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SENATE FILE 2303
BY COMMITTEE ON APPROPRIATIONS
Approved (p. 1397)

Passed Senate, Date 4-25-86 (p. 1398) Passed House, Date 5-1-86 (p. 1978)
Vote: Ayes 47 Nays 0 Vote: Ayes 88 Nays 11

Approved May 29, 1986
Reconsidered (p. 1401)
Repassed Senate 4-25-86 (p. 1402)
50-0 A BILL FOR

- 1 An Act relating to restoring provisions of legislation relating
- 2 to appropriations which had been removed from the
- 3 comprehensive legislation on the subject of state government
- 4 reorganization.

5 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:
SENATE FILE 2303

S-5747

- 1 Amend Senate File 2303 as follows:
- 2 1. Page 21, line 21, by striking the words
- 3 "account of the department" and inserting the
- 4 following: "general fund of the state".

S-5747 Filed and lost April 25, 1986 BY LIND
(p. 1398)

SENATE FILE 2303

S-5752

- 1 Amend Senate File 2303 as follows:
- 2 1. By striking page 26, line 5, through page 27,
- 3 line 13.
- 4 2. Page 38, by striking lines 25 through 30.

S-5752 Filed April 25, 1986 **ADOPTED**
BY CARR
Adopted 4/25 (p. 1402)

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S.F. 2303

1 Section 1. Section 2.12, unnumbered paragraphs 1, 2, and
2 3, Code Supplement 1985, are amended to read as follows:

3 There is hereby appropriated out of any funds in the state
4 treasury not otherwise appropriated a sum sufficient to pay
5 for legislative printing and all current and miscellaneous
6 expenses of the general assembly, authorized by either the
7 senate or the house, and the ~~state-comptroller-is-hereby~~
8 ~~authorized-and-directed-to~~ director of revenue and finance
9 shall issue warrants for such items of expense upon
10 requisition of the president majority leader and secretary of
11 the senate or the speaker and chief clerk of the house.

12 There is hereby appropriated out of any funds in the state
13 treasury not otherwise appropriated, such sums as ~~may-be~~ are
14 necessary, for each house of the general assembly for the
15 payment of any unpaid expense of the general assembly incurred
16 during or in the interim between sessions of the general
17 assembly, including but not limited to salaries and necessary
18 travel and actual expenses of members, and expenses of
19 standing and interim committees or subcommittees, and per diem
20 or expenses for members of the general assembly who serve on
21 statutory boards, commissions, or councils for which per diem
22 or expenses are authorized by law. The ~~state-comptroller-is~~
23 ~~hereby-authorized-and-directed-to~~ director of revenue and
24 finance shall issue warrants for such items of expense upon
25 requisition of the president majority leader and secretary of
26 the senate for senate expense or the speaker and chief clerk
27 of the house for house expense.

28 There is hereby appropriated out of any funds in the state
29 treasury not otherwise appropriated, such sums as ~~may-be~~ are
30 necessary for the renovation, remodeling, or preparations
31 preparation of the legislative chambers, legislative offices,
32 or other areas or facilities used or to be used by the
33 legislative branch of government, and for the purchase of such
34 legislative equipment and supplies deemed necessary to
35 properly carry out the functions of the general assembly. The

1 ~~state-comptroller-is-hereby-authorized-and-directed-to~~
2 director of revenue and finance shall issue warrants for such
3 items of expense, whether incurred during or between sessions
4 of the general assembly, upon requisition of the president
5 majority leader and secretary of the senate for senate expense
6 or the speaker and chief clerk of the house for house expense.

7 Sec. 2. Section 2.13, Code 1985, is amended to read as
8 follows:

9 2.13 ISSUANCE OF WARRANTS.

10 The ~~state-comptroller~~ director of revenue and finance shall
11 also issue to each officer and employee of the general
12 assembly, during legislative sessions or interim periods, upon
13 vouchers signed by the president majority leader and secretary
14 of the senate or the speaker and chief clerk of the house,
15 warrants for the amount due for services rendered. ~~Such~~ The
16 warrants shall be paid out of any moneys in the treasury not
17 otherwise appropriated.

18 Sec. 3. Section 8.6, Code Supplement 1985, is amended by
19 striking subsections 1, 2, 3, 5, 6, 7, 8, 9, and 19.

20 Sec. 4. Section 8.32, unnumbered paragraph 6, Code 1985,
21 is amended to read as follows:

22 The provisions of this chapter shall not be construed to
23 prohibit the state fair board from creating an emergency or
24 sinking fund out of the receipts of the state fair and state
25 appropriation for the purpose of taking care of any emergency
26 that might arise beyond the control of the board of not to
27 exceed three hundred thousand dollars~~7-provided7-however7-that~~
28 ~~any-expenditure-from-said-fund-shall-be-subject-to-the~~
29 ~~approval-of-the-executive-council~~. Neither shall the
30 ~~provisions-of~~ this chapter be construed to prohibit the state
31 fair board from retaining an additional sum of not to exceed
32 three hundred fifty thousand dollars to be used in carrying
33 out the provisions of chapter 173.

34 Sec. 5. NEW SECTION. 15.241 IOWA "SELF-EMPLOYMENT LOAN
35 PROGRAM".

1 The department shall establish, contingent upon the
2 availability of funds authorized for the program, a "self-
3 employment loan program," to be conducted in coordination with
4 the job training partnership program and other programs
5 administered under section 15.108, subsection 6, paragraph
6 "c". The department may contract with local community action
7 agencies or other local entities in administering the program,
8 and shall work with the department of employment services and
9 the department of human services in developing the program.

10 The self-employment loan program shall administer a low-
11 interest loan program to provide loans to low-income persons
12 for the purpose of establishing or expanding small business
13 ventures. The terms of the loans shall be determined by the
14 department, but shall not be in excess of five thousand
15 dollars to any single applicant or at a rate to exceed five
16 percent simple interest per annum. A self-employment loan
17 program revolving loan fund shall be established within the
18 department. The department shall maintain records of all
19 loans approved and the effectiveness of those loans in
20 establishing or expanding small business ventures.

21 Sec. 6. Section 15.255, 1986 Iowa Acts, Senate File 2175,
22 is amended by adding the following new subsections:

23 NEW SUBSECTION. 3. If a cooperative agreement is not
24 reached between the department of education and the department
25 or between the department of education and the local
26 educational agencies in compliance with this part, the funds
27 allotted to the state under section 123 of the Job Training
28 Partnership Act of 1982 shall revert to section 121 of the Job
29 Training Partnership Act of 1982. Funds reverted to section
30 121 shall be used by the department to further the purposes of
31 this part. To the extent feasible, the department will work
32 with local educational agencies to implement the use of the
33 reverted funds.

34 NEW SUBSECTION. 4. The department of education shall to
35 the extent possible make available for the financing of this

1 network funds appropriated through the Carl D. Perkins
2 Vocational Education Act, Pub. L. No. 98-524.

3 NEW SUBSECTION. 5. The department of employment services
4 shall cooperate with the department in the development of this
5 network. To the extent possible, the department of employment
6 services shall use funds available to it through section 7(b)
7 of the Wagner-Peyser Act as amended by section 501 of the Job
8 Training Partnership Act of 1982, to assist in the financing
9 of either direct or indirect services to the network.

10 NEW SUBSECTION. 6. In order to assist with the
11 development of this network and to help conduct the management
12 and planning responsibilities associated with chapter 280B,
13 the department may charge, within thirty days following the
14 sale of certificates under chapter 280B, the board of
15 directors of the merged area a fee of up to one percent of the
16 gross sale amount of the certificates issued. The amount of
17 this fee shall be deposited into the jobs now account within
18 the Iowa plan fund for economic development created in section
19 99E.10 and may be used by the department to cover the costs of
20 providing support services for this network and for the
21 management of chapter 280B. Funds deposited under this
22 subsection into the jobs now account during a fiscal year
23 which are not expended by the department in that fiscal year
24 are available for use by the department under this subsection
25 for subsequent fiscal years.

26 NEW SUBSECTION. 7. In order to finance the equipment
27 purchases needed by the merged area schools to support the
28 activities of the network, the merged area schools shall use a
29 portion of their share of the equipment funds appropriated to
30 them under 1985 Iowa Acts, chapter 33, section 301, subsection
31 5, paragraph "d" or section 302, subsection 5, paragraph "b".
32 Sec. 7. 1986 Iowa Acts, Senate File 2175, is amended by
33 adding after new section 15.256 the following new section:

34 NEW SECTION. 15.257 EFFECTIVE DATE.

35 All Job Training Partnership Act of 1982, section 123 funds

1 authorized for the fiscal year beginning July 1, 1985 which
2 have not been spent by the end of the fiscal year shall be
3 available for funding this part for the fiscal year beginning
4 July 1, 1986. The provisions for funding this part in section
5 15.255, except subsection 1, shall be implemented by July 1,
6 1987.

7 Sec. 8. Section 18A.5, Code 1985, is amended to read as
8 follows:

9 18A.5 COMPENSATION AND EXPENSES.

10 The members of the commission shall be reimbursed for their
11 actual and necessary expenses ~~and shall be paid a forty-dollar~~
12 ~~per-diem~~ while in attendance at any meeting of the commission
13 held at the seat of government and shall be reimbursed for
14 their expenses for going to and from the seat of government to
15 attend a meeting. Members may also be eligible for
16 compensation as provided in section 7E.3. All ~~per-diem and~~
17 expense moneys paid to the nonlegislative commissioners shall
18 be paid from funds appropriated to the commission. Service of
19 the director of the department of general services upon this
20 commission ~~shall be~~ is an additional duty conferred by
21 statute. Legislative members of the commission shall receive
22 payment pursuant to section 2.10 and section 2.12.

23 Sec. 9. Section 19A.8, unnumbered paragraph 4, Code 1985,
24 is amended to read as follows:

25 The director shall quarterly render a statement to those
26 ~~covered departments~~ each department or agency which ~~operate~~
27 operates in whole or in part from other than general fund
28 appropriations for a pro rata share of the cost of
29 administration of the ~~merit-employment~~ department of
30 personnel. ~~Such~~ The expense shall be paid by the state
31 ~~departments or agencies~~ department or agency in the same
32 manner as other expenses of ~~such~~ that department or agency are
33 paid and the all moneys received shall be deposited in the
34 general fund of the state.

35 Sec. 10. NEW SECTION. 19A.32 WORKERS' COMPENSATION

1 CLAIMS.

2 The director of the department of personnel shall employ
3 appropriate staff to handle and adjust claims of state
4 employees for workers' compensation benefits pursuant to
5 chapters 85, 85A, 85B, and 86, or with the approval of the
6 executive council contract for the services or purchase
7 workers' compensation insurance coverage for state employees
8 or selected groups of state employees. The director shall
9 quarterly determine an appropriate amount, based upon the cost
10 of workers' compensation insurance, that shall be collected
11 from the agencies, departments, or divisions which have not
12 received an appropriation for the payment of workers'
13 compensation insurance and which operate from moneys other
14 than from the general fund, and the amounts collected shall be
15 deposited in the general fund.

16 Sec. 11. Section 28.89, Code Supplement 1985, is amended
17 to read as follows:

18 28.89 IOWA PRODUCT DEVELOPMENT CORPORATION FUND.

19 There is created an "Iowa product development corporation
20 fund". All funds of the corporation including the proceeds
21 from the issuance of notes or sale of bonds under this
22 division, any funds appropriated ~~from the general fund~~ to the
23 corporation, and ~~other~~ income derived from other sources from
24 the exercise of powers granted to the corporation under this
25 division shall be paid into the Iowa product development
26 corporation fund notwithstanding section 12.10. The money in
27 the Iowa product development corporation fund, except moneys
28 held by a trustee or a depository pursuant to a bond
29 resolution or indenture relating to the issuance of bonds or
30 notes pursuant to sections 28.90 or 28.91, shall be paid out
31 on the order of the person authorized by the corporation. The
32 money in the Iowa product development corporation fund shall
33 be used for repayment of notes and bonds issued under this
34 division and the extension of financial aid granted by the
35 corporation under this division, and the amount remaining may

1 be used for the payment of the administrative and overhead
2 costs of the corporation to the extent required.
3 Notwithstanding section 8.33, no part of this fund shall
4 revert at or after the close of a fiscal year unless otherwise
5 provided by the general assembly, but shall remain in the fund
6 and appropriated for the purposes of this division. The board
7 shall seek to repay the state for ~~general-fund~~ appropriations
8 by recommending to the general assembly reversions from income
9 received from successful ventures. The board shall recommend
10 such action at any time when the revenue available to the
11 board is deemed sufficient to continue existing operations.

12 Sec. 12. Section 29A.14, subsection 1, Code 1985, is
13 amended to read as follows:

14 1. The adjutant general ~~with-the-approval-of-the-executive~~
15 ~~council~~ may operate or lease any of the national guard
16 facilities at Camp Dodge. Any income or revenue derived from
17 the operation or leasing shall be deposited with the treasurer
18 of state and credited to the national guard facilities
19 improvement fund. The balance in the national guard
20 facilities improvement fund is limited to a maximum of two
21 million dollars. Any amount exceeding the limit shall be
22 credited to the general fund of the state.

23 Sec. 13. Section 79.1, unnumbered paragraph 4, Code
24 Supplement 1985, is amended to read as follows:

25 Payments authorized by this section shall be approved by
26 the department subject to rules of the department of personnel
27 and paid from the appropriation or fund of original
28 certification of the claim.

29 Sec. 14. Section 88.2, subsection 5, Code 1985, is amended
30 to read as follows:

31 5. The commissioner, the governor, and the state
32 comptroller ~~are-hereby-authorized-to~~ may obtain and accept
33 federal grants to the state to be used in connection with the
34 funds appropriated for the administration of this chapter and
35 federal funds ~~in-addition-thereto~~ available to the division.

1 Sec. 15. Section 91.4, unnumbered paragraph 2, Code 1985,
2 is amended to read as follows:

3 ~~The bureau-of-labor~~ division of labor services may sell
4 documents printed by the ~~bureau-of-labor~~ division at cost
5 according to rules established by the ~~bureau, which rules~~
6 ~~shall-be-subject~~ labor commissioner pursuant to chapter 17A.
7 Receipts from ~~such~~ the sale shall be deposited to the credit
8 of the ~~bureau-of-labor~~ division and may be used by the ~~bureau~~
9 division for administrative expenses.

10 Sec. 16. Section 93.14, Code 1985, is amended to read as
11 follows:

12 93.14 ENERGY RESEARCH AND DEVELOPMENT FUND.

13 ~~There-is-created-within-the-council-an~~ An energy research
14 and development fund is created in the state treasury. Moneys
15 deposited in the fund shall be used for the research and
16 development of selected projects designated to improve Iowa's
17 energy situation by developing improved methods of energy
18 conservation, by enabling Iowans to better manage available
19 energy resources, or through the increased development and use
20 of Iowa's renewable or nonrenewable energy resources. The
21 moneys credited to the fund under section 556.18 shall be used
22 ~~only-for-the-weatherization-or-energy-assistance-program~~
23 ~~administered-by-the-council~~ for energy conservation or
24 alternative energy resource projects or for both purposes.
25 ~~The-projects-will-be-selected-by-the-council-with-the-advice~~
26 ~~of-knowledgeable-persons-appointed-by-the-council-to-provide~~
27 ~~assistance.~~ The projects shall be selected by the director.
28 Selection criteria for funded projects shall include
29 consideration of indirect restitution to those persons in this
30 state in the utility customer classes and the utility service
31 territories affected by unclaimed utility refunds or deposits.
32 The projects funded from the energy research and development
33 fund shall be administered by the department.

34 Sec. 17. Section 93.15, Code 1985, is amended to read as
35 follows:

1 93.15 PETROLEUM OVERCHARGE FUND.

2 There is created as a separate account in the state
3 treasury a petroleum overcharge fund. Notwithstanding section
4 453.7, interest and earnings on investments from the funds in
5 the petroleum overcharge fund shall be credited to the
6 petroleum overcharge fund. The state of Iowa acting on behalf
7 of itself, its citizens and its political subdivisions accepts
8 any funds awarded or allocated to it, its citizens and
9 political subdivisions as a result of petroleum overcharge
10 cases. The funds shall be deposited in the petroleum
11 overcharge fund and shall be expended only upon appropriation
12 of the general assembly for programs which will benefit
13 citizens who may have suffered economic penalties resulting
14 from the alleged petroleum overcharges. However, petroleum
15 overcharge case funds received pursuant to claims filed on
16 behalf of the state, its institutions, departments, agencies,
17 or any political subdivision shall be deposited in the general
18 fund of the state to be disbursed directly to the appropriate
19 claimants in accordance with federal guidelines and subject to
20 the approval of the attorney general ~~and the executive~~
21 ~~council~~. Attorneys' fees and expenses incurred by the state
22 to obtain these funds to be deposited in the petroleum
23 overcharge fund shall be paid by the state comptroller from
24 the petroleum overcharge fund subject to the approval of the
25 attorney general ~~and the executive council~~.

26 Sec. 18. Section 93.23, Code 1985, is amended to read as
27 follows:

28 93.23 PROGRAM CREATED.

29 There is created the Iowa comprehensive solar energy
30 program ~~under the direction of the council~~. The director of
31 ~~energy policy~~ shall administer the program and may accept,
32 receive and administer and may expend ~~with the approval of the~~
33 ~~council~~; any gifts, grants or other public or private funds
34 for the program. The director shall co-operate with and use
35 the facilities and resources of existing state agencies,

1 public and private educational institutions, business, civic
2 associations, industrial and professional representatives and
3 local governments in carrying out the provisions of this
4 division.

5 Sec. 19. Section 97.52, Code 1985, is amended to read as
6 follows:

7 97.52 ADMINISTRATION AGREEMENTS.

8 The Iowa department of job-service-is-authorized-to
9 personnel may enter into arrangements-with-the-appropriate
10 federal-agency agreements whereby services performed by the
11 department and its employees both under sections-97-50-to
12 97-53-and-under-the-Iowa-employment-security-chapter chapters
13 97, 97B, and 97C shall be equitably apportioned between among
14 the funds provided for the administration of said those
15 chapters. The money spent for personnel, rentals, supplies,
16 and equipment used by the department in administering both the
17 chapters shall be equitably apportioned and charged against
18 said the funds.

19 Sec. 20. Section 97B.8, unnumbered paragraph 3, Code
20 Supplement 1985, is amended to read as follows:

21 The members who are executives of a domestic life insurance
22 company, a state or national bank, and a major industrial
23 corporation shall be paid their actual expenses incurred in
24 performance of their duties and shall receive in addition the
25 sum of forty dollars for each day of service not exceeding
26 forty days per year. Legislative members shall receive the
27 sum-of forty dollars for each day of service and their actual
28 expenses incurred in the performance of their duties. The per
29 diem and expenses of the legislative members shall be paid
30 from funds appropriated under section 2.12. The members who
31 are active members of the system and the director of the
32 department shall be paid their actual expenses incurred in the
33 performance of their duties as members of the board and
34 performance of their duties as members of the board shall not
35 affect their salaries, vacation, or leaves of absence for

1 sickness or injury. The appointive terms of the members
2 appointed by the governor are for a period of six years
3 beginning and ending as provided in section 69.19. If there
4 is a vacancy in the membership of the board, the governor has
5 the power of appointment. Appointees to this board are
6 subject to confirmation by the senate.

7 Sec. 21. Section 99E.10, subsection 1, Code Supplement
8 1985, is amended to read as follows:

9 1. Upon receipt of any revenue, the commissioner shall
10 deposit the moneys in the lottery fund created pursuant to
11 section 99E.20. As nearly as is practicable, fifty percent of
12 the projected annual revenue, after deduction of the amount of
13 the sales tax and repayment to the general fund of the loan
14 for start-up purposes of the Iowa lottery, computed on a year-
15 round average basis for each type of lottery game accruing
16 from the sale of tickets or shares is appropriated for payment
17 of prizes to the holders of winning tickets. After the
18 payment of prizes, all of the following shall be deducted from
19 lottery revenue prior to disbursement:

20 a. An amount equal to one half of one percent of the gross
21 lottery revenue shall be deposited in a gamblers assistance
22 fund in the office of the treasurer of state. Moneys in the
23 fund shall be administered by the commissioner of human
24 services and used to provide assistance and counseling to
25 individuals and families experiencing difficulty as a result
26 of gambling losses and to promote awareness of gamblers
27 anonymous and similar assistance programs.

28 b. An amount equal to four percent of the gross sales
29 price of each ticket or share sold shall be deducted as the
30 sales tax on the sale of that ticket or share, remitted to the
31 treasurer of state and deposited into the state general fund.

32 c. The expenses of conducting the lottery including the
33 reasonable expenses incurred by the attorney general's office
34 in enforcing this chapter.

35 d. The contractual expenses required in this paragraph.

1 The division of criminal investigation shall be the primary
2 state agency responsible for investigating criminal violations
3 of the law under this chapter. The commissioner shall
4 contract with the department of public safety for
5 investigative services, including the employment of special
6 agents and support personnel, and procurement of necessary
7 equipment to carry out the responsibilities of the division of
8 criminal investigation under the terms of the agreement and
9 this chapter.

10 Lottery agency expenses for marketing, educational, and
11 informational material shall not exceed four percent of the
12 lottery revenue.

13 The Iowa plan fund for economic development, also to be
14 known as the Iowa plan fund, is created in the office of the
15 treasurer of state. Lottery revenue remaining after expenses
16 are determined shall be transferred to the Iowa plan fund on a
17 quarterly basis. However, upon the request of the
18 ~~commissioner~~ director and subject to approval by the treasurer
19 of state, an amount sufficient to cover the foreseeable
20 administrative expenses of the lottery for a period of twenty-
21 one days may be retained from the lottery revenue. Prior to
22 the quarterly transfer to the Iowa plan fund, the ~~commissioner~~
23 director may direct that lottery revenue shall be deposited in
24 the lottery fund and in interest bearing accounts designated
25 by the treasurer of state in the financial institutions of
26 this state or invested in the manner provided in section
27 452.10. Interest or earnings paid on the deposits or
28 investments is considered lottery revenue and shall be
29 transferred to the Iowa plan fund in the same manner as other
30 lottery revenue. Money in the Iowa plan fund shall be
31 deposited in interest bearing accounts in financial
32 institutions in this state or invested in the manner provided
33 in section 452.10. The interest or earnings on the deposits
34 or investments shall be considered part of the Iowa plan fund
35 and shall be retained in the fund unless appropriated by the

1 general assembly.

2 Sec. 22. Section 107.16, unnumbered paragraph 5, Code
3 Supplement 1985, is amended to read as follows:

4 The general assembly shall appropriate annually from the
5 state fish and game protection fund the amount credited to the
6 fund from the checkoff to the fish and wildlife division of
7 fish-and-game of the commission department for the purposes
8 pursuant-to specified in this section.

9 Sec. 23. Section 107.17, unnumbered paragraph 2, Code
10 1985, is amended to read as follows:

11 The state fish and game protection fund, except as
12 otherwise provided, consists of all moneys accruing from
13 license fees and all other sources of revenue arising under
14 the fish and wildlife division of-fish-and-game.

15 Notwithstanding section 453.7, subsection 2, interest or
16 earnings on investments or time deposits of the funds in the
17 state fish and game protection fund and the public outdoor
18 recreation and resources fund shall be credited to those funds
19 respectively.

20 Sec. 24. Section 109.22, unnumbered paragraphs 3 and 5,
21 Code 1985, are amended to read as follows:

22 Such permits may be issued by the director of the state
23 conservation-commission department upon proper application and
24 the payment of a fee of two dollars for each trial held. A
25 representative of the commission department shall attend all
26 such trials and enforce the laws and regulations governing
27 same.

28 Before any birds are released under this section, they must
29 each have attached a tag provided by the conservation
30 commission department and attached by a representative of the
31 conservation-commission department at a cost of not more than
32 ten cents for each tag. All tags are to remain attached to
33 birds until prepared for consumption.

34 Sec. 25. Section 111.32, Code 1985, is amended to read as
35 follows:

1 111.32 SALE OF PARK LANDS -- CONVEYANCES TO CITIES OR
2 COUNTIES.

3 ~~The executive-council-may, upon a majority recommendation~~
4 ~~of the~~ commission, may sell or exchange such parts of public
5 lands under the jurisdiction of the commission as in its
6 judgment may be undesirable for conservation purposes,
7 excepting state-owned meandered lands already surveyed and
8 platted at state expense as a conservation plan and project
9 tentatively adopted and now in the process of rehabilitation
10 and development authorized by a special legislative Act. Such
11 The sale or exchange shall be made upon such the terms,
12 conditions or considerations as the commission may recommend
13 ~~and that may be approved by the executive council~~ approve,
14 whereupon the secretary of state shall issue a patent therefor
15 in the manner provided by law in other cases. The proceeds of
16 any such sale or exchange shall become a part of the funds to
17 be expended under the provisions of this chapter.

18 Upon request by resolution of any city or county or any
19 legal agency thereof, the executive council may, upon majority
20 recommendation of the state conservation commission, convey
21 without consideration to such city or county or legal agency
22 thereof, such public lands under the jurisdiction of the
23 commission as in its judgment may be desirable for city or
24 county parks. Conveyance shall be in the name of the state,
25 with the great seal of the state attached and shall contain a
26 provision that when such lands cease to be used as public park
27 by said city or county such lands revert to the state, and
28 such park shall, within one year after such land has reverted
29 to the state, be restored, as nearly as possible, to the
30 condition it was in when acquired by such city, county or
31 legal agency thereof at the expense of such city, county or
32 legal agency.

33 The state may require that the city, county or legal agency
34 thereof file a notice of intention every three years.

35 Sec. 26. Section 135D.22, unnumbered paragraph 5, Code

1 1985, is amended to read as follows:

2 The amounts due each county shall be paid by the state
3 comptroller department of revenue and finance on December 15
4 of each year, drawn upon warrants payable to the respective
5 county treasurers. The county treasurer in each county shall
6 apportion the payment in accordance with section 135D.25.

7 Sec. 27. Section 170A.5, Code 1985, is amended by adding
8 the following new unnumbered paragraph:

9 NEW UNNUMBERED PARAGRAPH. The license fees paid by a food
10 service establishment to the department shall be reduced by
11 fifty percent of the amount of any license fees paid to the
12 department by the food service establishment for a food
13 establishment license for the same premises.

14 Sec. 28. Section 173.14, subsection 9, Code 1985, is
15 amended to read as follows:

16 9. ~~With the approval of the executive council,~~ purchase
17 Purchase real estate adjacent to the state fairgrounds for use
18 in conjunction with the state fairgrounds. A purchase of real
19 estate may be made by written contract providing for payment
20 over a period of years. The obligations of the contract shall
21 constitute a debt or charge against the state fair board but
22 not against the general fund of the state. The title to real
23 estate acquired under this subsection and any improvements
24 erected on the real estate shall be taken and held in the name
25 of the state of Iowa and shall be under the custody and
26 control of the state fair board. The state comptroller shall
27 transfer moneys to the appropriate agencies in order to carry
28 out the intent of this section.

29 Sec. 29. Section 218.94, unnumbered paragraph 1, Code
30 1985, is amended to read as follows:

31 The commissioner of the department of human services shall
32 have full power, ~~subject to the approval of the executive~~
33 ~~council~~ to secure options to purchase real estate, to acquire
34 and sell real estate, and to grant utility easements, for the
35 proper uses of said institutions. Real estate shall be

1 acquired and sold and utility easements granted, upon such
2 terms and conditions as the commissioner may recommend-subject
3 ~~to the approval of the executive council~~ determine. Upon sale
4 of such the real estate, the proceeds ~~thereof~~ shall be
5 deposited with the treasurer of state and credited to the
6 general fund of the state. There is hereby appropriated from
7 the general fund of the state a sum equal to the proceeds so
8 deposited and credited to the general fund of the state to the
9 department of human services, which ~~with the prior approval of~~
10 ~~the executive council~~ may be used to purchase other real
11 estate or for capital improvements upon property under such
12 the commissioner's control.

13 Sec. 30. Section 220.95, 1986 Iowa Acts, Senate File 2175,
14 is amended by adding the following new subsections:

15 NEW SUBSECTION. 2. The authority, in consultation with
16 the director of the department of economic development, shall
17 establish, contingent upon the availability of funds
18 authorized for the program, a targeted small business loan
19 guarantee program, to provide for guarantees with respect to
20 loans made to beginning and existing targeted small
21 businesses. The program shall provide guarantees not to
22 exceed seventy-five percent for loans made by qualified
23 lenders. The authority shall establish a loan reserve account
24 from funds provided for this program, from which any default
25 on a guaranteed loan under this section shall be paid. In
26 administering the program the authority shall not guarantee
27 loan values in excess of the amount credited to the reserve
28 account and only moneys set aside in the loan reserve account
29 may be used for the payment of a default.

30 NEW SUBSECTION. 3. All moneys designated for the targeted
31 small business loan guarantee program shall be credited to the
32 loan reserve account. The authority shall also establish an
33 administrative account from which the operating costs of the
34 program shall be paid. The authority may transfer moneys
35 between the reserve and the administrative accounts. The

1 authority shall determine what is the actuarially sound
2 reserve requirement for the amount of guaranteed loans
3 outstanding.

4 NEW SUBSECTION. 4. A default is not eligible for payment
5 until the lender has satisfied all administrative and legal
6 remedies for settlement of the loan and the loan has been
7 reduced to judgment by the lender. After the default has been
8 reduced to judgment and the guarantee paid from the loan
9 reserve account, the authority, on behalf of the state, is
10 entitled to an assignment of the judgment. The attorney
11 general shall take all appropriate action to enforce the
12 judgment or may enter into an agreement with the lender to
13 provide for enforcement. Upon collection of the amount
14 guaranteed, any excess collected shall be paid to the lender.

15 Sec. 31. Section 246.317, unnumbered paragraph 1, Code
16 Supplement 1985, is amended to read as follows:

17 The director, subject to the approval of the board and
18 ~~executive-council~~, may secure options to purchase real estate
19 and acquire and sell real estate for the proper uses of the
20 institutions. Real estate shall be acquired and sold upon
21 terms and conditions the director recommends subject to the
22 approval of the board ~~and the executive-council~~. Upon sale of
23 the real estate, the proceeds shall be deposited with the
24 treasurer of state and credited to the general fund of the
25 state. There is appropriated from the general fund of the
26 state to the department a sum equal to the proceeds so
27 deposited and credited to the general fund of the state which
28 ~~with the prior approval of the executive-council~~, may be used
29 to purchase other real estate or for capital improvements upon
30 property under the director's supervision.

31 Sec. 32. NEW SECTION. 256.14 PERMANENT REVOLVING FUND.

32 1. A permanent revolving fund is established for the
33 department. Expenses incurred by the department from this
34 fund shall be paid subject to reimbursement by the federal
35 government.

1 2. There is appropriated from the general fund of the
2 state to the department of education the sum of one hundred
3 twenty-five thousand dollars for the purpose of establishing
4 the fund created by subsection 1. If any surplus accrues to
5 the revolving fund in excess of the original appropriation for
6 which there is no anticipated need or use, the governor shall
7 order the surplus to be transferred to the general fund.

8 Sec. 33. Section 281.12, Code Supplement 1985, is amended
9 to read as follows:

10 281.12 CHILDREN PLACED BY DISTRICT COURT.

11 Notwithstanding ~~the provisions of~~ section 282.27, a child
12 who has been identified as requiring special education, who
13 has been placed in a facility or home by the district court,
14 and for whom parental rights have been terminated by the
15 district court, shall receive be provided special education
16 programs and services on the same basis as the programs and
17 services are provided for children requiring special education
18 who are residents of the school district in which the child
19 has been placed. The special education instructional costs
20 shall be certified to the commissioner of ~~public instruction~~
21 education not later than September 1 of each year for the
22 preceding fiscal year by the area education agency director of
23 special education of the district in which the child has been
24 placed. ~~The state board of public instruction~~ commissioner of
25 education shall review the costs and submit a requisition to
26 the state comptroller. The amount due shall be paid by the
27 treasurer of state to the school district or agency providing
28 the program from any funds in the general fund of the state
29 not otherwise appropriated upon warrants drawn and signed by
30 the state comptroller.

31 Sec. 34. Section 282.19, Code Supplement 1985, is amended
32 to read as follows:

33 282.19 CHILD LIVING IN FOSTER CARE FACILITY.

34 A child who is living in a licensed child foster care
35 facility as defined in section 237.1 in this state which is

1 located in a school district other than the school district in
2 which the child resided before receiving foster care may
3 enroll in and attend an approved accredited school in the
4 school district in which the child is living. If a child does
5 not require special education and was not counted in the basic
6 enrollment of a school district for a budget year under
7 section 442.4, the tuition and transportation, when required
8 by law, shall be paid by the treasurer of state from funds in
9 the state treasury not otherwise appropriated, and upon
10 warrants drawn by the state comptroller upon requisition of
11 the commissioner of public instruction.

12 Sec. 35. Section 282.27, Code Supplement 1985, is amended
13 to read as follows:

14 282.27 PAYMENT FOR CERTAIN CHILDREN.

15 When a child requiring special education is living in a
16 state-supported institution, charitable institution, or
17 licensed boarding home as defined in this chapter which does
18 not maintain a school, and the residence of the child
19 requiring special education is in a school district other than
20 the school district in which the state-supported institution,
21 charitable institution, or licensed boarding home is located,
22 the child is eligible for special education programs and
23 services provided for children requiring special education who
24 are residents of the school district in which the institution
25 or boarding home is located. The special education
26 instructional costs shall be computed by means of weighted
27 enrollment for that child under the provisions of chapters
28 273, 281, and 442 as if that child were a resident of the
29 school district in which the institution or boarding home is
30 located, but the child shall be included in the enrollment
31 count in the district of residence in the manner provided in
32 sections 281.9 and 442.4. The costs as computed shall be paid
33 by the district of residence. ~~No~~ A child requiring special
34 education shall not be denied special education programs and
35 services because of a dispute over determination of residence

1 of that child. If there is a dispute over the residence of
2 the child, the ~~state-board-of-public-instruction~~ commissioner
3 of education shall determine the residence of the child.
4 However, if the special education instructional costs incurred
5 on behalf of the child exceed the amount which would be
6 allowed if the child were provided the programs and services
7 in the district of residence, the treasurer of the school
8 district of residence shall make payment at the maximum amount
9 allowed in that district for a child requiring special
10 education who is similarly handicapped. If the child
11 requiring special education is not counted in the weighted
12 enrollment of any district under section 281.9, and payment is
13 not made by any district, the district in which the
14 institution or boarding home is located may certify the
15 special education instructional costs to the commissioner of
16 ~~public-instruction~~ education not later than September 1 of
17 each year for the preceding fiscal year. The ~~state-board-of~~
18 ~~public-instruction~~ commissioner of education shall review the
19 costs and submit a requisition to the state comptroller. The
20 amount due shall be paid by the treasurer of state to the
21 district in which the institution or licensed boarding home is
22 located from any funds in the general fund of the state not
23 otherwise appropriated upon warrants drawn and signed by the
24 state comptroller. For the purposes of this section, the term
25 "district of residence of the child" means the residence of
26 the parent or legal guardian, or the location of the district
27 court if the district court is the legal guardian, of the
28 child.

29 Sec. 36. Section 303.9, Code 1985, is amended to read as
30 follows:

31 303.9 FUNDS RECEIVED BY STATE-HISTORICAL DEPARTMENT.

32 1. All funds received by the ~~state-historical~~ department,
33 including but not limited to gifts, endowments, funds from the
34 sale of memberships in the state historical society, funds
35 from the sale of mementos and other items relating to Iowa

1 history as authorized under subsection 2, interest generated
2 by the life membership trust fund, and fees, except entrance
3 fees for the Montauk governor's mansion, shall be credited to
4 the account of the ~~state-historical~~ department and are
5 appropriated to the ~~state-historical~~ department to be invested
6 or used for programs and purposes under the authority of the
7 ~~state-historical-board~~ department. Interest earned on funds
8 credited to the department, except funds appropriated to the
9 department from the general fund of the state, shall be
10 credited to the department. Section 8.33 does not apply to
11 funds credited to the ~~state-historical~~ department under this
12 section.

13 2. The department may sell mementos and other items
14 relating to Iowa history and historic sites on the premises of
15 property under control of the department and at the state
16 capitol. Notwithstanding sections 18.12 and 18.16, the
17 department may directly and independently enter into rental
18 and lease agreements with private vendors for the purpose of
19 selling mementos. All fees and income produced by the sales
20 and rental or lease agreements shall be credited to the
21 account of the department. The mementos and other items sold
22 by the department or vendors under this subsection are exempt
23 from section 18.6. The department is not a retailer under
24 chapter 422 and the sale of such mementos and other items by
25 the department is not a retail sale under chapter 422 and is
26 exempt from the sales tax.

27 Sec. 37. Section 303.11, Code 1985, is amended to read as
28 follows:

29 303.11 GIFTS.

30 The ~~state-historical-board~~ department may accept gifts and
31 bequests which shall be used in accordance with the desires of
32 the donor if expressed. Funds contained in an endowment fund
33 for either the department of history and archives or the state
34 historical society existing on July 1, 1974 ~~shall~~ remain an
35 endowment of the department. Gifts shall be accepted only on

1 behalf of the state-historical department, and gifts to a
2 division part, branch, or section of the department are
3 presumed to be gifts to the department.

4 ~~In instances where~~ If publication of a book is financed by
5 the endowment fund, ~~nothing in this chapter shall~~ does not
6 prevent the return of moneys from sales of the book to the
7 endowment fund.

8 Sec. 38. NEW SECTION. 303.81 CAPITAL EQUIPMENT
9 REPLACEMENT REVOLVING FUND.

10 1. The board may provide noncommercial production or
11 reproduction services for other public agencies, nonprofit
12 corporations or associations organized under state law, or
13 other nonprofit organizations, and may collect the costs of
14 providing the services from the public agency, corporation,
15 association, or organization, plus a separate equipment usage
16 fee in an amount determined by the board and based upon the
17 equipment used. The costs shall be deposited to the credit of
18 the board. The separate equipment usage fee shall be

19 deposited in the capital equipment replacement revolving fund.
20 2. The board may establish a capital equipment replacement
21 revolving fund into which shall be deposited equipment usage
22 fees collected under subsection 1 and funds from other sources
23 designated for deposit in the capital equipment replacement
24 revolving fund. The board may expend moneys from the capital
25 equipment replacement revolving fund to purchase technical
26 equipment for operating the educational radio and television
27 facility.

28 Sec. 39. NEW SECTION. 307.44 USE OF FEDERAL MONEYS.

29 If funds are allotted or appropriated by the government of
30 the United States for the improvement of streets and highways
31 in this state, and the federal statutes or the rules and
32 regulations of the federal government provide or contemplate
33 that the work shall be under the supervision of the director,
34 the director may let the necessary contracts for the
35 construction work, supervise and direct the construction work,

1 comply with the federal statutes and rules, and cooperate with
2 the federal government in the expenditure of the federal
3 funds.

4 In order to avoid delays, payment for the street and
5 highway projects or improvements constructed in cooperation
6 with the federal government may be advanced from the primary
7 road fund.

8 Sec. 40. NEW SECTION. 307.45 STATE-OWNED LANDS --
9 ASSESSMENT.

10 Cities and counties may assess the cost of a public
11 improvement against the state when the improvement benefits
12 property owned by the state and under the jurisdiction and
13 control of the department's administrator of highways. The
14 director shall pay from the primary road fund the portion of
15 the cost of the improvement which would be legally assessable
16 against the land if privately owned.

17 Assessments against property under the jurisdiction of the
18 department's administrator of highways shall be made in the
19 same manner as those made against private property, except
20 that the city or county making the assessment shall cause a
21 copy of the public notice of hearing to be mailed to the
22 director by certified mail.

23 Assessments against property owned by the state and not
24 under the jurisdiction and control of the department's
25 administrator of highways shall be made in the same manner as
26 those made against private property and payment shall be made
27 by the executive council from any funds of the state not
28 otherwise appropriated.

29 However, an assessment in excess of twenty thousand dollars
30 is not valid unless it is provided for by or contained within
31 a capital appropriation by the general assembly.

32 Sec. 41. NEW SECTION. 307.47 MATERIALS AND EQUIPMENT
33 REVOLVING FUND.

34 The highway materials and equipment revolving fund is
35 created from moneys appropriated out of the primary road fund.

1 From this fund shall be paid all costs for materials and
2 supplies, inventoried stock supplies, maintenance and
3 operational costs of equipment, and equipment replacements
4 incurred in the operation of centralized purchasing under the
5 supervision of the department's administrator of highways.
6 Direct salaries and expenses properly chargeable to direct
7 salaries shall be paid from the fund. For each month the
8 director shall render a statement to each unit under the
9 supervision of the administrator of highways for the actual
10 cost of materials and supplies, operational and maintenance
11 costs of equipment, and equipment depreciation used. The
12 expense shall be paid by the administrator of highways in the
13 same manner as other interdepartmental billings are paid and
14 when the expense is paid by the administrator of highways, the
15 sum paid shall be credited to the highway materials and
16 equipment revolving fund. If surplus accrues to the revolving
17 fund in excess of one hundred thousand dollars for which there
18 is no anticipated need or use, the governor shall order that
19 surplus reverted to the primary road fund. When the units
20 under the supervision of the administrator of highways share
21 equipment with other administrative units of the department,
22 the director shall prorate the costs of the equipment among
23 the administrative units using the equipment.

24 Sec. 42. Section 322A.6, Code 1985, is amended to read as
25 follows:

26 322A.6 APPLICATION FILED WITH AUTHORITY THE DEPARTMENT.

27 ~~In-the-event-that~~ If a franchiser seeks to terminate or not
28 continue ~~any a~~ franchise, or seeks to enter into a franchise
29 establishing an additional motor vehicle dealership of the
30 same line-make, the franchiser shall file an application with
31 the ~~authority~~ department for permission to terminate or not
32 continue the franchise, or for permission to enter into a
33 franchise for additional representation of the same line-make
34 in that community.

35 An applicant seeking permission to enter into a franchise

1 for additional representation of the same line-make in a
2 community shall deposit with the authority department at the
3 time the application is filed, an amount of money to be
4 determined by the authority department to secure the payment
5 of the costs and expenses of the hearing. The applicant shall
6 pay the costs of the hearing.

7 Sec. 43. Section 334A.2, Code 1985, is amended to read as
8 follows:

9 334A.2 DISTRIBUTION OF FUNDS.

10 On or before December 15 of each fiscal year the state
11 comptroller director of revenue and finance shall distribute
12 the funds in the county government assistance fund to each
13 county in the state in the proportion that the population
14 residing in the unincorporated area of each county is to the
15 total population residing in the unincorporated areas of all
16 of the counties.

17 For purposes of this section "population" shall be based on
18 the most recent federal census.

19 Sec. 44. Section 405.1, unnumbered paragraph 2, Code 1985,
20 is amended to read as follows:

21 On or before December 15 of each fiscal year, the state
22 comptroller director of revenue and finance shall distribute
23 the moneys in the municipal assistance fund to each city in
24 the state in the proportion that the population of each city
25 is to the total population of all cities in the state.
26 However, the comptroller shall in no event distribute in any
27 year to any city an amount in excess of one-half the amount to
28 be collected from property tax levies by that city for that
29 year. Any moneys remaining in the municipal assistance fund
30 shall remain in the fund and be available for distribution the
31 following year.

32 Sec. 45. Section 411.20, subsection 2, unnumbered
33 paragraph 4, Code 1985, is amended to read as follows:

34 For the fiscal year commencing July 1, 1979 and each fiscal
35 year thereafter, the state-comptroller director of revenue and

1 finance shall pay to each city an amount equal to the ratio of
2 payroll computed for a retirement system times the payroll of
3 the active members employed under that system for the fiscal
4 year.

5 Sec. 46. Section 421.17, Code Supplement 1985, is amended
6 by adding the following new subsection:

7 NEW SUBSECTION. 31. Administer a law enforcement officer
8 training reimbursement program. The program shall provide
9 reimbursement to a city or county for necessary and actual
10 expenses incurred in training a law enforcement officer who
11 resigns from law enforcement service with the city or county
12 within four years after completion of the law enforcement
13 training. The reimbursable training expenses include mileage,
14 food, lodging, tuition, replacement of an officer while the
15 officer is in training if the replacement officer is a
16 temporary employee hired for that purpose only or is on
17 overtime status, and salary costs of the officer while in
18 training. The law enforcement training eligible for
19 reimbursement is the minimum law enforcement officer training
20 required under chapter 80B and, if funding is available,
21 approved advanced law enforcement training. The director
22 shall adopt rules prescribing application forms, expense
23 documentation, and procedures necessary to administer the
24 reimbursement program.

25 a. The amount of reimbursement shall be determined as
26 follows:

27 (1) If a law enforcement officer resigns less than one
28 year following completion of approved training, one hundred
29 percent.

30 (2) If a law enforcement officer resigns one year or more
31 but less than two years after completion of approved training,
32 seventy-five percent.

33 (3) If a law enforcement officer resigns two years or more
34 but less than three years after completion of the approved
35 training, fifty percent.

1 (4) If a law enforcement officer resigns three years or
2 more but not more than four years after completion of the
3 approved training, twenty-five percent.

4 b. A law enforcement training reimbursement fund is
5 created in the state treasury. The proceeds of the fund shall
6 be used by the director to reimburse cities or counties for
7 eligible law enforcement training expenses incurred as
8 provided in this subsection. If the proceeds of the fund are
9 insufficient to reimburse the total amount of all claims made
10 during a fiscal year, the reimbursements shall be prorated.
11 Any unencumbered or unobligated money remaining in the fund on
12 June 30 of each fiscal year shall revert to the general fund
13 of the state.

14 Sec. 47. Section 421.31, 1986 Iowa Acts, Senate File 2175,
15 is amended by adding the following new subsections:

16 NEW SUBSECTION. 2. COLLECTION AND PAYMENT OF FUNDS --
17 MONTHLY PAYMENTS. To control the payment of all moneys into
18 the treasury, and all payments from the treasury by the
19 preparation of appropriate warrants, or warrant checks,
20 directing such collections and payment, and to advise the
21 state treasurer monthly in writing of the amount of public
22 funds not currently needed for operating expenses. Whenever
23 the state treasury includes state funds that require
24 distribution to counties, municipalities, or other political
25 subdivisions of this state, and the counties, municipalities,
26 and other political subdivisions certify to the director that
27 warrants will be stamped for lack of funds within the thirty-
28 day period following certification, the director may partially
29 distribute the funds on a monthly basis. Whenever the law
30 requires that any funds be paid by a specific date, the
31 comptroller shall prepare a final accounting and shall make a
32 final distribution of any remaining funds prior to that date.

33 NEW SUBSECTION. 5. PREAUDIT SYSTEM. To establish and fix
34 a reasonable imprest cash fund for each state department and
35 institution for disbursement purposes where needed. These

1 revolving funds shall be reimbursed only upon vouchers
2 approved by the state comptroller. It is the purpose of this
3 subdivision to establish a preaudit system of settling all
4 claims against the state, but the preaudit system is not
5 applicable to the institutions under the control of the state
6 board of regents or to the state fair board.

7 Sec. 48. Section 421.40, 1986 Iowa Acts, Senate File 2175,
8 is amended by adding the following new unlettered paragraphs:

9 NEW UNLETTERED PARAGRAPH. Vouchers for postage, stamped
10 envelopes, and postal cards may be audited as soon as an order
11 for them is entered.

12 NEW UNLETTERED PARAGRAPH. The departments, the general
13 assembly, and the courts shall pay their claims in a timely
14 manner. If a claim for services, supplies, materials, or a
15 contract which is payable from the state treasury remains
16 unpaid after sixty days following the receipt of the claim or
17 the satisfactory delivery, furnishing, or performance of the
18 services, supplies, materials, or contract, whichever date is
19 later, the state shall pay interest at the rate of one percent
20 per month on the unpaid amount of the claim. This paragraph
21 does not apply to claims against the state under chapters 25
22 and 25A or to claims paid by federal funds. The interest
23 shall be charged to the appropriation or fund to which the
24 claim is certified. The director of the department of revenue
25 and finance shall adopt rules under chapter 17A relating to
26 the administration of this paragraph.

27 Sec. 49. Section 422.100, Code 1985, is amended to read as
28 follows:

29 422.100 ALLOCATION TO MONEYS AND CREDITS REPLACEMENT FUND
30 IN EACH COUNTY.

31 There is created a permanent fund in the office of the
32 treasurer of state to be known as the "moneys and credits
33 replacement fund". The director shall determine the
34 percentage which the aggregate taxable value for the year 1965
35 of the property described in and subject to taxation under

1 section 429.2, Code 1966, owned or held by individuals,
2 administrators, executors, guardians, conservators, trustees
3 or an agent or nominee thereof, and the aggregate taxable
4 value for the year 1965 of the property described in and
5 subject to taxation under section 431.1, Code 1966, for the
6 year 1965 but not subject to taxation under that section for
7 the year 1966, in each county bears to the total aggregate
8 taxable value of such property reported from all of the
9 counties in the state and shall certify the percentage for
10 each county to the state comptroller prior to January 1, 1967.
11 In July of each year, the ~~state-comptroller~~ director shall
12 apply that percentage to the money in the moneys and credits
13 tax replacement fund prior to that July and determine the
14 amount due to each county. The ~~state-comptroller~~ director
15 shall draw warrants on the moneys and credits tax replacement
16 fund in such amounts payable to the county treasurer of each
17 county and transmit them. The county treasurer shall
18 apportion these amounts as follows: For the amounts received
19 in January 1972, and all previously collected amounts, twenty
20 percent to the county general fund, fifty percent to the
21 school general fund, and the remaining thirty percent to
22 cities and towns in the proportion that the taxable values for
23 each city and town for 1965 of property subject to taxation in
24 1965 under sections 429.2, Code 1966, and 431.1, Code 1966, is
25 to the total of such taxable values for all cities and towns
26 within the county; for the amounts received in January 1973,
27 and all subsequently collected amounts, forty percent to the
28 county, and the remaining sixty percent to cities and towns in
29 the proportion that the taxable values for each city and town
30 for the year 1965 under sections 429.2 and 431.1, Code 1966,
31 is to the total of such taxable values for all the cities and
32 towns within the county.

33 Sec. 50. Section 422A.1, unnumbered paragraph 4, Code
34 1985, is amended to read as follows:

35 The director of revenue and finance shall administer the

1 ~~provisions~~ of a local hotel and motel tax as nearly as
2 possible in conjunction with the administration of the state
3 sales tax law. The director shall provide appropriate forms,
4 or provide on the regular state tax forms, for reporting local
5 hotel and motel tax liability. All moneys received or
6 refunded one hundred eighty days after the date on which a
7 city or county terminates its local hotel and motel tax shall
8 be deposited in or withdrawn from the state general fund.

9 Sec. 51. Section 425.1, subsection 1, Code 1985, is
10 amended to read as follows:

11 1. A homestead credit fund is created. There is hereby
12 appropriated annually from the general fund of the state to
13 the department of revenue and finance to be credited to the
14 homestead credit fund, ~~which fund is hereby created~~, an amount
15 sufficient to ~~carry out the provisions of~~ implement this
16 chapter.

17 The director of revenue and finance shall ~~requisition the~~
18 ~~state comptroller to~~ issue warrants on the homestead credit
19 fund payable to the county treasurers of the several counties
20 of the state under ~~the provisions of~~ this chapter.

21 Sec. 52. Section 425.39, Code 1985, is amended to read as
22 follows:

23 425.39 FUND CREATED -- APPROPRIATION.

24 The extraordinary property tax credit and reimbursement
25 fund is created. There is appropriated annually from the
26 general fund of the state to the department of revenue and
27 finance to be credited to the extraordinary property tax
28 credit and reimbursement fund, ~~which fund is hereby created~~,
29 from funds not otherwise appropriated, an amount sufficient to
30 ~~carry out the provisions of~~ implement this division.

31 Sec. 53. Section 426.7, Code 1985, is amended to read as
32 follows:

33 426.7 WARRANTS DRAWN BY COMPTROLLER DIRECTOR.

34 After receiving from the county auditors the certifications
35 provided for in section 426.6, and during the following fiscal

1 year, the ~~state-comptroller~~ director of revenue and finance
2 shall draw warrants on the agricultural land credits fund
3 created in section 426.1, payable to the county treasurers in
4 the amount certified by the county auditors of the respective
5 counties and mail the warrants to the county auditors on
6 August 15 of each year taking into consideration the relative
7 budget and cash position of the state resources. However, if
8 the agricultural land credits fund is insufficient to pay in
9 full the total of the amounts certified to the ~~state~~
10 ~~comptroller~~ director of revenue and finance, the ~~state~~
11 ~~comptroller~~ director shall prorate the fund to the county
12 treasurers and notify the county auditors of the pro rata
13 percentage on or before August 1.

14 Sec. 54. Section 426A.4, Code 1985, is amended to read as
15 follows:

16 426A.4 CERTIFICATION BY DIRECTOR OF REVENUE AND FINANCE.

17 Sums distributable from the military service tax credit
18 fund shall be allocated annually to the counties of the state.
19 On September 15 annually the director of revenue and finance
20 shall certify ~~to the comptroller the total credits claimed by~~
21 ~~each county. Upon receipt of the certification from the~~
22 ~~director of revenue, the comptroller shall~~ and draw warrants
23 to the treasurer of each county payable from the military
24 service tax credit fund in the amount claimed. However, if
25 the amount of money in the fund is insufficient to pay the
26 credits claimed in full, the claims shall be paid on a pro
27 rata basis. Payments shall be made to the treasurer of each
28 county not later than September 30 of each year. The ~~state~~
29 ~~comptroller~~ director of revenue and finance shall transfer any
30 funds in the military service tax credit fund on May 31 of
31 each year not necessary for the payment of claims to the
32 general fund.

33 Sec. 55. Section 427.17, subsection 4, Code 1985, is
34 amended to read as follows:

35 4. The amounts due each taxing district shall be paid on

1 warrants payable to the respective county treasurers by the
2 ~~state-comptroller~~ director of revenue and finance on July 15
3 of each year. The county treasurer shall apportion the
4 proceeds to the various taxing districts in the county.

5 Sec. 56. Section 427.17, unnumbered paragraph 1, Code
6 1985, is amended to read as follows:

7 There is appropriated from the general fund of the state of
8 Iowa to the ~~state-comptroller~~ department of revenue and
9 finance for the fiscal year beginning July 1, 1973, and ending
10 June 30, 1974, the sum of four million dollars, or so much
11 thereof as ~~may-be~~ necessary, and for each succeeding fiscal
12 year the sum of eight million dollars, or so much thereof as
13 ~~may-be~~ necessary, to carry out ~~the-provisions-of~~ this section.

14 Sec. 57. Section 427B.13, Code 1985, is amended to read as
15 follows:

16 427B.13 APPROPRIATION.

17 There is appropriated annually from the general fund of the
18 state to the ~~state-comptroller~~ department of revenue and
19 finance an amount sufficient to carry out ~~the-provisions-of~~
20 sections 427B.10 to 427B.14.

21 Sec. 58. Section 442.13, subsections 1, 9, 11, 12, 14, and
22 15, Code Supplement 1985, are amended to read as follows:

23 1. The school budget review committee may recommend the
24 revision of any rules, regulations, directives, or forms
25 relating to school district budgeting and accounting, confer
26 with local school boards or their representatives and make
27 recommendations relating to any budgeting or accounting
28 matters, and may direct the commissioner of ~~public-instruction~~
29 the department of education or the ~~state-comptroller~~ director
30 of the department of management to make studies and
31 investigations of school costs in any school district.

32 9. When the committee makes a decision under subsections 3
33 to 8, it shall make all necessary changes in the district
34 cost, budget, and tax levy. It shall give written notice of
35 its decision, including all such changes, to the school board

1 through the ~~state-comptroller~~ director of the department of
2 management.

3 11. Failure by any school district to provide information
4 or appear before the committee as requested for the
5 accomplishment of review or hearing ~~shall-constitute~~ is
6 justification for the committee to instruct the ~~state~~
7 ~~comptroller~~ director of the department of management to
8 withhold any state aid to that district until the committee's
9 inquiries are satisfied completely.

10 12. The committee shall review the recommendations of the
11 commissioner of ~~public-instruction~~ the department of education
12 relating to the special education weighting plan, and shall
13 establish a weighting plan for each school year after the
14 school year commencing July 1, 1975, and report the plan to
15 the commissioner of ~~public-instruction~~ the department of
16 education.

17 14. ~~For-the-budget-school-year-beginning-July-17-1983-and~~
18 ~~succeeding-school-years, as~~ As soon as possible following June
19 30 of the base year, the school budget review committee shall
20 determine for each school district the balance of funds,
21 whether positive or negative, raised for special education
22 instruction programs under the special education weighting
23 plan established in section 281.9. The committee shall
24 certify the balance of funds for each school district to the
25 ~~state-comptroller~~ director of the department of management.

26 In determining the balance of funds of a school district
27 under this subsection, the committee shall subtract the amount
28 of any reduction in state aid that occurred as a result of a
29 reduction in allotments made by the governor with the
30 concurrence of the executive council under section 8.31.

31 a. If the amount certified for a school district to the
32 ~~state-comptroller~~ director of the department of management
33 under this subsection for the base year is positive, the ~~state~~
34 ~~comptroller~~ director of the department of management shall
35 subtract the amount of the positive balance from the amount of

1 state aid remaining to be paid to the district during the
2 budget year. If the positive amount exceeds the amount of
3 state aid that remains to be paid to the district, the school
4 district shall pay the remainder on a quarterly basis prior to
5 June 30 of the budget year to the state-comptroller director
6 of the department of management from other funds received by
7 the district. The state-comptroller director of the
8 department of management shall determine the amount of the
9 positive balance that would have been local property tax
10 revenues and shall increase the district's total state school
11 aids available under this chapter for the next following
12 budget year by the amount so determined and shall reduce the
13 district's tax levy computed under section 442.9 for the next
14 following budget year by the amount necessary to compensate
15 for the increased state aid.

16 b. If the amount certified for a school district to the
17 state-comptroller director of the department of management
18 under this subsection for the base year is negative, the state
19 comptroller director of the department of management shall
20 determine the amount of the deficit that would have been state
21 aid and the amount that would have been property taxes for
22 each eligible school district.

23 ~~For the budget school year beginning July 1, 1982 and each~~
24 ~~subsequent school year, there~~ There is appropriated from the
25 general fund of the state to the school budget review
26 committee an amount equal to the state aid portion of five
27 percent of the receipts for special education instruction
28 programs in each district that has a positive balance
29 determined under paragraph "a" for the base year, or the state
30 aid portion of the positive balance determined under paragraph
31 "a" for the base year, whichever is less, totaled on a
32 statewide basis, to be used for supplemental aid payments to
33 school districts. Except as otherwise provided in this
34 paragraph, supplemental aid paid to a district is equal to the
35 state aid portion of the district's deficit balance. The

1 school budget review committee shall direct the state
2 comptroller director of the department of management to make
3 the payments to school districts under this paragraph.

4 A school district is eligible to receive supplemental aid
5 payments during the budget year if the school district
6 certifies to the school budget review committee that for the
7 year following the budget year it will request the school
8 budget review committee to instruct the state-comptroller
9 director of the department of management to increase the
10 district's allowable growth and will fund the allowable growth
11 increase either by using moneys from its unexpended cash
12 balance to reduce the district's property tax levy or by using
13 cash reserve moneys to equal the amount of the deficit that
14 would have been property taxes and any part of the state aid
15 portion of the deficit not received as supplemental aid. The
16 state-comptroller director of the department of management
17 shall make the necessary adjustments to the school district's
18 budget to provide the additional allowable growth and shall
19 make the supplemental aid payments.

20 If the amount appropriated under this paragraph is
21 insufficient to make the supplemental aid payments, the state
22 comptroller director of the department of management shall
23 prorate the payments on the basis of the amount appropriated.

24 15. Annually the school budget review committee shall
25 review the amount of property tax levied by each school
26 district for a cash reserve authorized in section 298.10. If
27 in the committee's judgment, the amount of a district's cash
28 reserve levy is unreasonably high, the committee shall
29 instruct the state-comptroller director of the department of
30 management to reduce that district's tax levy computed under
31 section 442.9 for the following budget year by the amount the
32 cash reserve levy is deemed excessive. A reduction in a
33 district's property tax levy for a budget year under this
34 subsection does not affect the district's authorized budget.

35 Sec. 59. Section 467A.71, subsection 1, Code Supplement

1 1985, is amended to read as follows:

2 1. The ~~state-soil-conservation-committee~~ division may
3 establish a conservation practices revolving loan fund
4 composed of any money appropriated by the general assembly for
5 that purpose, and of any other moneys available to and
6 obtained or accepted by the committee from the federal
7 government or private sources for placement in that fund.
8 Except as otherwise provided by subsection 3, the assets of
9 the conservation practices revolving loan fund shall be used
10 only to make loans directly to owners of land in this state
11 for the purpose of establishing on that land any new permanent
12 soil and water conservation practice which the commissioners
13 of the soil conservation district in which the land is located
14 have found is necessary or advisable to meet the soil loss
15 limits established for that land. A loan shall not be made
16 for establishing a permanent soil and water conservation
17 practice on land that is subject to the restriction on state
18 cost-sharing funds of section 467A.65. Revolving loan funds
19 and public cost-sharing funds shall not be used in combination
20 for funding a particular soil and water conservation practice.
21 Each loan made under this section shall be for a period not to
22 exceed ten years, shall bear no interest, and shall be
23 repayable to the conservation practices revolving loan fund in
24 equal yearly installments due March 1 of each year the loan is
25 in effect. The interest rate upon loans for which payment is
26 delinquent shall accelerate immediately to the current legal
27 usury limit. Applicants ~~shall be~~ are eligible for no more
28 than ten thousand dollars in loans outstanding at any time
29 under this program. "Permanent soil and water conservation
30 practices" has the same meaning as defined in section 467A.42
31 and those established under this program are subject to the
32 requirements of section 467A.7, subsection 16. Loans made
33 under this program shall come due for payment upon sale of the
34 land on which those practices are established.

35 Sec. 60. Section 475A.3, subsection 3, Code 1985, is

1 amended to read as follows:

2 3. Salaries, expenses, and appropriation. The salary of
3 the consumer advocate shall be fixed by the attorney general
4 within the salary range set by the general assembly,
5 notwithstanding 1981 Iowa Acts, chapter 9, sections 6 and 7
6 and subsequent amendments to those sections. The salaries of
7 employees of the consumer advocate and the reimbursement of
8 expenses for the employees and the consumer advocate are as
9 provided by law. The appropriation for the office of consumer
10 advocate shall be a separate line item contained in the
11 appropriation for the ~~iowa-state-commerce-commission~~
12 department of justice.

13 ~~In establishing salaries and benefits for employees the~~
14 ~~consumer advocate shall provide for an affirmative action plan~~
15 ~~which shall be based upon guidelines provided by the Iowa~~
16 ~~state civil rights commission. -- In addition, when establishing~~
17 ~~salaries and benefits the consumer advocate shall not~~
18 ~~discriminate in the employment or pay between employees on the~~
19 ~~basis of gender by paying wages to employees at a rate less~~
20 ~~than the rate at which wages are paid to employees of the~~
21 ~~opposite gender for work of comparable worth. -- As used in this~~
22 ~~section "comparable worth" means the value of work as measured~~
23 ~~by the composite of the skill, effort, responsibility, and~~
24 ~~working conditions normally required in the performance of~~
25 ~~work.~~

26 ~~The consumer advocate shall make a report to the~~
27 ~~legislative council which shall contain a copy of the~~
28 ~~affirmative action plan adopted and details regarding the~~
29 ~~manner in which compliance is made for establishing salaries~~
30 ~~and benefits based on comparable worth. -- The report shall be~~
31 ~~made to the legislative council as soon as possible after July~~
32 ~~17, 1983 but not later than August 17, 1983, unless the~~
33 ~~legislative council shall extend the date for making the~~
34 ~~report.~~

35 Sec. 61. Section 475A.7, Code 1985, as amended by 1986

1 Iowa Acts, Senate File 2175, is amended to read as follows:

2 475A.7 CONSUMER ADVISORY PANEL.

3 The attorney general shall appoint five members and the
4 governor shall appoint four members to a consumer advisory
5 panel to meet at the request of the consumer advocate for
6 consultation regarding public utility regulation. A member
7 shall be appointed from each congressional district with the
8 appointee residing within the congressional district at the
9 time of appointment. The remaining appointees shall be
10 members at large. No more than five members shall belong to
11 the same political party as provided in section 69.16. Not
12 more than a simple majority of the members shall be of the
13 same gender. The members appointed by the attorney general
14 shall serve four-year terms at the pleasure of the attorney
15 general and their appointments are not subject to
16 confirmation. The members appointed by the governor shall
17 serve four-year terms at the pleasure of the governor and
18 their appointments are not subject to confirmation. The
19 governor or attorney general shall fill a vacancy in the same
20 manner as the original appointment for the unexpired portion
21 of the member's term. Members of the consumer advisory panel
22 shall serve without compensation, but shall be reimbursed for
23 actual expenses from funds appropriated to the consumer
24 advocate division.

25 Sec. 62. Section 509A.5, unnumbered paragraph 2, Code
26 Supplement 1985, is amended to read as follows:

27 Any interest earnings from investments or time deposits of
28 the funds under the control of the ~~state-executive-council~~
29 director of the department of personnel shall be deposited to
30 the credit of these funds.

31 Sec. 63. NEW SECTION. 601K.102 COMMISSION DUTIES.

32 The commission shall:

33 1. Prepare and maintain a complete register of the blind
34 of the state which shall describe the condition, cause of
35 blindness, ability to receive education and industrial

1 training, and other facts the commission deems of value.

2 2. Assist in marketing of products of blind workers of the
3 state.

4 3. Ameliorate the condition of the blind by promoting
5 visits to them in their homes for the purpose of instruction
6 and by other lawful methods as the commission deems expedient.

7 4. Make inquiries concerning the causes of blindness to
8 ascertain what portion of cases are preventable, and cooperate
9 with the other organized agents of the state in the adoption
10 and enforcement of proper preventive measures.

11 5. Provide for suitable vocational training if the
12 commission deems it advisable and necessary. The commission
13 may establish workshops for the employment of the blind,
14 paying suitable wages for work under the employment. The
15 commission may provide or pay for, during their training
16 period, the temporary lodging and support of persons receiving
17 vocational training. The commission may use receipts or
18 earnings that accrue from the operation of workshops as
19 provided in this chapter, but a detailed statement of receipts
20 or earnings and expenditures shall be made monthly to the
21 executive director of the office of management.

22 6. Establish, manage, and control a special training,
23 orientation, and adjustment center or centers for the blind.
24 Training in the centers shall be limited to persons who are
25 sixteen years of age or older, and the division shall not
26 provide or cause to be provided any academic education or
27 training to children under the age of sixteen except that the
28 commission may provide library services to these children.
29 The commission may provide for the maintenance, upkeep,
30 repair, and alteration of the buildings and grounds designated
31 as centers for the blind including the expenditure of funds
32 appropriated for that purpose. Nonresidents may be admitted
33 to Iowa centers for the blind as space is available, upon
34 terms determined by rule.

35 7. Establish and maintain offices for the division and

1 commission.

2 8. Accept gifts, grants, devises, or bequests of real or
3 personal property from any source for the use and purposes of
4 the division. Notwithstanding sections 8.33 and 453.7, the
5 interest accrued from moneys received under this section shall
6 not revert to the general fund of the state.

7 9. Provide library services to blind and physically
8 handicapped persons.

9 10. Act as a bureau of information and industrial aid for
10 the blind, such as assisting the blind in finding employment.

11 11. Pursuant to section 601K.2, be responsible for the
12 budgetary and personnel decisions for the division and
13 commission.

14 EXPLANATION

15 This bill includes provisions of the state reorganization
16 bill, Senate File 2175, which contain language relating to
17 appropriations. These sections were removed from Senate File
18 2175 before it was finalized.

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See Appropriations 4/28 Or Pass 5/1 (p. 1974)

SENATE FILE **2303**
BY COMMITTEE ON APPROPRIATIONS

(AS AMENDED AND PASSED BY THE SENATE APRIL 25, 1986)

* - Language Stricken by the Senate

Re Passed Senate, Date 5-1-86 (p. 1535) Passed House, Date 5-1-86 (p. 1978)
Vote: Ayes 39 Nays 1 Vote: Ayes 88 Nays 11
Approved May 29, 1986

A BILL FOR

1 An Act relating to restoring provisions of legislation relating
2 to appropriations which had been removed from the
3 comprehensive legislation on the subject of state government
4 reorganization.

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

SENATE FILE 2303

H-6059

1 Amend Senate File 2303 as amended, passed, and
2 reprinted by the Senate as follows:
3 1. Page 36, by striking lines 2 and 3 and
4 inserting the following: "appropriation for from the
5 Iowa-state-commerce-commission utility trust fund
6 created pursuant to section 476.10."

H-6059 FILED APRIL 30, 1986 BY RENAUD of Polk

Adopted 5/1 (p. 1977)

S.F. 1

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1 Section 1. Section 2.12, unnumbered paragraphs 1, 2, and
2 3, Code Supplement 1985, are amended to read as follows:

3 There is hereby appropriated out of any funds in the state
4 treasury not otherwise appropriated a sum sufficient to pay
5 for legislative printing and all current and miscellaneous
6 expenses of the general assembly, authorized by either the
7 senate or the house, and the ~~state-comptroller-is-hereby~~
8 ~~authorized-and-directed-to~~ director of revenue and finance
9 shall issue warrants for such items of expense upon
10 requisition of the president majority leader and secretary of
11 the senate or the speaker and chief clerk of the house.

12 There is hereby appropriated out of any funds in the state
13 treasury not otherwise appropriated, such sums as ~~may-be~~ are
14 necessary, for each house of the general assembly for the
15 payment of any unpaid expense of the general assembly incurred
16 during or in the interim between sessions of the general
17 assembly, including but not limited to salaries and necessary
18 travel and actual expenses of members, and expenses of
19 standing and interim committees or subcommittees, and per diem
20 or expenses for members of the general assembly who serve on
21 statutory boards, commissions, or councils for which per diem
22 or expenses are authorized by law. The ~~state-comptroller-is~~
23 ~~hereby-authorized-and-directed-to~~ director of revenue and
24 finance shall issue warrants for such items of expense upon
25 requisition of the president majority leader and secretary of
26 the senate for senate expense or the speaker and chief clerk
27 of the house for house expense.

28 There is hereby appropriated out of any funds in the state
29 treasury not otherwise appropriated, such sums as ~~may-be~~ are
30 necessary for the renovation, remodeling, or preparations
31 preparation of the legislative chambers, legislative offices,
32 or other areas or facilities used or to be used by the
33 legislative branch of government, and for the purchase of ~~such~~
34 legislative equipment and supplies deemed necessary to
35 properly carry out the functions of the general assembly. The

1 ~~state-comptroller-is-hereby-authorized-and-directed-to~~
2 director of revenue and finance shall issue warrants for such
3 items of expense, whether incurred during or between sessions
4 of the general assembly, upon requisition of the president
5 majority leader and secretary of the senate for senate expense
6 or the speaker and chief clerk of the house for house expense.

7 Sec. 2. Section 2.13, Code 1985, is amended to read as
8 follows:

9 2.13 ISSUANCE OF WARRANTS.

10 The ~~state-comptroller~~ director of revenue and finance shall
11 also issue to each officer and employee of the general
12 assembly, during legislative sessions or interim periods, upon
13 vouchers signed by the president majority leader and secretary
14 of the senate or the speaker and chief clerk of the house,
15 warrants for the amount due for services rendered. ~~Such~~ The
16 warrants shall be paid out of any moneys in the treasury not
17 otherwise appropriated.

18 Sec. 3. Section 8.6, Code Supplement 1985, is amended by
19 striking subsections 1, 2, 3, 5, 6, 7, 8, 9, and 19.

20 Sec. 4. Section 8.32, unnumbered paragraph 6, Code 1985,
21 is amended to read as follows:

22 The provisions of this chapter shall not be construed to
23 prohibit the state fair board from creating an emergency or
24 sinking fund out of the receipts of the state fair and state
25 appropriation for the purpose of taking care of any emergency
26 that might arise beyond the control of the board of not to
27 exceed three hundred thousand dollars, ~~provided, however, that~~
28 ~~any expenditure from said fund shall be subject to the~~
29 ~~approval of the executive council.~~ Neither shall the
30 ~~provisions of~~ this chapter be construed to prohibit the state
31 fair board from retaining an additional sum of not to exceed
32 three hundred fifty thousand dollars to be used in carrying
33 out the provisions of chapter 173.

34 Sec. 5. NEW SECTION. 15.241 IOWA "SELF-EMPLOYMENT LOAN
35 PROGRAM".

1 The department shall establish, contingent upon the
2 availability of funds authorized for the program, a "self-
3 employment loan program," to be conducted in coordination with
4 the job training partnership program and other programs
5 administered under section 15.108, subsection 6, paragraph
6 "c". The department may contract with local community action
7 agencies or other local entities in administering the program,
8 and shall work with the department of employment services and
9 the department of human services in developing the program.

10 The self-employment loan program shall administer a low-
11 interest loan program to provide loans to low-income persons
12 for the purpose of establishing or expanding small business
13 ventures. The terms of the loans shall be determined by the
14 department, but shall not be in excess of five thousand
15 dollars to any single applicant or at a rate to exceed five
16 percent simple interest per annum. A self-employment loan
17 program revolving loan fund shall be established within the
18 department. The department shall maintain records of all
19 loans approved and the effectiveness of those loans in
20 establishing or expanding small business ventures.

21 Sec. 6. Section 15.255, 1986 Iowa Acts, Senate File 2175,
22 is amended by adding the following new subsections:

23 NEW SUBSECTION. 3. If a cooperative agreement is not
24 reached between the department of education and the department
25 or between the department of education and the local
26 educational agencies in compliance with this part, the funds
27 allotted to the state under section 123 of the Job Training
28 Partnership Act of 1982 shall revert to section 121 of the Job
29 Training Partnership Act of 1982. Funds reverted to section
30 121 shall be used by the department to further the purposes of
31 this part. To the extent feasible, the department will work
32 with local educational agencies to implement the use of the
33 reverted funds.

34 NEW SUBSECTION. 4. The department of education shall to
35 the extent possible make available for the financing of this

1 network funds appropriated through the Carl D. Perkins
2 Vocational Education Act, Pub. L. No. 98-524.

3 NEW SUBSECTION. 5. The department of employment services
4 shall cooperate with the department in the development of this
5 network. To the extent possible, the department of employment
6 services shall use funds available to it through section 7(b)
7 of the Wagner-Peyser Act as amended by section 501 of the Job
8 Training Partnership Act of 1982, to assist in the financing
9 of either direct or indirect services to the network.

10 NEW SUBSECTION. 6. In order to assist with the
11 development of this network and to help conduct the management
12 and planning responsibilities associated with chapter 280B,
13 the department may charge, within thirty days following the
14 sale of certificates under chapter 280B, the board of
15 directors of the merged area a fee of up to one percent of the
16 gross sale amount of the certificates issued. The amount of
17 this fee shall be deposited into the jobs now account within
18 the Iowa plan fund for economic development created in section
19 99E.10 and may be used by the department to cover the costs of
20 providing support services for this network and for the
21 management of chapter 280B. Funds deposited under this
22 subsection into the jobs now account during a fiscal year
23 which are not expended by the department in that fiscal year
24 are available for use by the department under this subsection
25 for subsequent fiscal years.

26 NEW SUBSECTION. 7. In order to finance the equipment
27 purchases needed by the merged area schools to support the
28 activities of the network, the merged area schools shall use a
29 portion of their share of the equipment funds appropriated to
30 them under 1985 Iowa Acts, chapter 33, section 301, subsection
31 5, paragraph "d" or section 302, subsection 5, paragraph "b".
32 Sec. 7. 1986 Iowa Acts, Senate File 2175, is amended by
33 adding after new section 15.256 the following new section:

34 NEW SECTION. 15.257 EFFECTIVE DATE.

35 All Job Training Partnership Act of 1982, section 123 funds

1 authorized for the fiscal year beginning July 1, 1985 which
2 have not been spent by the end of the fiscal year shall be
3 available for funding this part for the fiscal year beginning
4 July 1, 1986. The provisions for funding this part in section
5 15.255, except subsection 1, shall be implemented by July 1,
6 1987.

7 Sec. 8. Section 18A.5, Code 1985, is amended to read as
8 follows:

9 18A.5 COMPENSATION AND EXPENSES.

10 The members of the commission shall be reimbursed for their
11 actual and necessary expenses ~~and shall be paid a forty-dollar~~
12 ~~per-diem~~ while in attendance at any meeting of the commission
13 held at the seat of government and shall be reimbursed for
14 their expenses for going to and from the seat of government to
15 attend a meeting. Members may also be eligible for
16 compensation as provided in section 7E.3. All ~~per-diem-and~~
17 expense moneys paid to the nonlegislative commissioners shall
18 be paid from funds appropriated to the commission. Service of
19 the director of the department of general services upon this
20 commission ~~shall be~~ is an additional duty conferred by
21 statute. Legislative members of the commission shall receive
22 payment pursuant to section 2.10 and section 2.12.

23 Sec. 9. Section 19A.8, unnumbered paragraph 4, Code 1985,
24 is amended to read as follows:

25 The director shall quarterly render a statement to those
26 ~~covered-departments~~ each department or agency which operate
27 operates in whole or in part from other than general fund
28 appropriations for a pro rata share of the cost of
29 administration of the ~~merit-employment~~ department of
30 personnel. ~~Such~~ The expense shall be paid by the state
31 ~~departments-or-agencies~~ department or agency in the same
32 manner as other expenses of ~~such~~ that department or agency are
33 paid and the all moneys received shall be deposited in the
34 general fund of the state.

35 Sec. 10. NEW SECTION. 19A.32 WORKERS' COMPENSATION

1 CLAIMS.

2 The director of the department of personnel shall employ
3 appropriate staff to handle and adjust claims of state
4 employees for workers' compensation benefits pursuant to
5 chapters 85, 85A, 85B, and 86, or with the approval of the
6 executive council contract for the services or purchase
7 workers' compensation insurance coverage for state employees
8 or selected groups of state employees. The director shall
9 quarterly determine an appropriate amount, based upon the cost
10 of workers' compensation insurance, that shall be collected
11 from the agencies, departments, or divisions which have not
12 received an appropriation for the payment of workers'
13 compensation insurance and which operate from moneys other
14 than from the general fund, and the amounts collected shall be
15 deposited in the general fund.

16 Sec. 11. Section 28.89, Code Supplement 1985, is amended
17 to read as follows:

18 28.89 IOWA PRODUCT DEVELOPMENT CORPORATION FUND.

19 There is created an "Iowa product development corporation
20 fund". All funds of the corporation including the proceeds
21 from the issuance of notes or sale of bonds under this
22 division, any funds appropriated ~~from the general fund~~ to the
23 corporation, and ~~other~~ income derived from other sources from
24 the exercise of powers granted to the corporation under this
25 division shall be paid into the Iowa product development
26 corporation fund notwithstanding section 12.10. The money in
27 the Iowa product development corporation fund, except moneys
28 held by a trustee or a depository pursuant to a bond
29 resolution or indenture relating to the issuance of bonds or
30 notes pursuant to sections 28.90 or 28.91, shall be paid out
31 on the order of the person authorized by the corporation. The
32 money in the Iowa product development corporation fund shall
33 be used for repayment of notes and bonds issued under this
34 division and the extension of financial aid granted by the
35 corporation under this division, and the amount remaining may

1 be used for the payment of the administrative and overhead
2 costs of the corporation to the extent required.
3 Notwithstanding section 8.33, no part of this fund shall
4 revert at or after the close of a fiscal year unless otherwise
5 provided by the general assembly, but shall remain in the fund
6 and appropriated for the purposes of this division. The board
7 shall seek to repay the state for ~~general-fund~~ appropriations
8 by recommending to the general assembly reversions from income
9 received from successful ventures. The board shall recommend
10 such action at any time when the revenue available to the
11 board is deemed sufficient to continue existing operations.

12 Sec. 12. Section 29A.14, subsection 1, Code 1985, is
13 amended to read as follows:

14 1. The adjutant general ~~with-the-approval-of-the-executive~~
15 ~~council~~ may operate or lease any of the national guard
16 facilities at Camp Dodge. Any income or revenue derived from
17 the operation or leasing shall be deposited with the treasurer
18 of state and credited to the national guard facilities
19 improvement fund. The balance in the national guard
20 facilities improvement fund is limited to a maximum of two
21 million dollars. Any amount exceeding the limit shall be
22 credited to the general fund of the state.

23 Sec. 13. Section 79.1, unnumbered paragraph 4, Code
24 Supplement 1985, is amended to read as follows:

25 Payments authorized by this section shall be approved by
26 the department subject to rules of the department of personnel
27 and paid from the appropriation or fund of original
28 certification of the claim.

29 Sec. 14. Section 88.2, subsection 5, Code 1985, is amended
30 to read as follows:

31 5. The commissioner, the governor, and the state
32 comptroller ~~are-hereby-authorized-to~~ may obtain and accept
33 federal grants to the state to be used in connection with the
34 funds appropriated for the administration of this chapter and
35 federal funds ~~in-addition-thereto~~ available to the division.

1 Sec. 15. Section 91.4, unnumbered paragraph 2, Code 1985,
2 is amended to read as follows:

3 The ~~bureau-of-labor~~ division of labor services may sell
4 documents printed by the ~~bureau-of-labor~~ division at cost
5 according to rules established by the ~~bureau~~7-which-rules
6 ~~shall-be-subject~~ labor commissioner pursuant to chapter 17A.
7 Receipts from ~~such~~ the sale shall be deposited to the credit
8 of the ~~bureau-of-labor~~ division and may be used by the ~~bureau~~
9 division for administrative expenses.

10 Sec. 16. Section 93.14, Code 1985, is amended to read as
11 follows:

12 93.14 ENERGY RESEARCH AND DEVELOPMENT FUND.

13 ~~There-is-created-within-the-council-an~~ An energy research
14 and development fund is created in the state treasury. Moneys
15 deposited in the fund shall be used for the research and
16 development of selected projects designated to improve Iowa's
17 energy situation by developing improved methods of energy
18 conservation, by enabling Iowans to better manage available
19 energy resources, or through the increased development and use
20 of Iowa's renewable or nonrenewable energy resources. The
21 moneys credited to the fund under section 556.18 shall be used
22 ~~only-for-the-weatherization-or-energy-assistance-program~~
23 ~~administered-by-the-council~~ for energy conservation or
24 alternative energy resource projects or for both purposes.
25 ~~The-projects-will-be-selected-by-the-council-with-the-advice~~
26 ~~of-knowledgeable-persons-appointed-by-the-council-to-provide~~
27 ~~assistance-~~ The projects shall be selected by the director.
28 Selection criteria for funded projects shall include
29 consideration of indirect restitution to those persons in this
30 state in the utility customer classes and the utility service
31 territories affected by unclaimed utility refunds or deposits.
32 The projects funded from the energy research and development
33 fund shall be administered by the department.

34 Sec. 17. Section 93.15, Code 1985, is amended to read as
35 follows:

1 93.15 PETROLEUM OVERCHARGE FUND.

2 There is created as a separate account in the state
3 treasury a petroleum overcharge fund. Notwithstanding section
4 453.7, interest and earnings on investments from the funds in
5 the petroleum overcharge fund shall be credited to the
6 petroleum overcharge fund. The state of Iowa acting on behalf
7 of itself, its citizens and its political subdivisions accepts
8 any funds awarded or allocated to it, its citizens and
9 political subdivisions as a result of petroleum overcharge
10 cases. The funds shall be deposited in the petroleum
11 overcharge fund and shall be expended only upon appropriation
12 of the general assembly for programs which will benefit
13 citizens who may have suffered economic penalties resulting
14 from the alleged petroleum overcharges. However, petroleum
15 overcharge case funds received pursuant to claims filed on
16 behalf of the state, its institutions, departments, agencies,
17 or any political subdivision shall be deposited in the general
18 fund of the state to be disbursed directly to the appropriate
19 claimants in accordance with federal guidelines and subject to
20 the approval of the attorney general ~~and-the-executive~~
21 ~~council~~. Attorneys' fees and expenses incurred by the state
22 to obtain these funds to be deposited in the petroleum
23 overcharge fund shall be paid by the state comptroller from
24 the petroleum overcharge fund subject to the approval of the
25 attorney general ~~and-the-executive-council~~.

26 Sec. 18. Section 93.23, Code 1985, is amended to read as
27 follows:

28 93.23 PROGRAM CREATED.

29 There is created the Iowa comprehensive solar energy
30 program ~~under-the-direction-of-the-council~~. The director of
31 ~~energy-policy~~ shall administer the program and may accept,
32 receive and administer and may expend ~~with-the-approval-of-the~~
33 ~~council~~; any gifts, grants or other public or private funds
34 for the program. The director shall co-operate with and use
35 the facilities and resources of existing state agencies,

1 public and private educational institutions, business, civic
2 associations, industrial and professional representatives and
3 local governments in carrying out the provisions of this
4 division.

5 Sec. 19. Section 97.52, Code 1985, is amended to read as
6 follows:

7 97.52 ADMINISTRATION AGREEMENTS.

8 The Iowa department of job-service-is-authorized-to
9 personnel may enter into ~~arrangements-with-the-appropriate~~
10 federal-agency agreements whereby services performed by the
11 department and its employees both under ~~sections-97-50-to~~
12 ~~97-53-and-under-the-iowa-employment-security-chapter~~ chapters
13 97, 97B, and 97C shall be equitably apportioned between among
14 the funds provided for the administration of ~~said~~ those
15 chapters. The money spent for personnel, rentals, supplies,
16 and equipment used by the department in administering both the
17 chapters shall be equitably apportioned and charged against
18 ~~said~~ the funds.

19 Sec. 20. Section 97B.8, unnumbered paragraph 3, Code
20 Supplement 1985, is amended to read as follows:

21 The members who are executives of a domestic life insurance
22 company, a state or national bank, and a major industrial
23 corporation shall be paid their actual expenses incurred in
24 performance of their duties and shall receive in addition the
25 sum of forty dollars for each day of service not exceeding
26 forty days per year. Legislative members shall receive the
27 ~~sum-of~~ forty dollars for each day of service and their actual
28 expenses incurred in the performance of their duties. The per
29 diem and expenses of the legislative members shall be paid
30 from funds appropriated under section 2.12. The members who
31 are active members of the system and the director of the
32 department shall be paid their actual expenses incurred in the
33 performance of their duties as members of the board and
34 performance of their duties as members of the board shall not
35 affect their salaries, vacation, or leaves of absence for

1 sickness or injury. The appointive terms of the members
2 appointed by the governor are for a period of six years
3 beginning and ending as provided in section 69.19. If there
4 is a vacancy in the membership of the board, the governor has
5 the power of appointment. Appointees to this board are
6 subject to confirmation by the senate.

7 Sec. 21. Section 99E.10, subsection 1, Code Supplement
8 1985, is amended to read as follows:

9 1. Upon receipt of any revenue, the commissioner shall
10 deposit the moneys in the lottery fund created pursuant to
11 section 99E.20. As nearly as is practicable, fifty percent of
12 the projected annual revenue, after deduction of the amount of
13 the sales tax and repayment to the general fund of the loan
14 for start-up purposes of the Iowa lottery, computed on a year-
15 round average basis for each type of lottery game accruing
16 from the sale of tickets or shares is appropriated for payment
17 of prizes to the holders of winning tickets. After the
18 payment of prizes, all of the following shall be deducted from
19 lottery revenue prior to disbursement:

20 a. An amount equal to one half of one percent of the gross
21 lottery revenue shall be deposited in a gamblers assistance
22 fund in the office of the treasurer of state. Moneys in the
23 fund shall be administered by the commissioner of human
24 services and used to provide assistance and counseling to
25 individuals and families experiencing difficulty as a result
26 of gambling losses and to promote awareness of gamblers
27 anonymous and similar assistance programs.

28 b. An amount equal to four percent of the gross sales
29 price of each ticket or share sold shall be deducted as the
30 sales tax on the sale of that ticket or share, remitted to the
31 treasurer of state and deposited into the state general fund.

32 c. The expenses of conducting the lottery including the
33 reasonable expenses incurred by the attorney general's office
34 in enforcing this chapter.

35 d. The contractual expenses required in this paragraph.

1 The division of criminal investigation shall be the primary
2 state agency responsible for investigating criminal violations
3 of the law under this chapter. The commissioner shall
4 contract with the department of public safety for
5 investigative services, including the employment of special
6 agents and support personnel, and procurement of necessary
7 equipment to carry out the responsibilities of the division of
8 criminal investigation under the terms of the agreement and
9 this chapter.

10 Lottery agency expenses for marketing, educational, and
11 informational material shall not exceed four percent of the
12 lottery revenue.

13 The Iowa plan fund for economic development, also to be
14 known as the Iowa plan fund, is created in the office of the
15 treasurer of state. Lottery revenue remaining after expenses
16 are determined shall be transferred to the Iowa plan fund on a
17 quarterly basis. However, upon the request of the
18 commissioner director and subject to approval by the treasurer
19 of state, an amount sufficient to cover the foreseeable
20 administrative expenses of the lottery for a period of twenty-
21 one days may be retained from the lottery revenue. Prior to
22 the quarterly transfer to the Iowa plan fund, the commissioner
23 director may direct that lottery revenue shall be deposited in
24 the lottery fund and in interest bearing accounts designated
25 by the treasurer of state in the financial institutions of
26 this state or invested in the manner provided in section
27 452.10. Interest or earnings paid on the deposits or
28 investments is considered lottery revenue and shall be
29 transferred to the Iowa plan fund in the same manner as other
30 lottery revenue. Money in the Iowa plan fund shall be
31 deposited in interest bearing accounts in financial
32 institutions in this state or invested in the manner provided
33 in section 452.10. The interest or earnings on the deposits
34 or investments shall be considered part of the Iowa plan fund
35 and shall be retained in the fund unless appropriated by the

1 general assembly.

2 Sec. 22. Section 107.16, unnumbered paragraph 5, Code
3 Supplement 1985, is amended to read as follows:

4 The general assembly shall appropriate annually from the
5 state fish and game protection fund the amount credited to the
6 fund from the checkoff to the fish and wildlife division of
7 fish-and-game of the commission department for the purposes
8 pursuant to specified in this section.

9 Sec. 23. Section 107.17, unnumbered paragraph 2, Code
10 1985, is amended to read as follows:

11 The state fish and game protection fund, except as
12 otherwise provided, consists of all moneys accruing from
13 license fees and all other sources of revenue arising under
14 the fish and wildlife division ~~of-fish-and-game~~.

15 Notwithstanding section 453.7, subsection 2, interest or
16 earnings on investments or time deposits of the funds in the
17 state fish and game protection fund and the public outdoor
18 recreation and resources fund shall be credited to those funds
19 respectively.

20 Sec. 24. Section 109.22, unnumbered paragraphs 3 and 5,
21 Code 1985, are amended to read as follows:

22 Such permits may be issued by the director of the ~~state~~
23 conservation-commission department upon proper application and
24 the payment of a fee of two dollars for each trial held. A
25 representative of the commission department shall attend all
26 such trials and enforce the laws and regulations governing
27 same.

28 Before any birds are released under this section, they must
29 each have attached a tag provided by the conservation
30 commission department and attached by a representative of the
31 conservation-commission department at a cost of not more than
32 ten cents for each tag. All tags are to remain attached to
33 birds until prepared for consumption.

34 Sec. 25. Section 111.32, Code 1985, is amended to read as
35 follows:

1 111.32 SALE OF PARK LANDS -- CONVEYANCES TO CITIES OR
2 COUNTIES.

3 ~~The executive-council-may,-upon-a-majority-recommendation~~
4 ~~of-the~~ commission, may sell or exchange such parts of public
5 lands under the jurisdiction of the commission as in its
6 judgment may be undesirable for conservation purposes,
7 excepting state-owned meandered lands already surveyed and
8 platted at state expense as a conservation plan and project
9 tentatively adopted and now in the process of rehabilitation
10 and development authorized by a special legislative Act. Such
11 The sale or exchange shall be made upon such the terms,
12 conditions or considerations as the commission may recommend
13 ~~and-that-may-be-approved-by-the-executive-council~~ approve,
14 whereupon the secretary of state shall issue a patent therefor
15 in the manner provided by law in other cases. The proceeds of
16 any such sale or exchange shall become a part of the funds to
17 be expended under the provisions of this chapter.

18 Upon request by resolution of any city or county or any
19 legal agency thereof, the executive council may, upon majority
20 recommendation of the state conservation commission, convey
21 without consideration to such city or county or legal agency
22 thereof, such public lands under the jurisdiction of the
23 commission as in its judgment may be desirable for city or
24 county parks. Conveyance shall be in the name of the state,
25 with the great seal of the state attached and shall contain a
26 provision that when such lands cease to be used as public park
27 by said city or county such lands revert to the state, and
28 such park shall, within one year after such land has reverted
29 to the state, be restored, as nearly as possible, to the
30 condition it was in when acquired by such city, county or
31 legal agency thereof at the expense of such city, county or
32 legal agency.

33 The state may require that the city, county or legal agency
34 thereof file a notice of intention every three years.

35 Sec. 26. Section 135D.22, unnumbered paragraph 5, Code

1 1985, is amended to read as follows:

2 The amounts due each county shall be paid by the state
3 ~~comptroller~~ department of revenue and finance on December 15
4 of each year, drawn upon warrants payable to the respective
5 county treasurers. The county treasurer in each county shall
6 apportion the payment in accordance with section 135D.25.

7 Sec. 27. Section 170A.5, Code 1985, is amended by adding
8 the following new unnumbered paragraph:

9 NEW UNNUMBERED PARAGRAPH. The license fees paid by a food
10 service establishment to the department shall be reduced by
11 fifty percent of the amount of any license fees paid to the
12 department by the food service establishment for a food
13 establishment license for the same premises.

14 Sec. 28. Section 173.14, subsection 9, Code 1985, is
15 amended to read as follows:

16 9. ~~With-the-approval-of-the-executive-council;~~ purchase
17 Purchase real estate adjacent to the state fairgrounds for use
18 in conjunction with the state fairgrounds. A purchase of real
19 estate may be made by written contract providing for payment
20 over a period of years. The obligations of the contract shall
21 constitute a debt or charge against the state fair board but
22 not against the general fund of the state. The title to real
23 estate acquired under this subsection and any improvements
24 erected on the real estate shall be taken and held in the name
25 of the state of Iowa and shall be under the custody and
26 control of the state fair board. The state comptroller shall
27 transfer moneys to the appropriate agencies in order to carry
28 out the intent of this section.

29 Sec. 29. Section 218.94, unnumbered paragraph 1, Code
30 1985, is amended to read as follows:

31 The commissioner of the department of human services shall
32 have full power, ~~subject-to-the-approval-of-the-executive~~
33 ~~council~~ to secure options to purchase real estate, to acquire
34 and sell real estate, and to grant utility easements, for the
35 proper uses of said institutions. Real estate shall be

1 acquired and sold and utility easements granted, upon such
2 terms and conditions as the commissioner may recommend-subject
3 ~~to-the-approval-of-the-executive-council~~ determine. Upon sale
4 of ~~such~~ the real estate, the proceeds thereof shall be
5 deposited with the treasurer of state and credited to the
6 general fund of the state. There is hereby appropriated from
7 the general fund of the state a sum equal to the proceeds so
8 deposited and credited to the general fund of the state to the
9 department of human services, which ~~with-the-prior-approval-of~~
10 ~~the-executive-council~~ may be used to purchase other real
11 estate or for capital improvements upon property under such
12 the commissioner's control.

13 Sec. 30. Section 220.95, 1986 Iowa Acts, Senate File 2175,
14 is amended by adding the following new subsections:

15 NEW SUBSECTION. 2. The authority, in consultation with
16 the director of the department of economic development, shall
17 establish, contingent upon the availability of funds
18 authorized for the program, a targeted small business loan
19 guarantee program, to provide for guarantees with respect to
20 loans made to beginning and existing targeted small
21 businesses. The program shall provide guarantees not to
22 exceed seventy-five percent for loans made by qualified
23 lenders. The authority shall establish a loan reserve account
24 from funds provided for this program, from which any default
25 on a guaranteed loan under this section shall be paid. In
26 administering the program the authority shall not guarantee
27 loan values in excess of the amount credited to the reserve
28 account and only moneys set aside in the loan reserve account
29 may be used for the payment of a default.

30 NEW SUBSECTION. 3. All moneys designated for the targeted
31 small business loan guarantee program shall be credited to the
32 loan reserve account. The authority shall also establish an
33 administrative account from which the operating costs of the
34 program shall be paid. The authority may transfer moneys
35 between the reserve and the administrative accounts. The

1 authority shall determine what is the actuarially sound
2 reserve requirement for the amount of guaranteed loans
3 outstanding.

4 NEW SUBSECTION. 4. A default is not eligible for payment
5 until the lender has satisfied all administrative and legal
6 remedies for settlement of the loan and the loan has been
7 reduced to judgment by the lender. After the default has been
8 reduced to judgment and the guarantee paid from the loan
9 reserve account, the authority, on behalf of the state, is
10 entitled to an assignment of the judgment. The attorney
11 general shall take all appropriate action to enforce the
12 judgment or may enter into an agreement with the lender to
13 provide for enforcement. Upon collection of the amount
14 guaranteed, any excess collected shall be paid to the lender.

15 Sec. 31. Section 246.317, unnumbered paragraph 1, Code
16 Supplement 1985, is amended to read as follows:

17 The director, subject to the approval of the board and
18 ~~executive-council~~, may secure options to purchase real estate
19 and acquire and sell real estate for the proper uses of the
20 institutions. Real estate shall be acquired and sold upon
21 terms and conditions the director recommends subject to the
22 approval of the board ~~and-the-executive-council~~. Upon sale of
23 the real estate, the proceeds shall be deposited with the
24 treasurer of state and credited to the general fund of the
25 state. There is appropriated from the general fund of the
26 state to the department a sum equal to the proceeds so
27 deposited and credited to the general fund of the state which
28 ~~with-the-prior-approval-of-the-executive-council~~, may be used
29 to purchase other real estate or for capital improvements upon
30 property under the director's supervision.

31 Sec. 32. NEW SECTION. 256.14 PERMANENT REVOLVING FUND.

32 1. A permanent revolving fund is established for the
33 department. Expenses incurred by the department from this
34 fund shall be paid subject to reimbursement by the federal
35 government.

1 2. There is appropriated from the general fund of the
2 state to the department of education the sum of one hundred
3 twenty-five thousand dollars for the purpose of establishing
4 the fund created by subsection 1. If any surplus accrues to
5 the revolving fund in excess of the original appropriation for
6 which there is no anticipated need or use, the governor shall
7 order the surplus to be transferred to the general fund.

8 Sec. 33. Section 281.12, Code Supplement 1985, is amended
9 to read as follows:

10 281.12 CHILDREN PLACED BY DISTRICT COURT.

11 Notwithstanding ~~the provisions of~~ section 282.27, a child
12 who has been identified as requiring special education, who
13 has been placed in a facility or home by the district court,
14 and for whom parental rights have been terminated by the
15 district court, shall receive be provided special education
16 programs and services on the same basis as the programs and
17 services are provided for children requiring special education
18 who are residents of the school district in which the child
19 has been placed. The special education instructional costs
20 shall be certified to the commissioner of ~~public instruction~~
21 education not later than September 1 of each year for the
22 preceding fiscal year by the area education agency director of
23 special education of the district in which the child has been
24 placed. The ~~state board of public instruction~~ commissioner of
25 education shall review the costs and submit a requisition to
26 the state comptroller. The amount due shall be paid by the
27 treasurer of state to the school district or agency providing
28 the program from any funds in the general fund of the state
29 not otherwise appropriated upon warrants drawn and signed by
30 the state comptroller.

31 Sec. 34. Section 282.19, Code Supplement 1985, is amended
32 to read as follows:

33 282.19 CHILD LIVING IN FOSTER CARE FACILITY.

34 A child who is living in a licensed child foster care
35 facility as defined in section 237.1 in this state which is

1 located in a school district other than the school district in
2 which the child resided before receiving foster care may
3 enroll in and attend an approved accredited school in the
4 school district in which the child is living. If a child does
5 not require special education and was not counted in the basic
6 enrollment of a school district for a budget year under
7 section 442.4, the tuition and transportation, when required
8 by law, shall be paid by the treasurer of state from funds in
9 the state treasury not otherwise appropriated, and upon
10 warrants drawn by the state comptroller upon requisition of
11 the commissioner of public instruction.

12 Sec. 35. Section 282.27, Code Supplement 1985, is amended
13 to read as follows:

14 282.27 PAYMENT FOR CERTAIN CHILDREN.

15 When a child requiring special education is living in a
16 state-supported institution, charitable institution, or
17 licensed boarding home as defined in this chapter which does
18 not maintain a school, and the residence of the child
19 requiring special education is in a school district other than
20 the school district in which the state-supported institution,
21 charitable institution, or licensed boarding home is located,
22 the child is eligible for special education programs and
23 services provided for children requiring special education who
24 are residents of the school district in which the institution
25 or boarding home is located. The special education
26 instructional costs shall be computed by means of weighted
27 enrollment for that child under the provisions of chapters
28 273, 281, and 442 as if that child were a resident of the
29 school district in which the institution or boarding home is
30 located, but the child shall be included in the enrollment
31 count in the district of residence in the manner provided in
32 sections 281.9 and 442.4. The costs as computed shall be paid
33 by the district of residence. ~~No~~ A child requiring special
34 education shall not be denied special education programs and
35 services because of a dispute over determination of residence

1 of that child. If there is a dispute over the residence of
2 the child, the state-board-of-public-instruction commissioner
3 of education shall determine the residence of the child.
4 However, if the special education instructional costs incurred
5 on behalf of the child exceed the amount which would be
6 allowed if the child were provided the programs and services
7 in the district of residence, the treasurer of the school
8 district of residence shall make payment at the maximum amount
9 allowed in that district for a child requiring special
10 education who is similarly handicapped. If the child
11 requiring special education is not counted in the weighted
12 enrollment of any district under section 281.9, and payment is
13 not made by any district, the district in which the
14 institution or boarding home is located may certify the
15 special education instructional costs to the commissioner of
16 public-instruction education not later than September 1 of
17 each year for the preceding fiscal year. The state-board-of
18 public-instruction commissioner of education shall review the
19 costs and submit a requisition to the state comptroller. The
20 amount due shall be paid by the treasurer of state to the
21 district in which the institution or licensed boarding home is
22 located from any funds in the general fund of the state not
23 otherwise appropriated upon warrants drawn and signed by the
24 state comptroller. For the purposes of this section, the term
25 "district of residence of the child" means the residence of
26 the parent or legal guardian, or the location of the district
27 court if the district court is the legal guardian, of the
28 child.

29 Sec. 36. Section 303.9, Code 1985, is amended to read as
30 follows:

31 303.9 FUNDS RECEIVED BY STATE-HISTORICAL DEPARTMENT.

32 1. All funds received by the state-historical department,
33 including but not limited to gifts, endowments, funds from the
34 sale of memberships in the state historical society, funds
35 from the sale of mementos and other items relating to Iowa

1 history as authorized under subsection 2, interest generated
2 by the life membership trust fund, and fees, except entrance
3 fees for the Montauk governor's mansion, shall be credited to
4 the account of the ~~state-historical~~ department and are
5 appropriated to the ~~state-historical~~ department to be invested
6 or used for programs and purposes under the authority of the
7 ~~state-historical-board~~ department. Interest earned on funds
8 credited to the department, except funds appropriated to the
9 department from the general fund of the state, shall be
10 credited to the department. Section 8.33 does not apply to
11 funds credited to the ~~state-historical~~ department under this
12 section.

13 2. The department may sell mementos and other items
14 relating to Iowa history and historic sites on the premises of
15 property under control of the department and at the state
16 capitol. Notwithstanding sections 18.12 and 18.16, the
17 department may directly and independently enter into rental
18 and lease agreements with private vendors for the purpose of
19 selling mementos. All fees and income produced by the sales
20 and rental or lease agreements shall be credited to the
21 account of the department. The mementos and other items sold
22 by the department or vendors under this subsection are exempt
23 from section 18.6. The department is not a retailer under
24 chapter 422 and the sale of such mementos and other items by
25 the department is not a retail sale under chapter 422 and is
26 exempt from the sales tax.

27 Sec. 37. Section 303.11, Code 1985, is amended to read as
28 follows:

29 303.11 GIFTS.

30 The ~~state-historical-board~~ department may accept gifts and
31 bequests which shall be used in accordance with the desires of
32 the donor if expressed. Funds contained in an endowment fund
33 for either the department of history and archives or the state
34 historical society existing on July 1, 1974 shall remain an
35 endowment of the department. Gifts shall be accepted only on

1 behalf of the state-historical department, and gifts to a
2 division part, branch, or section of the department are
3 presumed to be gifts to the department.

4 ~~In instances where~~ If publication of a book is financed by
5 the endowment fund, ~~nothing in this chapter shall~~ does not
6 prevent the return of moneys from sales of the book to the
7 endowment fund.

8 Sec. 38. NEW SECTION. 303.81 CAPITAL EQUIPMENT
9 REPLACEMENT REVOLVING FUND.

10 1. The board may provide noncommercial production or
11 reproduction services for other public agencies, nonprofit
12 corporations or associations organized under state law, or
13 other nonprofit organizations, and may collect the costs of
14 providing the services from the public agency, corporation,
15 association, or organization, plus a separate equipment usage
16 fee in an amount determined by the board and based upon the
17 equipment used. The costs shall be deposited to the credit of
18 the board. The separate equipment usage fee shall be
19 deposited in the capital equipment replacement revolving fund.

20 2. The board may establish a capital equipment replacement
21 revolving fund into which shall be deposited equipment usage
22 fees collected under subsection 1 and funds from other sources
23 designated for deposit in the capital equipment replacement
24 revolving fund. The board may expend moneys from the capital
25 equipment replacement revolving fund to purchase technical
26 equipment for operating the educational radio and television
27 facility.

28 Sec. 39. NEW SECTION. 307.44 USE OF FEDERAL MONEYS.

29 If funds are allotted or appropriated by the government of
30 the United States for the improvement of streets and highways
31 in this state, and the federal statutes or the rules and
32 regulations of the federal government provide or contemplate
33 that the work shall be under the supervision of the director,
34 the director may let the necessary contracts for the
35 construction work, supervise and direct the construction work,

1 comply with the federal statutes and rules, and cooperate with
2 the federal government in the expenditure of the federal
3 funds.

4 In order to avoid delays, payment for the street and
5 highway projects or improvements constructed in cooperation
6 with the federal government may be advanced from the primary
7 road fund.

8 Sec. 40. NEW SECTION. 307.45 STATE-OWNED LANDS --
9 ASSESSMENT.

10 Cities and counties may assess the cost of a public
11 improvement against the state when the improvement benefits
12 property owned by the state and under the jurisdiction and
13 control of the department's administrator of highways. The
14 director shall pay from the primary road fund the portion of
15 the cost of the improvement which would be legally assessable
16 against the land if privately owned.

17 Assessments against property under the jurisdiction of the
18 department's administrator of highways shall be made in the
19 same manner as those made against private property, except
20 that the city or county making the assessment shall cause a
21 copy of the public notice of hearing to be mailed to the
22 director by certified mail.

23 Assessments against property owned by the state and not
24 under the jurisdiction and control of the department's
25 administrator of highways shall be made in the same manner as
26 those made against private property and payment shall be made
27 by the executive council from any funds of the state not
28 otherwise appropriated.

29 However, an assessment in excess of twenty thousand dollars
30 is not valid unless it is provided for by or contained within
31 a capital appropriation by the general assembly.

32 Sec. 41. NEW SECTION. 307.47 MATERIALS AND EQUIPMENT
33 REVOLVING FUND.

34 The highway materials and equipment revolving fund is
35 created from moneys appropriated out of the primary road fund.

1 From this fund shall be paid all costs for materials and
2 supplies, inventoried stock supplies, maintenance and
3 operational costs of equipment, and equipment replacements
4 incurred in the operation of centralized purchasing under the
5 supervision of the department's administrator of highways.
6 Direct salaries and expenses properly chargeable to direct
7 salaries shall be paid from the fund. For each month the
8 director shall render a statement to each unit under the
9 supervision of the administrator of highways for the actual
10 cost of materials and supplies, operational and maintenance
11 costs of equipment, and equipment depreciation used. The
12 expense shall be paid by the administrator of highways in the
13 same manner as other interdepartmental billings are paid and
14 when the expense is paid by the administrator of highways, the
15 sum paid shall be credited to the highway materials and
16 equipment revolving fund. If surplus accrues to the revolving
17 fund in excess of one hundred thousand dollars for which there
18 is no anticipated need or use, the governor shall order that
19 surplus reverted to the primary road fund. When the units
20 under the supervision of the administrator of highways share
21 equipment with other administrative units of the department,
22 the director shall prorate the costs of the equipment among
23 the administrative units using the equipment.

24 Sec. 42. Section 322A.6, Code 1985, is amended to read as
25 follows:

26 322A.6 APPLICATION FILED WITH ~~AUTHORITY~~ THE DEPARTMENT.

27 ~~In-the-event-that~~ If a franchiser seeks to terminate or not
28 continue ~~any~~ a franchise, or seeks to enter into a franchise
29 establishing an additional motor vehicle dealership of the
30 same line-make, the franchiser shall file an application with
31 the ~~authority~~ department for permission to terminate or not
32 continue the franchise, or for permission to enter into a
33 franchise for additional representation of the same line-make
34 in that community.

35 An applicant seeking permission to enter into a franchise

1 for additional representation of the same line-make in a
2 community shall deposit with the authority department at the
3 time the application is filed, an amount of money to be
4 determined by the authority department to secure the payment
5 of the costs and expenses of the hearing. The applicant shall
6 pay the costs of the hearing.

7 Sec. 43. Section 334A.2, Code 1985, is amended to read as
8 follows:

9 334A.2 DISTRIBUTION OF FUNDS.

10 On or before December 15 of each fiscal year the state
11 comptroller director of revenue and finance shall distribute
12 the funds in the county government assistance fund to each
13 county in the state in the proportion that the population
14 residing in the unincorporated area of each county is to the
15 total population residing in the unincorporated areas of all
16 of the counties.

17 For purposes of this section "population" shall be based on
18 the most recent federal census.

19 Sec. 44. Section 405.1, unnumbered paragraph 2, Code 1985,
20 is amended to read as follows:

21 On or before December 15 of each fiscal year, the state
22 comptroller director of revenue and finance shall distribute
23 the moneys in the municipal assistance fund to each city in
24 the state in the proportion that the population of each city
25 is to the total population of all cities in the state.
26 However, the comptroller shall in no event distribute in any
27 year to any city an amount in excess of one-half the amount to
28 be collected from property tax levies by that city for that
29 year. Any moneys remaining in the municipal assistance fund
30 shall remain in the fund and be available for distribution the
31 following year.

32 Sec. 45. Section 411.20, subsection 2, unnumbered
33 paragraph 4, Code 1985, is amended to read as follows:

34 For the fiscal year commencing July 1, 1979 and each fiscal
35 year thereafter, the state-comptroller director of revenue and

1 finance shall pay to each city an amount equal to the ratio of
2 payroll computed for a retirement system times the payroll of
3 the active members employed under that system for the fiscal
4 year.

* 5 Sec. 46. Section 421.31, 1986 Iowa Acts, Senate File 2175,
6 is amended by adding the following new subsections:

7 NEW SUBSECTION. 2. COLLECTION AND PAYMENT OF FUNDS --
8 MONTHLY PAYMENTS. To control the payment of all moneys into
9 the treasury, and all payments from the treasury by the
10 preparation of appropriate warrants, or warrant checks,
11 directing such collections and payment, and to advise the
12 state treasurer monthly in writing of the amount of public
13 funds not currently needed for operating expenses. Whenever
14 the state treasury includes state funds that require
15 distribution to counties, municipalities, or other political
16 subdivisions of this state, and the counties, municipalities,
17 and other political subdivisions certify to the director that
18 warrants will be stamped for lack of funds within the thirty-
19 day period following certification, the director may partially
20 distribute the funds on a monthly basis. Whenever the law
21 requires that any funds be paid by a specific date, the
22 comptroller shall prepare a final accounting and shall make a
23 final distribution of any remaining funds prior to that date.

24 NEW SUBSECTION. 5. PREAUDIT SYSTEM. To establish and fix
25 a reasonable imprest cash fund for each state department and
26 institution for disbursement purposes where needed. These
27 revolving funds shall be reimbursed only upon vouchers
28 approved by the state comptroller. It is the purpose of this
29 subdivision to establish a preaudit system of settling all
30 claims against the state, but the preaudit system is not
31 applicable to the institutions under the control of the state
32 board of regents or to the state fair board.

33 Sec. 47. Section 421.40, 1986 Iowa Acts, Senate File 2175,
34 is amended by adding the following new unlettered paragraphs:

35 NEW UNLETTERED PARAGRAPH. Vouchers for postage, stamped

1 envelopes, and postal cards may be audited as soon as an order
2 for them is entered.

3 NEW UNLETTERED PARAGRAPH. The departments, the general
4 assembly, and the courts shall pay their claims in a timely
5 manner. If a claim for services, supplies, materials, or a
6 contract which is payable from the state treasury remains
7 unpaid after sixty days following the receipt of the claim or
8 the satisfactory delivery, furnishing, or performance of the
9 services, supplies, materials, or contract, whichever date is
10 later, the state shall pay interest at the rate of one percent
11 per month on the unpaid amount of the claim. This paragraph
12 does not apply to claims against the state under chapters 25
13 and 25A or to claims paid by federal funds. The interest
14 shall be charged to the appropriation or fund to which the
15 claim is certified. The director of the department of revenue
16 and finance shall adopt rules under chapter 17A relating to
17 the administration of this paragraph.

18 Sec. 48. Section 422.100, Code 1985, is amended to read as
19 follows:

20 422.100 ALLOCATION TO MONEYS AND CREDITS REPLACEMENT FUND
21 IN EACH COUNTY.

22 There is created a permanent fund in the office of the
23 treasurer of state to be known as the "moneys and credits
24 replacement fund". The director shall determine the
25 percentage which the aggregate taxable value for the year 1965
26 of the property described in and subject to taxation under
27 section 429.2, Code 1966, owned or held by individuals,
28 administrators, executors, guardians, conservators, trustees
29 or an agent or nominee thereof, and the aggregate taxable
30 value for the year 1965 of the property described in and
31 subject to taxation under section 431.1, Code 1966, for the
32 year 1965 but not subject to taxation under that section for
33 the year 1966, in each county bears to the total aggregate
34 taxable value of such property reported from all of the
35 counties in the state and shall certify the percentage for

1 each county to the state comptroller prior to January 1, 1967.
2 In July of each year, the ~~state-comptroller~~ director shall
3 apply that percentage to the money in the moneys and credits
4 tax replacement fund prior to that July and determine the
5 amount due to each county. The ~~state-comptroller~~ director
6 shall draw warrants on the moneys and credits tax replacement
7 fund in such amounts payable to the county treasurer of each
8 county and transmit them. The county treasurer shall
9 apportion these amounts as follows: For the amounts received
10 in January 1972, and all previously collected amounts, twenty
11 percent to the county general fund, fifty percent to the
12 school general fund, and the remaining thirty percent to
13 cities and towns in the proportion that the taxable values for
14 each city and town for 1965 of property subject to taxation in
15 1965 under sections 429.2, Code 1966, and 431.1, Code 1966, is
16 to the total of such taxable values for all cities and towns
17 within the county; for the amounts received in January 1973,
18 and all subsequently collected amounts, forty percent to the
19 county, and the remaining sixty percent to cities and towns in
20 the proportion that the taxable values for each city and town
21 for the year 1965 under sections 429.2 and 431.1, Code 1966,
22 is to the total of such taxable values for all the cities and
23 towns within the county.

24 Sec. 49. Section 422A.1, unnumbered paragraph 4, Code
25 1985, is amended to read as follows:

26 The director of revenue and finance shall administer the
27 ~~provisions of~~ a local hotel and motel tax as nearly as
28 possible in conjunction with the administration of the state
29 sales tax law. The director shall provide appropriate forms,
30 or provide on the regular state tax forms, for reporting local
31 hotel and motel tax liability. All moneys received or
32 refunded one hundred eighty days after the date on which a
33 city or county terminates its local hotel and motel tax shall
34 be deposited in or withdrawn from the state general fund.

35 Sec. 50. Section 425.1, subsection 1, Code 1985, is

1 amended to read as follows:

2 1. A homestead credit fund is created. There is hereby
3 appropriated annually from the general fund of the state to
4 the department of revenue and finance to be credited to the
5 homestead credit fund, ~~which-fund-is-hereby-created,~~ an amount
6 sufficient to ~~carry-out-the-provisions-of~~ implement this
7 chapter.

8 The director of revenue and finance shall ~~requisition-the~~
9 ~~state-comptroller-to~~ issue warrants on the homestead credit
10 fund payable to the county treasurers of the several counties
11 of the state under ~~the-provisions-of~~ this chapter.

12 Sec. 51. Section 425.39, Code 1985, is amended to read as
13 follows:

14 425.39 FUND CREATED -- APPROPRIATION.

15 The extraordinary property tax credit and reimbursement
16 fund is created. There is appropriated annually from the
17 general fund of the state to the department of revenue and
18 finance to be credited to the extraordinary property tax
19 credit and reimbursement fund, ~~which-fund-is-hereby-created,~~
20 from funds not otherwise appropriated, an amount sufficient to
21 ~~carry-out-the-provisions-of~~ implement this division.

22 Sec. 52. Section 426.7, Code 1985, is amended to read as
23 follows:

24 426.7 WARRANTS DRAWN BY COMPTROLLER DIRECTOR.

25 After receiving from the county auditors the certifications
26 provided for in section 426.6, and during the following fiscal
27 year, the ~~state-comptroller~~ director of revenue and finance
28 shall draw warrants on the agricultural land credits fund
29 created in section 426.1, payable to the county treasurers in
30 the amount certified by the county auditors of the respective
31 counties and mail the warrants to the county auditors on
32 August 15 of each year taking into consideration the relative
33 budget and cash position of the state resources. However, if
34 the agricultural land credits fund is insufficient to pay in
35 full the total of the amounts certified to the state

1 ~~comptroller~~ director of revenue and finance, the state
2 ~~comptroller~~ director shall prorate the fund to the county
3 treasurers and notify the county auditors of the pro rata
4 percentage on or before August 1.

5 Sec. 53. Section 426A.4, Code 1985, is amended to read as
6 follows:

7 426A.4 CERTIFICATION BY DIRECTOR OF REVENUE AND FINANCE.

8 Sums distributable from the military service tax credit
9 fund shall be allocated annually to the counties of the state.
10 On September 15 annually the director of revenue and finance
11 shall certify ~~to the comptroller the total credits claimed by~~
12 ~~each county. Upon receipt of the certification from the~~
13 ~~director of revenue, the comptroller shall~~ and draw warrants
14 to the treasurer of each county payable from the military
15 service tax credit fund in the amount claimed. However, if
16 the amount of money in the fund is insufficient to pay the
17 credits claimed in full, the claims shall be paid on a pro
18 rata basis. Payments shall be made to the treasurer of each
19 county not later than September 30 of each year. The state
20 ~~comptroller~~ director of revenue and finance shall transfer any
21 funds in the military service tax credit fund on May 31 of
22 each year not necessary for the payment of claims to the
23 general fund.

24 Sec. 54. Section 427.17, subsection 4, Code 1985, is
25 amended to read as follows:

26 4. The amounts due each taxing district shall be paid on
27 warrants payable to the respective county treasurers by the
28 ~~state-comptroller~~ director of revenue and finance on July 15
29 of each year. The county treasurer shall apportion the
30 proceeds to the various taxing districts in the county.

31 Sec. 55. Section 427.17, unnumbered paragraph 1, Code
32 1985, is amended to read as follows:

33 There is appropriated from the general fund of the state of
34 Iowa to the ~~state-comptroller~~ department of revenue and
35 finance for the fiscal year beginning July 1, 1973, and ending

1 June 30, 1974, the sum of four million dollars, or so much
2 thereof as ~~may-be~~ necessary, and for each succeeding fiscal
3 year the sum of eight million dollars, or so much thereof as
4 ~~may-be~~ necessary, to carry out ~~the-provisions-of~~ this section.

5 Sec. 56. Section 427B.13, Code 1985, is amended to read as
6 follows:

7 427B.13 APPROPRIATION.

8 There is appropriated annually from the general fund of the
9 state to the ~~state-comptroller~~ department of revenue and
10 finance an amount sufficient to carry out ~~the-provisions-of~~
11 sections 427B.10 to 427B.14.

12 Sec. 57. Section 442.13, subsections 1, 9, 11, 12, 14, and
13 15, Code Supplement 1985, are amended to read as follows:

14 1. The school budget review committee may recommend the
15 revision of any rules, regulations, directives, or forms
16 relating to school district budgeting and accounting, confer
17 with local school boards or their representatives and make
18 recommendations relating to any budgeting or accounting
19 matters, and ~~may~~ direct the commissioner of ~~public-instruction~~
20 the department of education or the ~~state-comptroller~~ director
21 of the department of management to make studies and
22 investigations of school costs in any school district.

23 9. When the committee makes a decision under subsections 3
24 to 8, it shall make all necessary changes in the district
25 cost, budget, and tax levy. It shall give written notice of
26 its decision, including all such changes, to the school board
27 through the ~~state-comptroller~~ director of the department of
28 management.

29 11. Failure by any school district to provide information
30 or appear before the committee as requested for the
31 accomplishment of review or hearing ~~shall-constitute~~ is
32 justification for the committee to instruct the ~~state~~
33 ~~comptroller~~ director of the department of management to
34 withhold any state aid to that district until the committee's
35 inquiries are satisfied completely.

1 12. The committee shall review the recommendations of the
2 commissioner of ~~public-instruction~~ the department of education
3 relating to the special education weighting plan, and shall
4 establish a weighting plan for each school year after the
5 school year commencing July 1, 1975, and report the plan to
6 the commissioner of ~~public-instruction~~ the department of
7 education.

8 14. ~~For the budget school year beginning July 1, 1983 and~~
9 ~~succeeding school years, as~~ As soon as possible following June
10 30 of the base year, the school budget review committee shall
11 determine for each school district the balance of funds,
12 whether positive or negative, raised for special education
13 instruction programs under the special education weighting
14 plan established in section 281.9. The committee shall
15 certify the balance of funds for each school district to the
16 ~~state-comptroller~~ director of the department of management.

17 In determining the balance of funds of a school district
18 under this subsection, the committee shall subtract the amount
19 of any reduction in state aid that occurred as a result of a
20 reduction in allotments made by the governor with the
21 concurrence of the executive council under section 8.31.

22 a. If the amount certified for a school district to the
23 ~~state-comptroller~~ director of the department of management
24 under this subsection for the base year is positive, the ~~state~~
25 ~~comptroller~~ director of the department of management shall
26 subtract the amount of the positive balance from the amount of
27 state aid remaining to be paid to the district during the
28 budget year. If the positive amount exceeds the amount of
29 state aid that remains to be paid to the district, the school
30 district shall pay the remainder on a quarterly basis prior to
31 June 30 of the budget year to the ~~state-comptroller~~ director
32 of the department of management from other funds received by
33 the district. The ~~state-comptroller~~ director of the
34 department of management shall determine the amount of the
35 positive balance that would have been local property tax

1 revenues and shall increase the district's total state school
2 aids available under this chapter for the next following
3 budget year by the amount so determined and shall reduce the
4 district's tax levy computed under section 442.9 for the next
5 following budget year by the amount necessary to compensate
6 for the increased state aid.

7 b. If the amount certified for a school district to the
8 ~~state-comptroller~~ director of the department of management
9 under this subsection for the base year is negative, the ~~state~~
10 ~~comptroller~~ director of the department of management shall
11 determine the amount of the deficit that would have been state
12 aid and the amount that would have been property taxes for
13 each eligible school district.

14 ~~For the budget school year beginning July 1, 1982 and each~~
15 ~~subsequent school year, there~~ There is appropriated from the
16 general fund of the state to the school budget review
17 committee an amount equal to the state aid portion of five
18 percent of the receipts for special education instruction
19 programs in each district that has a positive balance
20 determined under paragraph "a" for the base year, or the state
21 aid portion of the positive balance determined under paragraph
22 "a" for the base year, whichever is less, totaled on a
23 statewide basis, to be used for supplemental aid payments to
24 school districts. Except as otherwise provided in this
25 paragraph, supplemental aid paid to a district is equal to the
26 state aid portion of the district's deficit balance. The
27 school budget review committee shall direct the ~~state~~
28 ~~comptroller~~ director of the department of management to make
29 the payments to school districts under this paragraph.

30 A school district is eligible to receive supplemental aid
31 payments during the budget year if the school district
32 certifies to the school budget review committee that for the
33 year following the budget year it will request the school
34 budget review committee to instruct the ~~state-comptroller~~
35 director of the department of management to increase the

1 district's allowable growth and will fund the allowable growth
2 increase either by using moneys from its unexpended cash
3 balance to reduce the district's property tax levy or by using
4 cash reserve moneys to equal the amount of the deficit that
5 would have been property taxes and any part of the state aid
6 portion of the deficit not received as supplemental aid. The
7 ~~state-comptroller~~ director of the department of management
8 shall make the necessary adjustments to the school district's
9 budget to provide the additional allowable growth and shall
10 make the supplemental aid payments.

11 If the amount appropriated under this paragraph is
12 insufficient to make the supplemental aid payments, the state
13 ~~comptroller~~ director of the department of management shall
14 prorate the payments on the basis of the amount appropriated.

15 15. Annually the school budget review committee shall
16 review the amount of property tax levied by each school
17 district for a cash reserve authorized in section 298.10. If
18 in the committee's judgment, the amount of a district's cash
19 reserve levy is unreasonably high, the committee shall
20 instruct the ~~state-comptroller~~ director of the department of
21 management to reduce that district's tax levy computed under
22 section 442.9 for the following budget year by the amount the
23 cash reserve levy is deemed excessive. A reduction in a
24 district's property tax levy for a budget year under this
25 subsection does not affect the district's authorized budget.

26 Sec. 58. Section 467A.71, subsection 1, Code Supplement
27 1985, is amended to read as follows:

28 1. The ~~state-soil-conservation-committee~~ division may
29 establish a conservation practices revolving loan fund
30 composed of any money appropriated by the general assembly for
31 that purpose, and of any other moneys available to and
32 obtained or accepted by the committee from the federal
33 government or private sources for placement in that fund.
34 Except as otherwise provided by subsection 3, the assets of
35 the conservation practices revolving loan fund shall be used

1 only to make loans directly to owners of land in this state
2 for the purpose of establishing on that land any new permanent
3 soil and water conservation practice which the commissioners
4 of the soil conservation district in which the land is located
5 have found is necessary or advisable to meet the soil loss
6 limits established for that land. A loan shall not be made
7 for establishing a permanent soil and water conservation
8 practice on land that is subject to the restriction on state
9 cost-sharing funds of section 467A.65. Revolving loan funds
10 and public cost-sharing funds shall not be used in combination
11 for funding a particular soil and water conservation practice.
12 Each loan made under this section shall be for a period not to
13 exceed ten years, shall bear no interest, and shall be
14 repayable to the conservation practices revolving loan fund in
15 equal yearly installments due March 1 of each year the loan is
16 in effect. The interest rate upon loans for which payment is
17 delinquent shall accelerate immediately to the current legal
18 usury limit. Applicants ~~shall be~~ are eligible for no more
19 than ten thousand dollars in loans outstanding at any time
20 under this program. "Permanent soil and water conservation
21 practices" has the same meaning as defined in section 467A.42
22 and those established under this program are subject to the
23 requirements of section 467A.7, subsection 16. Loans made
24 under this program shall come due for payment upon sale of the
25 land on which those practices are established.

26 Sec. 59. Section 475A.3, subsection 3, Code 1985, is
27 amended to read as follows:

28 3. Salaries, expenses, and appropriation. The salary of
29 the consumer advocate shall be fixed by the attorney general
30 within the salary range set by the general assembly,
31 notwithstanding 1981 Iowa Acts, chapter 9, sections 6 and 7
32 and subsequent amendments to those sections. The salaries of
33 employees of the consumer advocate and the reimbursement of
34 expenses for the employees and the consumer advocate are as
35 provided by law. The appropriation for the office of consumer

1 advocate shall be a separate line item contained in the
2 appropriation for the Iowa-state-commerce-commission
3 department of justice.

4 ~~In-establishing-salaries-and-benefits-for-employees-the~~
5 ~~consumer-advocate-shall-provide-for-an-affirmative-action-plan~~
6 ~~which-shall-be-based-upon-guidelines-provided-by-the-Iowa~~
7 ~~state-civil-rights-commission.--In-addition,-when-establishing~~
8 ~~salaries-and-benefits-the-consumer-advocate-shall-not~~
9 ~~discriminate-in-the-employment-or-pay-between-employees-on-the~~
10 ~~basis-of-gender-by-paying-wages-to-employees-at-a-rate-less~~
11 ~~than-the-rate-at-which-wages-are-paid-to-employees-of-the~~
12 ~~opposite-gender-for-work-of-comparable-worth.--As-used-in-this~~
13 ~~section-"comparable-worth"-means-the-value-of-work-as-measured~~
14 ~~by-the-composite-of-the-skill,-effort,-responsibility,-and~~
15 ~~working-conditions-normally-required-in-the-performance-of~~
16 ~~work.~~

17 ~~The-consumer-advocate-shall-make-a-report-to-the~~
18 ~~legislative-council-which-shall-contain-a-copy-of-the~~
19 ~~affirmative-action-plan-adopted-and-details-regarding-the~~
20 ~~manner-in-which-compliance-is-made-for-establishing-salaries~~
21 ~~and-benefits-based-on-comparable-worth.--The-report-shall-be~~
22 ~~made-to-the-legislative-council-as-soon-as-possible-after-July~~
23 ~~1,-1983-but-not-later-than-August-1,-1983,-unless-the~~
24 ~~legislative-council-shall-extend-the-date-for-making-the~~
25 ~~report.~~

26 Sec. 60. Section 475A.7, Code 1985, as amended by 1986
27 Iowa Acts, Senate File 2175, is amended to read as follows:

28 475A.7 CONSUMER ADVISORY PANEL.

29 The attorney general shall appoint five members and the
30 governor shall appoint four members to a consumer advisory
31 panel to meet at the request of the consumer advocate for
32 consultation regarding public utility regulation. A member
33 shall be appointed from each congressional district with the
34 appointee residing within the congressional district at the
35 time of appointment. The remaining appointees shall be

1 members at large. No more than five members shall belong to
2 the same political party as provided in section 69.16. Not
3 more than a simple majority of the members shall be of the
4 same gender. The members appointed by the attorney general
5 shall serve four-year terms at the pleasure of the attorney
6 general and their appointments are not subject to
7 confirmation. The members appointed by the governor shall
8 serve four-year terms at the pleasure of the governor and
9 their appointments are not subject to confirmation. The
10 governor or attorney general shall fill a vacancy in the same
11 manner as the original appointment for the unexpired portion
12 of the member's term. Members of the consumer advisory panel
13 shall serve without compensation, but shall be reimbursed for
14 actual expenses from funds appropriated to the consumer
15 advocate division.

* 16 Sec. 61. NEW SECTION. 601K.102 COMMISSION DUTIES.

17 The commission shall:

18 1. Prepare and maintain a complete register of the blind
19 of the state which shall describe the condition, cause of
20 blindness, ability to receive education and industrial
21 training, and other facts the commission deems of value.

22 2. Assist in marketing of products of blind workers of the
23 state.

24 3. Ameliorate the condition of the blind by promoting
25 visits to them in their homes for the purpose of instruction
26 and by other lawful methods as the commission deems expedient.

27 4. Make inquiries concerning the causes of blindness to
28 ascertain what portion of cases are preventable, and cooperate
29 with the other organized agents of the state in the adoption
30 and enforcement of proper preventive measures.

31 5. Provide for suitable vocational training if the
32 commission deems it advisable and necessary. The commission
33 may establish workshops for the employment of the blind,
34 paying suitable wages for work under the employment. The
35 commission may provide or pay for, during their training

1 period, the temporary lodging and support of persons receiving
2 vocational training. The commission may use receipts or
3 earnings that accrue from the operation of workshops as
4 provided in this chapter, but a detailed statement of receipts
5 or earnings and expenditures shall be made monthly to the
6 executive director of the office of management.

7 6. Establish, manage, and control a special training,
8 orientation, and adjustment center or centers for the blind.
9 Training in the centers shall be limited to persons who are
10 sixteen years of age or older, and the division shall not
11 provide or cause to be provided any academic education or
12 training to children under the age of sixteen except that the
13 commission may provide library services to these children.
14 The commission may provide for the maintenance, upkeep,
15 repair, and alteration of the buildings and grounds designated
16 as centers for the blind including the expenditure of funds
17 appropriated for that purpose. Nonresidents may be admitted
18 to Iowa centers for the blind as space is available, upon
19 terms determined by rule.

20 7. Establish and maintain offices for the division and
21 commission.

22 8. Accept gifts, grants, devises, or bequests of real or
23 personal property from any source for the use and purposes of
24 the division. Notwithstanding sections 8.33 and 453.7, the
25 interest accrued from moneys received under this section shall
26 not revert to the general fund of the state.

27 9. Provide library services to blind and physically
28 handicapped persons.

29 10. Act as a bureau of information and industrial aid for
30 the blind, such as assisting the blind in finding employment.

31 11. Pursuant to section 601K.2, be responsible for the
32 budgetary and personnel decisions for the division and
33 commission.

34

35

HOUSE AMENDMENT TO
SENATE FILE 2303

S-5935

1 Amend Senate File 2303 as amended, passed, and
2 reprinted by the Senate as follows:

3 1. Page 36, by striking lines 2 and 3 and
4 inserting the following: "appropriation for from the
5 Iowa-state-commerce-commission utility trust fund
6 created pursuant to section 476.10."

S-5935 Filed May 1, 1986 REC'D FROM THE HOUSE

Senate concurred 5/1 (p. 15.34)

Adopted

SENATE FILE 2303

AN ACT

RELATING TO RESTORING PROVISIONS OF LEGISLATION RELATING TO APPROPRIATIONS WHICH HAD BEEN REMOVED FROM THE COMPREHENSIVE LEGISLATION ON THE SUBJECT OF STATE GOVERNMENT REORGANIZATION.

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

Section 1. Section 2.12, unnumbered paragraphs 1, 2, and 3, Code Supplement 1985, are amended to read as follows:

There is hereby appropriated out of any funds in the state treasury not otherwise appropriated a sum sufficient to pay for legislative printing and all current and miscellaneous expenses of the general assembly, authorized by either the senate or the house, and the ~~state-comptroller-is-hereby authorized-and-directed-to~~ director of revenue and finance shall issue warrants for such items of expense upon requisition of the president majority leader and secretary of the senate or the speaker and chief clerk of the house.

There is hereby appropriated out of any funds in the state treasury not otherwise appropriated, such sums as ~~may-be~~ are necessary, for each house of the general assembly for the payment of any unpaid expense of the general assembly incurred during or in the interim between sessions of the general assembly, including but not limited to salaries and necessary travel and actual expenses of members, and expenses of standing and interim committees or subcommittees, and per diem or expenses for members of the general assembly who serve on statutory boards, commissions, or councils for which per diem or expenses are authorized by law. The ~~state-comptroller-is hereby-authorized-and-directed-to~~ director of revenue and finance shall issue warrants for such items of expense upon requisition of the president majority leader and secretary of

the senate for senate expense or the speaker and chief clerk of the house for house expense.

There is hereby appropriated out of any funds in the state treasury not otherwise appropriated, such sums as ~~may-be~~ are necessary for the renovation, remodeling, or ~~preparations~~ preparation of the legislative chambers, legislative offices, or other areas or facilities used or to be used by the legislative branch of government, and for the purchase of such legislative equipment and supplies deemed necessary to properly carry out the functions of the general assembly. The ~~state-comptroller-is-hereby-authorized-and-directed-to~~ director of revenue and finance shall issue warrants for such items of expense, whether incurred during or between sessions of the general assembly, upon requisition of the president majority leader and secretary of the senate for senate expense or the speaker and chief clerk of the house for house expense.

Sec. 2. Section 2.13, Code 1985, is amended to read as follows:

2.13 ISSUANCE OF WARRANTS.

The ~~state-comptroller~~ director of revenue and finance shall also issue to each officer and employee of the general assembly, during legislative sessions or interim periods, upon vouchers signed by the president majority leader and secretary of the senate or the speaker and chief clerk of the house, warrants for the amount due for services rendered. Such ~~The~~ warrants shall be paid out of any moneys in the treasury not otherwise appropriated.

Sec. 3. Section 8.6, Code Supplement 1985, is amended by striking subsections 1, 2, 3, 5, 6, 7, 8, 9, and 19.

Sec. 4. Section 8.32, unnumbered paragraph 6, Code 1985, is amended to read as follows:

The provisions of this chapter shall not be construed to prohibit the state fair board from creating an emergency or sinking fund out of the receipts of the state fair and state appropriation for the purpose of taking care of any emergency

that might arise beyond the control of the board of not to exceed three hundred thousand dollars, ~~provided, however, that any expenditure from said fund shall be subject to the approval of the executive council.~~ Neither shall the provisions of this chapter be construed to prohibit the state fair board from retaining an additional sum of not to exceed three hundred fifty thousand dollars to be used in carrying out the provisions of chapter 173.

Sec. 5. NEW SECTION. 15.241 IOWA "SELF-EMPLOYMENT LOAN PROGRAM".

The department shall establish, contingent upon the availability of funds authorized for the program, a "self-employment loan program," to be conducted in coordination with the job training partnership program and other programs administered under section 15.108, subsection 6, paragraph "c". The department may contract with local community action agencies or other local entities in administering the program, and shall work with the department of employment services and the department of human services in developing the program.

The self-employment loan program shall administer a low-interest loan program to provide loans to low-income persons for the purpose of establishing or expanding small business ventures. The terms of the loans shall be determined by the department, but shall not be in excess of five thousand dollars to any single applicant or at a rate to exceed five percent simple interest per annum. A self-employment loan program revolving loan fund shall be established within the department. The department shall maintain records of all loans approved and the effectiveness of those loans in establishing or expanding small business ventures.

Sec. 6. Section 15.255, 1986 Iowa Acts, Senate File 2175, is amended by adding the following new subsections:

NEW SUBSECTION. 3. If a cooperative agreement is not reached between the department of education and the department or between the department of education and the local

educational agencies in compliance with this part, the funds allotted to the state under section 123 of the Job Training Partnership Act of 1982 shall revert to section 121 of the Job Training Partnership Act of 1982. Funds reverted to section 121 shall be used by the department to further the purposes of this part. To the extent feasible, the department will work with local educational agencies to implement the use of the reverted funds.

NEW SUBSECTION. 4. The department of education shall to the extent possible make available for the financing of this network funds appropriated through the Carl D. Perkins Vocational Education Act, Pub. L. No. 98-524.

NEW SUBSECTION. 5. The department of employment services shall cooperate with the department in the development of this network. To the extent possible, the department of employment services shall use funds available to it through section 7(b) of the Wagner-Peyser Act as amended by section 501 of the Job Training Partnership Act of 1982, to assist in the financing of either direct or indirect services to the network.

NEW SUBSECTION. 6. In order to assist with the development of this network and to help conduct the management and planning responsibilities associated with chapter 280B, the department may charge, within thirty days following the sale of certificates under chapter 280B, the board of directors of the merged area a fee of up to one percent of the gross sale amount of the certificates issued. The amount of this fee shall be deposited into the jobs now account within the Iowa plan fund for economic development created in section 99E.10 and may be used by the department to cover the costs of providing support services for this network and for the management of chapter 280B. Funds deposited under this subsection into the jobs now account during a fiscal year which are not expended by the department in that fiscal year are available for use by the department under this subsection for subsequent fiscal years.

NEW SUBSECTION. 7. In order to finance the equipment purchases needed by the merged area schools to support the activities of the network, the merged area schools shall use a portion of their share of the equipment funds appropriated to them under 1985 Iowa Acts, chapter 33, section 301, subsection 5, paragraph "d" or section 302, subsection 5, paragraph "b".

Sec. 7. 1986 Iowa Acts, Senate File 2175, is amended by adding after new section 15.256 the following new section:

NEW SECTION. 15.257 EFFECTIVE DATE.

All Job Training Partnership Act of 1982, section 123 funds authorized for the fiscal year beginning July 1, 1985 which have not been spent by the end of the fiscal year shall be available for funding this part for the fiscal year beginning July 1, 1986. The provisions for funding this part in section 15.255, except subsection 1, shall be implemented by July 1, 1987.

Sec. 8. Section 18A.5, Code 1985, is amended to read as follows:

18A.5 COMPENSATION AND EXPENSES.

The members of the commission shall be reimbursed for their actual and necessary expenses ~~and shall be paid a forty-dollar per-diem~~ while in attendance at any meeting of the commission held at the seat of government and shall be reimbursed for their expenses for going to and from the seat of government to attend a meeting. Members may also be eligible for compensation as provided in section 7E.3. All ~~per-diem and~~ expense moneys paid to the nonlegislative commissioners shall be paid from funds appropriated to the commission. Service of the director of the department of general services upon this commission ~~shall be~~ is an additional duty conferred by statute. Legislative members of the commission shall receive payment pursuant to section 2.10 and section 2.12.

Sec. 9. Section 19A.8, unnumbered paragraph 4, Code 1985, is amended to read as follows:

The director shall quarterly render a statement to those ~~covered departments~~ each department or agency which operate ~~operates~~ in whole or in part from other than general fund appropriations for a pro rata share of the cost of administration of the ~~merit-employment department of~~ personnel. Such ~~The~~ expense shall be paid by the state ~~departments or agencies~~ department or agency in the same manner as other expenses of such ~~that~~ department or agency are paid and the ~~all~~ moneys received shall be deposited in the general fund of the state.

Sec. 10. NEW SECTION. 19A.32 WORKERS' COMPENSATION CLAIMS.

The director of the department of personnel shall employ appropriate staff to handle and adjust claims of state employees for workers' compensation benefits pursuant to chapters 85, 85A, 85B, and 86, or with the approval of the executive council contract for the services or purchase workers' compensation insurance coverage for state employees or selected groups of state employees. The director shall quarterly determine an appropriate amount, based upon the cost of workers' compensation insurance, that shall be collected from the agencies, departments, or divisions which have not received an appropriation for the payment of workers' compensation insurance and which operate from moneys other than from the general fund, and the amounts collected shall be deposited in the general fund.

Sec. 11. Section 28.89, Code Supplement 1985, is amended to read as follows:

28.89 IOWA PRODUCT DEVELOPMENT CORPORATION FUND.

There is created an "Iowa product development corporation fund". All funds of the corporation including the proceeds from the issuance of notes or sale of bonds under this division, any funds appropriated ~~from the general fund~~ to the corporation, and other income derived from other sources from the exercise of powers granted to the corporation under this

division shall be paid into the Iowa product development corporation fund notwithstanding section 12.10. The money in the Iowa product development corporation fund, except moneys held by a trustee or a depository pursuant to a bond resolution or indenture relating to the issuance of bonds or notes pursuant to sections 28.90 or 28.91, shall be paid out on the order of the person authorized by the corporation. The money in the Iowa product development corporation fund shall be used for repayment of notes and bonds issued under this division and the extension of financial aid granted by the corporation under this division, and the amount remaining may be used for the payment of the administrative and overhead costs of the corporation to the extent required.

Notwithstanding section 8.33, no part of this fund shall revert at or after the close of a fiscal year unless otherwise provided by the general assembly, but shall remain in the fund and appropriated for the purposes of this division. The board shall seek to repay the state for general-fund appropriations by recommending to the general assembly reversions from income received from successful ventures. The board shall recommend such action at any time when the revenue available to the board is deemed sufficient to continue existing operations.

Sec. 12. Section 29A.14, subsection 1, Code 1985, is amended to read as follows:

1. The adjutant general ~~with the approval of the executive council~~ may operate or lease any of the national guard facilities at Camp Dodge. Any income or revenue derived from the operation or leasing shall be deposited with the treasurer of state and credited to the national guard facilities improvement fund. The balance in the national guard facilities improvement fund is limited to a maximum of two million dollars. Any amount exceeding the limit shall be credited to the general fund of the state.

Sec. 13. Section 79.1, unnumbered paragraph 4, Code Supplement 1985, is amended to read as follows:

Payments authorized by this section shall be approved by the department subject to rules of the department of personnel and paid from the appropriation or fund of original certification of the claim.

Sec. 14. Section 88.2, subsection 5, Code 1985, is amended to read as follows:

5. The commissioner, the governor, and the state comptroller ~~are hereby authorized to~~ may obtain and accept federal grants to the state to be used in connection with the funds appropriated for the administration of this chapter and federal funds ~~in addition thereto~~ available to the division.

Sec. 15. Section 91.4, unnumbered paragraph 2, Code 1985, is amended to read as follows:

The ~~bureau of labor~~ division of labor services may sell documents printed by the ~~bureau of labor~~ division at cost according to rules established by the ~~bureau, which rules shall be subject~~ labor commissioner pursuant to chapter 17A. Receipts from ~~such~~ the sale shall be deposited to the credit of the ~~bureau of labor~~ division and may be used by the ~~bureau~~ division for administrative expenses.

Sec. 16. Section 93.14, Code 1985, is amended to read as follows:

93.14 ENERGY RESEARCH AND DEVELOPMENT FUND.

~~There is created within the council an~~ An energy research and development fund is created in the state treasury. Moneys deposited in the fund shall be used for the research and development of selected projects ~~designated~~ to improve Iowa's energy situation by developing improved methods of energy conservation, by enabling Iowans to better manage available energy resources, or through the increased development and use of Iowa's renewable or nonrenewable energy resources. The moneys credited to the fund under section 556.18 shall be used ~~only for the weatherization or energy assistance program administered by the council~~ for energy conservation or alternative energy resource projects or for both purposes.

~~The projects will be selected by the council with the advice of knowledgeable persons appointed by the council to provide assistance.~~ The projects shall be selected by the director. Selection criteria for funded projects shall include consideration of indirect restitution to those persons in this state in the utility customer classes and the utility service territories affected by unclaimed utility refunds or deposits. The projects funded from the energy research and development fund shall be administered by the department.

Sec. 17. Section 93.15, Code 1985, is amended to read as follows:

93.15 PETROLEUM OVERCHARGE FUND.

There is created as a separate account in the state treasury a petroleum overcharge fund. Notwithstanding section 453.7, interest and earnings on investments from the funds in the petroleum overcharge fund shall be credited to the petroleum overcharge fund. The state of Iowa acting on behalf of itself, its citizens and its political subdivisions accepts any funds awarded or allocated to it, its citizens and political subdivisions as a result of petroleum overcharge cases. The funds shall be deposited in the petroleum overcharge fund and shall be expended only upon appropriation of the general assembly for programs which will benefit citizens who may have suffered economic penalties resulting from the alleged petroleum overcharges. However, petroleum overcharge case funds received pursuant to claims filed on behalf of the state, its institutions, departments, agencies, or any political subdivision shall be deposited in the general fund of the state to be disbursed directly to the appropriate claimants in accordance with federal guidelines and subject to the approval of the attorney general ~~and the executive council~~. Attorneys' fees and expenses incurred by the state to obtain these funds to be deposited in the petroleum overcharge fund shall be paid by the state comptroller from the petroleum overcharge fund subject to the approval of the attorney general ~~and the executive council~~.

Sec. 18. Section 93.23, Code 1985, is amended to read as follows:

93.23 PROGRAM CREATED.

There is created the Iowa comprehensive solar energy program ~~under the direction of the council~~. The director of ~~energy policy~~ shall administer the program and may accept, receive and administer and may expend ~~with the approval of the council~~, any gifts, grants or other public or private funds for the program. The director shall co-operate with and use the facilities and resources of existing state agencies, public and private educational institutions, business, civic associations, industrial and professional representatives and local governments in carrying out the provisions of this division.

Sec. 19. Section 97.52, Code 1985, is amended to read as follows:

97.52 ADMINISTRATION AGREEMENTS.

The Iowa department of ~~job service~~ ~~is authorized to~~ personnel may enter into arrangements with the appropriate federal agency agreements whereby services performed by the department and its employees both under ~~sections 97-50 to 97-53 and under the Iowa employment security chapter chapters 97, 97B, and 97C~~ shall be equitably apportioned between among the funds provided for the administration of ~~said those~~ chapters. The money spent for personnel, rentals, supplies, and equipment used by the department in administering both the chapters shall be equitably apportioned and charged against said the funds.

Sec. 20. Section 97B.8, unnumbered paragraph 3, Code Supplement 1985, is amended to read as follows:

The members who are executives of a domestic life insurance company, a state or national bank, and a major industrial corporation shall be paid their actual expenses incurred in performance of their duties and shall receive in addition the sum of forty dollars for each day of service not exceeding

forty days per year. Legislative members shall receive the sum of forty dollars for each day of service and their actual expenses incurred in the performance of their duties. The per diem and expenses of the legislative members shall be paid from funds appropriated under section 2.12. The members who are active members of the system and the director of the department shall be paid their actual expenses incurred in the performance of their duties as members of the board and performance of their duties as members of the board shall not affect their salaries, vacation, or leaves of absence for sickness or injury. The appointive terms of the members appointed by the governor are for a period of six years beginning and ending as provided in section 69.19. If there is a vacancy in the membership of the board, the governor has the power of appointment. Appointees to this board are subject to confirmation by the senate.

Sec. 21. Section 99E.10, subsection 1, Code Supplement 1985, is amended to read as follows:

1. Upon receipt of any revenue, the commissioner shall deposit the moneys in the lottery fund created pursuant to section 99E.20. As nearly as is practicable, fifty percent of the projected annual revenue, after deduction of the amount of the sales tax and repayment to the general fund of the loan for start-up purposes of the Iowa lottery, computed on a year-round average basis for each type of lottery game accruing from the sale of tickets or shares is appropriated for payment of prizes to the holders of winning tickets. After the payment of prizes, all of the following shall be deducted from lottery revenue prior to disbursement:

a. An amount equal to one half of one percent of the gross lottery revenue shall be deposited in a gamblers assistance fund in the office of the treasurer of state. Moneys in the fund shall be administered by the commissioner of human services and used to provide assistance and counseling to individuals and families experiencing difficulty as a result

of gambling losses and to promote awareness of gamblers anonymous and similar assistance programs.

b. An amount equal to four percent of the gross sales price of each ticket or share sold shall be deducted as the sales tax on the sale of that ticket or share, remitted to the treasurer of state and deposited into the state general fund.

c. The expenses of conducting the lottery including the reasonable expenses incurred by the attorney general's office in enforcing this chapter.

d. The contractual expenses required in this paragraph. The division of criminal investigation shall be the primary state agency responsible for investigating criminal violations of the law under this chapter. The commissioner shall contract with the department of public safety for investigative services, including the employment of special agents and support personnel, and procurement of necessary equipment to carry out the responsibilities of the division of criminal investigation under the terms of the agreement and this chapter.

Lottery agency expenses for marketing, educational, and informational material shall not exceed four percent of the lottery revenue.

The Iowa plan fund for economic development, also to be known as the Iowa plan fund, is created in the office of the treasurer of state. Lottery revenue remaining after expenses are determined shall be transferred to the Iowa plan fund on a quarterly basis. However, upon the request of the commissioner director and subject to approval by the treasurer of state, an amount sufficient to cover the foreseeable administrative expenses of the lottery for a period of twenty-one days may be retained from the lottery revenue. Prior to the quarterly transfer to the Iowa plan fund, the commissioner director may direct that lottery revenue shall be deposited in the lottery fund and in interest bearing accounts designated by the treasurer of state in the financial institutions of

this state or invested in the manner provided in section 452.10. Interest or earnings paid on the deposits or investments is considered lottery revenue and shall be transferred to the Iowa plan fund in the same manner as other lottery revenue. Money in the Iowa plan fund shall be deposited in interest bearing accounts in financial institutions in this state or invested in the manner provided in section 452.10. The interest or earnings on the deposits or investments shall be considered part of the Iowa plan fund and shall be retained in the fund unless appropriated by the general assembly.

Sec. 22. Section 107.16, unnumbered paragraph 5, Code Supplement 1985, is amended to read as follows:

The general assembly shall appropriate annually from the state fish and game protection fund the amount credited to the fund from the checkoff to the fish and wildlife division of ~~fish-and-game~~ of the commission department for the purposes pursuant to specified in this section.

Sec. 23. Section 107.17, unnumbered paragraph 2, Code 1985, is amended to read as follows:

The state fish and game protection fund, except as otherwise provided, consists of all moneys accruing from license fees and all other sources of revenue arising under the fish and wildlife division of ~~fish-and-game~~. Notwithstanding section 453.7, subsection 2, interest or earnings on investments or time deposits of the funds in the state fish and game protection fund and the public outdoor recreation and resources fund shall be credited to those funds respectively.

Sec. 24. Section 109.22, unnumbered paragraphs 3 and 5, Code 1985, are amended to read as follows:

Such permits may be issued by the director of the state conservation-commission department upon proper application and the payment of a fee of two dollars for each trial held. A representative of the commission department shall attend all

such trials and enforce the laws and regulations governing same.

Before any birds are released under this section, they must each have attached a tag provided by the conservation commission department and attached by a representative of the conservation-commission department at a cost of not more than ten cents for each tag. All tags are to remain attached to birds until prepared for consumption.

Sec. 25. Section 111.32, Code 1985, is amended to read as follows:

111.32 SALE OF PARK LANDS -- CONVEYANCES TO CITIES OR COUNTIES.

The ~~executive-council-may, upon a majority recommendation of the~~ commission, may sell or exchange such parts of public lands under the jurisdiction of the commission as in its judgment may be undesirable for conservation purposes, excepting state-owned meandered lands already surveyed and platted at state expense as a conservation plan and project tentatively adopted and now in the process of rehabilitation and development authorized by a special legislative Act. Such ~~The~~ sale or exchange shall be made upon such the terms, conditions or considerations as the commission may ~~recommend and that may be approved by the executive council~~ approve, whereupon the secretary of state shall issue a patent therefor in the manner provided by law in other cases. The proceeds of any such sale or exchange shall become a part of the funds to be expended under the provisions of this chapter.

Upon request by resolution of any city or county or any legal agency thereof, the executive council may, upon majority recommendation of the state conservation commission, convey without consideration to such city or county or legal agency thereof, such public lands under the jurisdiction of the commission as in its judgment may be desirable for city or county parks. Conveyance shall be in the name of the state, with the great seal of the state attached and shall contain a

provision that when such lands cease to be used as public park by said city or county such lands revert to the state, and such park shall, within one year after such land has reverted to the state, be restored, as nearly as possible, to the condition it was in when acquired by such city, county or legal agency thereof at the expense of such city, county or legal agency.

The state may require that the city, county or legal agency thereof file a notice of intention every three years.

Sec. 26. Section 135D.22, unnumbered paragraph 5, Code 1985, is amended to read as follows:

The amounts due each county shall be paid by the state comptroller department of revenue and finance on December 15 of each year, drawn upon warrants payable to the respective county treasurers. The county treasurer in each county shall apportion the payment in accordance with section 135D.25.

Sec. 27. Section 170A.5, Code 1985, is amended by adding the following new unnumbered paragraph:

NEW UNNUMBERED PARAGRAPH. The license fees paid by a food service establishment to the department shall be reduced by fifty percent of the amount of any license fees paid to the department by the food service establishment for a food establishment license for the same premises.

Sec. 28. Section 173.14, subsection 9, Code 1985, is amended to read as follows:

9. ~~With the approval of the executive council,~~ Purchase real estate adjacent to the state fairgrounds for use in conjunction with the state fairgrounds. A purchase of real estate may be made by written contract providing for payment over a period of years. The obligations of the contract shall constitute a debt or charge against the state fair board but not against the general fund of the state. The title to real estate acquired under this subsection and any improvements erected on the real estate shall be taken and held in the name of the state of Iowa and shall be under the custody and

control of the state fair board. The state comptroller shall transfer moneys to the appropriate agencies in order to carry out the intent of this section.

Sec. 29. Section 218.94, unnumbered paragraph 1, Code 1985, is amended to read as follows:

The commissioner of the department of human services shall have full power ~~subject to the approval of the executive council~~ to secure options to purchase real estate, to acquire and sell real estate, and to grant utility easements, for the proper uses of said institutions. Real estate shall be acquired and sold and utility easements granted, upon such terms and conditions as the commissioner may ~~recommend subject to the approval of the executive council~~ determine. Upon sale of such the real estate, the proceeds ~~thereof~~ shall be deposited with the treasurer of state and credited to the general fund of the state. There is hereby appropriated from the general fund of the state a sum equal to the proceeds so deposited and credited to the general fund of the state to the department of human services, which ~~with the prior approval of the executive council~~ may be used to purchase other real estate or for capital improvements upon property under such the commissioner's control.

Sec. 30. Section 220.95, 1986 Iowa Acts, Senate File 2175, is amended by adding the following new subsections:

NEW SUBSECTION. 2. The authority, in consultation with the director of the department of economic development, shall establish, contingent upon the availability of funds authorized for the program, a targeted small business loan guarantee program, to provide for guarantees with respect to loans made to beginning and existing targeted small businesses. The program shall provide guarantees not to exceed seventy-five percent for loans made by qualified lenders. The authority shall establish a loan reserve account from funds provided for this program, from which any default on a guaranteed loan under this section shall be paid. In

administering the program the authority shall not guarantee loan values in excess of the amount credited to the reserve account and only moneys set aside in the loan reserve account may be used for the payment of a default.

NEW SUBSECTION. 3. All moneys designated for the targeted small business loan guarantee program shall be credited to the loan reserve account. The authority shall also establish an administrative account from which the operating costs of the program shall be paid. The authority may transfer moneys between the reserve and the administrative accounts. The authority shall determine what is the actuarially sound reserve requirement for the amount of guaranteed loans outstanding.

NEW SUBSECTION. 4. A default is not eligible for payment until the lender has satisfied all administrative and legal remedies for settlement of the loan and the loan has been reduced to judgment by the lender. After the default has been reduced to judgment and the guarantee paid from the loan reserve account, the authority, on behalf of the state, is entitled to an assignment of the judgment. The attorney general shall take all appropriate action to enforce the judgment or may enter into an agreement with the lender to provide for enforcement. Upon collection of the amount guaranteed, any excess collected shall be paid to the lender.

Sec. 31. Section 246.317, unnumbered paragraph 1, Code Supplement 1985, is amended to read as follows:

The director, subject to the approval of the board ~~and executive-council~~, may secure options to purchase real estate and acquire and sell real estate for the proper uses of the institutions. Real estate shall be acquired and sold upon terms and conditions the director recommends subject to the approval of the board ~~and-the-executive-council~~. Upon sale of the real estate, the proceeds shall be deposited with the treasurer of state and credited to the general fund of the state. There is appropriated from the general fund of the

state to the department a sum equal to the proceeds so deposited and credited to the general fund of the state which ~~with-the-prior-approval-of-the-executive-council~~, may be used to purchase other real estate or for capital improvements upon property under the director's supervision.

Sec. 32. NEW SECTION. 256.14 PERMANENT REVOLVING FUND.

1. A permanent revolving fund is established for the department. Expenses incurred by the department from this fund shall be paid subject to reimbursement by the federal government.

2. There is appropriated from the general fund of the state to the department of education the sum of one hundred twenty-five thousand dollars for the purpose of establishing the fund created by subsection 1. If any surplus accrues to the revolving fund in excess of the original appropriation for which there is no anticipated need or use, the governor shall order the surplus to be transferred to the general fund.

Sec. 33. Section 281.12, Code Supplement 1985, is amended to read as follows:

281.12 CHILDREN PLACED BY DISTRICT COURT.

Notwithstanding the ~~provisions of~~ section 282.27, a child who has been identified as requiring special education, who has been placed in a facility or home by the district court, and for whom parental rights have been terminated by the district court, shall receive be provided special education programs and services on the same basis as the programs and services are provided for children requiring special education who are residents of the school district in which the child has been placed. The special education instructional costs shall be certified to the commissioner of ~~public-instruction~~ education not later than September 1 of each year for the preceding fiscal year by the area education agency director of special education of the district in which the child has been placed. The ~~state-board-of-public-instruction~~ commissioner of education shall review the costs and submit a requisition to

the state comptroller. The amount due shall be paid by the treasurer of state to the school district or agency providing the program from any funds in the general fund of the state not otherwise appropriated upon warrants drawn and signed by the state comptroller.

Sec. 34. Section 282.19, Code Supplement 1985, is amended to read as follows:

282.19 CHILD LIVING IN FOSTER CARE FACILITY.

A child who is living in a licensed child foster care facility as defined in section 237.1 in this state which is located in a school district other than the school district in which the child resided before receiving foster care may enroll in and attend an approved accredited school in the school district in which the child is living. If a child does not require special education and was not counted in the basic enrollment of a school district for a budget year under section 442.4, the tuition and transportation, when required by law, shall be paid by the treasurer of state from funds in the state treasury not otherwise appropriated, and upon warrants drawn by the state comptroller upon requisition of the commissioner of public instruction.

Sec. 35. Section 282.27, Code Supplement 1985, is amended to read as follows:

282.27 PAYMENT FOR CERTAIN CHILDREN.

When a child requiring special education is living in a state-supported institution, charitable institution, or licensed boarding home as defined in this chapter which does not maintain a school, and the residence of the child requiring special education is in a school district other than the school district in which the state-supported institution, charitable institution, or licensed boarding home is located, the child is eligible for special education programs and services provided for children requiring special education who are residents of the school district in which the institution or boarding home is located. The special education

instructional costs shall be computed by means of weighted enrollment for that child under the provisions of chapters 273, 281, and 442 as if that child were a resident of the school district in which the institution or boarding home is located, but the child shall be included in the enrollment count in the district of residence in the manner provided in sections 281.9 and 442.4. The costs as computed shall be paid by the district of residence. No child requiring special education shall not be denied special education programs and services because of a dispute over determination of residence of that child. If there is a dispute over the residence of the child, the ~~state-board-of-public-instruction~~ commissioner of education shall determine the residence of the child. However, if the special education instructional costs incurred on behalf of the child exceed the amount which would be allowed if the child were provided the programs and services in the district of residence, the treasurer of the school district of residence shall make payment at the maximum amount allowed in that district for a child requiring special education who is similarly handicapped. If the child requiring special education is not counted in the weighted enrollment of any district under section 281.9, and payment is not made by any district, the district in which the institution or boarding home is located may certify the special education instructional costs to the commissioner of ~~public-instruction~~ education not later than September 1 of each year for the preceding fiscal year. The ~~state-board-of-public-instruction~~ commissioner of education shall review the costs and submit a requisition to the state comptroller. The amount due shall be paid by the treasurer of state to the district in which the institution or licensed boarding home is located from any funds in the general fund of the state not otherwise appropriated upon warrants drawn and signed by the state comptroller. For the purposes of this section, the term "district of residence of the child" means the residence of

the parent or legal guardian, or the location of the district court if the district court is the legal guardian, of the child.

Sec. 36. Section 303.9, Code 1985, is amended to read as follows:

303.9 FUNDS RECEIVED BY STATE-HISTORICAL DEPARTMENT.

1. All funds received by the ~~state-historical~~ department, including but not limited to gifts, endowments, funds from the sale of memberships in the state historical society, funds from the sale of mementos and other items relating to Iowa history as authorized under subsection 2, interest generated by the life membership trust fund, and fees, except entrance fees for the Montauk governor's mansion, shall be credited to the account of the ~~state-historical~~ department and are appropriated to the ~~state-historical~~ department to be invested or used for programs and purposes under the authority of the ~~state-historical-board~~ department. Interest earned on funds credited to the department, except funds appropriated to the department from the general fund of the state, shall be credited to the department. Section 8.33 does not apply to funds credited to the ~~state-historical~~ department under this section.

2. The department may sell mementos and other items relating to Iowa history and historic sites on the premises of property under control of the department and at the state capitol. Notwithstanding sections 18.12 and 18.16, the department may directly and independently enter into rental and lease agreements with private vendors for the purpose of selling mementos. All fees and income produced by the sales and rental or lease agreements shall be credited to the account of the department. The mementos and other items sold by the department or vendors under this subsection are exempt from section 18.6. The department is not a retailer under chapter 422 and the sale of such mementos and other items by the department is not a retail sale under chapter 422 and is exempt from the sales tax.

Sec. 37. Section 303.11, Code 1985, is amended to read as follows:

303.11 GIFTS.

The ~~state-historical-board~~ department may accept gifts and bequests which shall be used in accordance with the desires of the donor if expressed. Funds contained in an endowment fund for either the department of history and archives or the state historical society existing on July 1, 1974 shall remain an endowment of the department. Gifts shall be accepted only on behalf of the ~~state-historical~~ department, and gifts to a division part, branch, or section of the department are presumed to be gifts to the department.

~~In instances where~~ If publication of a book is financed by the endowment fund, ~~nothing in this chapter shall~~ does not prevent the return of moneys from sales of the book to the endowment fund.

Sec. 38. NEW SECTION. 303.81 CAPITAL EQUIPMENT REPLACEMENT REVOLVING FUND.

1. The board may provide noncommercial production or reproduction services for other public agencies, nonprofit corporations or associations organized under state law, or other nonprofit organizations, and may collect the costs of providing the services from the public agency, corporation, association, or organization, plus a separate equipment usage fee in an amount determined by the board and based upon the equipment used. The costs shall be deposited to the credit of the board. The separate equipment usage fee shall be deposited in the capital equipment replacement revolving fund.

2. The board may establish a capital equipment replacement revolving fund into which shall be deposited equipment usage fees collected under subsection 1 and funds from other sources designated for deposit in the capital equipment replacement revolving fund. The board may expend moneys from the capital equipment replacement revolving fund to purchase technical equipment for operating the educational radio and television facility.

Sec. 39. NEW SECTION. 307.44 USE OF FEDERAL MONEYS.

If funds are allotted or appropriated by the government of the United States for the improvement of streets and highways in this state, and the federal statutes or the rules and regulations of the federal government provide or contemplate that the work shall be under the supervision of the director, the director may let the necessary contracts for the construction work, supervise and direct the construction work, comply with the federal statutes and rules, and cooperate with the federal government in the expenditure of the federal funds.

In order to avoid delays, payment for the street and highway projects or improvements constructed in cooperation with the federal government may be advanced from the primary road fund.

Sec. 40. NEW SECTION. 307.45 STATE-OWNED LANDS -- ASSESSMENT.

Cities and counties may assess the cost of a public improvement against the state when the improvement benefits property owned by the state and under the jurisdiction and control of the department's administrator of highways. The director shall pay from the primary road fund the portion of the cost of the improvement which would be legally assessable against the land if privately owned.

Assessments against property under the jurisdiction of the department's administrator of highways shall be made in the same manner as those made against private property, except that the city or county making the assessment shall cause a copy of the public notice of hearing to be mailed to the director by certified mail.

Assessments against property owned by the state and not under the jurisdiction and control of the department's administrator of highways shall be made in the same manner as those made against private property and payment shall be made by the executive council from any funds of the state not otherwise appropriated.

However, an assessment in excess of twenty thousand dollars is not valid unless it is provided for by or contained within a capital appropriation by the general assembly.

Sec. 41. NEW SECTION. 307.47 MATERIALS AND EQUIPMENT REVOLVING FUND.

The highway materials and equipment revolving fund is created from moneys appropriated out of the primary road fund. From this fund shall be paid all costs for materials and supplies, inventoried stock supplies, maintenance and operational costs of equipment, and equipment replacements incurred in the operation of centralized purchasing under the supervision of the department's administrator of highways. Direct salaries and expenses properly chargeable to direct salaries shall be paid from the fund. For each month the director shall render a statement to each unit under the supervision of the administrator of highways for the actual cost of materials and supplies, operational and maintenance costs of equipment, and equipment depreciation used. The expense shall be paid by the administrator of highways in the same manner as other interdepartmental billings are paid and when the expense is paid by the administrator of highways, the sum paid shall be credited to the highway materials and equipment revolving fund. If surplus accrues to the revolving fund in excess of one hundred thousand dollars for which there is no anticipated need or use, the governor shall order that surplus reverted to the primary road fund. When the units under the supervision of the administrator of highways share equipment with other administrative units of the department, the director shall prorate the costs of the equipment among the administrative units using the equipment.

Sec. 42. Section 322A.6, Code 1985, is amended to read as follows:

322A.6 APPLICATION FILED WITH AUTHORITY THE DEPARTMENT.

~~In-the-event-that~~ If a franchiser seeks to terminate or not continue any a franchise, or seeks to enter into a franchise

establishing an additional motor vehicle dealership of the same line-make, the franchiser shall file an application with the authority department for permission to terminate or not continue the franchise, or for permission to enter into a franchise for additional representation of the same line-make in that community.

An applicant seeking permission to enter into a franchise for additional representation of the same line-make in a community shall deposit with the authority department at the time the application is filed, an amount of money to be determined by the authority department to secure the payment of the costs and expenses of the hearing. The applicant shall pay the costs of the hearing.

Sec. 43. Section 334A.2, Code 1985, is amended to read as follows:

334A.2 DISTRIBUTION OF FUNDS.

On or before December 15 of each fiscal year the state comptroller director of revenue and finance shall distribute the funds in the county government assistance fund to each county in the state in the proportion that the population residing in the unincorporated area of each county is to the total population residing in the unincorporated areas of all of the counties.

For purposes of this section "population" shall be based on the most recent federal census.

Sec. 44. Section 405.1, unnumbered paragraph 2, Code 1985, is amended to read as follows:

On or before December 15 of each fiscal year, the state comptroller director of revenue and finance shall distribute the moneys in the municipal assistance fund to each city in the state in the proportion that the population of each city is to the total population of all cities in the state. However, the comptroller shall in no event distribute in any year to any city an amount in excess of one-half the amount to be collected from property tax levies by that city for that

year. Any moneys remaining in the municipal assistance fund shall remain in the fund and be available for distribution the following year.

Sec. 45. Section 411.20, subsection 2, unnumbered paragraph 4, Code 1985, is amended to read as follows:

For the fiscal year commencing July 1, 1979 and each fiscal year thereafter, the state-comptroller director of revenue and finance shall pay to each city an amount equal to the ratio of payroll computed for a retirement system times the payroll of the active members employed under that system for the fiscal year.

Sec. 46. Section 421.31, 1986 Iowa Acts, Senate File 2175, is amended by adding the following new subsections:

NEW SUBSECTION. 2. COLLECTION AND PAYMENT OF FUNDS -- MONTHLY PAYMENTS. To control the payment of all moneys into the treasury, and all payments from the treasury by the preparation of appropriate warrants, or warrant checks, directing such collections and payment, and to advise the state treasurer monthly in writing of the amount of public funds not currently needed for operating expenses. Whenever the state treasury includes state funds that require distribution to counties, municipalities, or other political subdivisions of this state, and the counties, municipalities, and other political subdivisions certify to the director that warrants will be stamped for lack of funds within the thirty-day period following certification, the director may partially distribute the funds on a monthly basis. Whenever the law requires that any funds be paid by a specific date, the comptroller shall prepare a final accounting and shall make a final distribution of any remaining funds prior to that date.

NEW SUBSECTION. 5. PREAUDIT SYSTEM. To establish and fix a reasonable imprest cash fund for each state department and institution for disbursement purposes where needed. These revolving funds shall be reimbursed only upon vouchers approved by the state comptroller. It is the purpose of this

subdivision to establish a preaudit system of settling all claims against the state, but the preaudit system is not applicable to the institutions under the control of the state board of regents or to the state fair board.

Sec. 47. Section 421.40, 1986 Iowa Acts, Senate File 2175, is amended by adding the following new unlettered paragraphs:

NEW UNLETTERED PARAGRAPH. Vouchers for postage, stamped envelopes, and postal cards may be audited as soon as an order for them is entered.

NEW UNLETTERED PARAGRAPH. The departments, the general assembly, and the courts shall pay their claims in a timely manner. If a claim for services, supplies, materials, or a contract which is payable from the state treasury remains unpaid after sixty days following the receipt of the claim or the satisfactory delivery, furnishing, or performance of the services, supplies, materials, or contract, whichever date is later, the state shall pay interest at the rate of one percent per month on the unpaid amount of the claim. This paragraph does not apply to claims against the state under chapters 25 and 25A or to claims paid by federal funds. The interest shall be charged to the appropriation or fund to which the claim is certified. The director of the department of revenue and finance shall adopt rules under chapter 17A relating to the administration of this paragraph.

Sec. 48. Section 422.100, Code 1985, is amended to read as follows:

422.100 ALLOCATION TO MONEYS AND CREDITS REPLACEMENT FUND IN EACH COUNTY.

There is created a permanent fund in the office of the treasurer of state to be known as the "moneys and credits replacement fund". The director shall determine the percentage which the aggregate taxable value for the year 1965 of the property described in and subject to taxation under section 429.2, Code 1966, owned or held by individuals, administrators, executors, guardians, conservators, trustees

or an agent or nominee thereof, and the aggregate taxable value for the year 1965 of the property described in and subject to taxation under section 431.1, Code 1966, for the year 1965 but not subject to taxation under that section for the year 1966, in each county bears to the total aggregate taxable value of such property reported from all of the counties in the state and shall certify the percentage for each county to the state comptroller prior to January 1, 1967. In July of each year, the ~~state-comptroller~~ director shall apply that percentage to the money in the moneys and credits tax replacement fund prior to that July and determine the amount due to each county. The ~~state-comptroller~~ director shall draw warrants on the moneys and credits tax replacement fund in such amounts payable to the county treasurer of each county and transmit them. The county treasurer shall apportion these amounts as follows: For the amounts received in January 1972, and all previously collected amounts, twenty percent to the county general fund, fifty percent to the school general fund, and the remaining thirty percent to cities and towns in the proportion that the taxable values for each city and town for 1965 of property subject to taxation in 1965 under sections 429.2, Code 1966, and 431.1, Code 1966, is to the total of such taxable values for all cities and towns within the county; for the amounts received in January 1973, and all subsequently collected amounts, forty percent to the county, and the remaining sixty percent to cities and towns in the proportion that the taxable values for each city and town for the year 1965 under sections 429.2 and 431.1, Code 1966, is to the total of such taxable values for all the cities and towns within the county.

Sec. 49. Section 422A.1, unnumbered paragraph 4, Code 1985, is amended to read as follows:

The director of revenue and finance shall administer the ~~provisions of~~ a local hotel and motel tax as nearly as possible in conjunction with the administration of the state

sales tax law. The director shall provide appropriate forms, or provide on the regular state tax forms, for reporting local hotel and motel tax liability. All moneys received or refunded one hundred eighty days after the date on which a city or county terminates its local hotel and motel tax shall be deposited in or withdrawn from the state general fund.

Sec. 50. Section 425.1, subsection 1, Code 1985, is amended to read as follows:

1. A homestead credit fund is created. There is hereby appropriated annually from the general fund of the state to the department of revenue and finance to be credited to the homestead credit fund, ~~which fund is hereby created,~~ an amount sufficient to ~~carry out the provisions of~~ implement this chapter.

The director of revenue and finance shall ~~requisition the state comptroller to~~ issue warrants on the homestead credit fund payable to the county treasurers of the several counties of the state under ~~the provisions of~~ this chapter.

Sec. 51. Section 425.39, Code 1985, is amended to read as follows:

425.39 FUND CREATED -- APPROPRIATION.

The extraordinary property tax credit and reimbursement fund is created. There is appropriated annually from the general fund of the state to the department of revenue and finance to be credited to the extraordinary property tax credit and reimbursement fund, ~~which fund is hereby created,~~ from funds not otherwise appropriated, an amount sufficient to ~~carry out the provisions of~~ implement this division.

Sec. 52. Section 426.7, Code 1985, is amended to read as follows:

426.7 WARRANTS DRAWN BY ~~COMPTROLLER~~ DIRECTOR.

After receiving from the county auditors the certifications provided for in section 426.6, and during the following fiscal year, the ~~state comptroller~~ director of revenue and finance shall draw warrants on the agricultural land credits fund

created in section 426.1, payable to the county treasurers in the amount certified by the county auditors of the respective counties and mail the warrants to the county auditors on August 15 of each year taking into consideration the relative budget and cash position of the state resources. However, if the agricultural land credits fund is insufficient to pay in full the total of the amounts certified to the ~~state comptroller~~ director of revenue and finance, the ~~state comptroller~~ director shall prorate the fund to the county treasurers and notify the county auditors of the pro rata percentage on or before August 1.

Sec. 53. Section 426A.4, Code 1985, is amended to read as follows:

426A.4 CERTIFICATION BY DIRECTOR OF REVENUE AND FINANCE.

Sums distributable from the military service tax credit fund shall be allocated annually to the counties of the state. On September 15 annually the director of revenue and finance shall certify ~~to the comptroller the total credits claimed by each county.~~ ~~Upon receipt of the certification from the director of revenue,~~ ~~the comptroller shall~~ and draw warrants to the treasurer of each county payable from the military service tax credit fund in the amount claimed. However, if the amount of money in the fund is insufficient to pay the credits claimed in full, the claims shall be paid on a pro rata basis. Payments shall be made to the treasurer of each county not later than September 30 of each year. The ~~state comptroller~~ director of revenue and finance shall transfer any funds in the military service tax credit fund on May 31 of each year not necessary for the payment of claims to the general fund.

Sec. 54. Section 427.17, subsection 4, Code 1985, is amended to read as follows:

4. The amounts due each taxing district shall be paid on warrants payable to the respective county treasurers by the ~~state comptroller~~ director of revenue and finance on July 15

of each year. The county treasurer shall apportion the proceeds to the various taxing districts in the county.

Sec. 55. Section 427.17, unnumbered paragraph 1, Code 1985, is amended to read as follows:

There is appropriated from the general fund of the state of Iowa to the ~~state-comptroller~~ department of revenue and finance for the fiscal year beginning July 1, 1973, and ending June 30, 1974, the sum of four million dollars, or so much thereof as ~~may-be~~ necessary, and for each succeeding fiscal year the sum of eight million dollars, or so much thereof as ~~may-be~~ necessary, to carry out ~~the-provisions-of~~ this section.

Sec. 56. Section 427B.13, Code 1985, is amended to read as follows:

427B.13 APPROPRIATION.

There is appropriated annually from the general fund of the state to the ~~state-comptroller~~ department of revenue and finance an amount sufficient to carry out ~~the-provisions-of~~ sections 427B.10 to 427B.14.

Sec. 57. Section 442.13, subsections 1, 9, 11, 12, 14, and 15, Code Supplement 1985, are amended to read as follows:

1. The school budget review committee may recommend the revision of any rules, regulations, directives, or forms relating to school district budgeting and accounting, confer with local school boards or their representatives and make recommendations relating to any budgeting or accounting matters, and may direct the commissioner of ~~public-instruction~~ the department of education or the ~~state-comptroller~~ director of the department of management to make studies and investigations of school costs in any school district.

9. When the committee makes a decision under subsections 3 to 8, it shall make all necessary changes in the district costs, budget, and tax levy. It shall give written notice of its decision, including all such changes, to the school board through the ~~state-comptroller~~ director of the department of management.

11. Failure by any school district to provide information or appear before the committee as requested for the accomplishment of review or hearing ~~shall-constitute~~ is justification for the committee to instruct the ~~state comptroller~~ director of the department of management to withhold any state aid to that district until the committee's inquiries are satisfied completely.

12. The committee shall review the recommendations of the commissioner of ~~public-instruction~~ the department of education relating to the special education weighting plan, and shall establish a weighting plan for each school year after the school year commencing July 1, 1975, and report the plan to the commissioner of ~~public-instruction~~ the department of education.

14. ~~For-the-budget-school-year-beginning-July-1-1983-and succeeding-school-years-~~ As soon as possible following June 30 of the base year, the school budget review committee shall determine for each school district the balance of funds, whether positive or negative, raised for special education instruction programs under the special education weighting plan established in section 281.9. The committee shall certify the balance of funds for each school district to the ~~state-comptroller~~ director of the department of management.

In determining the balance of funds of a school district under this subsection, the committee shall subtract the amount of any reduction in state aid that occurred as a result of a reduction in allotments made by the governor with the concurrence of the executive council under section 8.31.

a. If the amount certified for a school district to the ~~state-comptroller~~ director of the department of management under this subsection for the base year is positive, the ~~state comptroller~~ director of the department of management shall subtract the amount of the positive balance from the amount of state aid remaining to be paid to the district during the budget year. If the positive amount exceeds the amount of

state aid that remains to be paid to the district, the school district shall pay the remainder on a quarterly basis prior to June 30 of the budget year to the state-comptroller director of the department of management from other funds received by the district. The state-comptroller director of the department of management shall determine the amount of the positive balance that would have been local property tax revenues and shall increase the district's total state school aids available under this chapter for the next following budget year by the amount so determined and shall reduce the district's tax levy computed under section 442.9 for the next following budget year by the amount necessary to compensate for the increased state aid.

b. If the amount certified for a school district to the state-comptroller director of the department of management under this subsection for the base year is negative, the state comptroller director of the department of management shall determine the amount of the deficit that would have been state aid and the amount that would have been property taxes for each eligible school district.

~~For the budget school year beginning July 1, 1982 and each subsequent school year, there~~ There is appropriated from the general fund of the state to the school budget review committee an amount equal to the state aid portion of five percent of the receipts for special education instruction programs in each district that has a positive balance determined under paragraph "a" for the base year, or the state aid portion of the positive balance determined under paragraph "a" for the base year, whichever is less, totaled on a statewide basis, to be used for supplemental aid payments to school districts. Except as otherwise provided in this paragraph, supplemental aid paid to a district is equal to the state aid portion of the district's deficit balance. The school budget review committee shall direct the state comptroller director of the department of management to make the payments to school districts under this paragraph.

A school district is eligible to receive supplemental aid payments during the budget year if the school district certifies to the school budget review committee that for the year following the budget year it will request the school budget review committee to instruct the state-comptroller director of the department of management to increase the district's allowable growth and will fund the allowable growth increase either by using moneys from its unexpended cash balance to reduce the district's property tax levy or by using cash reserve moneys to equal the amount of the deficit that would have been property taxes and any part of the state aid portion of the deficit not received as supplemental aid. The state-comptroller director of the department of management shall make the necessary adjustments to the school district's budget to provide the additional allowable growth and shall make the supplemental aid payments.

If the amount appropriated under this paragraph is insufficient to make the supplemental aid payments, the state comptroller director of the department of management shall prorate the payments on the basis of the amount appropriated.

15. Annually the school budget review committee shall review the amount of property tax levied by each school district for a cash reserve authorized in section 298.10. If in the committee's judgment, the amount of a district's cash reserve levy is unreasonably high, the committee shall instruct the state-comptroller director of the department of management to reduce that district's tax levy computed under section 442.9 for the following budget year by the amount the cash reserve levy is deemed excessive. A reduction in a district's property tax levy for a budget year under this subsection does not affect the district's authorized budget.

Sec. 58. Section 467A.71, subsection 1, Code Supplement 1985, is amended to read as follows:

1. The state-soil-conservation-committee division may establish a conservation practices revolving loan fund

composed of any money appropriated by the general assembly for that purpose, and of any other moneys available to and obtained or accepted by the committee from the federal government or private sources for placement in that fund. Except as otherwise provided by subsection 3, the assets of the conservation practices revolving loan fund shall be used only to make loans directly to owners of land in this state for the purpose of establishing on that land any new permanent soil and water conservation practice which the commissioners of the soil conservation district in which the land is located have found is necessary or advisable to meet the soil loss limits established for that land. A loan shall not be made for establishing a permanent soil and water conservation practice on land that is subject to the restriction on state cost-sharing funds of section 467A.65. Revolving loan funds and public cost-sharing funds shall not be used in combination for funding a particular soil and water conservation practice. Each loan made under this section shall be for a period not to exceed ten years, shall bear no interest, and shall be repayable to the conservation practices revolving loan fund in equal yearly installments due March 1 of each year the loan is in effect. The interest rate upon loans for which payment is delinquent shall accelerate immediately to the current legal usury limit. Applicants shall be are eligible for no more than ten thousand dollars in loans outstanding at any time under this program. "Permanent soil and water conservation practices" has the same meaning as defined in section 467A.42 and those established under this program are subject to the requirements of section 467A.7, subsection 16. Loans made under this program shall come due for payment upon sale of the land on which those practices are established.

Sec. 59. Section 475A.3, subsection 3, Code 1985, is amended to read as follows:

3. Salaries, expenses, and appropriation. The salary of the consumer advocate shall be fixed by the attorney general

within the salary range set by the general assembly, notwithstanding 1981 Iowa Acts, chapter 9, sections 6 and 7 and subsequent amendments to those sections. The salaries of employees of the consumer advocate and the reimbursement of expenses for the employees and the consumer advocate are as provided by law. The appropriation for the office of consumer advocate shall be a separate line item contained in the appropriation for from the Iowa state commerce commission utility trust fund created pursuant to section 476.10.

~~In establishing salaries and benefits for employees the consumer advocate shall provide for an affirmative action plan which shall be based upon guidelines provided by the Iowa state civil rights commission. In addition, when establishing salaries and benefits the consumer advocate shall not discriminate in the employment or pay between employees on the basis of gender by paying wages to employees at a rate less than the rate at which wages are paid to employees of the opposite gender for work of comparable worth. As used in this section "comparable worth" means the value of work as measured by the composite of the skill, effort, responsibility, and working conditions normally required in the performance of work.~~

~~The consumer advocate shall make a report to the legislative council which shall contain a copy of the affirmative action plan adopted and details regarding the manner in which compliance is made for establishing salaries and benefits based on comparable worth. The report shall be made to the legislative council as soon as possible after July 1, 1983 but not later than August 1, 1983, unless the legislative council shall extend the date for making the report.~~

Sec. 60. Section 475A.7, Code 1985, as amended by 1986 Iowa Acts, Senate File 2175, is amended to read as follows:
475A.7 CONSUMER ADVISORY PANEL.

The attorney general shall appoint five members and the governor shall appoint four members to a consumer advisory panel to meet at the request of the consumer advocate for consultation regarding public utility regulation. A member shall be appointed from each congressional district with the appointee residing within the congressional district at the time of appointment. The remaining appointees shall be members at large. No more than five members shall belong to the same political party as provided in section 69.16. Not more than a simple majority of the members shall be of the same gender. The members appointed by the attorney general shall serve four-year terms at the pleasure of the attorney general and their appointments are not subject to confirmation. The members appointed by the governor shall serve four-year terms at the pleasure of the governor and their appointments are not subject to confirmation. The governor or attorney general shall fill a vacancy in the same manner as the original appointment for the unexpired portion of the member's term. Members of the consumer advisory panel shall serve without compensation, but shall be reimbursed for actual expenses from funds appropriated to the consumer advocate division.

Sec. 61. NEW SECTION. 601K.102 COMMISSION DUTIES.

The commission shall:

1. Prepare and maintain a complete register of the blind of the state which shall describe the condition, cause of blindness, ability to receive education and industrial training, and other facts the commission deems of value.
2. Assist in marketing of products of blind workers of the state.
3. Ameliorate the condition of the blind by promoting visits to them in their homes for the purpose of instruction and by other lawful methods as the commission deems expedient.
4. Make inquiries concerning the causes of blindness to ascertain what portion of cases are preventable, and cooperate

with the other organized agents of the state in the adoption and enforcement of proper preventive measures.

5. Provide for suitable vocational training if the commission deems it advisable and necessary. The commission may establish workshops for the employment of the blind, paying suitable wages for work under the employment. The commission may provide or pay for, during their training period, the temporary lodging and support of persons receiving vocational training. The commission may use receipts or earnings that accrue from the operation of workshops as provided in this chapter, but a detailed statement of receipts or earnings and expenditures shall be made monthly to the executive director of the office of management.

6. Establish, manage, and control a special training, orientation, and adjustment center or centers for the blind. Training in the centers shall be limited to persons who are sixteen years of age or older, and the division shall not provide or cause to be provided any academic education or training to children under the age of sixteen except that the commission may provide library services to these children. The commission may provide for the maintenance, upkeep, repair, and alteration of the buildings and grounds designated as centers for the blind including the expenditure of funds appropriated for that purpose. Nonresidents may be admitted to Iowa centers for the blind as space is available, upon terms determined by rule.

7. Establish and maintain offices for the division and commission.

8. Accept gifts, grants, devises, or bequests of real or personal property from any source for the use and purposes of the division. Notwithstanding sections 8.33 and 453.7, the interest accrued from moneys received under this section shall not revert to the general fund of the state.

9. Provide library services to blind and physically handicapped persons.

10. Act as a bureau of information and industrial aid for the blind, such as assisting the blind in finding employment.

11. Pursuant to section 601K.2, be responsible for the budgetary and personnel decisions for the division and commission.

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 2303, Seventy-first General Assembly.

K. MARIE THAYER
Secretary of the Senate

Approved May 29, 1986

TERRY E. BRANSTAD
Governor