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SENATE FILE 585

BY COMMITTEE ON APPROPRIATIONS

Approved (p. 1844)

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Vote: Ayes 45 Nays 0 Vote: Ayes 98 Nays 0

Approved May 31, 1985

A BILL FOR

1 An Act appropriating federal funds made available from
 2 federal block grants, allocating portions of federal
 3 block grants, and providing procedures if federal funds
 4 are more or less than anticipated or if federal block
 5 grants are more or less than anticipated or if cate-
 6 gorical grants are consolidated into new or existing
 7 block grants.

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

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SF 585

1 DIVISION I

2 Section 1. ALCOHOL AND DRUG ABUSE AND MENTAL HEALTH
3 SERVICES APPROPRIATION.

4 1. There is appropriated from the fund created by section
5 8.41 to the department of substance abuse, two million nine
6 hundred thirty-six thousand (2,936,000) dollars for the
7 federal fiscal year beginning October 1, 1985. Funds
8 appropriated by this section are the anticipated funds to be
9 received from the federal government for the designated
10 federal fiscal year under Pub. L. No. 97-35, Title IX,
11 Subtitle A, and Pub. L. No. 97-414 which provides for the
12 alcohol and drug abuse and mental health services block grant.
13 The department shall expend the funds appropriated by this
14 section as provided in the federal law making the funds
15 available and in conformance with chapter 17A.

16 2. Eight and seventy-five hundredths percent of the funds
17 appropriated in subsection 1 shall be transferred to the
18 division of mental health, mental retardation, and
19 developmental disabilities within the department of human
20 services and allocated for community mental health centers.
21 Of this amount, ten percent must be used to initiate new
22 mental services for severely disturbed children and
23 adolescents and new comprehensive community mental health
24 programs for unserved areas or underserved populations.

25 3. An amount not exceeding two hundred ninety-three thou-
26 sand six hundred (293,600) dollars of the funds appropriated
27 in subsection 1 shall be used by the department of substance
28 abuse for administrative expenses. From the funds set aside
29 by this subsection for administrative expenses, the department
30 of substance abuse shall pay to the auditor of state an amount
31 sufficient to pay the cost of auditing the use and
32 administration of the state's portion of the funds
33 appropriated in subsection 1. The auditor of state shall bill
34 the department of substance abuse for the costs of the audit.

35 4. Five percent of the funds appropriated in subsection 1

1 shall be used to initiate and provide new alcohol and drug
2 abuse services to women.

3 5. After deducting the funds allocated in subsections 2,
4 3, and 4 the remaining funds appropriated in subsection 1
5 shall be allocated according to the following percentages to
6 supplement appropriations for the following programs within
7 the department of substance abuse:

- 8 a. Drug abuse programs 38.89 percent
- 9 b. Alcohol abuse programs 38.89 percent
- 10 c. Alcohol and drug prevention programs 22.22 percent

11 Sec. 2. MATERNAL AND CHILD HEALTH SERVICES APPROPRIATIONS.

12 1. There is appropriated from the fund created by section
13 8.41 to the state department of health, the sum of five
14 million four hundred sixty thousand six hundred seventy-two
15 (5,460,672) dollars for the federal fiscal year beginning
16 October 1, 1985. The funds appropriated by this section are
17 the funds anticipated to be received from the federal
18 government for the designated federal fiscal year under Pub.
19 L. No. 97-35, Title XXI, Subtitle D, as amended, which
20 provides for the maternal and child health services block
21 grant. The department shall expend the funds appropriated by
22 this section as provided in the federal law making the funds
23 available and in conformance with chapter 17A.

24 2. Sixty-three percent of the funds appropriated in
25 subsection 1 shall be allocated to supplement appropriations
26 for maternal and child health programs within the personal and
27 family health division of the state department of health. Of
28 these funds, forty-eight thousand seven hundred twenty
29 (48,720) dollars shall be set aside for sudden infant death
30 syndrome, twenty-five thousand (25,000) dollars shall be set
31 aside for a lead poisoning prevention program, and two hundred
32 eight thousand nine hundred fifty (208,950) dollars shall be
33 set aside for the statewide perinatal care program.

34 Thirty-seven percent of the funds appropriated in
35 subsection 1 shall be transferred to the university of Iowa

1 hospitals and clinics under the control of the state board of
2 regents for mobile and regional child health specialty
3 clinics.

4 3. An amount not exceeding one hundred twenty-two thousand
5 thirty (122,030) dollars of the funds allocated in subsection
6 2 to the state department of health shall be used by the state
7 department of health for administrative expenses. From the
8 funds set aside by this subsection for administrative
9 expenses, the state department of health shall pay to the
10 auditor of state an amount sufficient to pay the cost of
11 auditing the use and administration of the state department of
12 health's portion of the funds allocated in subsection 2. The
13 auditor of state shall bill the state department of health for
14 the costs of the audit.

15 It is the intent of the general assembly that the
16 departments of health, human services, and public instruction
17 and the university of Iowa's mobile and regional child health
18 specialty clinics continue to pursue to the maximum extent
19 feasible the coordination and integration of services to women
20 and children in selected pilot areas. It is expected that
21 these agencies prepare a progress report for the general
22 assembly indicating objectives accomplished and barriers en-
23 countered in the pursuit of these integration efforts.

24 4. Those federal maternal and child health services block
25 grant funds transferred from the federal preventive health and
26 health services block grant funds under section 3, subsection
27 4, of this Act for the federal fiscal year beginning October
28 1, 1986, are transferred to the division of personal and
29 family health for maternal and child health programs and to
30 the university of Iowa's mobile and regional child health
31 specialty clinics according to the percentages specified in
32 section 2, subsection 2, of this Act.

33 Sec. 3. PREVENTIVE HEALTH AND HEALTH SERVICES
34 APPROPRIATIONS.

35 1. There is appropriated from the fund created by section

1 8.41 to the state department of health, one million forty-
2 seven thousand four hundred ninety-five (1,047,495) dollars
3 for the federal fiscal year beginning October 1, 1985. Funds
4 appropriated by this section are the funds anticipated to be
5 received from the federal government for the designated
6 federal fiscal year under Pub. L. No. 97-35, Title IX,
7 Subtitle A, which provides for the preventive health and
8 health services block grant. The department shall expend the
9 funds appropriated by this section as provided in the federal
10 law making the funds available and in conformance with chapter
11 17A.

12 2. An amount not exceeding one hundred thousand three
13 hundred seventeen (100,317) dollars of the funds appropriated
14 in subsection 1 shall be used by the state department of
15 health for administrative expenses. From the funds set aside
16 by this subsection for administrative expenses, the state
17 department of health shall pay to the auditor of state an
18 amount sufficient to pay the cost of auditing the use and
19 administration of the state's portion of the funds
20 appropriated in subsection 1. The auditor of state shall bill
21 the state department of health for the costs of the audit.

22 3. Of the funds appropriated in subsection 1, the specific
23 amount of funds required by Pub. L. No. 97-35, Title IX,
24 Subtitle A, shall be allocated to the rape prevention program.

25 4. Pursuant to Pub. L. No. 97-35, Title IX, Subtitle A, as
26 amended, seven percent of the funds appropriated in subsection
27 1 is transferred within the special fund in the state treasury
28 established under section 8.41, for use by the state
29 department of health as authorized by Pub. L. No. 97-35, Title
30 XXI, Subtitle D, as amended, and section 2 of this Act.

31 5. After deducting the funds allocated and transferred in
32 subsections 2, 3, and 4, the remaining funds appropriated in
33 subsection 1 shall be allocated according to the following
34 percentages to supplement appropriations for the following
35 programs within the following divisions of the state

- 1 department of health:
- 2 a. Disease prevention division for
- 3 hypertension grants 15.2 percent
- 4 b. Disease prevention division for
- 5 risk reduction services 21.0 percent
- 6 c. Community health division and
- 7 disease prevention division for health
- 8 incentive grants 17.9 percent
- 9 d. Community health division for
- 10 emergency medical services 30.0 percent
- 11 e. Personal and family health division
- 12 for fluoridation grants 15.9 percent

13 DIVISION II

14 Sec. 4. COMMUNITY SERVICES APPROPRIATIONS.

15 1. a. There is appropriated from the fund created by
 16 section 8.41 to the office for planning and programming, the
 17 sum of three million seven hundred sixty-eight thousand six
 18 hundred (3,768,600) dollars for the federal fiscal year be-
 19 ginning October 1, 1985. Funds appropriated by this section
 20 are the funds anticipated to be received from the federal
 21 government for the designated federal fiscal year under Pub.
 22 L. No. 97-35, Title VI, Subtitle B, which provides for the
 23 community services block grant. The office for planning and
 24 programming shall expend the funds appropriated by this
 25 section as provided in the federal law making the funds
 26 available and in conformance with chapter 17A.

27 b. The director of the office for planning and programming
 28 shall allocate not less than ninety percent of the amount of
 29 the block grant to programs benefiting low-income persons
 30 based upon the size of the poverty-level population in the
 31 area represented by the community action areas compared to the
 32 size of the poverty-level population in the state. The
 33 director of the office for planning and programming after
 34 consultation with community action agencies shall allocate an
 35 amount not exceeding five percent of the amount of financial

1 assistance based upon other measures of need in each community
2 action area.

3 2. An amount not exceeding five percent of the funds
4 appropriated in subsection 1 for the federal fiscal year
5 beginning October 1, 1985 shall be used by the office for
6 planning and programming for administrative expenses. From
7 the funds set aside by this subsection for administrative ex-
8 penses, the office for planning and programming shall pay to
9 the auditor of state an amount sufficient to pay the cost of
10 auditing the use and administration of the state's portion of
11 the funds appropriated in subsection 1. The auditor of state
12 shall bill the office for planning and programming for the
13 costs of the audit.

14 Sec. 5. COMMUNITY DEVELOPMENT APPROPRIATIONS.

15 1. There is appropriated from the fund created by section
16 8.41 to the office for planning and programming, the sum of
17 twenty-four million nine hundred twenty thousand (24,920,000)
18 dollars for the federal fiscal year beginning October 1, 1985.
19 Funds appropriated by this section are the funds anticipated
20 to be received from the federal government for the designated
21 federal fiscal year under Pub. L. No. 97-35, Title III,
22 Subtitle A, which provides for the community development block
23 grant. The office for planning and programming shall expend
24 the funds appropriated by this section as provided in the
25 federal law making the funds available and in conformance with
26 chapter 17A.

27 2. An amount not exceeding nine hundred ninety-one
28 thousand (991,000) dollars for the federal fiscal year
29 beginning October 1, 1985 shall be used by the office for
30 planning and programming for administrative expenses for the
31 community development block grant. The total amount used for
32 administrative expenses includes four hundred ninety-five
33 thousand five hundred (495,500) dollars for the federal fiscal
34 year beginning October 1, 1985 of funds appropriated in
35 subsection 1 and a matching contribution from the state equal

1 to four hundred ninety-five thousand five hundred (495,500)
2 dollars from the appropriation of state funds for the
3 community development block grant and state appropriations for
4 related activities of the office for planning and programming.
5 The total administrative expenses at the state level, from
6 both federal and state sources, shall not exceed four percent
7 of the amount appropriated in subsection 1. From the funds
8 set aside for administrative expenses by this subsection, the
9 office for planning and programming shall pay to the auditor
10 of state an amount sufficient to pay the cost of auditing the
11 use and administration of the state's portion of the funds
12 appropriated in subsection 1. The auditor of state shall bill
13 the office for planning and programming for the costs of the
14 audit.

15 DIVISION III

16 Sec. 6. EDUCATION APPROPRIATIONS.

17 1. There is appropriated from the fund created by section
18 8.41 to the department of public instruction for the fiscal
19 year beginning July 1, 1985 and ending June 30, 1986, the
20 amount received from Pub. L. No. 97-35, Title V, Subtitle D,
21 chapter 2, not to exceed five million nine hundred fifty
22 thousand (5,950,000) dollars, which provides for the education
23 block grant. The department shall expend the funds
24 appropriated by this section as provided in the federal law
25 making the funds available and in conformance with chapter
26 17A.

27 2. Twenty percent of the funds appropriated in subsection
28 1, not to exceed one million one hundred ninety thousand
29 (1,190,000) dollars, shall be used by the department for basic
30 skills development, state leadership and support services,
31 educational improvement and support services, special
32 projects, and state administrative expenses and auditing.
33 However, not more than two hundred twenty-five thousand
34 (225,000) dollars shall be used by the department for state
35 administrative expenses.

1 3. Eighty percent of the funds appropriated in subsection
2 1 shall be allocated by the department to local educational
3 agencies in this state, as local educational agency is defined
4 in Pub. L. No. 97-35, Title V, Subtitle D. The amount
5 allocated under this subsection shall be allocated to local
6 educational agencies according to the following percentages
7 and enrollments:

8 a. Seventy-five percent shall be allocated on the basis of
9 enrollments in public and approved nonpublic schools.

10 b. Twenty percent shall be allocated on the basis of the
11 number of disadvantaged children in local educational agencies
12 whose incidence ratio for disadvantaged children is above the
13 state average incidence ratio.

14 c. Five percent shall be allocated on the basis of the
15 number of limited English speaking children whose language
16 imposes a barrier to learning.

17 Sec. 7. Funds appropriated in section 6 of this Act shall
18 not be used to aid schools or programs that illegally
19 discriminate in employment or educational programs on the
20 basis of sex, race, color, national origin, or disability.

21 DIVISION IV

22 Sec. 8. LOW-INCOME HOME ENERGY ASSISTANCE APPROPRIATIONS.

23 1. There is appropriated from the fund created by section
24 8.41 to the energy policy council, the sum of thirty-six
25 million seven hundred nineteen thousand eight hundred
26 (36,719,800) dollars for the fiscal year beginning October 1,
27 1985. The funds appropriated by this section are the funds
28 anticipated to be received from the federal government for the
29 designated federal fiscal years under Pub. L. No. 97-35, Title
30 XXVI, as amended by Pub. L. No. 98-558, which provides for the
31 low-income home energy assistance block grants. The energy
32 policy council shall expend the funds appropriated by this
33 section as provided in the federal law making the funds
34 available and in conformance with chapter 17A.

35 2. An amount not exceeding two million eight hundred

1 ninety-two thousand (2,892,000) dollars or nine percent of the
2 funds appropriated in subsection 1, whichever is less, may be
3 used for administrative expenses, not more than two hundred
4 ninety thousand (290,000) dollars of which shall be used for
5 administrative expenses of the energy policy council. From
6 the total funds set aside by this subsection for
7 administrative expenses, an amount sufficient to pay the cost
8 of an audit of the use and administration of the state's
9 portion of the funds appropriated is allocated for that
10 purpose. The auditor shall bill the energy policy council for
11 the costs of the audit.

12 3. The remaining funds appropriated in this section shall
13 be allocated to help eligible households, as defined in ac-
14 cordance with Pub. L. No. 97-35, as amended by Pub. L. No. 98-
15 558, to meet the costs of home energy. After reserving a
16 reasonable portion of the funds not to exceed one million
17 (1,000,000) dollars to carry forward into the federal fiscal
18 year beginning October 1, 1986, at least ten percent and not
19 more than fifteen percent of the funds appropriated by this
20 section shall be used for low-income residential
21 weatherization or other related home repairs for low-income
22 households.

23 4. An eligible household must be willing to allow
24 residential weatherization or other related home repairs in
25 order to receive home energy assistance. If the eligible
26 household resides in rental property, the unwillingness of the
27 landlord to allow residential weatherization or other related
28 home repairs shall not prevent the household from receiving
29 home energy assistance.

30 DIVISION V

31 Sec. 9. SOCIAL SERVICES APPROPRIATIONS.

32 1. There is appropriated from the fund created by section
33 8.41 to the department of human services, the sum of thirty-
34 three million six hundred eighty-eight thousand seventeen
35 (33,688,017) dollars for the fiscal year beginning October 1,

1 1985. Funds appropriated by this subsection are the funds,
2 other than the funds appropriated in subsection 4, anticipated
3 to be received from the federal government for the designated
4 federal fiscal year under Pub. L. No. 97-35, Title XXIII,
5 Subtitle C, as codified in 42 U.S.C. sections 1397-1397f,
6 which provides for the social services block grant. The
7 department of human services shall expend the funds
8 appropriated by this subsection as provided in the federal law
9 making the funds available and in conformance with chapter
10 17A.

11 2. Not more than one million nine hundred forty-two thou-
12 sand seven hundred eight (1,942,708) dollars of the funds
13 appropriated in subsection 1 shall be used by the department
14 of human services for general administration for the federal
15 fiscal year beginning October 1, 1985. From the funds set
16 aside by this subsection for general administration, the
17 department of human services shall pay to the auditor of state
18 an amount sufficient to pay the cost of auditing the use and
19 administration of the state's portion of the funds
20 appropriated in subsection 1. The auditor of state shall bill
21 the department of human services for the costs of the audit.

22 3. In addition to the allocation for general
23 administration in subsection 2, the remaining funds
24 appropriated in subsection 1 shall be allocated to supplement
25 appropriations for the federal fiscal year beginning October
26 1, 1985 for the following programs within the department of
27 human services:

	1985-1986
	Federal
	<u>Fiscal Year</u>
31 a. Field operations	\$ 13,306,852
32 b. Home-based services	\$ 155,791
33 c. Foster care	\$ 4,935,799
34 d. Community-based services	\$ 790,479
35 e. Local administrative costs and	

1 other local services \$ 12,421,424
2 f. Volunteers \$ 134,964

3 4. There is appropriated from the special block grant fund
4 created by section 8.41 to the department of human services,
5 the sum of three hundred eleven thousand nine hundred twenty-
6 six (311,926) dollars, or so much thereof as is actually
7 allotted by and available from the federal government for the
8 fiscal year beginning October 1, 1985 for child care provider
9 training under the social services block grant pursuant to
10 Pub. L. No. 98-473, Title IV, section 401. The state
11 comptroller shall separately account for these funds. The
12 department of human services shall expend the funds
13 appropriated by this subsection as provided in the federal law
14 making the funds available and in conformance with chapter
15 17A. Notwithstanding section 8.33, the funds appropriated by
16 this subsection shall not revert to the special block grant
17 fund of the state on September 30, 1986, but shall be
18 available for expenditure by the department until September
19 30, 1987, after which the unencumbered or unobligated funds
20 shall revert to the special block grant fund of the state.

21 Sec. 10. SOCIAL SERVICES BLOCK GRANT PLAN. The department
22 of human services during each fiscal year shall develop a plan
23 for the use of federal social services block grant funds for
24 the subsequent state fiscal year.

25 The proposed plan shall include all programs and services
26 at the state level which the department proposes to fund with
27 federal social services block grant funds, and shall identify
28 state and other funds which the department proposes to use to
29 fund the state programs and services.

30 The proposed plan shall also include all local programs and
31 services which are eligible to be funded with federal social
32 services block grant funds, the total amount of federal social
33 services block grant funds available for the local programs
34 and services, and the manner of distribution of the federal
35 social services block grant funds to the counties. The

1 proposed plan shall identify state and local funds which will
2 be used to fund the local programs and services.

3 The proposed plan shall be submitted with the department's
4 budget requests to the governor and the general assembly.

5 DIVISION VI

6 Sec. 11. PROCEDURE FOR REDUCED FEDERAL FUNDS.

7 1. Except for section 6 and section 9, subsection 4 of
8 this Act, if the funds received from the federal government
9 for the block grants specified in this Act are less than the
10 amounts appropriated, the funds actually received shall be
11 prorated by the governor for the various programs, other than
12 for the rape prevention program under section 3, subsection 3,
13 of this Act, for which each block grant is available according
14 to the percentages that each program is to receive as
15 specified in this Act. However, if the governor determines
16 that the funds allocated by the percentages will not be
17 sufficient to effect the purposes of a particular program, or
18 if the appropriation is not allocated by percentage, the
19 governor may allocate the funds in a manner which will effect
20 to the greatest extent possible the purposes of the various
21 programs for which the block grants are available.

22 2. Before the governor implements the actions provided for
23 in subsection 1, the following procedures shall be taken:

24 a. The chairpersons and ranking members of the standing
25 committees of the senate and house on appropriations, the
26 director of the legislative fiscal bureau, and the appropriate
27 chairpersons and ranking members of subcommittees of those
28 committees shall be notified of the proposed action.

29 b. The notice shall include the proposed allocations, and
30 information on the reasons why particular percentages or
31 amounts of funds are allocated to the individual programs, the
32 departments and programs affected, and other information
33 deemed useful. Chairpersons notified shall be allowed at
34 least two weeks to review and comment on the proposed action
35 before the action is taken.

1 3. Notwithstanding subsection 1, if there is not a
2 community services block grant pursuant to section 4 received
3 as anticipated, the governor may allocate any of the social
4 services block grant pursuant to section 9 for community
5 service programs pursuant to section 4.

6 Sec. 12. PROCEDURE FOR INCREASED FEDERAL FUNDS.

7 1. If funds received from the federal government in the
8 form of block grants exceed the amounts appropriated in
9 sections 1, 2, 3, and 6, subsection 3, of this Act, the excess
10 shall be prorated to the appropriate programs according to the
11 percentages specified in those sections, except additional
12 funds shall not be prorated for administrative expenses.

13 2. If funds received from the federal government from
14 block grants exceed the amounts appropriated in section 5 of
15 this Act, one hundred percent of the excess is appropriated to
16 the community development block grant program. Not more than
17 two percent of the excess may be used for additional
18 administrative expenses if the amount or any portion of it is
19 equally matched by the current state appropriation for related
20 activities of the office for planning and programming.

21 3. If funds received from the federal government in the
22 form of block grants exceed the amounts appropriated in
23 section 6, subsection 2, of this Act, the excess shall be
24 deposited in the special fund created in section 8.41 and is
25 subject to appropriation by the general assembly.

26 4. If funds received from the federal government from
27 block grants exceed the amounts appropriated in section 8 of
28 this Act, at least ten percent and not more than fifteen
29 percent of the excess shall be allocated to the low-income
30 weatherization program.

31 5. If funds received from the federal government in the
32 form of block grants exceed the amounts appropriated in
33 section 1 and section 9, subsection 1 of this Act, the excess
34 shall be prorated to the appropriate programs according to the
35 percentages specified in those sections, except additional

1 funds shall not be prorated for administrative expenses.

2 6. If funds received from the federal government from
3 community services block grants exceed the amounts
4 appropriated in section 4 of this Act, one hundred percent of
5 the excess is allocated to the community services block grant
6 program.

7 Sec. 13. PROCEDURE FOR CONSOLIDATED, CATEGORICAL, OR
8 EXPANDED FEDERAL BLOCK GRANTS. Notwithstanding section 8.41,
9 federal funds made available to the state which are authorized
10 for the federal fiscal year beginning October 1, 1985
11 resulting from the federal government consolidating former
12 categorical grants into block grants, or which expand block
13 grants included in Pub. L. No. 97-35, to include additional
14 programs formerly funded by categorical grants, which are not
15 otherwise appropriated by the general assembly, are
16 appropriated for the programs formerly receiving the
17 categorical grants, subject to the conditions of this section.
18 The governor shall, whenever possible, allocate from the block
19 grant to each program in the same proportion as the amount of
20 federal funds received by the program during the 1985 federal
21 fiscal year as modified by the 1985 Session of the Seventy-
22 first General Assembly for the fiscal year beginning July 1,
23 1985 compared to the total federal funds received in the 1985
24 federal fiscal year by all programs consolidated into the
25 block grant. However, if one agency did not have categorical
26 funds appropriated for the federal fiscal year ending
27 September 30, 1985 but had anticipated applying for funds
28 during the fiscal year ending September 30, 1986, the governor
29 may allocate the funds in order to provide funding.
30 If the amount received in the form of a consolidated or
31 expanded block grant is less than the total amount of federal
32 funds received for the programs in the form of categorical
33 grants for the 1985 federal fiscal year, state funds
34 appropriated to the program by the general assembly to match
35 the federal funds shall be reduced by the same proportion of

1 the reduction in federal funds for the program. State funds
2 released by the reduction shall be deposited in a special fund
3 in the state treasury and are available for appropriation by
4 the general assembly. The governor shall notify the
5 chairpersons and ranking members of the senate and house
6 committees on appropriations, the legislative fiscal director,
7 and the appropriate chairpersons and ranking members of the
8 subcommittees of those committees before making the allocation
9 of federal funds or any proportional reduction of state funds
10 under this section. The notice shall state the amount of
11 federal funds to be allocated to each program, the amount of
12 federal funds received by the program during the 1985 federal
13 fiscal year, the amount by which state funds for the program
14 will be reduced according to this section and the amount of
15 state funds received by the program during the 1985 fiscal
16 year. Chairpersons notified shall be allowed at least two
17 weeks to review and comment on the proposed action before the
18 action is taken.

19 If the amount received in the form of a consolidated or
20 expanded block grant is more than the total amount of federal
21 funds received for the programs in the form of categorical
22 grants for the 1985 federal fiscal year, the excess funds
23 shall be deposited in the special fund created in section 8.41
24 and are subject to the provisions of that section.

25 Sec. 14. 1983 Iowa Acts, chapter 194, section 16,
26 subsection 2, is amended to read as follows:

27 2. If funds received from the federal government in the
28 form of block grants exceed the amounts appropriated in
29 ~~sections~~ section 77-8 and section 9, subsection 2 of this Act,
30 the excess shall be deposited in the special fund created in
31 section 8.41 and is subject to appropriation by the general
32 assembly.

33 Sec. 15. 1983 Iowa Acts, chapter 194, section 16, is
34 amended by adding the following new subsection:

35 NEW SUBSECTION. 5. If funds received from the federal

1 government from community development block grants exceed the
2 amounts appropriated in section 8 of this Act, one hundred
3 percent of the excess is allocated to the community
4 development block grant program. Not more than two percent of
5 the excess may be used for additional administrative expenses
6 if the amount is equally matched by the state appropriation
7 for related activities of the office for planning and
8 programming.

9 Sec. 16. 1984 Iowa Acts, chapter 1311, section 1, sub-
10 sections 1 and 2, are amended to read as follows:

11 1. There is appropriated from the fund created by section
12 8.41 to the department of substance abuse, ~~two-million-two~~
13 ~~hundred-ninety-two-thousand-(2,292,000)~~ two million nine
14 hundred thirty-six thousand (2,936,000) dollars for the
15 federal fiscal year beginning October 1, 1984, and ending
16 September 30, 1985. The funds appropriated by this section
17 are the anticipated funds to be received from the federal
18 government for federal fiscal year 1985 under Pub. L. No. 97-
19 35, Title IX, Subtitle A, as amended, which provides for the
20 alcohol and drug abuse and mental health services block grant.
21 The department shall expend the funds appropriated by this
22 section as provided in the federal law making the funds
23 available and in conformance with chapter 17A.

24 2. An amount not exceeding ~~two-hundred-seventeen-thousand~~
25 ~~(217,000)~~ two hundred ninety-three thousand six hundred
26 (293,600) dollars of the funds appropriated in subsection 1
27 shall be used by the department of substance abuse for
28 administrative expenses. From the funds set aside by this
29 subsection for administrative expenses, the department of
30 substance abuse shall pay to the auditor of state an amount
31 sufficient to pay the cost of auditing the use and
32 administration of the state's portion of the funds
33 appropriated in subsection 1. The auditor of state shall bill
34 the department of substance abuse for the costs of the audit.

35 Five percent of the funds appropriated in subsection 1

1 shall be used for the development of new women's programs as
2 mandated in the federal legislation.

3 Sec. 17. 1984 Iowa Acts, chapter 1311, section 1, sub-
4 section 4, unnumbered paragraph 2, is amended to read as
5 follows:

6 It is the intent of the general assembly that the
7 department of substance abuse expend not more than ~~two-million~~
8 ~~three-hundred-ninety-eight-thousand-(2,398,000)~~ two million
9 six hundred twenty-one thousand (2,621,000) dollars during the
10 state fiscal year beginning July 1, 1984 and ending June 30,
11 1985 from funds created by section 8.41 during the state
12 fiscal year beginning July 1, 1984 and ending June 30, 1985.

13 Sec. 18. 1984 Iowa Acts, chapter 1311, section 10,
14 subsection 1, is amended to read as follows:

15 1. There is appropriated from the fund created by section
16 8.41 to the department of human services, thirty-three million
17 nine hundred forty-four thousand four hundred ninety-one
18 (33,944,491) dollars for the federal fiscal year beginning
19 October 1, 1984 and ending September 30, 1985. Funds
20 appropriated by this section are the funds, other than the
21 funds appropriated in subsection 5, anticipated to be received
22 from the federal government for the federal fiscal year 1985
23 under Pub. L. No. 97-35, Title XXIII, Subtitle C, as codified
24 in 42 U.S.C. secs. 1397-1397F, which provides for the social
25 services block grant. The department of human services shall
26 expend the funds appropriated by this section as provided in
27 the federal law making the funds available and in conformance
28 with chapter 17A.

29 Sec. 19. 1984 Iowa Acts, chapter 1311, section 10, is
30 amended by adding the following new subsection:

31 NEW SUBSECTION. 5. There is appropriated from the special
32 block grant fund created by section 8.41 to the department of
33 human services, three hundred eleven thousand nine hundred
34 twenty-six (311,926) dollars, or so much thereof as is
35 actually allotted by and available from the federal government

1 for the fiscal year beginning October 1, 1984 for child care
2 provider training under the social services block grant
3 pursuant to Pub. L. No. 98-473, Title IV, section 401. The
4 state comptroller shall separately account for these funds.
5 The department of human services shall expend the funds
6 appropriated by this subsection as provided in the federal law
7 making the funds available and in conformance with chapter
8 17A. Notwithstanding section 8.33, the funds appropriated by
9 this subsection shall not revert to the special block grant
10 fund of the state on September 30, 1985, but shall be
11 available for expenditure by the department until September
12 30, 1986, after which the encumbered or unobligated funds
13 shall revert to the special block grant fund of the state.

14 Sec. 20 1984 Iowa Acts, chapter 1311, section 12,
15 subsection 1, is amended to read as follows:

16 1. Except for section 7 and section 10, subsection 5 of
17 this Act, if the funds received from the federal government
18 for the block grants specified in this Act are less than the
19 amounts appropriated, the funds actually received shall be
20 apportioned by the governor for the various programs, other than
21 for the rape prevention program under section 4, subsection 3
22 of this Act, for which each block grant is available according
23 to the percentages that each program is to receive as
24 specified in this Act. However, if the governor determines
25 that the funds allocated by the percentages will not be
26 sufficient to effect the purposes of a particular program, or
27 if the appropriation is not allocated by percentage, the
28 governor may allocate the funds in a manner which will effect
29 to the greatest extent possible the purposes of the various
30 programs for which the block grants are available.

31 Sec. 21 1984 Iowa Acts, chapter 1311, section 13, sub-
32 section 2, is amended to read as follows:

33 2. If funds received from the federal government in the
34 form of block grants exceed the amounts appropriated in
35 sections 12-5, 6-and section 7, subsection 2 of this Act, the

1 excess shall be deposited in the special fund created in
2 section 8.41 and is subject to appropriation by the general
3 assembly.

4 Sec. 22. 1984 Iowa Acts, chapter 1311, section 13,
5 subsection 4, is amended to read as follows:

6 4. If funds received from the federal government from the
7 social services block grant exceed the amount appropriated in
8 section 10, subsection 1 of this Act, the excess shall be
9 allocated for the purchase of local services and the
10 department of human services may waive the requirement of
11 local matching funds.

12 Sec. 23. 1984 Iowa Acts, chapter 1311, section 13, is
13 amended by adding the following new subsections:

14 NEW SUBSECTION. 5. If funds received from the federal
15 government from community services block grants exceed the
16 amounts appropriated in section 5 of this Act, one hundred
17 percent of the excess is allocated to the community services
18 block grant program.

19 NEW SUBSECTION. 6. If funds received from the federal
20 government from community development block grants exceed the
21 amounts appropriated in section 6 of this Act, one hundred
22 percent of the excess is allocated to the community develop-
23 ment block grant program. Not more than two percent of the
24 excess may be used for additional administrative expenses if
25 the amount is equally matched by the state appropriation for
26 related activities of the office for planning and programming.

27 EXPLANATION

28 This bill appropriates funding received from various block
29 grants from the federal government to the appropriate state
30 agencies for the federal fiscal year beginning October 1,
31 1985. The bill establishes a mechanism to regulate the
32 process in the case of receiving more or less federal funding
33 than predicted, or in the case of consolidation of block
34 grants.

35 The bill also changes the distribution mechanism regarding

1 excess federal funds for community services block grant,
2 community development block grant, alcohol and drug abuse and
3 mental health services block grant for the 1984-1985 federal
4 fiscal year.

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S-4170

SENATE FILE 585

1 Amend Senate File 585 as follows:

2 1. Page 13, by striking lines 1 through 5.

S-4170 Filed May 1, 1985

By WELSH

Adopted 5/1/85 (p. 1858)

S-4171

SENATE FILE 585

1 Amend Senate File 585 as follows:

2 1. Page 1, by striking line 16 and inserting the
3 following:

4 "2. Seventeen and eight-tenths percent of the
5 funds".

6 2. Page 16, line 10, by striking the word and
7 figure "and 2" and inserting the following: "2, and
8 3".

9 3. Page 16, by striking lines 25 and 26 and
10 inserting the following: "~~237,000~~ two hundred
11 thirty-seven thousand (237,000) dollars of the funds
12 appropriated in subsection 1".

13 4. By striking page 16, line 35 through page 17,
14 line 2.

15 5. Page 17, by striking lines 3 through 12.

16 6. Page 17, by inserting before line 13 the
17 following:

18 "3. Eight-and-seventy-five-hundredths Seventeen
19 and eight-tenths percent of the funds appropriated in
20 subsection 1 shall be transferred to the division of
21 mental health, mental retardation, and developmental
22 disabilities within the department of human services
23 and allocated for community mental health centers."

S-4171 Filed May 1, 1985

By COLTON

Adopted 5/1 (p. 1859)

(AS AMENDED AND PASSED BY THE SENATE MAY 1, 1985)

Passed Senate, Date 5-3-85 (p 1931) Passed House, Date 5-2-85 (p 2170)
 Vote: Ayes 46 Nays 4 Vote: Ayes 98 Nays 0
 Approved May 31, 1985

A BILL FOR

1 An Act appropriating federal funds made available from
 2 federal block grants, allocating portions of federal
 3 block grants, and providing procedures if federal funds
 4 are more or less than anticipated or if federal block
 5 grants are more or less than anticipated or if cate-
 6 gorical grants are consolidated into new or existing
 7 block grants.

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

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_____ = New Language
 by the Senate

* = Language Stricken
 by the Senate

SENATE FILE 585

H-4214

1 Amend Senate File 585 as amended, passed and
 2 reprinted by the Senate, as follows:
 3 1. Page 11, by striking lines 5 and 6 and
 4 inserting the following: "the sum of one hundred
 5 fifty-five thousand nine hundred sixty-three (155,963)
 6 dollars, or so much thereof as is actually".
 7 2. Page 17, by striking lines 21 and 22 and
 8 inserting the following: "human services, one hundred
 9 fifty-five thousand nine hundred sixty-three (155,963)
 10 dollars, or so much thereof as is".

H-4214 FILED MAY 2, 1985

BY MULLINS of Kossuth

ADOPTED (p 2170)

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DIVISION I

Section 1. ALCOHOL AND DRUG ABUSE AND MENTAL HEALTH SERVICES APPROPRIATION.

1. There is appropriated from the fund created by section 8.41 to the department of substance abuse, two million nine hundred thirty-six thousand (2,936,000) dollars for the federal fiscal year beginning October 1, 1985. Funds appropriated by this section are the anticipated funds to be received from the federal government for the designated federal fiscal year under Pub. L. No. 97-35, Title IX, Subtitle A, and Pub. L. No. 97-414 which provides for the alcohol and drug abuse and mental health services block grant. The department shall expend the funds appropriated by this section as provided in the federal law making the funds available and in conformance with chapter 17A.

2. Seventeen and eight-tenths percent of the funds appropriated in subsection 1 shall be transferred to the division of mental health, mental retardation, and developmental disabilities within the department of human services and allocated for community mental health centers. Of this amount, ten percent must be used to initiate new mental services for severely disturbed children and adolescents and new comprehensive community mental health programs for unserved areas or underserved populations.

3. An amount not exceeding two hundred ninety-three thousand six hundred (293,600) dollars of the funds appropriated in subsection 1 shall be used by the department of substance abuse for administrative expenses. From the funds set aside by this subsection for administrative expenses, the department of substance abuse shall pay to the auditor of state an amount sufficient to pay the cost of auditing the use and administration of the state's portion of the funds appropriated in subsection 1. The auditor of state shall bill the department of substance abuse for the costs of the audit.

4. Five percent of the funds appropriated in subsection 1

1 shall be used to initiate and provide new alcohol and drug
2 abuse services to women.

3 5. After deducting the funds allocated in subsections 2,
4 3, and 4 the remaining funds appropriated in subsection 1
5 shall be allocated according to the following percentages to
6 supplement appropriations for the following programs within
7 the department of substance abuse:

- 8 a. Drug abuse programs 38.89 percent
- 9 b. Alcohol abuse programs 38.89 percent
- 10 c. Alcohol and drug prevention programs 22.22 percent

11 Sec. 2. MATERNAL AND CHILD HEALTH SERVICES APPROPRIATIONS.

12 1. There is appropriated from the fund created by section
13 8.41 to the state department of health, the sum of five
14 million four hundred sixty thousand six hundred seventy-two
15 (5,460,672) dollars for the federal fiscal year beginning
16 October 1, 1985. The funds appropriated by this section are
17 the funds anticipated to be received from the federal
18 government for the designated federal fiscal year under Pub.
19 L. No. 97-35, Title XXI, Subtitle D, as amended, which
20 provides for the maternal and child health services block
21 grant. The department shall expend the funds appropriated by
22 this section as provided in the federal law making the funds
23 available and in conformance with chapter 17A.

24 2. Sixty-three percent of the funds appropriated in
25 subsection 1 shall be allocated to supplement appropriations
26 for maternal and child health programs within the personal and
27 family health division of the state department of health. Of
28 these funds, forty-eight thousand seven hundred twenty
29 (48,720) dollars shall be set aside for sudden infant death
30 syndrome, twenty-five thousand (25,000) dollars shall be set
31 aside for a lead poisoning prevention program, and two hundred
32 eight thousand nine hundred fifty (208,950) dollars shall be
33 set aside for the statewide perinatal care program.

34 Thirty-seven percent of the funds appropriated in
35 subsection 1 shall be transferred to the university of Iowa

1 hospitals and clinics under the control of the state board of
2 regents for mobile and regional child health specialty
3 clinics.

4 3. An amount not exceeding one hundred twenty-two thousand
5 thirty (122,030) dollars of the funds allocated in subsection
6 2 to the state department of health shall be used by the state
7 department of health for administrative expenses. From the
8 funds set aside by this subsection for administrative
9 expenses, the state department of health shall pay to the
10 auditor of state an amount sufficient to pay the cost of
11 auditing the use and administration of the state department of
12 health's portion of the funds allocated in subsection 2. The
13 auditor of state shall bill the state department of health for
14 the costs of the audit.

15 It is the intent of the general assembly that the
16 departments of health, human services, and public instruction
17 and the university of Iowa's mobile and regional child health
18 specialty clinics continue to pursue to the maximum extent
19 feasible the coordination and integration of services to women
20 and children in selected pilot areas. It is expected that
21 these agencies prepare a progress report for the general
22 assembly indicating objectives accomplished and barriers en-
23 countered in the pursuit of these integration efforts.

24 4. Those federal maternal and child health services block
25 grant funds transferred from the federal preventive health and
26 health services block grant funds under section 3, subsection
27 4, of this Act for the federal fiscal year beginning October
28 1, 1986, are transferred to the division of personal and
29 family health for maternal and child health programs and to
30 the university of Iowa's mobile and regional child health
31 specialty clinics according to the percentages specified in
32 section 2, subsection 2, of this Act.

33 Sec. 3. PREVENTIVE HEALTH AND HEALTH SERVICES
34 APPROPRIATIONS.

35 1. There is appropriated from the fund created by section

1 8.41 to the state department of health, one million forty-
2 seven thousand four hundred ninety-five (1,047,495) dollars
3 for the federal fiscal year beginning October 1, 1985. Funds
4 appropriated by this section are the funds anticipated to be
5 received from the federal government for the designated
6 federal fiscal year under Pub. L. No. 97-35, Title IX,
7 Subtitle A, which provides for the preventive health and
8 health services block grant. The department shall expend the
9 funds appropriated by this section as provided in the federal
10 law making the funds available and in conformance with chapter
11 17A.

12 2. An amount not exceeding one hundred thousand three
13 hundred seventeen (100,317) dollars of the funds appropriated
14 in subsection 1 shall be used by the state department of
15 health for administrative expenses. From the funds set aside
16 by this subsection for administrative expenses, the state
17 department of health shall pay to the auditor of state an
18 amount sufficient to pay the cost of auditing the use and
19 administration of the state's portion of the funds
20 appropriated in subsection 1. The auditor of state shall bill
21 the state department of health for the costs of the audit.

22 3. Of the funds appropriated in subsection 1, the specific
23 amount of funds required by Pub. L. No. 97-35, Title IX,
24 Subtitle A, shall be allocated to the rape prevention program.

25 4. Pursuant to Pub. L. No. 97-35, Title IX, Subtitle A, as
26 amended, seven percent of the funds appropriated in subsection
27 1 is transferred within the special fund in the state treasury
28 established under section 8.41, for use by the state
29 department of health as authorized by Pub. L. No. 97-35, Title
30 XXI, Subtitle D, as amended, and section 2 of this Act.

31 5. After deducting the funds allocated and transferred in
32 subsections 2, 3, and 4, the remaining funds appropriated in
33 subsection 1 shall be allocated according to the following
34 percentages to supplement appropriations for the following
35 programs within the following divisions of the state

1 department of health:

- 2 a. Disease prevention division for
- 3 hypertension grants 15.2 percent
- 4 b. Disease prevention division for
- 5 risk reduction services 21.6 percent
- 6 c. Community health division and
- 7 disease prevention division for health
- 8 incentive grants 17.9 percent
- 9 d. Community health division for
- 10 emergency medical services 30.0 percent
- 11 e. Personal and family health division
- 12 for fluoridation grants 15.9 percent

13 DIVISION II

14 Sec. 4. COMMUNITY SERVICES APPROPRIATIONS.

15 1. a. There is appropriated from the fund created by
16 section 8.41 to the office for planning and programming, the
17 sum of three million seven hundred sixty-eight thousand six
18 hundred (3,768,600) dollars for the federal fiscal year be-
19 ginning October 1, 1985. Funds appropriated by this section
20 are the funds anticipated to be received from the federal
21 government for the designated federal fiscal year under Pub.
22 L. No. 97-35, Title VI, Subtitle B, which provides for the
23 community services block grant. The office for planning and
24 programming shall expend the funds appropriated by this
25 section as provided in the federal law making the funds
26 available and in conformance with chapter 17A.

27 b. The director of the office for planning and programming
28 shall allocate not less than ninety percent of the amount of
29 the block grant to programs benefiting low-income persons
30 based upon the size of the poverty-level population in the
31 area represented by the community action areas compared to the
32 size of the poverty-level population in the state. The
33 director of the office for planning and programming after
34 consultation with community action agencies shall allocate an
35 amount not exceeding five percent of the amount of financial

1 assistance based upon other measures of need in each community
2 action area.

3 2. An amount not exceeding five percent of the funds
4 appropriated in subsection 1 for the federal fiscal year
5 beginning October 1, 1985 shall be used by the office for
6 planning and programming for administrative expenses. From
7 the funds set aside by this subsection for administrative ex-
8 penses, the office for planning and programming shall pay to
9 the auditor of state an amount sufficient to pay the cost of
10 auditing the use and administration of the state's portion of
11 the funds appropriated in subsection 1. The auditor of state
12 shall bill the office for planning and programming for the
13 costs of the audit.

14 Sec. 5. COMMUNITY DEVELOPMENT APPROPRIATIONS.

15 1. There is appropriated from the fund created by section
16 8.41 to the office for planning and programming, the sum of
17 twenty-four million nine hundred twenty thousand (24,920,000)
18 dollars for the federal fiscal year beginning October 1, 1985.
19 Funds appropriated by this section are the funds anticipated
20 to be received from the federal government for the designated
21 federal fiscal year under Pub. L. No. 97-35, Title III,
22 Subtitle A, which provides for the community development block
23 grant. The office for planning and programming shall expend
24 the funds appropriated by this section as provided in the
25 federal law making the funds available and in conformance with
26 chapter 17A.

27 2. An amount not exceeding nine hundred ninety-one
28 thousand (991,000) dollars for the federal fiscal year
29 beginning October 1, 1985 shall be used by the office for
30 planning and programming for administrative expenses for the
31 community development block grant. The total amount used for
32 administrative expenses includes four hundred ninety-five
33 thousand five hundred (495,500) dollars for the federal fiscal
34 year beginning October 1, 1985 of funds appropriated in
35 subsection 1 and a matching contribution from the state equal

1 to four hundred ninety-five thousand five hundred (495,500)
2 dollars from the appropriation of state funds for the
3 community development block grant and state appropriations for
4 related activities of the office for planning and programming.
5 The total administrative expenses at the state level, from
6 both federal and state sources, shall not exceed four percent
7 of the amount appropriated in subsection 1. From the funds
8 set aside for administrative expenses by this subsection, the
9 office for planning and programming shall pay to the auditor
10 of state an amount sufficient to pay the cost of auditing the
11 use and administration of the state's portion of the funds
12 appropriated in subsection 1. The auditor of state shall bill
13 the office for planning and programming for the costs of the
14 audit.

15 DIVISION III

16 Sec. 6. EDUCATION APPROPRIATIONS.

17 1. There is appropriated from the fund created by section
18 8.41 to the department of public instruction for the fiscal
19 year beginning July 1, 1985 and ending June 30, 1986, the
20 amount received from Pub. L. No. 97-35, Title V, Subtitle D,
21 chapter 2, not to exceed five million nine hundred fifty
22 thousand (5,950,000) dollars, which provides for the education
23 block grant. The department shall expend the funds
24 appropriated by this section as provided in the federal law
25 making the funds available and in conformance with chapter
26 17A.

27 2. Twenty percent of the funds appropriated in subsection
28 1, not to exceed one million one hundred ninety thousand
29 (1,190,000) dollars, shall be used by the department for basic
30 skills development, state leadership and support services,
31 educational improvement and support services, special
32 projects, and state administrative expenses and auditing.
33 However, not more than two hundred twenty-five thousand
34 (225,000) dollars shall be used by the department for state
35 administrative expenses.

1 ninety-two thousand (2,892,000) dollars or nine percent of the
2 funds appropriated in subsection 1, whichever is less, may be
3 used for administrative expenses, not more than two hundred
4 ninety thousand (290,000) dollars of which shall be used for
5 administrative expenses of the energy policy council. From
6 the total funds set aside by this subsection for
7 administrative expenses, an amount sufficient to pay the cost
8 of an audit of the use and administration of the state's
9 portion of the funds appropriated is allocated for that
10 purpose. The auditor shall bill the energy policy council for
11 the costs of the audit.

12 3. The remaining funds appropriated in this section shall
13 be allocated to help eligible households, as defined in ac-
14 cordance with Pub. L. No. 97-35, as amended by Pub. L. No. 98-
15 558, to meet the costs of home energy. After reserving a
16 reasonable portion of the funds not to exceed one million
17 (1,000,000) dollars to carry forward into the federal fiscal
18 year beginning October 1, 1986, at least ten percent and not
19 more than fifteen percent of the funds appropriated by this
20 section shall be used for low-income residential
21 weatherization or other related home repairs for low-income
22 households.

23 4. An eligible household must be willing to allow
24 residential weatherization or other related home repairs in
25 order to receive home energy assistance. If the eligible
26 household resides in rental property, the unwillingness of the
27 landlord to allow residential weatherization or other related
28 home repairs shall not prevent the household from receiving
29 home energy assistance.

30

DIVISION V

31 Sec. 9. SOCIAL SERVICES APPROPRIATIONS.

32 1. There is appropriated from the fund created by section
33 8.41 to the department of human services, the sum of thirty-
34 three million six hundred eighty-eight thousand seventeen
35 (33,688,017) dollars for the fiscal year beginning October 1,

1 1985. Funds appropriated by this subsection are the funds,
 2 other than the funds appropriated in subsection 4, anticipated
 3 to be received from the federal government for the designated
 4 federal fiscal year under Pub. L. No. 97-35, Title XXIII,
 5 Subtitle C, as codified in 42 U.S.C. sections 1397-1397f,
 6 which provides for the social services block grant. The
 7 department of human services shall expend the funds
 8 appropriated by this subsection as provided in the federal law
 9 making the funds available and in conformance with chapter
 10 17A.

11 2. Not more than one million nine hundred forty-two thou-
 12 sand seven hundred eight (1,942,708) dollars of the funds
 13 appropriated in subsection 1 shall be used by the department
 14 of human services for general administration for the federal
 15 fiscal year beginning October 1, 1985. From the funds set
 16 aside by this subsection for general administration, the
 17 department of human services shall pay to the auditor of state
 18 an amount sufficient to pay the cost of auditing the use and
 19 administration of the state's portion of the funds
 20 appropriated in subsection 1. The auditor of state shall bill
 21 the department of human services for the costs of the audit.

22 3. In addition to the allocation for general
 23 administration in subsection 2, the remaining funds
 24 appropriated in subsection 1 shall be allocated to supplement
 25 appropriations for the federal fiscal year beginning October
 26 1, 1985 for the following programs within the department of
 27 human services:

	1985-1986
	Federal
	<u>Fiscal Year</u>
31 a. Field operations	\$ 13,306,852
32 b. Home-based services	\$ 155,791
33 c. Foster care	\$ 4,935,799
34 d. Community-based services	\$ 790,479
35 e. Local administrative costs and	

1 other local services \$ 12,421,424
2 f. Volunteers \$ 134,964

3 4. There is appropriated from the special block grant fund
4 created by section 8.41 to the department of human services,
5 the sum of three hundred eleven thousand nine hundred twenty-
6 six (311,926) dollars, or so much thereof as is actually
7 allotted by and available from the federal government for the
8 fiscal year beginning October 1, 1985 for child care provider
9 training under the social services block grant pursuant to
10 Pub. L. No. 98-473, Title IV, section 401. The state
11 comptroller shall separately account for these funds. The
12 department of human services shall expend the funds
13 appropriated by this subsection as provided in the federal law
14 making the funds available and in conformance with chapter
15 17A. Notwithstanding section 8.33, the funds appropriated by
16 this subsection shall not revert to the special block grant
17 fund of the state on September 30, 1986, but shall be
18 available for expenditure by the department until September
19 30, 1987, after which the unencumbered or unobligated funds
20 shall revert to the special block grant fund of the state.

21 Sec. 10. SOCIAL SERVICES BLOCK GRANT PLAN. The department
22 of human services during each fiscal year shall develop a plan
23 for the use of federal social services block grant funds for
24 the subsequent state fiscal year.

25 The proposed plan shall include all programs and services
26 at the state level which the department proposes to fund with
27 federal social services block grant funds, and shall identify
28 state and other funds which the department proposes to use to
29 fund the state programs and services.

30 The proposed plan shall also include all local programs and
31 services which are eligible to be funded with federal social
32 services block grant funds, the total amount of federal social
33 services block grant funds available for the local programs
34 and services, and the manner of distribution of the federal
35 social services block grant funds to the counties. The

1 proposed plan shall identify state and local funds which will
2 be used to fund the local programs and services.

3 The proposed plan shall be submitted with the department's
4 budget requests to the governor and the general assembly.

5 DIVISION VI

6 Sec. 11. PROCEDURE FOR REDUCED FEDERAL FUNDS.

7 1. Except for section 6 and section 9, subsection 4 of
8 this Act, if the funds received from the federal government
9 for the block grants specified in this Act are less than the
10 amounts appropriated, the funds actually received shall be
11 prorated by the governor for the various programs, other than
12 for the rape prevention program under section 3, subsection 3,
13 of this Act, for which each block grant is available according
14 to the percentages that each program is to receive as
15 specified in this Act. However, if the governor determines
16 that the funds allocated by the percentages will not be
17 sufficient to effect the purposes of a particular program, or
18 if the appropriation is not allocated by percentage, the
19 governor may allocate the funds in a manner which will effect
20 to the greatest extent possible the purposes of the various
21 programs for which the block grants are available.

22 2. Before the governor implements the actions provided for
23 in subsection 1, the following procedures shall be taken:

24 a. The chairpersons and ranking members of the standing
25 committees of the senate and house on appropriations, the
26 director of the legislative fiscal bureau, and the appropriate
27 chairpersons and ranking members of subcommittees of those
28 committees shall be notified of the proposed action.

29 b. The notice shall include the proposed allocations, and
30 information on the reasons why particular percentages or
31 amounts of funds are allocated to the individual programs, the
32 departments and programs affected, and other information
33 deemed useful. Chairpersons notified shall be allowed at
34 least two weeks to review and comment on the proposed action
35 before the action is taken.

* 1 Sec. 12. PROCEDURE FOR INCREASED FEDERAL FUNDS.

2 1. If funds received from the federal government in the
3 form of block grants exceed the amounts appropriated in
4 sections 1, 2, 3, and 6, subsection 3, of this Act, the excess
5 shall be prorated to the appropriate programs according to the
6 percentages specified in those sections, except additional
7 funds shall not be prorated for administrative expenses.

8 2. If funds received from the federal government from
9 block grants exceed the amounts appropriated in section 5 of
10 this Act, one hundred percent of the excess is appropriated to
11 the community development block grant program. Not more than
12 two percent of the excess may be used for additional
13 administrative expenses if the amount or any portion of it is
14 equally matched by the current state appropriation for related
15 activities of the office for planning and programming.

16 3. If funds received from the federal government in the
17 form of block grants exceed the amounts appropriated in
18 section 6, subsection 2, of this Act, the excess shall be
19 deposited in the special fund created in section 8.41 and is
20 subject to appropriation by the general assembly.

21 4. If funds received from the federal government from
22 block grants exceed the amounts appropriated in section 8 of
23 this Act, at least ten percent and not more than fifteen
24 percent of the excess shall be allocated to the low-income
25 weatherization program.

26 5. If funds received from the federal government in the
27 form of block grants exceed the amounts appropriated in
28 section 1 and section 9, subsection 1 of this Act, the excess
29 shall be prorated to the appropriate programs according to the
30 percentages specified in those sections, except additional
31 funds shall not be prorated for administrative expenses.

32 6. If funds received from the federal government from
33 community services block grants exceed the amounts
34 appropriated in section 4 of this Act, one hundred percent of
35 the excess is allocated to the community services block grant

1 program.

2 Sec. 13. PROCEDURE FOR CONSOLIDATED, CATEGORICAL, OR
3 EXPANDED FEDERAL BLOCK GRANTS. Notwithstanding section 8.41,
4 federal funds made available to the state which are authorized
5 for the federal fiscal year beginning October 1, 1985
6 resulting from the federal government consolidating former
7 categorical grants into block grants, or which expand block
8 grants included in Pub. L. No. 97-35, to include additional
9 programs formerly funded by categorical grants, which are not
10 otherwise appropriated by the general assembly, are
11 appropriated for the programs formerly receiving the
12 categorical grants, subject to the conditions of this section.
13 The governor shall, whenever possible, allocate from the block
14 grant to each program in the same proportion as the amount of
15 federal funds received by the program during the 1985 federal
16 fiscal year as modified by the 1985 Session of the Seventy-
17 first General Assembly for the fiscal year beginning July 1,
18 1985 compared to the total federal funds received in the 1985
19 federal fiscal year by all programs consolidated into the
20 block grant. However, if one agency did not have categorical
21 funds appropriated for the federal fiscal year ending
22 September 30, 1985 but had anticipated applying for funds
23 during the fiscal year ending September 30, 1986, the governor
24 may allocate the funds in order to provide funding.

25 If the amount received in the form of a consolidated or
26 expanded block grant is less than the total amount of federal
27 funds received for the programs in the form of categorical
28 grants for the 1985 federal fiscal year, state funds
29 appropriated to the program by the general assembly to match
30 the federal funds shall be reduced by the same proportion of
31 the reduction in federal funds for the program. State funds
32 released by the reduction shall be deposited in a special fund
33 in the state treasury and are available for appropriation by
34 the general assembly. The governor shall notify the
35 chairpersons and ranking members of the senate and house

1 committees on appropriations, the legislative fiscal director,
2 and the appropriate chairpersons and ranking members of the
3 subcommittees of those committees before making the allocation
4 of federal funds or any proportional reduction of state funds
5 under this section. The notice shall state the amount of
6 federal funds to be allocated to each program, the amount of
7 federal funds received by the program during the 1985 federal
8 fiscal year, the amount by which state funds for the program
9 will be reduced according to this section and the amount of
10 state funds received by the program during the 1985 fiscal
11 year. Chairpersons notified shall be allowed at least two
12 weeks to review and comment on the proposed action before the
13 action is taken.

14 If the amount received in the form of a consolidated or
15 expanded block grant is more than the total amount of federal
16 funds received for the programs in the form of categorical
17 grants for the 1985 federal fiscal year, the excess funds
18 shall be deposited in the special fund created in section 8.41
19 and are subject to the provisions of that section.

20 Sec. 14. 1983 Iowa Acts, chapter 194, section 16,
21 subsection 2, is amended to read as follows:

22 2. If funds received from the federal government in the
23 form of block grants exceed the amounts appropriated in
24 sections section 7-8 and section 9, subsection 2 of this Act,
25 the excess shall be deposited in the special fund created in
26 section 8.41 and is subject to appropriation by the general
27 assembly.

28 Sec. 15. 1983 Iowa Acts, chapter 194, section 16, is
29 amended by adding the following new subsection:

30 NEW SUBSECTION. 5. If funds received from the federal
31 government from community development block grants exceed the
32 amounts appropriated in section 8 of this Act, one hundred
33 percent of the excess is allocated to the community
34 development block grant program. Not more than two percent of
35 the excess may be used for additional administrative expenses

1 if the amount is equally matched by the state appropriation
2 for related activities of the office for planning and
3 programming.

4 Sec. 16. 1984 Iowa Acts, chapter 1311, section 1, sub-
5 sections 1, 2, and 3, are amended to read as follows:

6 1. There is appropriated from the fund created by section
7 8.41 to the department of substance abuse, ~~two-million-two~~
8 ~~hundred-ninety-two-thousand-(2,292,000)~~ two million nine
9 hundred thirty-six thousand (2,936,000) dollars for the
10 federal fiscal year beginning October 1, 1984, and ending
11 September 30, 1985. The funds appropriated by this section
12 are the anticipated funds to be received from the federal
13 government for federal fiscal year 1985 under Pub. L. No. 97-
14 35, Title IX, Subtitle A, as amended, which provides for the
15 alcohol and drug abuse and mental health services block grant.
16 The department shall expend the funds appropriated by this
17 section as provided in the federal law making the funds
18 available and in conformance with chapter 17A.

19 2. An amount not exceeding ~~two-hundred-seventeen-thousand~~
20 ~~(217,000)~~ two hundred thirty-seven thousand (237,000) dollars
21 of the funds appropriated in subsection 1 shall be used by the
22 department of substance abuse for administrative expenses.
23 From the funds set aside by this subsection for administrative
24 expenses, the department of substance abuse shall pay to the
25 auditor of state an amount sufficient to pay the cost of
26 auditing the use and administration of the state's portion of
27 the funds appropriated in subsection 1. The auditor of state
28 shall bill the department of substance abuse for the costs of
29 the audit.

**
30 3. Eight-and-seventy-five-hundredths Seventeen and eight-
31 tenths percent of the funds appropriated in subsection 1 shall
32 be transferred to the division of mental health, mental
33 retardation, and developmental disabilities within the
34 department of human services and allocated for community
35 mental health centers.

1 Sec. 17. 1984 Iowa Acts, chapter 1311, section 10,
2 subsection 1, is amended to read as follows:

3 1. There is appropriated from the fund created by section
4 8.41 to the department of human services, thirty-three million
5 nine hundred forty-four thousand four hundred ninety-one
6 (33,944,491) dollars for the federal fiscal year beginning
7 October 1, 1984 and ending September 30, 1985. Funds
8 appropriated by this section are the funds, other than the
9 funds appropriated in subsection 5, anticipated to be received
10 from the federal government for the federal fiscal year 1985
11 under Pub. L. No. 97-35, Title XXIII, Subtitle C, as codified
12 in 42 U.S.C. secs. 1397-1397F, which provides for the social
13 services block grant. The department of human services shall
14 expend the funds appropriated by this section as provided in
15 the federal law making the funds available and in conformance
16 with chapter 17A.

17 Sec. 18. 1984 Iowa Acts, chapter 1311, section 10, is
18 amended by adding the following new subsection:

421- 19 NEW SUBSECTION. 5. There is appropriated from the special
20 block grant fund created by section 8.41 to the department of
21 human services, three hundred eleven thousand nine hundred
22 twenty-six (311,926) dollars, or so much thereof as is
23 actually allotted by and available from the federal government
24 for the fiscal year beginning October 1, 1984 for child care
25 provider training under the social services block grant
26 pursuant to Pub. L. No. 98-473, Title IV, section 401. The
27 state comptroller shall separately account for these funds.
28 The department of human services shall expend the funds
29 appropriated by this subsection as provided in the federal law
30 making the funds available and in conformance with chapter
31 17A. Notwithstanding section 8.33, the funds appropriated by
32 this subsection shall not revert to the special block grant
33 fund of the state on September 30, 1985, but shall be
34 available for expenditure by the department until September
35 30, 1986, after which the encumbered or unobligated funds

1 shall revert to the special block grant fund of the state.

2 Sec. 19. 1984 Iowa Acts, chapter 1311, section 12,
3 subsection 1, is amended to read as follows:

4 1. Except for section 7 and section 10, subsection 5 of
5 this Act, if the funds received from the federal government
6 for the block grants specified in this Act are less than the
7 amounts appropriated, the funds actually received shall be
8 prorated by the governor for the various programs, other than
9 for the rape prevention program under section 4, subsection 3
10 of this Act, for which each block grant is available according
11 to the percentages that each program is to receive as
12 specified in this Act. However, if the governor determines
13 that the funds allocated by the percentages will not be
14 sufficient to effect the purposes of a particular program, or
15 if the appropriation is not allocated by percentage, the
16 governor may allocate the funds in a manner which will effect
17 to the greatest extent possible the purposes of the various
18 programs for which the block grants are available.

19 Sec. 20. 1984 Iowa Acts, chapter 1311, section 13, sub-
20 section 2, is amended to read as follows:

21 2. If funds received from the federal government in the
22 form of block grants exceed the amounts appropriated in
23 ~~sections 1, 5, 6~~ and section 7, subsection 2 of this Act, the
24 excess shall be deposited in the special fund created in
25 section 8.41 and is subject to appropriation by the general
26 assembly.

27 Sec. 21. 1984 Iowa Acts, chapter 1311, section 13,
28 subsection 4, is amended to read as follows:

29 4. If funds received from the federal government from the
30 social services block grant exceed the amount appropriated in
31 section 10, subsection 1 of this Act, the excess shall be
32 allocated for the purchase of local services and the
33 department of human services may waive the requirement of
34 local matching funds.

35 Sec. 22. 1984 Iowa Acts, chapter 1311, section 13, is

1 amended by adding the following new subsections:

2 NEW SUBSECTION. 5. If funds received from the federal
3 government from community services block grants exceed the
4 amounts appropriated in section 5 of this Act, one hundred
5 percent of the excess is allocated to the community services
6 block grant program.

7 NEW SUBSECTION. 6. If funds received from the federal
8 government from community development block grants exceed the
9 amounts appropriated in section 6 of this Act, one hundred
10 percent of the excess is allocated to the community develop-
11 ment block grant program. Not more than two percent of the
12 excess may be used for additional administrative expenses if
13 the amount is equally matched by the state appropriation for
14 related activities of the office for planning and programming.

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20 S-4215

HOUSE AMENDMENT TO
SENATE FILE 585

21 1 Amend Senate File 585 as amended, passed and
22 2 reprinted by the Senate, as follows:
23 3 1. Page 11, by striking lines 5 and 6 and
24 4 inserting the following: "the sum of one hundred
25 5 fifty-five thousand nine hundred sixty-three (155,963)
26 6 dollars, or so much thereof as is actually".
27 7 2. Page 17, by striking lines 21 and 22 and
28 8 inserting the following: "human services, one hundred
29 9 fifty-five thousand nine hundred sixty-three (155,963)
30 10 dollars, or so much thereof as is".

31 S-4215 Filed May 3, 1985

RECEIVED FROM THE HOUSE

Senate concurred 5/3/85

32
33
34
35

SENATE FILE 585

AN ACT

APPROPRIATING FEDERAL FUNDS MADE AVAILABLE FROM FEDERAL BLOCK GRANTS, ALLOCATING PORTIONS OF FEDERAL BLOCK GRANTS, AND PROVIDING PROCEDURES IF FEDERAL FUNDS ARE MORE OR LESS THAN ANTICIPATED OR IF FEDERAL BLOCK GRANTS ARE MORE OR LESS THAN ANTICIPATED OR IF CATEGORICAL GRANTS ARE CONSOLIDATED INTO NEW OR EXISTING BLOCK GRANTS.

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

DIVISION I

Section 1. ALCOHOL AND DRUG ABUSE AND MENTAL HEALTH SERVICES APPROPRIATION.

1. There is appropriated from the fund created by section 8.41 to the department of substance abuse, two million nine hundred thirty-six thousand (2,936,000) dollars for the federal fiscal year beginning October 1, 1985. Funds appropriated by this section are the anticipated funds to be received from the federal government for the designated federal fiscal year under Pub. L. No. 97-35, Title IX,

Subtitle A, and Pub. L. No. 97-414 which provides for the alcohol and drug abuse and mental health services block grant. The department shall expend the funds appropriated by this section as provided in the federal law making the funds available and in conformance with chapter 17A.

2. Seventeen and eight-tenths percent of the funds appropriated in subsection 1 shall be transferred to the division of mental health, mental retardation, and developmental disabilities within the department of human services and allocated for community mental health centers. Of this amount, ten percent must be used to initiate new mental services for severely disturbed children and adolescents and new comprehensive community mental health programs for unserved areas or underserved populations.

3. An amount not exceeding two hundred ninety-three thousand six hundred (293,600) dollars of the funds appropriated in subsection 1 shall be used by the department of substance abuse for administrative expenses. From the funds set aside by this subsection for administrative expenses, the department of substance abuse shall pay to the auditor of state an amount sufficient to pay the cost of auditing the use and administration of the state's portion of the funds appropriated in subsection 1. The auditor of state shall bill the department of substance abuse for the costs of the audit.

4. Five percent of the funds appropriated in subsection 1 shall be used to initiate and provide new alcohol and drug abuse services to women.

5. After deducting the funds allocated in subsections 2, 3, and 4 the remaining funds appropriated in subsection 1 shall be allocated according to the following percentages to supplement appropriations for the following programs within the department of substance abuse:

- a. Drug abuse programs 38.89 percent
- b. Alcohol abuse programs 38.89 percent
- c. Alcohol and drug prevention programs 22.22 percent

Sec. 2. MATERNAL AND CHILD HEALTH SERVICES APPROPRIATIONS.

1. There is appropriated from the fund created by section 8.41 to the state department of health, the sum of five million four hundred sixty thousand six hundred seventy-two (5,460,672) dollars for the federal fiscal year beginning October 1, 1985. The funds appropriated by this section are the funds anticipated to be received from the federal government for the designated federal fiscal year under Pub. L. No. 97-35, Title XXI, Subtitle D, as amended, which provides for the maternal and child health services block grant. The department shall expend the funds appropriated by this section as provided in the federal law making the funds available and in conformance with chapter 17A.

2. Sixty-three percent of the funds appropriated in subsection 1 shall be allocated to supplement appropriations for maternal and child health programs within the personal and family health division of the state department of health. Of these funds, forty-eight thousand seven hundred twenty (48,720) dollars shall be set aside for sudden infant death syndrome, twenty-five thousand (25,000) dollars shall be set aside for a lead poisoning prevention program, and two hundred eight thousand nine hundred fifty (208,950) dollars shall be set aside for the statewide perinatal care program.

Thirty-seven percent of the funds appropriated in subsection 1 shall be transferred to the university of Iowa hospitals and clinics under the control of the state board of regents for mobile and regional child health specialty clinics.

3. An amount not exceeding one hundred twenty-two thousand thirty (122,030) dollars of the funds allocated in subsection 2 to the state department of health shall be used by the state department of health for administrative expenses. From the funds set aside by this subsection for administrative expenses, the state department of health shall pay to the auditor of state an amount sufficient to pay the cost of auditing the use and administration of the state department of

health's portion of the funds allocated in subsection 2. The auditor of state shall bill the state department of health for the costs of the audit.

It is the intent of the general assembly that the departments of health, human services, and public instruction and the university of Iowa's mobile and regional child health specialty clinics continue to pursue to the maximum extent feasible the coordination and integration of services to women and children in selected pilot areas. It is expected that these agencies prepare a progress report for the general assembly indicating objectives accomplished and barriers encountered in the pursuit of these integration efforts.

4. Those federal maternal and child health services block grant funds transferred from the federal preventive health and health services block grant funds under section 3, subsection 4, of this Act for the federal fiscal year beginning October 1, 1986, are transferred to the division of personal and family health for maternal and child health programs and to the university of Iowa's mobile and regional child health specialty clinics according to the percentages specified in section 2, subsection 2, of this Act.

Sec. 3. PREVENTIVE HEALTH AND HEALTH SERVICES APPROPRIATIONS.

1. There is appropriated from the fund created by section 8.41 to the state department of health, one million forty-seven thousand four hundred ninety-five (1,047,495) dollars for the federal fiscal year beginning October 1, 1985. Funds appropriated by this section are the funds anticipated to be received from the federal government for the designated federal fiscal year under Pub. L. No. 97-35, Title IX, Subtitle A, which provides for the preventive health and health services block grant. The department shall expend the funds appropriated by this section as provided in the federal law making the funds available and in conformance with chapter 17A.

2. An amount not exceeding one hundred thousand three hundred seventeen (100,317) dollars of the funds appropriated in subsection 1 shall be used by the state department of health for administrative expenses. From the funds set aside by this subsection for administrative expenses, the state department of health shall pay to the auditor of state an amount sufficient to pay the cost of auditing the use and administration of the state's portion of the funds appropriated in subsection 1. The auditor of state shall bill the state department of health for the costs of the audit.

3. Of the funds appropriated in subsection 1, the specific amount of funds required by Pub. L. No. 97-35, Title IX, Subtitle A, shall be allocated to the rape prevention program.

4. Pursuant to Pub. L. No. 97-35, Title IX, Subtitle A, as amended, seven percent of the funds appropriated in subsection 1 is transferred within the special fund in the state treasury established under section 8.41, for use by the state department of health as authorized by Pub. L. No. 97-35, Title XXI, Subtitle D, as amended, and section 2 of this Act.

5. After deducting the funds allocated and transferred in subsections 2, 3, and 4, the remaining funds appropriated in subsection 1 shall be allocated according to the following percentages to supplement appropriations for the following programs within the following divisions of the state department of health:

- a. Disease prevention division for hypertension grants 15.2 percent
- b. Disease prevention division for risk reduction services 21.0 percent
- c. Community health division and disease prevention division for health incentive grants 17.9 percent
- d. Community health division for emergency medical services 30.0 percent
- e. Personal and family health division

for fluoridation grants 15.9 percent

DIVISION II

Sec. 4. COMMUNITY SERVICES APPROPRIATIONS.

1. a. There is appropriated from the fund created by section 8.41 to the office for planning and programming, the sum of three million seven hundred sixty-eight thousand six hundred (3,768,600) dollars for the federal fiscal year beginning October 1, 1985. Funds appropriated by this section are the funds anticipated to be received from the federal government for the designated federal fiscal year under Pub. L. No. 97-35, Title VI, Subtitle B, which provides for the community services block grant. The office for planning and programming shall expend the funds appropriated by this section as provided in the federal law making the funds available and in conformance with chapter 17A.

b. The director of the office for planning and programming shall allocate not less than ninety percent of the amount of the block grant to programs benefiting low-income persons based upon the size of the poverty-level population in the area represented by the community action areas compared to the size of the poverty-level population in the state. The director of the office for planning and programming after consultation with community action agencies shall allocate an amount not exceeding five percent of the amount of financial assistance based upon other measures of need in each community action area.

2. An amount not exceeding five percent of the funds appropriated in subsection 1 for the federal fiscal year beginning October 1, 1985 shall be used by the office for planning and programming for administrative expenses. From the funds set aside by this subsection for administrative expenses, the office for planning and programming shall pay to the auditor of state an amount sufficient to pay the cost of auditing the use and administration of the state's portion of the funds appropriated in subsection 1. The auditor of state

shall bill the office for planning and programming for the costs of the audit.

Sec. 5. COMMUNITY DEVELOPMENT APPROPRIATIONS.

1. There is appropriated from the fund created by section 8.41 to the office for planning and programming, the sum of twenty-four million nine hundred twenty thousand (24,920,000) dollars for the federal fiscal year beginning October 1, 1985. Funds appropriated by this section are the funds anticipated to be received from the federal government for the designated federal fiscal year under Pub. L. No. 97-35, Title III, Subtitle A, which provides for the community development block grant. The office for planning and programming shall expend the funds appropriated by this section as provided in the federal law making the funds available and in conformance with chapter 17A.

2. An amount not exceeding nine hundred ninety-one thousand (991,000) dollars for the federal fiscal year beginning October 1, 1985 shall be used by the office for planning and programming for administrative expenses for the community development block grant. The total amount used for administrative expenses includes four hundred ninety-five thousand five hundred (495,500) dollars for the federal fiscal year beginning October 1, 1985 of funds appropriated in subsection 1 and a matching contribution from the state equal to four hundred ninety-five thousand five hundred (495,500) dollars from the appropriation of state funds for the community development block grant and state appropriations for related activities of the office for planning and programming. The total administrative expenses at the state level, from both federal and state sources, shall not exceed four percent of the amount appropriated in subsection 1. From the funds set aside for administrative expenses by this subsection, the office for planning and programming shall pay to the auditor of state an amount sufficient to pay the cost of auditing the use and administration of the state's portion of the funds

appropriated in subsection 1. The auditor of state shall bill the office for planning and programming for the costs of the audit.

DIVISION III

Sec. 6. EDUCATION APPROPRIATIONS.

1. There is appropriated from the fund created by section 8.41 to the department of public instruction for the fiscal year beginning July 1, 1985 and ending June 30, 1986, the amount received from Pub. L. No. 97-35, Title V, Subtitle D, chapter 2, not to exceed five million nine hundred fifty thousand (5,950,000) dollars, which provides for the education block grant. The department shall expend the funds appropriated by this section as provided in the federal law making the funds available and in conformance with chapter 17A.

2. Twenty percent of the funds appropriated in subsection 1, not to exceed one million one hundred ninety thousand (1,190,000) dollars, shall be used by the department for basic skills development, state leadership and support services, educational improvement and support services, special projects, and state administrative expenses and auditing. However, not more than two hundred twenty-five thousand (225,000) dollars shall be used by the department for state administrative expenses.

3. Eighty percent of the funds appropriated in subsection 1 shall be allocated by the department to local educational agencies in this state, as local educational agency is defined in Pub. L. No. 97-35, Title V, Subtitle D. The amount allocated under this subsection shall be allocated to local educational agencies according to the following percentages and enrollments:

a. Seventy-five percent shall be allocated on the basis of enrollments in public and approved nonpublic schools.

b. Twenty percent shall be allocated on the basis of the number of disadvantaged children in local educational agencies

whose incidence ratio for disadvantaged children is above the state average incidence ratio.

c. Five percent shall be allocated on the basis of the number of limited English speaking children whose language imposes a barrier to learning.

Sec. 7. Funds appropriated in section 6 of this Act shall not be used to aid schools or programs that illegally discriminate in employment or educational programs on the basis of sex, race, color, national origin, or disability.

DIVISION IV

Sec. 8. LOW-INCOME HOME ENERGY ASSISTANCE APPROPRIATIONS.

1. There is appropriated from the fund created by section 8.41 to the energy policy council, the sum of thirty-six million seven hundred nineteen thousand eight hundred (36,719,800) dollars for the fiscal year beginning October 1, 1985. The funds appropriated by this section are the funds anticipated to be received from the federal government for the designated federal fiscal years under Pub. L. No. 97-35, Title XXVI, as amended by Pub. L. No. 98-558, which provides for the low-income home energy assistance block grants. The energy policy council shall expend the funds appropriated by this section as provided in the federal law making the funds available and in conformance with chapter 17A.

2. An amount not exceeding two million eight hundred ninety-two thousand (2,892,000) dollars or nine percent of the funds appropriated in subsection 1, whichever is less, may be used for administrative expenses, not more than two hundred ninety thousand (290,000) dollars of which shall be used for administrative expenses of the energy policy council. From the total funds set aside by this subsection for administrative expenses, an amount sufficient to pay the cost of an audit of the use and administration of the state's portion of the funds appropriated is allocated for that purpose. The auditor shall bill the energy policy council for the costs of the audit.

3. The remaining funds appropriated in this section shall be allocated to help eligible households, as defined in accordance with Pub. L. No. 97-35, as amended by Pub. L. No. 98-558, to meet the costs of home energy. After reserving a reasonable portion of the funds not to exceed one million (1,000,000) dollars to carry forward into the federal fiscal year beginning October 1, 1986, at least ten percent and not more than fifteen percent of the funds appropriated by this section shall be used for low-income residential weatherization or other related home repairs for low-income households.

4. An eligible household must be willing to allow residential weatherization or other related home repairs in order to receive home energy assistance. If the eligible household resides in rental property, the unwillingness of the landlord to allow residential weatherization or other related home repairs shall not prevent the household from receiving home energy assistance.

DIVISION V

Sec. 9. SOCIAL SERVICES APPROPRIATIONS.

1. There is appropriated from the fund created by section 8.41 to the department of human services, the sum of thirty-three million six hundred eighty-eight thousand seventeen (33,688,017) dollars for the fiscal year beginning October 1, 1985. Funds appropriated by this subsection are the funds, other than the funds appropriated in subsection 4, anticipated to be received from the federal government for the designated federal fiscal year under Pub. L. No. 97-35, Title XXIII, Subtitle C, as codified in 42 U.S.C. sections 1397-1397f, which provides for the social services block grant. The department of human services shall expend the funds appropriated by this subsection as provided in the federal law making the funds available and in conformance with chapter 17A.

2. Not more than one million nine hundred forty-two thousand seven hundred eight (1,942,708) dollars of the funds appropriated in subsection 1 shall be used by the department of human services for general administration for the federal fiscal year beginning October 1, 1985. From the funds set aside by this subsection for general administration, the department of human services shall pay to the auditor of state an amount sufficient to pay the cost of auditing the use and administration of the state's portion of the funds appropriated in subsection 1. The auditor of state shall bill the department of human services for the costs of the audit.

3. In addition to the allocation for general administration in subsection 2, the remaining funds appropriated in subsection 1 shall be allocated to supplement appropriations for the federal fiscal year beginning October 1, 1985 for the following programs within the department of human services:

	1985-1986 Federal <u>Fiscal Year</u>
a. Field operations	\$ 13,306,852
b. Home-based services	\$ 155,791
c. Foster care	\$ 4,935,799
d. Community-based services	\$ 790,479
e. Local administrative costs and other local services	\$ 12,421,424
f. Volunteers	\$ 134,964

4. There is appropriated from the special block grant fund created by section 8.41 to the department of human services, the sum of one hundred fifty-five thousand nine hundred sixty-three (155,963) dollars, or so much thereof as is actually allotted by and available from the federal government for the fiscal year beginning October 1, 1985 for child care provider training under the social services block grant pursuant to Pub. L. No. 98-473, Title IV, section 401. The state

comptroller shall separately account for these funds. The department of human services shall expend the funds appropriated by this subsection as provided in the federal law making the funds available and in conformance with chapter 17A. Notwithstanding section 8.33, the funds appropriated by this subsection shall not revert to the special block grant fund of the state on September 30, 1986, but shall be available for expenditure by the department until September 30, 1987, after which the unencumbered or unobligated funds shall revert to the special block grant fund of the state.

Sec. 10. SOCIAL SERVICES BLOCK GRANT PLAN. The department of human services during each fiscal year shall develop a plan for the use of federal social services block grant funds for the subsequent state fiscal year.

The proposed plan shall include all programs and services at the state level which the department proposes to fund with federal social services block grant funds, and shall identify state and other funds which the department proposes to use to fund the state programs and services.

The proposed plan shall also include all local programs and services which are eligible to be funded with federal social services block grant funds, the total amount of federal social services block grant funds available for the local programs and services, and the manner of distribution of the federal social services block grant funds to the counties. The proposed plan shall identify state and local funds which will be used to fund the local programs and services.

The proposed plan shall be submitted with the department's budget requests to the governor and the general assembly.

DIVISION VI

Sec. 11. PROCEDURE FOR REDUCED FEDERAL FUNDS.

1. Except for section 6 and section 9, subsection 4 of this Act, if the funds received from the federal government for the block grants specified in this Act are less than the amounts appropriated, the funds actually received shall be

prorated by the governor for the various programs, other than for the rape prevention program under section 3, subsection 3, of this Act, for which each block grant is available according to the percentages that each program is to receive as specified in this Act. However, if the governor determines that the funds allocated by the percentages will not be sufficient to effect the purposes of a particular program, or if the appropriation is not allocated by percentage, the governor may allocate the funds in a manner which will effect to the greatest extent possible the purposes of the various programs for which the block grants are available.

2. Before the governor implements the actions provided for in subsection 1, the following procedures shall be taken:

a. The chairpersons and ranking members of the standing committees of the senate and house on appropriations, the director of the legislative fiscal bureau, and the appropriate chairpersons and ranking members of subcommittees of those committees shall be notified of the proposed action.

b. The notice shall include the proposed allocations, and information on the reasons why particular percentages or amounts of funds are allocated to the individual programs, the departments and programs affected, and other information deemed useful. Chairpersons notified shall be allowed at least two weeks to review and comment on the proposed action before the action is taken.

Sec. 12. PROCEDURE FOR INCREASED FEDERAL FUNDS.

1. If funds received from the federal government in the form of block grants exceed the amounts appropriated in sections 1, 2, 3, and 6, subsection 3, of this Act, the excess shall be prorated to the appropriate programs according to the percentages specified in those sections, except additional funds shall not be prorated for administrative expenses.

2. If funds received from the federal government from block grants exceed the amounts appropriated in section 5 of this Act, one hundred percent of the excess is appropriated to

the community development block grant program. Not more than two percent of the excess may be used for additional administrative expenses if the amount or any portion of it is equally matched by the current state appropriation for related activities of the office for planning and programming.

3. If funds received from the federal government in the form of block grants exceed the amounts appropriated in section 6, subsection 2, of this Act, the excess shall be deposited in the special fund created in section 8.41 and is subject to appropriation by the general assembly.

4. If funds received from the federal government from block grants exceed the amounts appropriated in section 8 of this Act, at least ten percent and not more than fifteen percent of the excess shall be allocated to the low-income weatherization program.

5. If funds received from the federal government in the form of block grants exceed the amounts appropriated in section 1 and section 9, subsection 1 of this Act, the excess shall be prorated to the appropriate programs according to the percentages specified in those sections, except additional funds shall not be prorated for administrative expenses.

6. If funds received from the federal government from community services block grants exceed the amounts appropriated in section 4 of this Act, one hundred percent of the excess is allocated to the community services block grant program.

Sec. 13. PROCEDURE FOR CONSOLIDATED, CATEGORICAL, OR EXPANDED FEDERAL BLOCK GRANTS. Notwithstanding section 8.41, federal funds made available to the state which are authorized for the federal fiscal year beginning October 1, 1985 resulting from the federal government consolidating former categorical grants into block grants, or which expand block grants included in Pub. L. No. 97-35, to include additional programs formerly funded by categorical grants, which are not otherwise appropriated by the general assembly, are

appropriated for the programs formerly receiving the categorical grants, subject to the conditions of this section. The governor shall, whenever possible, allocate from the block grant to each program in the same proportion as the amount of federal funds received by the program during the 1985 federal fiscal year as modified by the 1985 Session of the Seventy-first General Assembly for the fiscal year beginning July 1, 1985 compared to the total federal funds received in the 1985 federal fiscal year by all programs consolidated into the block grant. However, if one agency did not have categorical funds appropriated for the federal fiscal year ending September 30, 1985 but had anticipated applying for funds during the fiscal year ending September 30, 1986, the governor may allocate the funds in order to provide funding.

If the amount received in the form of a consolidated or expanded block grant is less than the total amount of federal funds received for the programs in the form of categorical grants for the 1985 federal fiscal year, state funds appropriated to the program by the general assembly to match the federal funds shall be reduced by the same proportion of the reduction in federal funds for the program. State funds released by the reduction shall be deposited in a special fund in the state treasury and are available for appropriation by the general assembly. The governor shall notify the chairpersons and ranking members of the senate and house committees on appropriations, the legislative fiscal director, and the appropriate chairpersons and ranking members of the subcommittees of those committees before making the allocation of federal funds or any proportional reduction of state funds under this section. The notice shall state the amount of federal funds to be allocated to each program, the amount of federal funds received by the program during the 1985 federal fiscal year, the amount by which state funds for the program will be reduced according to this section and the amount of state funds received by the program during the 1985 fiscal

year. Chairpersons notified shall be allowed at least two weeks to review and comment on the proposed action before the action is taken.

If the amount received in the form of a consolidated or expanded block grant is more than the total amount of federal funds received for the programs in the form of categorical grants for the 1985 federal fiscal year, the excess funds shall be deposited in the special fund created in section 8.41 and are subject to the provisions of that section.

Sec. 14. 1983 Iowa Acts, chapter 194, section 16, subsection 2, is amended to read as follows:

2. If funds received from the federal government in the form of block grants exceed the amounts appropriated in sections section 77-8 and section 9, subsection 2 of this Act, the excess shall be deposited in the special fund created in section 8.41 and is subject to appropriation by the general assembly.

Sec. 15. 1983 Iowa Acts, chapter 194, section 16, is amended by adding the following new subsection:

NEW SUBSECTION. 5. If funds received from the federal government from community development block grants exceed the amounts appropriated in section 8 of this Act, one hundred percent of the excess is allocated to the community development block grant program. Not more than two percent of the excess may be used for additional administrative expenses if the amount is equally matched by the state appropriation for related activities of the office for planning and programming.

Sec. 16. 1984 Iowa Acts, chapter 1311, section 1, subsections 1, 2, and 3, are amended to read as follows:

1. There is appropriated from the fund created by section 8.41 to the department of substance abuse, ~~two-million-two hundred-ninety-two-thousand-(2,292,000)~~ two million nine hundred thirty-six thousand (2,936,000) dollars for the federal fiscal year beginning October 1, 1984, and ending

September 30, 1985. The funds appropriated by this section are the anticipated funds to be received from the federal government for federal fiscal year 1985 under Pub. L. No. 97-35, Title IX, Subtitle A, as amended, which provides for the alcohol and drug abuse and mental health services block grant. The department shall expend the funds appropriated by this section as provided in the federal law making the funds available and in conformance with chapter 17A.

2. An amount not exceeding ~~two-hundred-seventeen-thousand~~ ~~(217,000)~~ two hundred thirty-seven thousand (237,000) dollars of the funds appropriated in subsection 1 shall be used by the department of substance abuse for administrative expenses. From the funds set aside by this subsection for administrative expenses, the department of substance abuse shall pay to the auditor of state an amount sufficient to pay the cost of auditing the use and administration of the state's portion of the funds appropriated in subsection 1. The auditor of state shall bill the department of substance abuse for the costs of the audit.

3. ~~Eight-and-seventy-five-hundredths~~ Seventeen and eight-tenths percent of the funds appropriated in subsection 1 shall be transferred to the division of mental health, mental retardation, and developmental disabilities within the department of human services and allocated for community mental health centers.

Sec. 17. 1984 Iowa Acts, chapter 1311, section 10, subsection 1, is amended to read as follows:

1. There is appropriated from the fund created by section 8.41 to the department of human services, thirty-three million nine hundred forty-four thousand four hundred ninety-one (33,944,491) dollars for the federal fiscal year beginning October 1, 1984 and ending September 30, 1985. Funds appropriated by this section are the funds, other than the funds appropriated in subsection 5, anticipated to be received from the federal government for the federal fiscal year 1985

under Pub. L. No. 97-35, Title XXIII, Subtitle C, as codified in 42 U.S.C. secs. 1397-1397f, which provides for the social services block grant. The department of human services shall expend the funds appropriated by this section as provided in the federal law making the funds available and in conformance with chapter 17A.

Sec. 18. 1984 Iowa Acts, chapter 1311, section 10, is amended by adding the following new subsection:

NEW SUBSECTION. 5. There is appropriated from the special block grant fund created by section 8.41 to the department of human services, one hundred fifty-five thousand nine hundred sixty-three (155,963) dollars, or so much thereof as is actually allotted by and available from the federal government for the fiscal year beginning October 1, 1984 for child care provider training under the social services block grant pursuant to Pub. L. No. 98-473, Title IV, section 401. The state comptroller shall separately account for these funds. The department of human services shall expend the funds appropriated by this subsection as provided in the federal law making the funds available and in conformance with chapter 17A. Notwithstanding section 8.33, the funds appropriated by this subsection shall not revert to the special block grant fund of the state on September 30, 1985, but shall be available for expenditure by the department until September 30, 1986, after which the encumbered or unobligated funds shall revert to the special block grant fund of the state.

Sec. 19. 1984 Iowa Acts, chapter 1311, section 12, subsection 1, is amended to read as follows:

1. Except for section 7 and section 10, subsection 5 of this Act, if the funds received from the federal government for the block grants specified in this Act are less than the amounts appropriated, the funds actually received shall be prorated by the governor for the various programs, other than for the rape prevention program under section 4, subsection 3 of this Act, for which each block grant is available according

to the percentages that each program is to receive as specified in this Act. However, if the governor determines that the funds allocated by the percentages will not be sufficient to effect the purposes of a particular program, or if the appropriation is not allocated by percentage, the governor may allocate the funds in a manner which will effect to the greatest extent possible the purposes of the various programs for which the block grants are available.

Sec. 20. 1984 Iowa Acts, chapter 1311, section 13, subsection 2, is amended to read as follows:

2. If funds received from the federal government in the form of block grants exceed the amounts appropriated in sections ~~17-57-6~~ and section 7, subsection 2 of this Act, the excess shall be deposited in the special fund created in section 8.41 and is subject to appropriation by the general assembly.

Sec. 21. 1984 Iowa Acts, chapter 1311, section 13, subsection 4, is amended to read as follows:

4. If funds received from the federal government from the social services block grant exceed the amount appropriated in section 10, subsection 1 of this Act, the excess shall be allocated for the purchase of local services and the department of human services may waive the requirement of local matching funds.

Sec. 22. 1984 Iowa Acts, chapter 1311, section 13, is amended by adding the following new subsections:

NEW SUBSECTION. 5. If funds received from the federal government from community services block grants exceed the amounts appropriated in section 5 of this Act, one hundred percent of the excess is allocated to the community services block grant program.

NEW SUBSECTION. 6. If funds received from the federal government from community development block grants exceed the amounts appropriated in section 6 of this Act, one hundred percent of the excess is allocated to the community develop-

ment block grant program. Not more than two percent of the excess may be used for additional administrative expenses if the amount is equally matched by the state appropriation for related activities of the office for planning and programming.

ROBERT T. ANDERSON
President of the Senate

DONALD D. AVENSON
Speaker of the House

I hereby certify that this bill originated in the Senate and is known as Senate File 585, Seventy-first General Assembly.

K. MARIE THAYER
Secretary of the Senate

Approved May 31, 1985

TERRY E. BRANSTAD
Governor