, Expenses, and Salaries for Elected State Officials
32	17	61	Amends	Sec. 8.55(2)(d), as amended by HF 2075, if enacted	Technical Correction to Economic Emergency Fund Language
33	1	62	Amends	Sec. 10D.1, as added by SF 2210, 2002 Iowa Acts	Technical Correction to Definitions for Chicken Production
33	6	63	Amends	Sec. 15E.42(3) as enacted by HF 2271	Technical Correction to Tax Credit Language
33	14	64	Amends	Sec. 15E.43(1)(a) as enacted by HF 2271	Technical Correction to Tax Credit Language
33	25	65	Amends	Sec. 15E.224(1) as enacted by HF 2078	Technical Correction to Iowa Venture Capital Language
34	24	66	Amends	Sec. 29A.90(3), if enacted by SF 2124	Technical Correction to SF 2124 (State Military Code)
34	31	67	Amends	Sec. 41.1(28) as amended by 2001 Iowa Acts in First Extraordinary Session	Technical Correction to Apportionment Language for 28th Representative District in Dubuque County
38	6	68	Amends	Sec. 53.7(2) as amended by HF 2409	Technical Correction to Election Ballot Language
38	16	69	Amends	Sec. 303A.7(1) as enacted by HF 2571	Technical Correction to Iowa Cultural Trust Language
38	33	70	Amends	Sec. 356.36A, as enacted by SF 2278	Technical Correction to Confinement and Detention Report Language
39	28	71	Amends	Sec. 359.49(7A) as enacted by HF 2448	Technical Correction to Emergency Medical Service Language

Page #	Line #	Bill Section	Action	Code Section	Description
40	8	72	Amends	Sec. 524.814	Technical Correction to Statutory Banking Language
40	32	73	Amends	Sec. 633.4213(1), Code Supplement 2001, as amended by HF 2531	Technical Correction to Trust Instrument Language
41	12	74	Amends	Sec. 724.26 as amended by SF 2363	Technical Correction to Firearms and Offensive Weapons Language
41	23	75	Amends	Sec. 1.1, Chapter 174, 2001 Iowa Acts	Technical Correction to Tobacco Appropriation for School Aid Allowable Growth
42	2	76	Amends	Sec. 14, SF 348, if enacted	Expedited Charter School Application
42	11	77	Amends	Sec. 38.2, SF 2326, if enacted	Technical Correction to House File Reference
42	18	78	Amends	Sec. 175.2, SF 2326, if enacted	Technical Correction - Nonpublic School Transportation
42	25	79	Repeals	Sec. 6, HF 2453, if enacted	Medical Examiner Definition

PG LN	House File 2623	Explanation
1 1	DIVISION I	
1 2	COMPENSATION AND BENEFITS	
1 3	Section 1.	
1 4	1. STATE BOARD OF REGENTS DEMUTUALIZATION PROCEEDS	Transfers \$30,000,000 from the Board of Regents to the State Treasurer for deposit into the Salary Adjustment Fund.
1 5	TRANSFER. The state board of regents shall transfer by June	DETAIL: The Board of Regents received proceeds in the form of
1 6	1, 2002, to the treasurer of state for deposit in the salary	shares of stock as a result of the demutualization of Principal Mutual
1 7	adjustment fund the sum of \$30,000,000 from the proceeds	Holding Company. The proceeds total approximately \$103,900,000.
1 8	received by the state board of regents as a result of the	The Regent universities have held insurance policies with companies
1 9	demutualization of the principal mutual holding company. The	that are a part of Principal for many years (the majority of the
1 10	amount transferred represents the portion of the funds	proceeds are from life and disability policies). Since Principal was
1 11	utilized by the state board of regents institutions for	authorized to demutualize, the proceeds were allocated to
1 12	employer contributions toward the premiums on insurance	policyholders.
1 13	policies which were paid from state general fund	
1 14	appropriations for previous fiscal years.	
1 15	2. COLLECTIVE BARGAINING AGREEMENTS FUNDED -- REGENTS	
1 16	DEMUTUALIZATION PROCEEDS. The state board of regents	The transferred demutualization funds to the Salary Adjustment Fund
1 17	demutualization proceeds transferred pursuant to subsection 1	of \$30,000,000 for FY 2003 are to be distributed by the Department of
1 18	to the salary adjustment fund are appropriated and shall be	Management (DOM) to the various State departments, boards,
1 19	distributed by the department of management to the various	commissions, councils, and agencies to pay salary increases
1 20	state departments, boards, commissions, councils, and	negotiated by the bargaining units as listed.
1 21	agencies, including the state board of regents, for the fiscal	DETAIL: The appropriation funds the collective bargaining
1 22	year beginning July 1, 2002, and ending June 30, 2003, in the	agreements for contract-covered employees in all collective
1 23	amount of \$30,000,000, or so much thereof as may be necessary,	bargaining units. These include:
1 24	to fully fund the following annual pay adjustments, expense	1. American Federation of State, County, and Municipal Employees
1 25	reimbursements, and related benefits:	(AFSCME) - 3.00% across-the-board salary increase on October
1 26	a. The collective bargaining agreement negotiated pursuant	25, 2002; continuation of merit step increases and an additional
1 27	to chapter 20 for employees in the blue collar bargaining	step added to the top of the range effective February 1, 2003.
1 28	unit.	2. Iowa United Professionals (IUP) - 3.00% across-the-board salary
1 29	b. The collective bargaining agreement negotiated pursuant	increase on June 21, 2002; continuation of merit step increases
1 30	to chapter 20 for employees in the public safety bargaining	for employees who are not on the top step of the pay range.
1 31	unit.	3. United Faculty of Iowa (UFI) - 5.60% average pay increase on
1 32	c. The collective bargaining agreement negotiated pursuant	July 1, 2002.
1 33	to chapter 20 for employees in the security bargaining unit.	4. State Police Officer's Council (SPOC) - 3.00% across-the-board
1 34	d. The collective bargaining agreement negotiated pursuant	salary increase on June 21, 2002; continuation of merit step
		increases for employees who are not on the top step of the pay

1 35 to chapter 20 for employees in the technical bargaining unit.
 2 1 e. The collective bargaining agreement negotiated pursuant
 2 2 to chapter 20 for employees in the professional fiscal and
 2 3 staff bargaining unit.
 2 4 f. The collective bargaining agreement negotiated pursuant
 2 5 to chapter 20 for employees in the university of northern iowa
 2 6 faculty bargaining unit.
 2 7 g. The collective bargaining agreement negotiated pursuant
 2 8 to chapter 20 for employees in the clerical bargaining unit.
 2 9 h. The collective bargaining agreement negotiated pursuant
 2 10 to chapter 20 for employees in the professional social
 2 11 services bargaining unit.
 2 12 i. The collective bargaining agreement negotiated pursuant
 2 13 to chapter 20 for employees in the community-based corrections
 2 14 bargaining unit.
 2 15 j. The collective bargaining agreement negotiated pursuant
 2 16 to chapter 20 for employees in the judicial branch of
 2 17 government bargaining unit.
 2 18 k. The collective bargaining agreement negotiated pursuant
 2 19 to chapter 20 for employees in the patient care bargaining
 2 20 unit.
 2 21 l. The collective bargaining agreement negotiated pursuant
 2 22 to chapter 20 for employees in the science bargaining unit.
 2 23 m. The collective bargaining agreement negotiated pursuant
 2 24 to chapter 20 for employees in the state university of iowa
 2 25 graduate student bargaining unit.
 2 26 n. The collective bargaining agreement negotiated pursuant
 2 27 to chapter 20 for employees in the state university of iowa
 2 28 hospital and clinics tertiary health care bargaining unit.
 2 29 o. The annual pay adjustments, related benefits, and
 2 30 expense reimbursements referred to in sections 2 and 3 of this
 2 31 division of this Act for employees not covered by a collective
 2 32 bargaining agreement.

2 33 3. In distributing moneys from the salary adjustment fund,
 2 34 the department of management shall take into consideration the
 2 35 special circumstances of those state institutions operating

range.
 5. Public, Professional, and Maintenance Employees (PPME) -
 2.00% across-the-board salary increase on July 1, 2002, and a
 2.00% increase January 1, 2003; continuation of merit step
 increases for employees who are not on the top step of the pay
 range.
 6. Campaign to Organize Graduate Students (COGS) - 4.00%
 average pay increase on July 1, 2002.
 7. Tertiary Health Care at the University of Iowa - 6.00% average
 pay increase on July 1, 2002.

Requires the Department of Management to consider the impact of
 net budgeting when allocating the salary adjustment funds.

3 1 under the net general fund appropriation budgeting system so
3 2 that such institutions are not adversely affected because of
3 3 the use of that budgeting system.

3 4 Sec. 2. NONCONTRACT STATE EMPLOYEES -- GENERAL.

3 5 1. a. For the fiscal year beginning July 1, 2002, the
3 6 maximum salary levels of all pay plans provided for in section
3 7 19A.9, subsection 2, as they exist for the fiscal year ending
3 8 June 30, 2002, shall be increased by 3 percent for the pay
3 9 period beginning October 25, 2002, and any additional changes
3 10 in the pay plans shall be approved by the governor.

3 11 b. For the fiscal year beginning July 1, 2002, employees
3 12 may receive a step increase or the equivalent of a step
3 13 increase.

3 14 2. The pay plans for state employees who are exempt from
3 15 chapter 19A and who are included in the department of revenue
3 16 and finance's centralized payroll system shall be increased in
3 17 the same manner as provided in subsection 1, and any
3 18 additional changes in any executive branch pay plans shall be
3 19 approved by the governor.

3 20 3. This section does not apply to members of the general
3 21 assembly, board members, commission members, salaries of
3 22 persons set by the general assembly pursuant to this division
3 23 of this Act or salaries of appointed state officers set by the
3 24 governor, other persons designated, employees designated under
3 25 section 19A.3, subsection 5, and employees covered by 581 IAC
3 26 4.6(3).

3 27 4. The pay plans for the bargaining eligible employees of
3 28 the state shall be increased in the same manner as provided in
3 29 subsection 1, and any additional changes in such executive
3 30 branch pay plans shall be approved by the governor. As used
3 31 in this section, "bargaining eligible employee" means an
3 32 employee who is eligible to organize under chapter 20, but has
3 33 not done so.

3 34 5. The policies for implementation of this section shall

Provides noncontract State employees with a 3.00% across-the-board salary increase on October 25, 2002, and continuation of merit step increases for employees who are not on the top step of the pay range.

Specifies that noncontract State employee increases do not apply to:

1. Members of the General Assembly.
2. Board or commission members.
3. Salaries set by the General Assembly.
4. Salaries set by the Governor.
5. Employees under Section 19A.3(5), Code of Iowa (presidents, deans, directors, teachers, professional and scientific personnel, and student employees of the Board of Regents).
6. Employees of the Board of Regents (except Board Office employees).
7. Employees who exceed the pay for the top of the range.

Requires the Governor to approve the policies for implementation of

3 35 be approved by the governor.

this Section.

4 1 Sec. 3. STATE EMPLOYEES -- STATE BOARD OF REGENTS. Funds
 4 2 from the appropriation in section 1, subsection 2 of this
 4 3 division of this Act, not to exceed \$18,000,000, shall be
 4 4 allocated to the state board of regents for the purposes of
 4 5 providing increases for state board of regents employees
 4 6 covered by section 1 of this division of this Act and for
 4 7 state board of regents employees not covered by a collective
 4 8 bargaining agreement as follows:
 4 9 1. For regents merit system employees and merit
 4 10 supervisory employees to fund for the fiscal year, increases
 4 11 comparable to those provided for similar contract-covered
 4 12 employees in this division of this Act.
 4 13 2. For faculty members and professional and scientific
 4 14 employees to fund for the fiscal year, percentage increases
 4 15 comparable to those provided for contract-covered employees in
 4 16 section 1, subsection 2, paragraph "f", of this division of
 4 17 this Act.

Allocates \$18,000,000 of Salary Adjustment Funds to the Board of Regents for contract and noncontract employee salary increases.

DETAIL: Board of Regents merit system employees receive increases comparable to other contract-covered employees.

4 18 Sec. 4. STATE COURTS -- JUSTICES, JUDGES, AND MAGISTRATES.
 4 19 1. Funds from the appropriation in section 1, subsection 2
 4 20 of this division of this Act, not to exceed \$2,970,000, shall
 4 21 be allocated to the judicial branch for the purpose of
 4 22 providing increases in salaries for state judges, justices,
 4 23 and magistrates and for increases for other judicial branch
 4 24 employees. The salary rates specified in subsection 2 are for
 4 25 the fiscal year beginning July 1, 2002, effective for the pay
 4 26 period beginning December 20, 2002, and for subsequent fiscal
 4 27 years until otherwise provided by the general assembly.

Allocates \$2,970,000 of Salary Adjustment Funds to the Judicial Branch.

4 28 2. The following annual salary rates shall be paid to the
 4 29 persons holding the judicial positions indicated during the
 4 30 fiscal year beginning July 1, 2002, effective with the pay
 4 31 period beginning December 20, 2002, and for subsequent pay
 4 32 periods.

Sets the FY 2003 salary rates for judicial positions.

DETAIL: Provides a 3.00% salary increase on December 20, 2002, for justices, judges, and magistrates.

4 33	a. Chief justice of the supreme court:	
4 34	.....	\$ 124,550
4 35	b. Each justice of the supreme court:	
5 1	.....	\$ 120,100
5 2	c. Chief judge of the court of appeals:	
5 3	.....	\$ 119,980
5 4	d. Each associate judge of the court of appeals:	
5 5	.....	\$ 115,540
5 6	e. Each chief judge of a judicial district:	
5 7	.....	\$ 114,470
5 8	f. Each district judge except the chief judge of a	
5 9	judicial district:	
5 10	.....	\$ 109,810
5 11	g. Each district associate judge:	
5 12	.....	\$ 95,700
5 13	h. Each associate juvenile judge:	
5 14	.....	\$ 95,700
5 15	i. Each associate probate judge:	
5 16	.....	\$ 95,700
5 17	j. Each judicial magistrate:	
5 18	.....	\$ 28,530
5 19	k. Each senior judge:	
5 20	.....	\$ 6,370

5 21 3. Persons receiving the salary rates established under
 5 22 subsection 2 shall not receive any additional salary
 5 23 adjustments provided by this division of this Act.

Prohibits judicial positions from receiving any additional salary adjustments under this Act.

5 24 Sec. 5. APPROPRIATIONS FROM ROAD FUNDS.
 5 25 1. There is appropriated from the road use tax fund to the
 5 26 salary adjustment fund for the fiscal year beginning July 1,
 5 27 2002, and ending June 30, 2003, the following amount, or so
 5 28 much thereof as may be necessary, to be used for the purpose
 5 29 designated:
 5 30 To supplement other funds appropriated by the general
 5 31 assembly:

Road Use Tax Fund appropriation to the Salary Adjustment Fund.

5 32 \$ 1,588,368

5 33 2. There is appropriated from the primary road fund to the
 5 34 salary adjustment fund, for the fiscal year beginning July 1,
 5 35 2002, and ending June 30, 2003, the following amount, or so
 6 1 much thereof as may be necessary, to be used for the purpose
 6 2 designated:
 6 3 To supplement other funds appropriated by the general
 6 4 assembly:
 6 5 \$ 8,627,499

Primary Road Fund appropriation to the Salary Adjustment Fund.

6 6 3. Except as otherwise provided in this division of this
 6 7 Act, the amounts appropriated in subsections 1 and 2 shall be
 6 8 used to fund the annual pay adjustments, expense
 6 9 reimbursements, and related benefits for public employees as
 6 10 provided in this division of this Act.

Requires appropriations from the Road Use Tax Fund and the Primary Road Fund to be used as provided in this Bill.

6 11 Sec. 6. SPECIAL FUNDS -- AUTHORIZATION. For departmental
 6 12 revolving, trust, or special funds, except for the primary
 6 13 road fund or the road use tax fund, for which the general
 6 14 assembly has established an operating budget, a supplemental
 6 15 expenditure authorization is provided, unless otherwise
 6 16 provided, in an amount necessary to fund salary adjustments,
 6 17 as provided in this division of this Act.

Provides supplemental expenditure authorization for revolving trust funds or other special funds, except the Road Use Tax Fund and the Primary Road Fund, to be used to fund salary adjustments.

6 18 Sec. 7. GENERAL FUND SALARY MONEYS. Funds appropriated
 6 19 for distribution from the salary adjustment fund in section 1,
 6 20 subsection 2 of this division of this Act relate only to
 6 21 salaries supported from general fund appropriations of the
 6 22 state except for employees of the state board of regents. The
 6 23 funds allocated in this division of this Act for employees of
 6 24 the state board of regents shall exclude general university
 6 25 indirect costs and general university federal funds.

Requires that the General Fund appropriation made in this Bill be used only to support salaries funded from the General Fund.

6 26 Sec. 8. FEDERAL FUNDS APPROPRIATED. For the fiscal year

Requires eligible federal funds received to be expended for salary

6 27 beginning July 1, 2002, and ending June 30, 2003, all federal
 6 28 grants to and the federal receipts of the agencies affected by
 6 29 this division of this Act which are received and may be
 6 30 expended for purposes of this division of this Act are
 6 31 appropriated for those purposes and as set forth in the
 6 32 federal grants or receipts.

adjustments where appropriate.

6 33 Sec. 9. STATE TROOPER MEAL ALLOWANCE. For the fiscal year
 6 34 beginning July 1, 2002, and ending June 30, 2003, the sworn
 6 35 peace officers in the department of public safety who are not
 7 1 covered by a collective bargaining agreement negotiated
 7 2 pursuant to chapter 20 shall receive the same per diem meal
 7 3 allowance as the sworn peace officers in the department of
 7 4 public safety who are covered by a collective bargaining
 7 5 agreement negotiated pursuant to chapter 20.

Specifies that sworn peace officers in the Department of Public Safety, not covered by a collective bargaining agreement, receive the same per diem meal allowance as covered sworn peace officers.

7 6 Sec. 10. SALARY MODEL COORDINATOR. Of the funds
 7 7 appropriated in section 1, subsection 2, of this division of
 7 8 this Act, \$126,767 for the fiscal year beginning July 1, 2002,
 7 9 is allocated to the department of management for salary and
 7 10 support of the salary model coordinator who shall work in
 7 11 conjunction with the legislative fiscal bureau to maintain the
 7 12 state's salary model used for analyzing, comparing, and
 7 13 projecting state employee salary and benefit information,
 7 14 including information relating to employees of the state board
 7 15 of regents. The department of revenue and finance, the
 7 16 department of personnel, the five institutions under the
 7 17 jurisdiction of the state board of regents, the judicial
 7 18 district departments of correctional services, and the state
 7 19 department of transportation shall provide salary data to the
 7 20 department of management and the legislative fiscal bureau to
 7 21 operate the state's salary model. The format and frequency of
 7 22 provision of the salary data shall be determined by the
 7 23 department of management and the legislative fiscal bureau.
 7 24 The information shall be used in collective bargaining
 7 25 processes under chapter 20 and in calculating the funding

Allocates \$126,767 to the Department of Management for the costs of a salary model administrator. Requires the administrator-coordinator to work in conjunction with the Legislative Fiscal Bureau in maintaining the State's salary model. Requires the following departments or entities to provide salary data to the Department of Management and the Legislative Fiscal Bureau:

1. Revenue and Finance
2. Personnel
3. Five institutions of the Board of Regents
4. Eight judicial districts departments of correctional services (CBCs)
5. Department of Transportation

Specifies that a State employee organization may request information produced by the model, but the information provided shall not be individually identifiable.

7 26 needs contained within the annual salary adjustment
7 27 legislation. A state employee organization as defined in
7 28 section 20.3, subsection 4, may request information produced
7 29 by the model, but the information provided shall not contain
7 30 information attributable to individual employees.

7 31 Sec. 11. HEALTH INSURANCE INCENTIVE PROGRAMS. For the
7 32 fiscal year beginning July 1, 2002, and ending June 30, 2003,
7 33 the department of revenue and finance shall administer the
7 34 health insurance incentive programs as contained in the
7 35 collective bargaining agreements. The incentive payment shall
8 1 be distributed in the paycheck of an eligible state employee
8 2 if the employee is employed by a central state agency. Each
8 3 judicial district department of correctional services and the
8 4 state board of regents shall provide monthly to the department
8 5 of revenue and finance a list of their employee counts by
8 6 benefit plan that qualify for the incentive and the amount of
8 7 the incentive due. The judicial district department of
8 8 correctional services and the state board of regents shall
8 9 include the amount of the incentive payment in their eligible
8 10 employees' paychecks as soon as the payment is
8 11 administratively practical.

Requires the Department of Revenue and Finance (DRF) to administer the Health Insurance Incentive Programs for FY 2003.

DETAIL: The current contracts make provisions for monetary incentives for employees to switch to less expensive health insurance plans. These plans are to be administered by the DRF.

8 12 Sec. 12. TERMINAL LIABILITY HEALTH INSURANCE SURCHARGE.
8 13 For the period beginning July 1, 2002, and ending January 3,
8 14 2003, the department of personnel shall include in the rates
8 15 for the Wellmark Blue Cross/Blue Shield Program 3 Plus,
8 16 Wellmark Blue Cross/Blue Shield Program 3 plus with a
8 17 comprehensive major medical overlay, and Iowa Select Preferred
8 18 Provider Organization health insurance plans a surcharge, as
8 19 determined by the department of management, on only the
8 20 employer's share of the health insurance premium cost to fund
8 21 the state's share of the terminal liability of the existing
8 22 Wellmark health insurance contract. The department of revenue
8 23 and finance shall collect the surcharge from state agencies,
8 24 the state fair board, state board of regents, and the judicial

Authorizes the Department of Personnel to establish a surcharge during the period July 1, 2002, to January 3, 2003, to fund the terminal health insurance liability. This surcharge would be paid from all sources of funds.

8 25 district departments of correctional services. The proceeds
8 26 of the surcharge shall be credited to the terminal liability
8 27 health insurance fund created in section 421.46. The health
8 28 insurance plans provided to state employees covered by the
8 29 state police officers council collective bargaining agreement
8 30 are exempt from the surcharge provided in this section.

8 31 Sec. 13. 2002 Iowa Acts, Senate File 2304, section 21,
8 32 subsection 3, is amended to read as follows:
8 33 3. As part of implementing the reduction made in
8 34 subsection 1, notwithstanding the annual salary rates
8 35 authorized for justices, judges, and magistrates in 2001 Iowa
9 1 Acts, chapter 190, section 1, for the fiscal year beginning
9 2 July 1, 2001, those salary rates shall be reduced by applying
9 3 a 5 percent reduction to the portion of annual salary
9 4 attributable to the period beginning on the effective date of
9 5 this Act through June ~~30~~ 20, 2002. Subsection 2 does not
9 6 apply to justices, judges, and magistrates subject to this
9 7 subsection.

CODE: Amends Senate File 2304 (FY 2002 Budget Adjustments Act)
to correct the ending date of the pay period for the end of the FY
2002.

9 8 Sec. 14. 2002 Iowa Acts, Senate File 2304, section 25,
9 9 subsections 3 and 4, are amended to read as follows:
9 10 3. As part of implementing the reduction made in this
9 11 section, notwithstanding the annual salary rates authorized
9 12 for elective executive branch officials in 2000 Iowa Acts,
9 13 chapter 1219, section 3, for the fiscal year beginning July 1,
9 14 2001, the salary rates for such officials shall be reduced by
9 15 applying a 5 percent reduction to the portion of annual salary
9 16 attributable to the period beginning on the effective date of
9 17 this Act through June ~~30~~ 20, 2002. Subsection 2 does not
9 18 apply to elective executive branch officials subject to this
9 19 subsection.
9 20 4. As part of implementing the reduction made in this
9 21 section, notwithstanding the annual salaries established under
9 22 2001 Iowa Acts, chapter 190, section 3, for the fiscal year
9 23 beginning July 1, 2001, each of those salaries shall be

CODE: Amends Senate File 2304 (FY 2002 Budget Adjustments Act)
to correct the ending date of the pay period for the end of the FY
2002.

9 24 reduced by applying a 5 percent reduction to the portion of
 9 25 the salary attributable to the period beginning on the
 9 26 effective date of this Act through June 30 20, 2002.
 9 27 Subsection 2 does not apply to appointed executive branch
 9 28 officers subject to this subsection.

9 29 Sec. 15. Section 421.46, subsection 2, Code Supplement
 9 30 2001, is amended by striking the subsection.

CODE: Strikes the section of the Code of Iowa that requires the Health Insurance Terminal Liability Fund to be used to reimburse agencies for the General Fund cost of paying the terminal liability surcharge.

9 31 Sec. 16. EFFECTIVE DATE. Section 1, subsection 1 of this
 9 32 Act relating to the state board of regents demutualization
 9 33 proceeds transfer, being deemed of immediate importance, takes
 9 34 effect upon enactment.

Specifies that the transfer of \$30,000,000 Regent demutualization funding takes effect upon enactment.

9 35 DIVISION II
 10 1 STATUTORY AND SESSION LAW CHANGES

10 2 Sec. 17. Section 8.63, subsection 4, Code 2001, is amended
 10 3 to read as follows:
 10 4 4. a- In order for the innovations fund to be self-
 10 5 supporting, the innovations fund committee shall establish
 10 6 repayment schedules for each innovation fund loan awarded.
 10 7 Agencies shall repay the funds over a period not to exceed
 10 8 five years with interest, at a rate to be determined by the
 10 9 innovations fund committee.
 10 10 ~~b- If the department of management and the department of~~
 10 11 ~~revenue and finance certify that the savings from a proposed~~
 10 12 ~~innovations fund project will result in a net increase in the~~
 10 13 ~~balance of the general fund of the state without a~~
 10 14 ~~corresponding cost savings to the requesting agency, and if~~
 10 15 ~~the requesting agency meets all other eligibility~~
 10 16 ~~requirements, the innovations fund committee may approve the~~
 10 17 ~~loan for the project and not require repayment by the~~

CODE: Eliminates the requirement that the Departments of Management and Revenue and Finance certify that State General Fund savings will result from innovation projects prior to the Innovations Fund Committee approval of projects for loans. Also eliminates appropriations from the General Fund to the Department of Revenue and Finance for repayment of innovations loans.

10 18 ~~requesting agency. There is appropriated from the general~~
 10 19 ~~fund of the state to the department of revenue and finance an~~
 10 20 ~~amount sufficient to repay the loan amount.~~

10 21 Sec. 18. Section 12.21, Code 2001, is amended to read as
 10 22 follows:

10 23 12.21 ACCEPTING CREDIT CARD PAYMENTS.

10 24 1. The treasurer of state may enter into an agreement with
 10 25 a financial institution or other credit card processor to
 10 26 provide credit card receipt processing for state departments
 10 27 which are authorized by the treasurer of state to accept
 10 28 payment by credit card.

10 29 ~~2. A department which accepts authorized by the treasurer~~
 10 30 ~~of state to accept payment by credit card payments may adjust~~
 10 31 ~~its fees to reflect the cost of credit card receipt processing~~
 10 32 ~~as determined by the treasurer of state. A fee may be charged~~
 10 33 ~~by a department for using the credit card payment method~~
 10 34 ~~notwithstanding any other provision of the Code setting~~
 10 35 ~~specific fees. The fees charged to a payer shall be the same~~
 11 1 ~~regardless of payment method unless otherwise permitted in the~~
 11 2 ~~agreement with the financial institution or credit card~~
 11 3 ~~processor.~~

11 4 3. The credit card charges applied by a financial
 11 5 institution or credit card processor for credit card receipts
 11 6 accepted in accordance with subsection 1 shall be considered
 11 7 to be part of the payment due and accepted. A state
 11 8 department authorized by the treasurer of state to accept
 11 9 payment by credit card shall pay the credit card receipt
 11 10 processing charges from aggregate fees collected.

11 11 4. The treasurer of state shall adopt rules to implement
 11 12 this section.

11 13 Sec. 19. Section 14B.203, subsection 3, Code Supplement
 11 14 2001, is amended to read as follows:

11 15 3. In addition to other forms of payment, credit cards
 11 16 shall be accepted in payment for moneys owed to a governmental

CODE: Changes statutory language relating to the State Treasurer regarding use of credit cards for payments to the State. Allows the State to pass the cost of using credit card receipts to the payer. Requires the State Treasurer to adopt rules to implement this Section.

CODE: Makes corrective changes to statutory language related to the Information Technology Department regarding the use of credit cards for payments to the State.

11 17 entity as provided in this section, according to rules which
 11 18 shall be adopted by the treasurer of state under section
 11 19 12.21. The fees to be charged shall not exceed those
 11 20 permitted by statute. A governmental entity may adjust its
 11 21 fees to reflect the cost of processing as determined by the
 11 22 treasurer of state. The discount charged by the credit card
 11 23 issuer may be included in determining the fees to be paid for
 11 24 completing a financial transaction under this section by using
 11 25 a credit card.

11 26 Sec. 20. Section 14B.205, Code 2001, is amended to read as
 11 27 follows:

11 28 14B.205 CREDIT CARDS ACCEPTED.

11 29 In addition to other forms of payment, credit cards may
 11 30 shall be accepted in accordance with section 12.21 in payment
 11 31 for any fees, including but not limited to interest,
 11 32 penalties, subscriptions, registrations, purchases,
 11 33 applications, licenses, permits, or other filings transmitted
 11 34 or transactions conducted electronically. The fees to be
 11 35 charged shall not exceed those permitted by statute, except
 12 1 that the discount charged by the credit card issuer may be
 12 2 included in determining the fee to be charged for records
 12 3 transmitted or transactions conducted electronically.

12 4 Sec. 21. Section 15.108, subsection 9, paragraph e, Code
 12 5 Supplement 2001, is amended to read as follows:
 12 6 e. At the director's discretion, accept Accept payment by
 12 7 credit card in accordance with section 12.21 of any fees,
 12 8 interest, penalties, subscriptions, registrations, purchases,
 12 9 or other payments, or any portion of such payments, which are
 12 10 due or collected by the department. The department may adjust
 12 11 the amount of the payment to reflect the costs of processing
 12 12 the payment as determined by the treasurer of state and the
 12 13 payment by credit card shall include, in addition to all other
 12 14 charges, any discount charged by the credit card issuer.

CODE: Makes corrective changes to statutory language related to the Information Technology Department regarding the use of credit cards for payments to the State.

CODE: Makes corrective changes to statutory language related to the Department of Economic Development regarding the use of credit cards for payments to the State.

DETAIL: Eliminates the Director's discretion. The Department is required to accept payments by credit card.

12 15 Sec. 22. Section 15E.112, subsection 1, Code 2001, is
12 16 amended to read as follows:
12 17 1. A value-added agricultural products and processes
12 18 financial assistance fund is created within the state treasury
12 19 under the control of the department. The fund shall consist
12 20 of moneys allocated from the Iowa strategic investment fund
12 21 created in section 15.313, those appropriated moneys, and any
12 22 other moneys available to and obtained or accepted by the
12 23 department from the federal government or private sources for
12 24 placement in the fund. The assets of the fund shall be used
12 25 by the department only for administration and carrying out the
12 26 purposes of section 15E.111.

CODE: Allows the Department of Economic Development to use funds in the Value-added Agricultural Products and Processes Financial Assistance Fund for administration of the Fund.

12 27 Sec. 23. Section 18.75, subsection 6, Code 2001, is
12 28 amended to read as follows:
12 29 6. Have legal custody of all Codes, session laws, books of
12 30 annotations, tables of corresponding sections, publications,
12 31 except premium lists published by the Iowa state fair board,
12 32 containing reprints of statutes or administrative rules, or
12 33 both, reports of state departments, and reports of the supreme
12 34 court, and sell, account for, and distribute the same as
12 35 provided by law. However, the legislative service bureau
13 1 shall solicit and process orders for the distribution of all
13 2 printed Codes, session laws, administrative codes and
13 3 bulletins, court rules, and the state roster.

CODE: Requires the Legislative Service Bureau to solicit and process orders for the specified printed materials.

13 4 Sec. 24. Section 18.97A, Code 2001, is amended by adding
13 5 the following new unnumbered paragraph:
13 6 NEW UNNUMBERED PARAGRAPH. The office of the governor, the
13 7 supreme court, and the legislative council shall control the
13 8 number of copies of the printed publications enumerated in
13 9 section 18.97 distributed to recipients in their respective
13 10 branches.

CODE: Requires the Governor, Supreme Court, and the Legislative Council to control the number of free copies of certain legal publications to be provided as specified in Section 18.97, Code of Iowa.

13 11 Sec. 25. Section 101.24, Code 2001, is amended by adding

CODE: States that if an aboveground storage tank meets the

13 12 the following new subsection:
 13 13 NEW SUBSECTION. 5. If a tank manufactured for aboveground
 13 14 use at a tank site meets the requirements of sections 2-3.5
 13 15 and 2-3.6 of the standard national fire protection association
 13 16 30 flammable and combustible liquids code, 1993 edition, and
 13 17 the tank owner has complied with section 101.22 on or before
 13 18 June 30, 2001, the fire marshal shall consider the aboveground
 13 19 tank equivalent of the underwriters laboratory rated tanks
 13 20 described in section 2-2.3.1(a) of the standard national fire
 13 21 protection association 30 flammable and combustible liquids
 13 22 code, 1993 edition, for purposes of this chapter.

standards established in the NFPA 30 Flammable and Combustible Liquids Code (1993 edition) and the tank owner has complied with Section 101.22 of the Code of Iowa on or before June 30, 2001, the fire marshal is to consider the aboveground storage tank equivalent of a double-walled tank under Section 2-2.3.2(a) of the standard NFPA 30 Flammable and Combustible Liquids Code.

13 23 Sec. 26. NEW SECTION. 239B.2B ELIGIBILITY OF
 13 24 NONCITIZENS.
 13 25 A person who meets the conditions of eligibility under
 13 26 section 239B.2 and who meets either of the following
 13 27 requirements shall be eligible for participation in the family
 13 28 investment program:
 13 29 1. The person is a conditional resident alien who was
 13 30 battered or subjected to extreme cruelty, or whose child was
 13 31 battered or subjected to extreme cruelty, perpetrated by the
 13 32 person's spouse who is a United States citizen or lawful
 13 33 permanent resident as described in 8 C.F.R. § 216.5(a)(3).
 13 34 2. The person was battered or subjected to extreme
 13 35 cruelty, or the person's child was battered or subjected to
 14 1 extreme cruelty, perpetrated by the person's spouse who is a
 14 2 United States citizen or lawful permanent resident and the
 14 3 person's petition has been approved or a petition is pending
 14 4 that sets forth a prima facie case that the person has
 14 5 noncitizen status under any of the following categories:
 14 6 a. Status as a spouse or child of a United States citizen
 14 7 or lawful permanent resident under the federal Immigration and
 14 8 Nationality Act, § 204(a)(1), as codified in 8 U.S.C. §
 14 9 1154(a)(1)(A).
 14 10 b. Status as a spouse or child who was battered or
 14 11 subjected to extreme cruelty by a United States citizen or
 14 12 lawful permanent resident, under the federal Immigration and

CODE: Permits persons that meet specified conditions, to be eligible for participation in the Family Investment Program (FIP).

DETAIL: Creates a State Program under FIP for persons that meet the eligibility criteria in this Section. There are currently three families that would be eligible for FIP benefits under this Program. The costs associated with the benefits provided by this Program are not eligible for federal financial participation and must be funded totally by State funds.

FISCAL IMPACT: The estimated cost of this Section for FY 2003 is approximately \$16,000.

14 13 Nationality Act, § 204(a)(iii), as codified in 8 U.S.C. §
 14 14 1154(a)(1)(A)(iii).
 14 15 c. Classification as a person lawfully admitted for
 14 16 permanent residence under the federal Immigration and
 14 17 Nationality Act.
 14 18 d. Suspension of deportation and adjustment of status
 14 19 under the federal Immigration and Nationality Act, § 244(a),
 14 20 as in effect before the date of enactment of the federal
 14 21 Illegal Immigration Reform and Immigrant Responsibility Act of
 14 22 1996.
 14 23 e. Cancellation of removal or adjustment of status under
 14 24 the federal Immigration and Nationality Act, § 240A, as
 14 25 codified in 8 U.S.C. § 1229b.
 14 26 f. Status as an asylee, if asylum is pending, under the
 14 27 federal Immigration and Nationality Act, § 208, as codified in
 14 28 8 U.S.C. § 1158.

14 29 Sec. 27. Section 249A.3, subsection 2, paragraph a, Code
 14 30 Supplement 2001, is amended to read as follows:
 14 31 a. As provided either pursuant to subparagraph (1) or
 14 32 pursuant to subparagraphs (2) and (3):
 14 33 (1) As allowed under 42 U.S.C. §
 14 34 1396a(a)(10)(A)(ii)(XIII), individuals with disabilities, who
 14 35 are less than sixty-five years of age, who are members of
 15 1 families whose income is less than two hundred fifty percent
 15 2 of the most recently revised official poverty ~~line~~ guidelines
 15 3 published by the ~~federal office of management and budget~~
 15 4 United States department of health and human services for the
 15 5 family, who have earned income and who are eligible for
 15 6 supplemental security income or supplemental security income-
 15 7 related medical assistance ~~or additional medical assistance~~
 15 8 under this section if earnings are disregarded. As allowed by
 15 9 42 U.S.C. § 1396a(r)(2), unearned income shall also be
 15 10 disregarded in determining whether an individual is eligible
 15 11 for assistance under this ~~paragraph~~ subparagraph. For the
 15 12 purposes of determining the amount of an individual's
 15 13 resources under this ~~paragraph~~ subparagraph and as allowed by

CODE: Permits the Department of Human Services to use either the Balanced Budget Act of 1997 or the federal Ticket to Work Incentives Improvement Act for purposes of providing the Medicaid buy-in to persons with disabilities that have earned income. The maximum premium charged is to be equal to the cost of the State employees' group health insurance.

15 14 42 U.S.C. § 1396a(r)(2), a maximum of ten thousand dollars of
15 15 available resources shall be disregarded and any additional
15 16 resources held in a retirement account, in a medical savings
15 17 account, or in any other account approved under rules adopted
15 18 by the department shall also be disregarded. Individuals
15 19 eligible for assistance under this ~~paragraph~~ subparagraph,
15 20 whose individual income exceeds one hundred fifty percent of
15 21 the official poverty ~~line~~ guidelines published by the ~~federal~~
15 22 ~~office of management and budget~~ United States department of
15 23 health and human services for an individual, shall pay a
15 24 premium. The amount of the premium shall be based on a
15 25 sliding fee schedule adopted by rule of the department and
15 26 shall be based on a percentage of the individual's income.
15 27 The maximum premium payable by an individual whose income
15 28 exceeds one hundred fifty percent of the official poverty ~~line~~
15 29 guidelines shall be commensurate with ~~premiums charged for~~
15 30 ~~private~~ the cost of state employees' group health insurance in
15 31 this state. This paragraph shall be implemented no later than
15 32 March 1, 2000.

15 33 (2) As allowed under 42 U.S.C. § 1396a(a)(10)(A)(ii)(XV),
15 34 individuals who are at least sixteen years of age but less
15 35 than sixty-five years of age who, but for earnings in excess
16 1 of the limit established under 42 U.S.C. § 1396d(q)(2)(B),
16 2 would be considered to be receiving federal supplemental
16 3 security income, and who are members of families whose income
16 4 is less than two hundred fifty percent of the most recently
16 5 revised official poverty guidelines published by the United
16 6 States department of health and human services for the family,
16 7 subject to a resource limit of twelve thousand dollars for an
16 8 individual and thirteen thousand dollars for a couple. For
16 9 the purposes of determining the amount of an individual's or
16 10 couple's resources under this subparagraph, any resources held
16 11 in a retirement account, in a medical savings account, or in
16 12 any other account approved under rules adopted by the
16 13 department shall be disregarded. Individuals eligible for
16 14 assistance under this subparagraph whose individual income
16 15 exceeds one hundred fifty percent of the official poverty
16 16 guidelines for an individual shall pay a premium. The amount

16 17 of the premium shall be based on a sliding fee schedule
16 18 adopted by rule of the department and shall be based on a
16 19 percentage of the individual's income. The maximum premium
16 20 payable by an individual whose income exceeds one hundred
16 21 fifty percent of the official poverty guidelines shall be
16 22 commensurate with the cost of state employees' group health
16 23 insurance in this state, but shall not exceed seven and one-
16 24 half percent of income, unless the individual's income exceeds
16 25 four hundred fifty percent of the official poverty guidelines.
16 26 (3) As allowed under 42 U.S.C. § 1396a(a)(10)(A)(ii)(XVI),
16 27 employed individuals with a medically improved disability, as
16 28 defined in 42 U.S.C. § 1396d(v)(1), who are members of
16 29 families whose income is less than two hundred fifty percent
16 30 of the most recently revised official poverty guidelines
16 31 published by the United States department of health and human
16 32 services for the family, subject to a resource limit of twelve
16 33 thousand dollars for an individual and thirteen thousand
16 34 dollars for a couple. For the purposes of determining the
16 35 amount of an individual's or couple's resources under this
17 1 subparagraph, any resources held in a retirement account, in a
17 2 medical savings account, or in any other account approved
17 3 under rules adopted by the department shall be disregarded.
17 4 Individuals eligible for assistance under this subparagraph
17 5 whose individual income exceeds one hundred fifty percent of
17 6 the official poverty guidelines for an individual shall pay a
17 7 premium. The amount of the premium shall be based on a
17 8 sliding fee schedule adopted by rule of the department and
17 9 shall be based on a percentage of the individual's income.
17 10 The maximum premium payable by an individual whose income
17 11 exceeds one hundred fifty percent of the official poverty
17 12 guidelines shall be commensurate with the cost of state
17 13 employees' group health insurance in this state, but shall not
17 14 exceed seven and one-half percent of income, unless the
17 15 individual's income exceeds four hundred fifty percent of the
17 16 official poverty guidelines.

17 18 2001, is amended to read as follows:	area.
17 19 1. Act as administrator and executive secretary of the	
17 20 region <u>library service area</u> in accordance with the objectives	DETAIL: The regional libraries were renamed library service areas in
17 21 and policies adopted by the area board of trustees and with	FY 2002.
17 22 the intent of this chapter.	
17 23 Sec. 29. Section 260G.4B, subsection 1, Code Supplement	CODE: Limits the amount of withholding tax credit funds that can be
17 24 2001, is amended to read as follows:	diverted from the General Fund to the Accelerated Career Education
17 25 1. The total amount of program job credits from all	(ACE) Program to \$3,000,000 for FY 2003.
17 26 employers which shall be allocated for all accelerated career	
17 27 education programs in the state in any one fiscal year shall	DETAIL: These funds go to the community colleges for training
17 28 not exceed the sum of three million dollars in the fiscal year	programs under the ACE Program. The Program is administered by
17 29 beginning July 1, 2000, three million dollars in the fiscal	the Department of Economic Development. The withholding tax credit
17 30 year beginning July 1, 2001, <u>three million dollars in the</u>	set aside was scheduled to increase from \$3,000,000 to \$6,000,000
17 31 <u>fiscal year beginning July 1, 2002</u> , and six million dollars in	for FY 2003. This change delays the increase for one year.
17 32 the fiscal year beginning July 1, 2002 <u>2003</u> , and every fiscal	
17 33 year thereafter. Any increase in program job credits above	
17 34 the six-million-dollar limitation per fiscal year shall be	
17 35 developed, based on recommendations in a study which shall be	
18 1 conducted by the department of economic development of the	
18 2 needs and performance of approved programs in the fiscal years	
18 3 beginning July 1, 2000, and July 1, 2001. The study's	
18 4 findings and recommendations shall be submitted to the general	
18 5 assembly by the department by December 31, 2002. The study	
18 6 shall include but not be limited to an examination of the	
18 7 quality of the programs, the number of program participant	
18 8 placements, the wages and benefits in program jobs, the level	
18 9 of employer contributions, the size of participating	
18 10 employers, and employer locations. A community college shall	
18 11 file a copy of each agreement with the department of economic	
18 12 development. The department shall maintain an annual record	
18 13 of the proposed program job credits under each agreement for	
18 14 each fiscal year. Upon receiving a copy of an agreement, the	
18 15 department shall allocate any available amount of program job	
18 16 credits to the community college according to the agreement	
18 17 sufficient for the fiscal year and for the term of the	
18 18 agreement. When the total available program job credits are	

18 19 allocated for a fiscal year, the department shall notify all
18 20 community colleges that the maximum amount has been allocated
18 21 and that further program job credits will not be available for
18 22 the remainder of the fiscal year. Once program job credits
18 23 have been allocated to a community college, the full
18 24 allocation shall be received by the community college
18 25 throughout the fiscal year and for the term of the agreement
18 26 even if the statewide program job credit maximum amount is
18 27 subsequently allocated and used.

18 28 Sec. 30. Section 368.4, Code 2001, as amended by 2002 Iowa
18 29 Acts, House File 582, if enacted, is amended to read as
18 30 follows:

18 31 368.4 ANNEXING MORATORIUM.

18 32 A city, following notice and hearing, may by resolution
18 33 agree with another city or cities to refrain from annexing
18 34 specifically described territory for a period not to exceed
18 35 ten years and, following notice and hearing, may by resolution
19 1 extend the agreement for subsequent periods not to exceed ten
19 2 years each. Notice of a hearing shall be served by regular
19 3 mail at least thirty days before the hearing on the city
19 4 development board, on the board of supervisors of the county
19 5 in which the territory is located, and on all persons owning
19 6 land within the area subject to the agreement. The notice
19 7 shall include the time and place of the hearing, describe the
19 8 territory subject to the proposed agreement, and the general
19 9 terms of the agreement. After passage of a resolution by the
19 10 cities approving the agreements, a copy of the agreement and a
19 11 copy of any resolution extending an agreement shall be filed
19 12 with the city development board within ten days of enactment.
19 13 If such an agreement is in force, the board shall dismiss a
19 14 petition or plan which violates the terms of the agreement.

19 15 Sec. 31. Section 368.26, if enacted by 2002 Iowa Acts,
19 16 House File 582, is amended to read as follows:
19 17 368.26 FAILURE TO PROVIDE MUNICIPAL SERVICES.

CODE: Provides for notice of a hearing relating to an annexation moratorium by regular mail.

CODE: Technical correction relating to provision of municipal services.

19 18 If a city fails to provide municipal services to territory
 19 19 involuntarily annexed, according to the plan filed pursuant to
 19 20 section 368.11, within three years after city taxes are
 19 21 imposed in the annexed territory, the city development board
 19 22 shall initiate proceedings to sever the annexed territory from
 19 23 the city. However, a city may appeal to the board for an
 19 24 additional three years to provide municipal services if good
 19 25 cause is shown. A petition for severance filed pursuant to
 19 26 this section shall be filed and acted upon in the same manner
 19 27 as a petition under section 368.11. For purposes of this
 19 28 section ~~and section 368.11, subsection 14,~~ "municipal
 19 29 services" means services selected by a landowner to be
 19 30 provided by the city, including, but not limited to, water
 19 31 supply, sewage disposal, street and road maintenance, and
 19 32 police and fire protection, if the provision of such services
 19 33 is within the legal authority of the annexing city.

19 34 Sec. 32. Section 421.17, subsection 31, Code Supplement
 19 35 2001, is amended to read as follows:

20 1 31. ~~At the director's discretion, accept~~ Accept payment of
 20 2 taxes, penalties, interest, and fees, or any portion thereof
 20 3 of the payment, by credit card in accordance with section
 20 4 12.21. ~~The director may adjust the payable amount to reflect~~
 20 5 ~~the costs of processing the payment as determined by the~~
 20 6 ~~treasurer of state and the payment by credit card shall~~
 20 7 ~~include, in addition to all other charges, any discount~~
 20 8 ~~charged by the credit card issuer.~~

CODE: Makes corrective changes to statutory language related to the Department of Revenue and Finance regarding the use of credit cards for payments to the State.

DETAIL: Eliminates the Director's discretion. The Department is required to accept payments by credit card.

20 9 Sec. 33. Section 421.17, subsection 34, paragraph f, Code
 20 10 Supplement 2001, is amended to read as follows:

20 11 f. ~~At the director's discretion, the~~ The department may
 20 12 shall accept payment of debts, interest, and fees, or any
 20 13 portion of the payment by credit card in accordance with
 20 14 section 12.21. ~~The director may adjust the payable amount to~~
 20 15 ~~reflect the costs of processing the payment as determined by~~
 20 16 ~~the treasurer of state and the payment by credit card shall~~

CODE: Makes corrective changes to statutory language related to the Department of Economic Development regarding the use of credit cards for payments to the State.

DETAIL: Eliminates the Director's discretion. The Department is required to accept payments by credit card.

20 17 ~~include, in addition to all other charges, any discount charge~~
20 18 ~~by the credit card issuer.~~

20 19 Sec. 34. Section 455A.4, subsection 5, Code 2001, is
20 20 amended to read as follows:
20 21 5. The department may accept payment of any fees,
20 22 interest, penalties, subscriptions, or other payments due or
20 23 collected by the department, or any portion of such payments,
20 24 by credit card in accordance with section 12.21. ~~The~~
20 25 ~~department may adjust the amount of the payment to reflect the~~
20 26 ~~costs of processing the payment as determined by the treasurer~~
20 27 ~~of state and the payment by credit card shall include, in~~
20 28 ~~addition to all other charges, any discount charged by the~~
20 29 ~~credit card issuer.~~

CODE: Makes corrective changes to statutory language related to the Department of Natural Resources regarding the use of credit cards for payments to the State.

20 30 Sec. 35. Section 476.97, subsection 11, paragraph g,
20 31 subparagraph (4), Code 2001, as amended by 2002 Iowa Acts,
20 32 Senate File 429, section 2, is amended by striking the
20 33 subparagraph and inserting in lieu thereof the following:
20 34 (4) Rates may be adjusted by the board to reflect any
20 35 changes in revenues, expenses, and investment due to exogenous
21 1 factors beyond the control of the local exchange carrier,
21 2 including, but not limited to, the effects of local
21 3 competition. The board shall have one hundred eighty days to
21 4 consider rate changes proposed under this subparagraph, but
21 5 for good cause may grant one extension of sixty days, not to
21 6 exceed a total of two hundred forty days.

CODE: Makes a change to telephone rate regulation.

21 7 Sec. 36. Section 514I.5, subsection 3, Code 2001, is
21 8 amended to read as follows:
21 9 3. Members appointed by the governor shall serve two-year
21 10 staggered terms as designated by the governor, and legislative
21 11 members of the board shall serve two-year terms. The filling
21 12 of positions reserved for the public representatives,
21 13 vacancies, membership terms, payment of compensation and

CODE: Staggers the terms of the members of the Healthy and Well Kids in Iowa (hawk-i) Board.

21 14 expenses, and removal of the members are governed by chapter
 21 15 69. Members of the board are entitled to receive
 21 16 reimbursement of actual expenses incurred in the discharge of
 21 17 their duties. Public members of the board are also eligible
 21 18 to receive compensation as provided in section 7E.6. The
 21 19 members shall select a chairperson on an annual basis from
 21 20 among the membership of the board.

21 21 Sec. 37. Section 541A.1, subsection 7, Code 2001, is
 21 22 amended to read as follows:
 21 23 7. "Individual development account" means a either of the
 21 24 following:
 21 25 a. A financial instrument ~~which that~~ is certified to have
 21 26 the characteristics described in section 541A.2 by the
 21 27 operating organization.
 21 28 b. A financial instrument that is certified by the
 21 29 operating organization to have the characteristics described
 21 30 in and funded by a federal individual development account
 21 31 program under which federal and state funding contributed to
 21 32 match account holder deposits is deposited by an operating
 21 33 organization in accordance with federal law and regulations,
 21 34 and which includes but is not limited to any of the programs
 21 35 implemented under the following federal laws:
 22 1 (1) The federal Personal Responsibility and Work
 22 2 Opportunity Act of 1996, 42 U.S.C. § 604(h).
 22 3 (2) The federal Assets for Independence Act, Pub. L. No.
 22 4 105-285, Title IV.

CODE: Updates statutory language regarding the existing Individual Development Accounts (IDAs) within the Department of Human Services Family Investment Program. Requires the certified financial instrument used to comply with federal requirements involving State and federal funds.

22 5 Sec. 38. Section 541A.3, subsection 1, unnumbered
 22 6 paragraph 1, Code 2001, is amended to read as follows:
 22 7 Payment by the state of a savings refund on amounts of up
 22 8 to two thousand dollars per calendar year that an account
 22 9 holder deposits in the account holder's account. Moneys
 22 10 transferred to an individual development account from another
 22 11 individual development account shall not be considered an
 22 12 account holder deposit for purposes of determining a savings

CODE: Updates statutory language regarding the existing Individual Development Accounts (IDAs) within the Department of Human Services Family Investment Program. Permits the payment of the State savings refund to a central reserve account for later distribution.

22 13 refund. Payment of a savings refund either shall be made
22 14 directly to the account holder's account or to an operating
22 15 organization's central reserve account for later distribution
22 16 to the account holder's account in the most appropriate manner
22 17 as determined by the administrator. The state savings refund
22 18 shall be the indicated percentage of the amount deposited:

22 19 Sec. 39. Section 541A.3, subsection 5, Code 2001, is
22 20 amended to read as follows:

22 21 5. The administrator shall coordinate the filing of claims
22 22 for savings refunds authorized under subsection 1, between
22 23 account holders, operating organizations, and the department
22 24 of revenue and finance. Claims approved by the administrator
22 25 may be paid by the department of revenue and finance to each
22 26 account, ~~or~~ for an aggregate amount for distribution to the
22 27 accounts in a particular financial institution, or to an
22 28 operating organization's central reserve account for later
22 29 distribution to the account holders' accounts depending on the
22 30 efficiency for issuing the refunds. Claims shall be initially
22 31 filed with the administrator on or before a date established
22 32 by the administrator. Claims approved by the administrator
22 33 shall be paid from the general fund of the state in the manner
22 34 specified in section 422.74.

CODE: Updates statutory language regarding the existing Individual Development Accounts (IDAs) within the DHS Family Investment Program. Permits the payment of the State savings refund to a central reserve account for later distribution.

22 35 Sec. 40. Section 556.12, subsection 1, Code 2001, is
23 1 amended to read as follows:

23 2 1. If a report has been filed with the treasurer of state,
23 3 or property has been paid or delivered to the treasurer of
23 4 state, for the fiscal year ending on June 30 as required by
23 5 section 556.11, the treasurer of state shall provide for the
23 6 publication annually of at least one notice ~~not later than~~
23 7 which notice shall not be published between the following
23 8 September 10 and the following November 30 10. Each notice
23 9 shall be published at least once each week for two successive
23 10 weeks in an English language newspaper of general circulation
23 11 in the county in this state in which is located the last known

CODE: Changes the date for publication by the State Treasurer of the list of abandoned property that has reverted to the State. Prohibits publication of the list between September 10 and November 10.

23 12 address of any person to be named in the notice. If an
23 13 address is not listed or if the address is outside this state,
23 14 the notice shall be published in the county in which the
23 15 holder of the abandoned property has its principal place of
23 16 business within this state.

23 17 Sec. 41. Section 602.1302, subsection 3, Code 2001, is
23 18 amended to read as follows:
23 19 3. A revolving fund is created in the state treasury for
23 20 the payment of jury and witness fees, ~~and mileage, and costs~~
23 21 related to summoning jurors by the judicial branch. The
23 22 judicial branch shall deposit any reimbursements to the state
23 23 for the payment of jury and witness fees and mileage in the
23 24 revolving fund. Notwithstanding section 8.33, unencumbered
23 25 and unobligated receipts in the revolving fund at the end of a
23 26 fiscal year do not revert to the general fund of the state.
23 27 The judicial branch shall on or before February 1 file a
23 28 financial accounting of the moneys in the revolving fund with
23 29 the legislative fiscal bureau. The accounting shall include
23 30 an estimate of disbursements from the revolving fund for the
23 31 remainder of the fiscal year and for the next fiscal year.

CODE: Specifies that costs related to summoning jurors be taken from the Jury Witness Fee Revolving Fund instead of directly from the General Fund. Also, requires the Judicial Branch to submit a report to the Legislative Fiscal Bureau no later than February 1 on the disbursements of the revolving fund for the remainder of the fiscal year and for the next fiscal year. The Jury Witness Revolving Fund is a nonreversionary fund.

23 32 Sec. 42. Section 602.8108, subsection 5, Code Supplement
23 33 2001, is amended to read as follows:
23 34 5. A court technology and modernization fund is
23 35 established as a separate fund in the state treasury. The
24 1 state court administrator shall allocate one million dollars
24 2 of the moneys received under subsection 2 to be deposited in
24 3 the fund, which shall be administered by the supreme court and
24 4 shall be used ~~as follows:~~
24 5 ~~a. Eighty percent shall be used~~ to enhance the ability of
24 6 the judicial branch to process cases more quickly and
24 7 efficiently, to electronically transmit information to state
24 8 government, local governments, law enforcement agencies, and
24 9 the public, and to improve public access to the court system.
24 10 ~~Moneys in this paragraph shall not be used for the Iowa court~~

CODE: Removes the requirements that 80.0% of the Court Technology and Modernization Fund be used to enhance and improve public access to the Court system and that 20.0% of the Fund be used in equal amounts to facilitate alternative dispute resolution and methods to resolve domestic abuse cases.

24 11 information system.
 24 12 ~~b. Twenty percent shall be used in equal amounts to~~
 24 13 ~~facilitate alternative dispute resolution and methods to~~
 24 14 ~~resolve domestic abuse cases, which may include personnel for~~
 24 15 ~~hearings under section 236.4.~~

24 16 Sec. 43. 2001 Iowa Acts, chapter 182, section 7,
 24 17 subsection 2, is amended by adding the following new
 24 18 paragraph:
 24 19 NEW PARAGRAPH. g. Notwithstanding section 8.33, any
 24 20 moneys which exceed the amount budgeted in the fiscal year
 24 21 beginning July 1, 2001, and ending June 30, 2002, that remain
 24 22 unencumbered or unobligated at the close of the fiscal year
 24 23 shall not revert but shall remain available for expenditure by
 24 24 the veterans home until the close of the succeeding fiscal
 24 25 year. For the purposes of this paragraph, "moneys" means cash
 24 26 receipts, accruals attributable to the fiscal year beginning
 24 27 July 1, 2001, and ending June 30, 2002, and the amount of the
 24 28 estimated reversions to the general fund, as last agreed to by
 24 29 the state revenue estimating conference during fiscal year
 24 30 beginning July 1, 2001.

CODE: Allows nonreversion of FY 2002 funds remaining for the Iowa Veterans Home.

DETAIL: Allows the Home to retain funds in excess of the amount the Revenue Estimating Conference estimated the Home would return to the General Fund from cash receipts, accruals attributable to FY 2002.

24 31 Sec. 44. Section 904.108, subsection 1, paragraph o, Code
 24 32 Supplement 2001, is amended to read as follows:
 24 33 o. Establish and maintain a correctional training center
 24 34 ~~at the Mount Pleasant correctional facility program.~~

CODE: Requires the Department of Corrections to maintain a corrections training program. Eliminates the requirement that the program be located at Mount Pleasant.

24 35 Sec. 45. IOWA CONGRESSIONAL MEDAL OF HONOR RECIPIENTS.
 25 1 The department of cultural affairs shall conduct a study to
 25 2 identify an appropriate location in the state capitol for a
 25 3 plaque and display honoring the Iowa recipients of the
 25 4 congressional medal of honor. The department shall report the
 25 5 findings and recommendations of the study to the governor and
 25 6 general assembly on or before December 31, 2002.

Requires the Department of Cultural Affairs to conduct a study to identify an appropriate place in the State Capitol for a plaque and display honoring Iowa recipients of the Medal of Honor. Requires the Department to submit a report of findings and recommendations to the Governor and General Assembly by December 31, 2002.

25 7 Sec. 46. DUPLICATION AND REORGANIZATION REVIEWS. In

Requires the Departments of General Services, Personnel, and

25 8 implementing the requirements of 2002 Iowa Acts, Senate File
25 9 2326, division I, involving the department of general
25 10 services, department of management, department of personnel,
25 11 and information technology department identifying duplicative
25 12 positions or studying the reorganization of state government,
25 13 those departments shall consult with the departments that may
25 14 be affected, consider previously conducted studies or reviews,
25 15 and identify the projected impacts of recommended changes upon
25 16 the general fund of the state, road use tax fund, and any
25 17 other affected funding source.

Information Technology to consult with affected departments in identifying duplicative positions or studying reorganization within State government. The Departments are also directed to consider previously conducted studies or reviews and identify the impact of recommended changes on the State General Fund, the Road Use Tax Fund, and any other affected funding source.

25 18 Sec. 47. CHEROKEE MENTAL HEALTH INSTITUTE -- RELOCATION OF
25 19 SEXUALLY VIOLENT PREDATORS UNIT. In implementing the
25 20 relocation of the unit for commitment of sexually violent
25 21 predators from Oakdale to the state mental health institute at
25 22 Cherokee in the fiscal year beginning July 1, 2002, in
25 23 accordance with the requirement in the appropriation for the
25 24 unit in 2002 Iowa Acts, Senate File 2326, it is the intent of
25 25 the general assembly that the department of human services
25 26 complete the renovation of space at the institute and the
25 27 relocation of the unit as expeditiously as possible. If
25 28 requested by the department of human services as necessary to
25 29 complete the renovation of space and relocation as
25 30 expeditiously as possible, notwithstanding any provision of
25 31 law or rule to the contrary, the department of general
25 32 services shall grant a waiver for purposes of the renovation
25 33 project from those requirements in administrative rule and
25 34 policy that would otherwise govern the length of time the
25 35 renovation project components are noticed.

Requires the Department of Human Services (DHS) to renovate space for the sexually violent predators at the State Mental Health Institute at Cherokee in an expeditious manner. Requires the Department of General Services to grant requirement waivers if requested by the DHS regarding notices and administrative rules relating to the renovation.

26 1 Sec. 48. EXPENDITURE REPORTS. For the fiscal year
26 2 beginning July 1, 2002, the department of agriculture and land
26 3 stewardship and the department of natural resources shall each
26 4 file a written report on a quarterly basis with the
26 5 chairpersons and ranking members of the joint appropriations
26 6 subcommittee on agriculture and natural resources and the

Requires the Department of Agriculture and Land Stewardship and the Department of Natural Resources to provide data, on a quarterly basis, regarding all expenditures with moneys appropriated from the General Fund and other funds for the quarter and the number of full-time equivalent positions allocate during the quarter. This requirement will begin July 1, 2002. The report will be issued quarterly to Legislative Fiscal Bureau and then distributed to the

27 4 director of the department of management shall approve the
27 5 expenditure or encumbrance. The amounts necessary to fund any
27 6 unanticipated litigation ~~or scope of practice review committee~~
27 7 expense in the fiscal year beginning July 1, 2002, shall not
27 8 exceed 5 percent of the average annual fees generated by the
27 9 boards for the previous two fiscal years.

27 10 Sec. 52. SCOPE OF PRACTICE REVIEW COMMITTEE. 2002 Iowa
27 11 Acts, Senate File 2326, section 98, if enacted, is repealed.

CODE: Repeals the Scope of Practice Review Committee within the Department of Public Health, if enacted in SF 2326 (FY 2003 Omnibus Appropriations Bill).

27 12 Sec. 53. 2002 Iowa Acts, Senate File 2326, section 134, if
27 13 enacted, is amended to read as follows:
27 14 SEC. 134. COUNTY MENTAL HEALTH, MENTAL RETARDATION, AND
27 15 DEVELOPMENTAL DISABILITIES (MH/MR/DD) ALLOWED GROWTH FACTOR
27 16 ADJUSTMENT AND ALLOCATIONS -- DISTRIBUTION FOR FY 2002-2003.

CODE: Amends the adjustment to the FY 2003 distribution in SF 2326 (FY 2003 Omnibus Appropriations Bill) for Mental Health Allowable Growth. Specifies certain qualifications based upon the amount of the balances of the individual 99 County Mental Health, Mental Retardation, and Developmental Disabilities Services Funds.

27 17 1. For the fiscal year beginning July 1, 2002, the moneys
27 18 appropriated in 2001 Acts, chapter 176, section 1, as amended
27 19 by this division of this Act, for distribution to counties of
27 20 the county mental health, mental retardation, and
27 21 developmental disabilities allowed growth factor adjustment,
27 22 shall be distributed as provided in this section in lieu of
27 23 the provisions of section 331.438, subsection 2, and section
27 24 331.439, subsection 3, and chapter 426B, as follows:

27 25 a. The first ~~\$2,000,000~~ 500,000 shall be credited to the
27 26 risk pool created in the property tax relief fund and shall be
27 27 distributed pursuant to section 426B.5, subsection 2.

27 28 b. The remaining ~~\$12,500,000~~ 14,000,000 shall be
27 29 distributed as provided in this section.

27 30 2. The following formula amounts shall be utilized only to
27 31 calculate preliminary distribution amounts for fiscal year
27 32 2002-2003 under this section by applying the indicated formula
27 33 provisions to the formula amounts and producing a preliminary
27 34 distribution total for each county:

27 35 a. For calculation of an allowed growth factor adjustment
28 1 amount for each county in accordance with the formula in

28 2 section 331.438, subsection 2, paragraph "b":
 28 3 \$ 12,000,000
 28 4 b. For calculation of a distribution amount for eligible
 28 5 counties from the per capita expenditure target pool created
 28 6 in the property tax relief fund in accordance with the
 28 7 requirements in section 426B.5, subsection 1:
 28 8 \$ ~~12,492,712~~
 28 9 14,492,712
 28 10 c. For calculation of a distribution amount for counties
 28 11 from the mental health and developmental disabilities (MH/DD)
 28 12 community services fund in accordance with the formula
 28 13 provided in this division of this Act:
 28 14 \$ 18,127,352
 28 15 3. Notwithstanding any contrary provisions of sections
 28 16 225C.7, 331.438, subsection 2, 331.439, subsection 3, and
 28 17 426B.5, the moneys allocated for distribution in subsection 1,
 28 18 paragraph "b", and in any other Act of the Seventy-ninth
 28 19 General Assembly, 2002 Session, for distribution to counties
 28 20 in the fiscal year beginning July 1, 2002, for purposes of the
 28 21 mental health and developmental disabilities (MH/DD) community
 28 22 services fund under section 225C.7, and for the allowed growth
 28 23 factor adjustment for services paid under a county's section
 28 24 331.424A mental health, mental retardation, and developmental
 28 25 disabilities services fund and as calculated under subsection
 28 26 2 to produce preliminary distribution amounts for counties
 28 27 shall be subject to withholding as provided in this section.
 28 28 4. After applying the applicable statutory distribution
 28 29 formulas to the amounts indicated in subsection 2 for purposes
 28 30 of formula calculations to produce preliminary distribution
 28 31 totals, the department of human services shall apply a
 28 32 withholding factor to adjust an eligible individual county's
 28 33 preliminary distribution total. An ending balance percentage
 28 34 for each county shall be determined by expressing the county's
 28 35 ending balance on a modified accrual basis under generally
 29 1 accepted accounting principles for the fiscal year beginning
 29 2 July 1, 2001, in the county's mental health, mental
 29 3 retardation, and developmental disabilities services fund
 29 4 created under section 331.424A, as a percentage of the

29 5 county's gross expenditures from that fund for that fiscal
29 6 year. The withholding factor for a county shall be the
29 7 following applicable percent:

29 8 a. For an ending balance percentage of less than 10
29 9 percent, a withholding factor of 0 percent.

29 10 b. For an ending balance percentage of 10 through 24
29 11 percent, a withholding factor of ~~25~~ 41.47 percent.

29 12 c. For an ending balance percentage of 25 through 34
29 13 percent, a withholding factor of 60 percent.

29 14 d. For an ending balance percentage of 35 through 44
29 15 percent, a withholding factor of 85 percent.

29 16 e. For an ending balance percentage of 45 percent or more,
29 17 a withholding factor of 100 percent.

29 18 5. The total withholding amounts applied pursuant to
29 19 subsection 4 shall be equal to a withholding target amount of
29 20 ~~\$41,992,712~~ 12,492,712 and the appropriation made in this
29 21 division of this Act for the MH/DD community services fund and
29 22 the appropriation made in 2001 Iowa Acts, chapter 176, section
29 23 1, as amended by this division of this Act shall be reduced by
29 24 the amount necessary to attain the withholding target amount.
29 25 If the department of human services determines that the amount
29 26 to be withheld in accordance with subsection 4 is not equal to
29 27 the target withholding amount, the department shall adjust the
29 28 withholding factors listed in subsection 4 as necessary to
29 29 achieve the withholding target amount. However, in making
29 30 such adjustments to the withholding factors, the department
29 31 shall strive to minimize changes to the withholding factors
29 32 for those ending balance percentage ranges that are lower than
29 33 others and shall not adjust the zero withholding factor
29 34 specified in subsection 4, paragraph "a".

29 35 6. A In order to be eligible for a funding distribution
30 1 under this section, a county must levy at least 70 percent of
30 2 the maximum allowed for the county's services fund under
30 3 section 331.424A for taxes due and payable in the fiscal year
30 4 beginning July 1, 2002, and comply with the December 1, 2002,
30 5 filing deadline for the county annual financial report in
30 6 accordance with section 331.403. The amount that would
30 7 otherwise be available for distribution to a county that fails

30 8 to so comply shall be proportionately distributed among the
30 9 eligible counties.

30 10 7. The department of human services shall authorize the
30 11 issuance of warrants payable to the county treasurer for the
30 12 distribution amounts due the counties eligible under this
30 13 section and notwithstanding prior practice for the MH/DD
30 14 community services fund, the warrants shall be issued in
30 15 January 2003.

30 16 Sec. 54. 2002 Iowa Acts, Senate File 2326, section 104,
30 17 subsection 12, if enacted, is amended to read as follows:
30 18 12. ~~If federal funding is received or if moneys are~~
30 19 ~~appropriated, the department may participate~~ Of the moneys
30 20 appropriated in this section, \$150,000 shall be used as state
30 21 matching funds, in combination with federal and private funds,
30 22 for participation in a federal home telecare pilot program
30 23 intended to manage health care needs of subpopulations of
30 24 lowans and specifically including subpopulations of lowans who
30 25 require high utilization of health care services and represent
30 26 a disproportionate share of consumption of health care
30 27 services. The program shall be administered by the Iowa
30 28 telecare consortium, which is a collaboration of public,
30 29 private, academic, and governmental participants coordinated
30 30 by Des Moines university -- osteopathic medical center. The
30 31 program may direct telecare services to persons with diagnoses
30 32 of specific nonacute chronic illnesses, which may include, but
30 33 are not limited to, chronic obstructive pulmonary disease,
30 34 congestive heart disease, diabetes, and asthma. Des Moines
30 35 university -- osteopathic medical center shall submit a report
31 1 to the general assembly by January 15, 2003, regarding the
31 2 status of the pilot program. The program guidelines shall be
31 3 consistent with those specified under 2001 Iowa Acts, chapter
31 4 191, section 7, subsection 15.

CODE: Requires \$150,000 of the funds appropriated for Medicaid in SF 2326 (FY 2003 Omnibus Appropriations Bill), if enacted, to be used as a match for State and private funds for participation in a federal home telecare pilot program. Requires the Des Moines University Osteopathic Medical Center to coordinate the telecare consortium and to submit a report to the General Assembly by January 15, 2003.

31 5 Sec. 55. 2002 Iowa Acts, Senate File 2326, section 154,
31 6 subsection 2, unnumbered paragraph 2, if enacted, is amended

CODE: Limits the costs for enforcement that can be billed to riverboats and racetracks. The amount billed to riverboats cannot exceed \$1,280,000 more than the amount billed for FY 2002.

31 7 to read as follows:
 31 8 Riverboat enforcement costs shall be billed in accordance
 31 9 with section 99F.10, subsection 4, and section 99F.10A. The
 31 10 costs shall be not more than the department's estimated
 31 11 expenditures, including salary adjustment, for riverboat
 31 12 enforcement for the fiscal year. The costs billed to the
 31 13 riverboats shall not be more than \$1,280,000 in excess of the
 31 14 amount billed to the riverboats in the fiscal year beginning
 31 15 July 1, 2001. Racetrack enforcement costs shall be billed in
 31 16 accordance with section 99D.14, subsection 7, and section
 31 17 99D.14A. The costs shall be not more than the department's
 31 18 estimated expenditures, including salary adjustment, for
 31 19 racetrack enforcement for the fiscal year. The costs billed
 31 20 to the racetracks shall not be more than \$420,000 in excess of
 31 21 the amount billed to the racetracks in the fiscal year
 31 22 beginning July 1, 2001.

Specifies the costs cannot exceed the Department of Public Safety's estimated costs for such expenditures, including salary adjustment, for FY 2003. The amount billed to racetracks cannot exceed \$420,000 more than the amount billed by FY 2002.

31 23 Sec. 56. PUBLIC TRANSIT ASSISTANCE APPROPRIATION. 2002
 31 24 Iowa Acts, Senate File 2326, section 175, subsection 14, if
 31 25 enacted, is amended by striking the subsection.

CODE: Eliminates the standing General Fund appropriation limitation to the Department of Transportation for public transit assistance made in SF 2326 (FY 2003 Omnibus Appropriations Bill).

DETAIL: The appropriation was limited to \$8,669,871 in SF 2326.

31 26 Sec. 57. PUBLIC TRANSIT ASSISTANCE APPROPRIATION.
 31 27 Notwithstanding section 312.2, subsection 14, the amount
 31 28 appropriated from the general fund of the state under section
 31 29 312.2, subsection 14, to the state department of
 31 30 transportation for public transit assistance under chapter
 31 31 324A for the fiscal year beginning July 1, 2001, and ending
 31 32 June 30, 2002, is reduced by the following amount:
 31 33 \$ 1,107,938

CODE: Reduces the General Fund standing appropriation to Public Transit Assistance by \$1,107,938 for FY 2003.

DETAIL: Senate File 2326 (Omnibus Appropriations Bill) limits the FY 2003 Public Transit Assistance appropriation to \$8,669,871, which is a reduction of \$1,107,938 compared to the standing appropriation that Public Transit Assistance is estimated to receive in FY 2003. The change in this Bill has the same fiscal impact to Public Transit Assistance as SF 2326. Both bills have the effect of decreasing the FY 2003 General Fund standing appropriation to Public Transit Assistance by \$1,107,983.

31 34 Sec. 58. Chapter 2A, Code 2001, is repealed.

CODE: Repeals statutory language related to the Commission on

Compensation, Expenses, and Salaries for Elected State Officials.

DETAIL: This eliminates the Commission. The 15-member Commission was charged with meeting every other year to study and make recommendations regarding salary levels for members of the General Assembly and other elected officials.

31 35 Sec. 59. EFFECTIVE DATE -- CONTINGENCY -- REPORT TO CODE
 32 1 EDITOR. The section of this division of this Act amending
 32 2 section 249A.3, relating to the optional category of
 32 3 individuals covered under the medical assistance program
 32 4 relating to persons with disabilities who have earned income,
 32 5 takes effect only if the department does not win the appeal
 32 6 against the centers for Medicare and Medicaid of the United
 32 7 States department of health and human services relating to the
 32 8 state plan amendment. The department shall notify the Code
 32 9 editor when the department is notified of a decision on the
 32 10 appeal in order to identify an effective date.

Specifies that the Medicaid Buy-In Program changes within this Bill take effect only if the Department of Human Services does not win the appeal against the Federal Centers for Medicare and Medicaid Services regarding changes to the Iowa State plan amendment.

32 11 Sec. 60. EFFECTIVE DATE. The section of this division of
 32 12 this Act that amends 2001 Iowa Acts, chapter 182, section 7,
 32 13 being deemed of immediate importance, takes effect upon
 32 14 enactment.

Specifies that nonreversion language for the Iowa Veterans Home takes effect upon enactment.

32 15 DIVISION III
 32 16 CORRECTIVE AMENDMENTS

32 17 Sec. 61. Section 8.55, subsection 2, paragraph d, if
 32 18 enacted by 2002 Iowa Acts, House File 2075, section 1, is
 32 19 amended to read as follows:
 32 20 d. Notwithstanding paragraph "a", any moneys in excess of
 32 21 the maximum balance in the economic emergency fund after the
 32 22 distribution of the surplus in the general fund of the state
 32 23 at the conclusion of each fiscal year and after the
 32 24 appropriate amount ~~amount~~ amounts have been transferred pursuant to

CODE: Technical correction to HF 2075 (Endowment Reimbursement Bill).

32 25 paragraphs "b" and "c" shall not be transferred to the general
32 26 fund of the state but shall be transferred to the endowment
32 27 for Iowa's health account of the tobacco settlement trust
32 28 fund. The total amount transferred, in the aggregate, under
32 29 this paragraph for all fiscal years shall not exceed the
32 30 difference between fifty-one million five hundred thousand
32 31 dollars and the amounts transferred to the endowment for
32 32 Iowa's health account to repay the amounts transferred or
32 33 appropriated from the endowment for Iowa's health account in
32 34 2002 Iowa Acts, House File 2245, 2002 Iowa Acts, Senate File
32 35 2304, and 2002 Iowa Acts, Senate File 2315.

33 1 Sec. 62. Section 10D.1, unnumbered paragraph 1, as enacted
33 2 by 2002 Iowa Acts, Senate File 2210, section 3, is amended to
33 3 read as follows:
33 4 As used in this ~~section~~ chapter, unless the context
33 5 otherwise requires:

CODE: Technical correction to SF 2210 (Acquisition of Agricultural Land).

33 6 Sec. 63. Section 15E.42, subsection 3, as enacted by 2002
33 7 Iowa Acts, House File 2271, section 2, is amended to read as
33 8 follows:
33 9 3. "Investor" means an individual making a cash investment
33 10 in a qualifying business or a person making a cash investment
33 11 in a community-based seed capital fund. "Investor" does not
33 12 include a person which is a current or previous owner, member,
33 13 or shareholder in a ~~qualified~~ qualifying business.

CODE: Technical correction to HF 2271 (Tax Credits for Seed Capital Funds).

33 14 Sec. 64. Section 15E.43, subsection 1, paragraph a, as
33 15 enacted by 2002 Iowa Acts, House File 2271, section 3, is
33 16 amended to read as follows:
33 17 a. For tax years beginning on or after January 1, 2002, a
33 18 tax credit shall be allowed against the taxes imposed in
33 19 chapter 422, division II, for a portion of an individual
33 20 taxpayer's equity investment, as provided in subsection 2, in
33 21 a ~~qualified~~ qualifying business. An individual shall not

CODE: Technical correction to HF 2271 (Tax Credits for Seed Capital Funds).

33 22 claim a tax credit under this paragraph of a partnership,
33 23 limited liability company, S corporation, estate, or trust
33 24 electing to have income taxed directly to the individual.

33 25 Sec. 65. Section 15E.224, subsection 1, as enacted by 2002
33 26 Iowa Acts, House File 2078, section 4, is amended to read as
33 27 follows:

33 28 1. An Iowa capital investment corporation may be organized
33 29 as a private, not-for-profit corporation under chapter 504A.
33 30 The Iowa capital investment corporation is not a public
33 31 corporation or instrumentality of the state and shall not
33 32 enjoy any of the privileges and shall not be required to
33 33 comply with the requirements of a state agency. Except as
33 34 otherwise provided in this division, this division does not
33 35 exempt the corporation from the requirements under state law
34 1 which apply to other corporations organized under chapter
34 2 504A. The purposes of an Iowa capital investment corporation
34 3 shall be to organize the Iowa fund of funds, to select a
34 4 venture capital investment fund allocation manager to select
34 5 venture capital fund investments by the Iowa fund of funds, to
34 6 negotiate the terms of a contract with the venture capital
34 7 investment fund allocation manager, to execute the contract
34 8 with the selected venture capital investment fund allocation
34 9 manager on behalf of the Iowa fund of funds, to receive
34 10 investment returns from the Iowa fund of funds, and to
34 11 reinvest the investment returns in additional venture capital
34 12 investments designed to result in a significant potential to
34 13 create jobs and to diversify and stabilize the economy of the
34 14 state. The corporation shall not exercise governmental
34 15 functions and shall not have members. The obligations of the
34 16 corporation are not obligations of this state or any political
34 17 subdivision of this state within the meaning of any
34 18 constitutional or statutory debt limitations, but are
34 19 obligations of the corporation payable solely and only from
34 20 the corporation's funds. The corporation shall not and cannot
34 21 pledge the credit or taxing power of this state or any
34 22 political subdivision of this state or make its debts payable

CODE: Technical correction to HF 2078 (Economic Stimulus Measures).

34 23 out of any moneys except those of the corporation.

34 24 Sec. 66. Section 29A.90, subsection 3, if enacted by 2002
34 25 Iowa Acts, Senate File 2124, section 24, is amended to read as
34 26 follows:

34 27 3. "Military service" means full-time active state service
34 28 or state active duty, as defined in section 29A.1, for a
34 29 period of at least ninety consecutive days, commencing on or
34 30 after the effective date of this division of this Act.

CODE: Technical correction to SF 2124 (State Military Code).

34 31 Sec. 67. Section 41.1, subsection 28, Code 2001, as
34 32 amended by 2001 Iowa Acts, First Extraordinary Session,
34 33 chapter 1, section 2, is amended to read as follows:

34 34 28. The twenty-eighth representative district in Dubuque
34 35 county shall consist of those portions of Dubuque and Table
35 1 Mound townships and the city of Dubuque bounded by a line
35 2 commencing at the point Asbury road intersects the east
35 3 corporate limit of the city of Asbury, then proceeding first
35 4 south, and then in a clockwise manner along the corporate
35 5 limits of the city of Asbury until it intersects the ~~west~~ east
35 6 boundary of ~~Dubuque~~ Center township, then proceeding first
35 7 south, and then in a clockwise manner along the ~~west~~ boundary
35 8 of ~~Dubuque~~ Center township until it intersects the east
35 9 boundary of Vernon township and the corporate limits of the
35 10 city of Dubuque, then proceeding first ~~west~~ south, and then in
35 11 a counterclockwise manner along the corporate limits of the
35 12 city of Dubuque until it intersects the south boundary of
35 13 Dubuque township, then proceeding east along the south
35 14 boundary of Dubuque township until it intersects the corporate
35 15 limits of the city of Dubuque, then proceeding first east, and
35 16 then in a counterclockwise manner along the corporate limits
35 17 of the city of Dubuque until it intersects the east boundary
35 18 of Table Mound township, then proceeding north along the
35 19 boundary of Table Mound township until it intersects the
35 20 corporate limits of the city of Dubuque, then proceeding first
35 21 east, and then in a counterclockwise manner along the
35 22 corporate limits of the city of Dubuque until it intersects

CODE: Technical correction to the apportionment language passed during the First Extraordinary Session.

35 23 the Peosta channel of the Mississippi river, then proceeding
35 24 southwesterly along the Peosta channel until it intersects
35 25 East Sixteenth street, then proceeding southwesterly along
35 26 East Sixteenth street until it intersects Kerper boulevard,
35 27 then proceeding northerly along Kerper boulevard until it
35 28 intersects Fengler street, then proceeding northwest along
35 29 Fengler street until it intersects the I & M Rail Link tracks,
35 30 then proceeding southwest along the I & M Rail Link tracks
35 31 until it intersects the extension of Stafford street, then
35 32 proceeding westerly along the extension of Stafford street
35 33 until it intersects Garfield avenue, then proceeding southwest
35 34 along Garfield avenue until it intersects East Twentieth
35 35 street, then proceeding southwesterly along East Twentieth
36 1 street until it intersects Central avenue, then proceeding
36 2 northwest along Central avenue until it intersects West
36 3 Twenty-third street, then proceeding southwesterly along West
36 4 Twenty-third street until it intersects Valeria street, then
36 5 proceeding northwesterly along Valeria street until it
36 6 intersects Kaufmann avenue, then proceeding southeast along
36 7 Kaufmann avenue until it intersects Hempstead street, then
36 8 proceeding southwest along Hempstead street until it
36 9 intersects Montcrest street, then proceeding westerly along
36 10 Montcrest street until it intersects Portland street, then
36 11 proceeding southwest along Portland street until it intersects
36 12 Abbott street, then proceeding south along Abbott street until
36 13 it intersects Lowell street, then proceeding east along Lowell
36 14 street until it intersects Harold street, then proceeding
36 15 south along Harold street until it intersects Clarke drive,
36 16 then proceeding easterly along Clarke drive until it
36 17 intersects Foye street, then proceeding southerly along Foye
36 18 street until it intersects West Locust street, then proceeding
36 19 west along West Locust street until it intersects Kirkwood
36 20 street, then proceeding southwest along Kirkwood street until
36 21 it intersects Cox street, then proceeding southeast along Cox
36 22 street until it intersects Loras boulevard, then proceeding
36 23 southwest along Loras boulevard until it intersects Wood
36 24 street, then proceeding southeast along Wood street until it
36 25 intersects University avenue, then proceeding east along

36 26 University avenue until it intersects Delhi street, then
36 27 proceeding southwest along Delhi street until it intersects
36 28 West Fifth street, then proceeding southeast along West Fifth
36 29 street until it intersects College street, then proceeding
36 30 southerly along College street until it intersects West Third
36 31 street, then proceeding southwest along West Third street
36 32 until it intersects North Grandview avenue, then proceeding
36 33 south along North Grandview avenue until it intersects Hale
36 34 street, then proceeding west along Hale street until it
36 35 intersects North Algona street, then proceeding north along
37 1 North Algona street until it intersects Bennett street, then
37 2 proceeding west along Bennett street until it intersects
37 3 McCormick street, then proceeding northerly along McCormick
37 4 street until it intersects Mineral street, then proceeding
37 5 west along Mineral street until it intersects O'Hagen street,
37 6 then proceeding north along O'Hagen street until it intersects
37 7 Pearl street, then proceeding west along Pearl street until it
37 8 intersects Finley street, then proceeding northwest along
37 9 Finley street until it intersects University avenue, then
37 10 proceeding northeast along University avenue until it
37 11 intersects Asbury road, then proceeding northwesterly along
37 12 Asbury road until it intersects Wilbricht lane, then
37 13 proceeding west along Wilbricht lane until it intersects Flora
37 14 Park road, then proceeding southwesterly along Flora Park road
37 15 until it intersects Pennsylvania avenue, then proceeding west
37 16 along Pennsylvania avenue until it intersects Churchill drive,
37 17 then proceeding north along Churchill drive until it
37 18 intersects St. Anne drive, then proceeding west along St.
37 19 Anne drive until it intersects Carter road, then proceeding
37 20 north along Carter road until it intersects Hillcrest road,
37 21 then proceeding west along Hillcrest road until it intersects
37 22 John F. Kennedy road, then proceeding north along John F.
37 23 Kennedy road until it intersects Hillcrest road, then
37 24 proceeding west along Hillcrest road until it intersects Key
37 25 Largo drive, then proceeding south along Key Largo drive until
37 26 it intersects Keymeer drive, then proceeding east along
37 27 Keymeer drive until it intersects Key Way drive, then
37 28 proceeding south along Key Way drive until it intersects the

37 29 north fork of Catfish creek, then proceeding west along the
37 30 north fork of Catfish creek until it intersects the extension
37 31 of Winne court, then proceeding north along Winne court and
37 32 its extension until it intersects Hillcrest road, then
37 33 proceeding east along Hillcrest road until it intersects the
37 34 north branch of the north fork of Catfish creek, then
37 35 proceeding northwesterly along the north branch of the north
38 1 fork of Catfish creek until it intersects the northwest branch
38 2 of the north fork of Catfish creek, then proceeding northwest
38 3 along the northwest branch of the north fork of Catfish creek
38 4 until it intersects Asbury road, then proceeding west along
38 5 Asbury road to the point of origin.

38 6 Sec. 68. Section 53.7, subsection 2, Code 2001, as amended
38 7 by 2002 Iowa Acts, House File 2409, section 11, is amended to
38 8 read as follows:

38 9 2. It is unlawful for any public officer or employee, or
38 10 any person acting under color of a public officer or employee,
38 11 to knowingly require a public employee to solicit an
38 12 application or request ~~for~~ an application for an absentee
38 13 ballot, or to knowingly ~~requires that~~ require an employee to
38 14 take an affidavit or request for an affidavit in connection
38 15 with an absentee ballot application.

CODE: Technical correction to HF 2409 (Election Misconduct).

38 16 Sec. 69. Section 303A.7, subsection 1, as enacted by 2002
38 17 Iowa Acts, House File 2571, section 8, is amended to read as
38 18 follows:

38 19 1. An Iowa cultural trust grant account is created in the
38 20 office of the treasurer of state under the control of the
38 21 board to receive interest attributable to the investment of
38 22 trust fund moneys as required by section 303A.4, subsection 4.
38 23 The moneys in the grant account are appropriated to the board
38 24 for purposes of the Iowa cultural trust created in section
38 25 303A.4. Moneys in the grant account shall not be subject to
38 26 appropriation for any other purpose by the general assembly,
38 27 but shall be used only for the purposes of the Iowa cultural

CODE: Technical correction to HF 2571 (Iowa Cultural Trust).

38 28 trust. The treasurer of state shall act as custodian of the
38 29 grant account and disburse moneys contained in the grant
38 30 account as directed by the board. The board shall make
38 31 expenditures from the grant account consistent with the
38 32 purposes of the Iowa cultural trust.

38 33 Sec. 70. Section 356.36A, as enacted by 2002 Iowa Acts,
38 34 Senate File 2278, section 1, is amended to read as follows:
38 35 356.36A CONFINEMENT AND DETENTION REPORT -- DESIGN
39 1 PROPOSALS.

39 2 The division of criminal and juvenile justice planning of
39 3 the department of human rights, in consultation with the
39 4 department of corrections, the Iowa county attorneys
39 5 association, the Iowa state sheriff's association, the Iowa
39 6 association of chiefs of police and peace officers, a
39 7 statewide organization representing rural property taxpayers,
39 8 the Iowa league of cities, and the Iowa board of supervisors
39 9 association, shall prepare a report analyzing the confinement
39 10 and detention needs of jails and facilities established
39 11 pursuant to ~~chapter~~ chapters 356 and 356A. The report for
39 12 each type of jail or facility shall include but is not limited
39 13 to an inventory of prisoner space, daily prisoner counts,
39 14 options for detention of prisoners with mental illness or
39 15 substance abuse service needs, and the compliance status under
39 16 section 356.36 for each jail or facility. The report shall
39 17 contain an inventory of recent jail or facility construction
39 18 projects in which voters have approved the issuance of general
39 19 obligation bonds, essential county purpose bonds, revenue
39 20 bonds, or bonds issued pursuant to chapter 422B. The report
39 21 shall be revised periodically as directed by the administrator
39 22 of the division of criminal and juvenile justice planning.
39 23 The first submission of the report shall include
39 24 recommendations on offender data needed to estimate jail space
39 25 needs in the next two, three, and five years, on a county,
39 26 geographic region, and statewide basis, which may be based
39 27 upon information submitted pursuant to section 356.49.

CODE: Technical correction to confinement and detention report
language related to the Division of Criminal and Juvenile Justice
Planning of the Department of Human Rights.

39 28 Sec. 71. Section 359.49, subsection 7A, unnumbered
39 29 paragraph 1, as enacted by 2002 Iowa Acts, House File 2448,
39 30 section 1, is amended to read as follows:

39 31 A township that has entered into an agreement with a
39 32 municipality to receive fire protection service or emergency
39 33 medical service from the municipality may request that a
39 34 portion of its taxes be paid directly to the municipality
39 35 providing the fire protection service or emergency medical
40 1 service. Each year, the township must note its request on the
40 2 budget and must attach a copy of the emergency services
40 3 agreement to each copy of the budget transmitted to the county
40 4 auditor. The auditor shall direct the county treasurer as to
40 5 what portion of the township taxes to disburse to the
40 6 municipality providing the fire protection service or
40 7 emergency medical service.

CODE: Technical correction to HF 2448 (Emergency Medical Services).

40 8 Sec. 72. Section 524.814, Code 2001, is amended to read as
40 9 follows:

40 10 524.814 PLEDGE OF ASSETS.

40 11 Pursuant to a resolution of its board of directors, a state
40 12 bank may lend or pledge its assets for the following purposes,
40 13 and for no other purposes:

40 14 1. To secure deposits of the state bank or a bank that is
40 15 an affiliate of the state bank when a customer is required to
40 16 obtain such security, or a bank is required to provide
40 17 security, by the laws of the United States, by any agency or
40 18 instrumentality of the United States, by the laws of the state
40 19 of Iowa, by the state board of regents, by a resolution or
40 20 ordinance relating to the issuance of bonds, by the terms of
40 21 any interstate compact or by order of any court of competent
40 22 jurisdiction. The lending of securities to a bank that is an
40 23 affiliate, or the pledging of securities for the account of a
40 24 bank that is an affiliate, shall be on terms and conditions
40 25 that are consistent with safe and sound banking practices.

40 26 2. To secure money borrowed by the state bank, provided
40 27 that capital notes or debentures issued pursuant to section
40 28 524.404 shall not in any event be secured by a pledge of

CODE: Permits an Iowa bank to lend or pledge its securities for the account of its affiliate in order to provide collateral for the public funds of the affiliate.

40 29 assets or otherwise.

40 30 3. To secure participations sold to the federal

40 31 agricultural mortgage corporation.

40 32 Sec. 73. Section 633.4213, subsection 1, Code Supplement
40 33 2001, as amended by 2002 Iowa Acts, House File 2531, if
40 34 enacted, is amended to read as follows:

40 35 1. The trustee shall inform each qualified beneficiary of
41 1 ~~their~~ the beneficiary's right to receive an annual accounting
41 2 and a copy of the trust instrument. The trustee shall also
41 3 inform each qualified beneficiary about the process necessary
41 4 to obtain an annual accounting or a copy of the trust
41 5 instrument, if not provided. The trustee shall further inform
41 6 the beneficiary whether the beneficiary will, or will not,
41 7 receive an annual accounting if the beneficiary fails to take
41 8 any action. If a beneficiary has previously been provided the
41 9 notice required by this section, additional notice shall not
41 10 be required due to a change of trustees or a change in the
41 11 composition of the qualified beneficiaries.

CODE: Technical correction to HF 2531 (Iowa Trust Code).

41 12 Sec. 74. Section 724.26, as amended by 2002 Iowa Acts,
41 13 House File 2363, section 4, is amended to read as follows:

41 14 724.26 POSSESSION, RECEIPT, TRANSPORTATION, OR DOMINION
41 15 AND CONTROL OF FIREARMS AND OFFENSIVE WEAPONS BY FELONS.

41 16 A person who is convicted of a felony in a state or federal
41 17 court, or who is adjudicated delinquent on the basis of
41 18 conduct that would constitute a felony if committed by an
41 19 adult, and who knowingly has under the person's dominion and
41 20 control or possession, or receives, or transports or causes to
41 21 be transported a firearm or offensive weapon is guilty of a
41 22 class "D" felony.

CODE: Technical correction to HF 2363 (Possession of Firearms).

41 23 Sec. 75. 2001 Iowa Acts, chapter 174, section 1,
41 24 subsection 1, unnumbered paragraph 3, as enacted by 2002 Iowa
41 25 Acts, Senate File 2315, section 4, is amended to read as
41 26 follows:

CODE: Technical correction to SF 2315 (School Foundation Aid
Appropriation).

41 27 For the fiscal year beginning July 1, 2002, and ending June
41 28 30, 2003, of the \$75,000,000 to be deposited in the endowment
41 29 for Iowa's health account of the tobacco settlement trust fund
41 30 under this subsection, ~~the first~~ \$20,000,000 is appropriated
41 31 to the department of management to pay that part of foundation
41 32 aid which represents the allowable growth amounts for all
41 33 school districts. An appropriation from the general fund of
41 34 the state for foundation aid which is supplanted by the
41 35 appropriation made in this subsection, shall be reduced by the
42 1 amount of the appropriation which supplants it.

42 2 Sec. 76. 2002 Iowa Acts, Senate File 348, section 14, if
42 3 enacted, is amended to read as follows:
42 4 SEC. 14. EXPEDITED APPLICATION PROCEDURE. The state board
42 5 of education shall develop an expedited charter school
42 6 application procedure for the fiscal year beginning July 1,
42 7 ~~2003~~ 2002, for purposes of receiving federal planning funds
42 8 issued pursuant to the federal Elementary and Secondary
42 9 Education Act of 1965, Title X, Part C, as codified in 20
42 10 U.S.C. § 8061-8067.

CODE: Changes the date by which the Department of Education is required to develop an expedited charter school application from July 1, 2003, to July 1, 2002.

42 11 Sec. 77. 2002 Iowa Acts, Senate File 2326, section 38,
42 12 subsection 2, if enacted, is amended to read as follows:
42 13 2. If House File ~~2524~~ 2617 is enacted by the Seventy-ninth
42 14 General Assembly, 2002 Session, the amount appropriated in
42 15 subsection 1 shall be increased by \$38,000. The increased
42 16 amount shall be used to fill a vacant position in the dairy
42 17 products control bureau.

CODE: Technical correction to SF 2326 (FY 2003 Omnibus Appropriations Bill).

42 18 Sec. 78. 2002 Iowa Acts, Senate File 2326, section 175,
42 19 subsection 2, unnumbered paragraph 2, if enacted, is amended
42 20 to read as follows:
42 21 If total approved claims for reimbursement for nonpublic
42 22 school pupil transportation claims exceed the amount
42 23 appropriated in this ~~section~~ subsection, the department of

CODE: Technical correction to SF 2326 (FY 2003 Omnibus Appropriations Bill).

42 24 education shall prorate the amount of each claim.	
42 25 Sec. 79. 2002 Iowa Acts, House File 2453, section 6, if 42 26 enacted, is repealed.	CODE: Technical correction to HF 2453 (State and County Medical Examiners).
42 27 Sec. 80. EFFECTIVE DATE. The sections in this division of 42 28 this Act amending new Code section 29A.90, subsection 3, and 42 29 2002 Iowa Acts, Senate File 348, section 14, being deemed of 42 30 immediate importance, take effect upon enactment.	Specifies that changes in this Bill relating to the State Military Code and the date for development of an expedited charter school application are effective upon enactment.
42 31 Sec. 81. CONTINGENT EFFECTIVE DATE. The section in this 42 32 division of this Act amending section 524.814 is effective 42 33 contingent upon the enactment of 2002 Iowa Acts, House File 42 34 681.	Specifies that changes to banking statutory language in this Bill are contingent upon passage of HF 681 (Pledging of Collateral).
42 35 DIVISION IV 43 1 MH/MR/DD -- FY 2003-2004 ALLOWED GROWTH	
43 2 Sec. 82. COUNTY MENTAL HEALTH, MENTAL RETARDATION, AND 43 3 DEVELOPMENTAL DISABILITIES ALLOWED GROWTH FACTOR ADJUSTMENT	General Fund appropriation for mental health allowed growth for FY 2004.
43 4 AND ALLOCATIONS -- FISCAL YEAR 2003-2004. There is 43 5 appropriated from the general fund of the state to the 43 6 department of human services for the fiscal year beginning 43 7 July 1, 2003, and ending June 30, 2004, the following amount, 43 8 or so much thereof as is necessary, to be used for the purpose 43 9 designated:	DETAIL: This is an increase of \$4,573,638 compared to the estimated FY 2003 appropriation. This represents a 2.00% in the allowed growth calculation used in the formula.
43 10 For distribution to counties of the county mental health, 43 11 mental retardation, and developmental disabilities allowed 43 12 growth factor adjustment, as provided in this section in lieu 43 13 of the provisions of section 331.438, subsection 2, and 43 14 section 331.439, subsection 3, and chapter 426B: 43 15 \$ 19,073,638	
43 16 1. The funding appropriated in this section is the allowed	

43 17 growth factor adjustment for fiscal year 2003-2004, and is
43 18 allocated as follows:

43 19 a. For distribution as provided in this section:
43 20 \$ 17,073,638

43 21 b. For deposit in the risk pool created in the property
43 22 tax relief fund and for distribution in accordance with
43 23 section 426B.5, subsection 2:
43 24 \$ 2,000,000

43 25 2. The following formula amounts shall be utilized only to
43 26 calculate preliminary distribution amounts for fiscal year
43 27 2003-2004 under this section by applying the indicated formula
43 28 provisions to the formula amounts and producing a preliminary
43 29 distribution total for each county:

43 30 a. For calculation of an allowed growth factor adjustment
43 31 amount for each county in accordance with the formula in
43 32 section 331.438, subsection 2, paragraph "b":
43 33 \$ 12,000,000

43 34 b. For calculation of a distribution amount for eligible
43 35 counties from the per capita expenditure target pool created
44 1 in the property tax relief fund in accordance with the
44 2 requirements in section 426B.5, subsection 1:
44 3 \$ 12,492,712

44 4 c. For calculation of a distribution amount for counties
44 5 from the mental health and developmental disabilities (MH/DD)
44 6 community services fund in accordance with the formula
44 7 provided in 2002 Iowa Acts, Senate File 2326, section 119,
44 8 subsection 1:
44 9 \$ 18,127,352

44 10 3. Notwithstanding any contrary provisions of sections
44 11 225C.7, 331.438, subsection 2, 331.439, subsection 3, and
44 12 426B.5, the moneys allocated for distribution in subsection 1,
44 13 paragraph "b", and in any other Act of the Eightieth General
44 14 Assembly, 2003 Session, for distribution to counties in the
44 15 fiscal year beginning July 1, 2003, for purposes of the mental
44 16 health and developmental disabilities (MH/DD) community
44 17 services fund under section 225C.7, and for the allowed growth
44 18 factor adjustment for services paid under a county's section
44 19 331.424A mental health, mental retardation, and developmental

44 20 disabilities services fund and as calculated under subsection
44 21 2 to produce preliminary distribution amounts for counties
44 22 shall be subject to withholding as provided in this section.
44 23 4. After applying the applicable statutory distribution
44 24 formulas to the amounts indicated in subsection 2 for purposes
44 25 to produce preliminary distribution totals, the department of
44 26 human services shall apply a withholding factor to adjust an
44 27 eligible individual county's preliminary distribution total.
44 28 An ending balance percentage for each county shall be
44 29 determined by expressing the county's ending balance on a
44 30 modified accrual basis under generally accepted accounting
44 31 principles for the fiscal year beginning July 1, 2002, in the
44 32 county's mental health, mental retardation, and developmental
44 33 disabilities services fund created under section 331.424A, as
44 34 a percentage of the county's gross expenditures from that fund
44 35 for that fiscal year. The withholding factor for a county
45 1 shall be the following applicable percent:
45 2 a. For an ending balance percentage of less than 10
45 3 percent, a withholding factor of 0 percent.
45 4 b. For an ending balance percentage of 10 through 24
45 5 percent, a withholding factor of 25 percent.
45 6 c. For an ending balance percentage of 25 through 34
45 7 percent, a withholding factor of 60 percent.
45 8 d. For an ending balance percentage of 35 through 44
45 9 percent, a withholding factor of 85 percent.
45 10 e. For an ending balance percentage of 45 percent or more,
45 11 a withholding factor of 100 percent.
45 12 5. The total withholding amounts applied pursuant to
45 13 subsection 4 shall be equal to a withholding target amount of
45 14 \$7,419,074 and the appropriation enacted by the Eightieth
45 15 General Assembly, 2003 Session, for the MH/DD community
45 16 services fund shall be reduced by the amount necessary to
45 17 attain the withholding target amount. If the department of
45 18 human services determines that the amount to be withheld in
45 19 accordance with subsection 4 is not equal to the target
45 20 withholding amount, the department shall adjust the
45 21 withholding factors listed in subsection 4 as necessary to
45 22 achieve the withholding target amount. However, in making

45 23 such adjustments to the withholding factors, the department
45 24 shall strive to minimize changes to the withholding factors
45 25 for those ending balance percentage ranges that are lower than
45 26 others and shall not adjust the zero withholding factor
45 27 specified in subsection 4, paragraph "a".

45 28 6. A county must comply with both the requirements listed
45 29 in this subsection to be eligible to receive a funding
45 30 distribution under this section. The amount that would
45 31 otherwise be available for distribution to a county that fails
45 32 to so comply shall be proportionately distributed among the
45 33 eligible counties. Both of the following requirements are
45 34 applicable:

45 35 a. A county must comply with the December 1, 2003, filing
46 1 deadline for the county annual financial report in accordance
46 2 with section 331.403.

46 3 b. A county must levy the not less than 70 percent of the
46 4 maximum amount allowed for the county's mental health, mental
46 5 retardation, and developmental disabilities services fund
46 6 under section 331.424A for taxes due and payable in the fiscal
46 7 year beginning July 1, 2003.

46 8 7. The department of human services shall authorize the
46 9 issuance of warrants payable to the county treasurer for the
46 10 distribution amounts due the counties eligible under this
46 11 section and notwithstanding prior practice for the MH/DD
46 12 community services fund, the warrants shall be issued in
46 13 January 2004.

46 14 EXPLANATION

46 15 DIVISION I - Division I of this bill relates to and
46 16 appropriates moneys for the fiscal year beginning July 1,
46 17 2002, to fund salary adjustments for employees subject to
46 18 collective bargaining agreements, and certain noncontract
46 19 employees. Division I provides the funding from the transfer
46 20 of a percentage of the proceeds received by the state board of
46 21 regents as a result of the principal mutual holding company's
46 22 demutualization.

46 23 Division I allocates appropriations to the state board of

46 24 regents to fund its collective bargaining agreements and
46 25 provide merit employees not covered by a collective bargaining
46 26 agreement with increases comparable to similar contract-
46 27 covered employees and faculty and the professional and
46 28 scientific employees not covered under a collective bargaining
46 29 agreement with a percentage increase similar to the university
46 30 of northern Iowa faculty bargaining unit.

46 31 Division I allocates moneys to the judicial branch to fund
46 32 salary increases for judges, justices, and magistrates and for
46 33 increases for other judicial branch employees. The salary
46 34 increases amount to 3 percent but do not begin until December
46 35 20, 2002.

47 1 Division I allocates moneys to fund collective bargaining
47 2 agreements and similar percentage increases for noncontract
47 3 state employees but the noncontract employees' increase does
47 4 not begin until October 25, 2002.

47 5 Division I also provides supplemental authorization to fund
47 6 salaries from trust, revolving, and special funds for which
47 7 the general assembly has established a budget.

47 8 Division I funds salary model coordinator, to maintain, in
47 9 conjunction with the legislative fiscal bureau, the state's
47 10 salary model.

47 11 Division I provides for the collection of a surcharge on
47 12 the state employee's share of the health insurance premium
47 13 cost to the state's share of the terminal liability of the
47 14 existing Wellmark health insurance contract. The health
47 15 insurance plans of the state police officers council
47 16 collective bargaining unit are exempt from the surcharge.

47 17 DIVISION II - Division II makes statutory changes to the
47 18 Code as follows:

47 19 Code section 8.63(4) is amended to eliminate a standing
47 20 appropriation to agencies to pay off their loans to the
47 21 innovations fund if the agency project results in a net
47 22 increase to the general fund of the state.

47 23 Code section 12.21, concerning the authority of the
47 24 treasurer of state to enter into an agreement with a financial
47 25 institution or credit card processor to provide credit card
47 26 receipt processing for state departments, is amended to

47 27 provide that any credit card charges shall be considered to be
47 28 part of the payment due and any charges paid shall be paid
47 29 from the aggregate fees collected by the state agency.
47 30 Code sections 14B.203(3), 14B.205, 15.108(9), 421.17(31),
47 31 421.17(34), and 455A.4(5) are amended to reflect the
47 32 amendments to Code section 12.21.
47 33 Code section 15E.112 is amended to allow moneys in the
47 34 value-added agricultural products and process financial
47 35 assistance fund to be used for administration of the fund.
48 1 Code section 18.75 is amended to provide that the
48 2 legislative service bureau shall solicit and process orders
48 3 for the distribution of state publications produced by the
48 4 bureau.
48 5 Code section 18.97A is amended to provide that the
48 6 governor, supreme court, and legislative council shall control
48 7 the number of state publications distributed by the
48 8 legislative service bureau to recipients in their respective
48 9 branches.
48 10 Code section 101.24, new subsection 5, is enacted to
48 11 provide that a tank manufactured for aboveground use at a tank
48 12 site that meets the requirements for the regular venting of
48 13 the tank in case of fire to relieve excessive internal
48 14 pressure caused by fire exposure and has notified the state
48 15 fire marshal of the existence of the tank, its age, type, and
48 16 uses shall be considered the equivalent of underwriters
48 17 laboratory rated tanks.
48 18 New Code section 239B.2A is enacted to make eligible for
48 19 the family investment program a conditional resident alien who
48 20 was battered or subject to extreme cruelty or whose child was
48 21 battered or subject to extreme cruelty by a person who is a U.
48 22 S. citizen or lawful permanent resident.
48 23 Code section 249A.3, relating to an optional category
48 24 covered under the medical assistance program for persons with
48 25 disabilities who have earned income, is amended. Current law
48 26 provides one option, whereas the amendment provides an
48 27 additional, alternative two-part option. The two-part option
48 28 is subject to a contingent effectiveness provision so that the
48 29 option only takes effect if the department of human services

48 30 does not win its appeal against the federal centers for
48 31 Medicare and Medicaid services.
48 32 Code section 256.67 is amended to correct a reference to a
48 33 library service area.
48 34 Code section 260G.4B amends the accelerated career
48 35 education program by reducing the total amount of program job
49 1 credits from all employers during the 2002-2003 fiscal year
49 2 from \$6 million to \$3 million.
49 3 Code section 368.4 is amended to specify that a city's
49 4 notice of the hearing on annexation shall be served by regular
49 5 mail.
49 6 New Code section 368.26, relating to annexing moratorium,
49 7 is amended to strike an incorrect reference and specifies that
49 8 the "municipal services" to be provided in an annexed area
49 9 must be within the legal authority of the annexing city.
49 10 Code section 476.97 is amended to permit the utilities
49 11 board 180 days to consider certain rate changes, with one 60-
49 12 day extension possible.
49 13 Code section 5141.5 is amended to provide that the members
49 14 of the hawk-i board, who are appointed by the governor, are to
49 15 serve two-year staggered terms as designated by the governor.
49 16 The Code section 541A.1 definition of an individual
49 17 development account is amended to include a financial
49 18 instrument certified by an operating organization to comply
49 19 with federal requirements involving state and federal funds
49 20 deposited to match account holder deposits, including two
49 21 existing federal programs. Under current law, Code section
49 22 541A.3 provides that a state savings refund must be paid
49 23 directly to an account holder's account. The bill allows for
49 24 payment of the state savings refund to an operating
49 25 organization's central reserve account for later distribution
49 26 to an account holder's account.
49 27 Code section 556.12 is amended to provide that the annual
49 28 publication of lists of unclaimed property by the treasurer of
49 29 state shall not be done between September 10 and November 10
49 30 of each year. Under current law, the treasurer is required to
49 31 make the annual publication no later than November 30.
49 32 Code section 602.1302(3) is amended to permit the cost of

49 33 summoning jurors to be paid from a revolving fund established
49 34 in Code section 602.1302.

49 35 Code section 602.8108(5) is amended to eliminate the
50 1 requirement that 20 percent of the court technology and
50 2 modernization fund be used for alternative dispute resolution
50 3 and methods to resolve domestic abuse. The amendment also
50 4 permits the fund to be used for the Iowa court information
50 5 system.

50 6 Code section 904.108 is amended to provide that the
50 7 department of corrections shall maintain a correctional
50 8 training program, but the program does not necessarily need to
50 9 be located at the Mount Pleasant correctional facility.

50 10 A section of this division amends 2001 Iowa Acts, chapter
50 11 182, section 7, subsection 2, to allow the Iowa veterans home
50 12 to retain certain moneys which exceed the amount budgeted in
50 13 the fiscal year beginning July 1, 2001, and ending June 30,
50 14 2002, that remain unencumbered or unobligated at the close of
50 15 that fiscal year.

50 16 A section of the division directs the department of
50 17 cultural affairs to identify an appropriate location in the
50 18 state capitol for a plaque honoring Iowa recipients of the
50 19 congressional medal of honor.

50 20 A section of this division requires the departments of
50 21 general services, management, personnel, and information
50 22 technology in studying reorganization and identifying
50 23 duplicative positions to consult with the affected agencies
50 24 and to consider previous studies.

50 25 A section of this division provides for transitional
50 26 language involving the implementation of the relocation of the
50 27 unit for commitment of sexually violent predators from Oakdale
50 28 to the state mental health institute at Cherokee.

50 29 A section of this division requires the departments of
50 30 agriculture and land stewardship and natural resources to
50 31 submit quarterly written reports on their expenditures and
50 32 FTEs allocated for the previous quarter.

50 33 A section of this division increases the FTEs authorized
50 34 for the Iowa public employees' retirement system division by
50 35 two FTEs.

51 1 A section of this division amends an appropriation made to
51 2 the office of the treasurer of state by reducing the
51 3 authorized FTEs from 2.00 to 1.00 for the purpose of carrying
51 4 out the requirements of House File 681 if enacted.
51 5 Two sections of this division eliminate the extension of
51 6 the scope of practice review committee and references to the
51 7 committee under an appropriation to the Iowa department of
51 8 public health in Senate File 2326.
51 9 A section of this division affects the county mental
51 10 health, mental retardation, and developmental disabilities
51 11 (MH/MR/DD) allowed growth factor adjustment for fiscal year
51 12 2002-2003. Under Code section 331.439, the statute
51 13 establishing the adjustment must be enacted during the fiscal
51 14 year in progress two years prior to the fiscal year to which
51 15 the adjustment is applicable. The section amends the
51 16 provisions for distribution of the adjustment if enacted in
51 17 Senate File 2326 during the 2002 legislative session for
51 18 fiscal year 2002-2003.
51 19 Under 2001 Iowa Acts, chapter 176, the growth factor
51 20 adjustment for fiscal year 2002-2003 was to be distributed by
51 21 law in lieu of the distribution formula in Code sections
51 22 331.438 and 331.439. The division also includes the
51 23 appropriation for the MH/DD community services fund in the
51 24 distribution formula. The division provides allocation
51 25 amounts to be used for calculating preliminary distribution
51 26 amounts in accordance with statutory formulas. After a
51 27 preliminary amount is determined using the formulas, a
51 28 withholding amount is applied, based upon a county's MH/DD
51 29 community services fund balance at the close of the previous
51 30 fiscal year. A county must comply with a financial reporting
51 31 deadline and levy the maximum allowable amount to be eligible
51 32 to receive a distribution.
51 33 One section of this division directs that some of the
51 34 moneys appropriated for medical assistance be used as state
51 35 matching funds for participation in a federal telecare pilot
52 1 program.
52 2 A section of this division amends Senate File 2326 to limit
52 3 the amount of riverboat and racetrack enforcement costs that

52 4 may be billed to the riverboats and racetracks to a specified
52 5 amount in excess of the amount billed in the fiscal year
52 6 beginning July 2001.
52 7 Two sections of this division relate to the standing
52 8 appropriation for public transit assistance for two different
52 9 fiscal years. One section removes the amount appropriated
52 10 from Senate File 2326 and the other section provides for a
52 11 reduction by a specified amount of the standing appropriation.
52 12 Code chapter 2A is repealed. This chapter establishes the
52 13 commission on compensation, expenses, and salaries for elected
52 14 state officials.
52 15 DIVISION III - Division III contains corrective amendments
52 16 to Code and session law provisions enacted or amended in bills
52 17 passed earlier in the 2002 legislative session or in the first
52 18 2001 special session.
52 19 Code section 8.55 is amended to correct a grammatical
52 20 mistake and to refer to multiple amounts rather than a single
52 21 amount being transferred from the economic emergency fund to
52 22 other funds.
52 23 Code section 10D.1 is amended to correctly state that the
52 24 new Code chapter 10D definitions, relating to the holding of
52 25 agricultural land by qualified enterprises involved in baby
52 26 chick and fertilized egg production, are applicable to the
52 27 chapter rather than just the definitional section itself.
52 28 Code sections 15E.42 and 15E.43 are amended to correctly
52 29 refer to the defined term "qualifying business" rather than
52 30 "qualified business" in the new Code provisions relating to
52 31 investment tax credits.
52 32 Code section 15E.224 is amended to correctly refer to the
52 33 venture capital investment fund allocation manager for the
52 34 Iowa fund of funds.
52 35 Code section 29A.90, new subsection 3, is amended to
53 1 clarify that the effective date referred to is the effective
53 2 date of the division that enacts subsection 3 since there are
53 3 different effective dates for the various divisions of the
53 4 Act.
53 5 Code section 41.1 is amended to correct the legal
53 6 description of the twenty-eighth house district as passed in

53 7 the first 2001 special session. The correction does not
53 8 affect population statistics for the house district.
53 9 Code section 53.7 is amended to correct grammatical errors
53 10 describing unlawful solicitations or requests for absentee
53 11 ballots.
53 12 New Code section 303A.7 is amended to correctly refer to
53 13 the office of the treasurer of state.
53 14 New Code section 356.36A is amended to include a reference
53 15 to another Code chapter for which reports on the needs of
53 16 jails established pursuant to that chapter are to apply.
53 17 Code section 359.49 is amended to correctly refer to a
53 18 municipality's provision to a township of either fire
53 19 protection service or emergency medical service in return for
53 20 receipt of a portion of township taxes.
53 21 Code section 524.814 is amended to permit an Iowa state
53 22 bank to lend or pledge its securities for the account of its
53 23 affiliate in order to provide collateral for the public funds
53 24 of the affiliate. This provision is contingent upon the
53 25 enactment of House File 681.
53 26 Code section 633.4213 is amended to correct a grammatical
53 27 error relating to a qualified beneficiary of a trust and the
53 28 beneficiary's right to receive an annual accounting and a copy
53 29 of the trust instrument.
53 30 Code section 724.26, relating to possession of a firearm by
53 31 a felon, is amended to correct a grammatical error by striking
53 32 an unnecessary conjunction.
53 33 A new session law paragraph enacted in 2002 legislation is
53 34 amended to delete the words "the first" in relation to an
53 35 appropriation of moneys from gambling revenues flowing through
54 1 the tobacco settlement trust fund to pay school foundation aid
54 2 relating to allowable growth.
54 3 A section of this division corrects the fiscal year from
54 4 July 1, 2003, to July 1, 2002, to which applies the state
54 5 board of education's expedited charter school application
54 6 procedure for purposes of receiving federal funds.
54 7 A provision in an appropriations bill that increases the
54 8 amount of the appropriation contingent upon the enactment of
54 9 House File 2524 is amended to change the reference to the

54 10 enactment of House File 2617 since House File 2524 was passed
54 11 out of committee and the bill number was changed.
54 12 A provision in an appropriation bill that relates to the
54 13 proration of each claim for reimbursement for nonpublic school
54 14 pupils transportation claims is amended to change reference
54 15 from "section" to "subsection".
54 16 A section of this division, enacted in 2002 and related to
54 17 the state medical examiner, is repealed since the bill section
54 18 no longer contains any change to the Code section set out in
54 19 the bill section.
54 20 Division IV makes an appropriation and establishes the
54 21 allowed mental health, mental retardation, and developmental
54 22 disabilities growth factor adjustment for fiscal year 2003-
54 23 2004 and distributes the appropriation in a similar manner as
54 24 the bill provides for fiscal year 2002-2003.
54 25 LSB 7171HV 79
54 26 mg/cf/24

Summary Data

Non General Fund

H.F. 2623	Actual FY 2000	Actual FY 2001	Estimated Net FY 2002	House Approp FY 2003	House Approp vs Est FY 2002	Page & Line Number
	(1)	(2)	(3)	(4)	(5)	(6)
Administration and Regulation	\$ 2,707,668	\$ 4,947,309	\$ 13,427,718	\$ 40,215,867	\$ 26,788,149	
Grand Total	<u>\$ 2,707,668</u>	<u>\$ 4,947,309</u>	<u>\$ 13,427,718</u>	<u>\$ 40,215,867</u>	<u>\$ 26,788,149</u>	
Operations	\$ 2,707,668	\$ 4,947,309	\$ 13,427,718	\$ 40,215,867	\$ 26,788,149	
Grand Total	<u>\$ 2,707,668</u>	<u>\$ 4,947,309</u>	<u>\$ 13,427,718</u>	<u>\$ 40,215,867</u>	<u>\$ 26,788,149</u>	

Administration and Regulation

Non General Fund

H.F. 2623	Actual FY 2000	Actual FY 2001	Estimated Net FY 2002	House Approp FY 2003	House Approp vs Est FY 2002	Page & Line Number
	(1)	(2)	(3)	(4)	(5)	(6)
Management, Department of						
Demutualization Salary Adjustment				30,000,000	30,000,000	PG 1 LN 3
Road Use Tax Salary Adjustment	\$ 202,808	\$ 362,612	\$ 3,122,527	\$ 1,588,368	\$ -1,534,159	PG 5 LN 24
Primary Road Salary Adjustment	2,504,860	4,584,697	10,305,191	8,627,499	-1,677,692	PG 5 LN 33
Total Management, Department of	\$ 2,707,668	\$ 4,947,309	\$ 13,427,718	\$ 40,215,867	\$ 26,788,149	
Total Administration and Regulation	\$ 2,707,668	\$ 4,947,309	\$ 13,427,718	\$ 40,215,867	\$ 26,788,149	
Operations	\$ 2,707,668	\$ 4,947,309	\$ 13,427,718	\$ 40,215,867	\$ 26,788,149	
Grand Total	\$ 2,707,668	\$ 4,947,309	\$ 13,427,718	\$ 40,215,867	\$ 26,788,149	