

Reprinted

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SENATE FILE 2341
BY HUTCHINS
(COMPANION TO LSB 4800XH
BY ARNOULD)

Passed Senate, Date 4/14/88 (p. 1680) Passed House, Date _____
Vote: Ayes 35 Nays 10 Vote: Ayes _____ Nays _____
Approved _____

A BILL FOR

60651 An Act relating to the preparation of revenue estimates, relating
2 to the submission of reports, requests, and data by the
3 executive branch to the legislative branch, relating to
4 changes in status of the high technology council and city
5 development board, allowing the Code editor to delete obsolete
6 administrative rules, providing for the provision of operating
7 assistance to the Mississippi parkway planning commission,
8 providing for distribution of publications of the Code editor,
9 specifying that a certain position is excluded from the state
10 merit system, relating to the designation of legal holidays
11 for alcoholic beverage operations, providing for certain
12 rulemaking authority in certain state agencies, requiring
13 certain meetings by the county finance committee and city
14 finance committee, correcting an obsolete reference, relating
15 to staff support for the board of chiropractic examiners,
16 providing for a certain certification of state taxes, relating
17 to reimbursement for certain empty alcoholic beverage
18 containers, deleting certain regulatory responsibilities of
19 the department of agriculture and land stewardship, deleting
20 certain requirements relating to certain reports by
21 superintendents of correctional institutions, modifying the
22 structure and procedures relating to city historical

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1 preservation commissions, recognizing certain interlibrary
2 loan standards, relating to the acquisition and disposition of
3 abandoned property held by any governmental entity, correcting
4 the title of the superintendent of savings and loan
5 associations, relating to the making of recovery-of-property
6 agreements, relating to the phase-in of generally accepted
7 accounting principles, repealing the termination of the
8 division of children, youth, and families, concerning the tax
9 liability of liquor bailment corporations, striking the repeal
10 of water resource districts, deleting certain authority of the
11 department of public health relating to mental health
12 facilities, concerning the organization of certain
13 nonstatutory committees and groups related to the department
14 of economic development, making conforming changes for the
15 above-specified changes in the organization and procedures of
16 state government being made as a follow-up to the
17 comprehensive government reorganization of 1986, and providing
18 an effective date.

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

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1 Section 1. Section 8.6, subsection 9, paragraphs d and e,
2 Code 1987, are amended by striking the paragraphs.

3 Sec. 2. Section 8.6, subsection 9, paragraph f, Code 1987,
4 is amended to read as follows:

5 f. The expenditures ~~and receipts~~ of the state for the last
6 completed fiscal year, and estimates of the expenditures and
7 ~~receipts~~ of the state for the current fiscal year.

8 Sec. 3. Section 8.22A, Code 1987, is amended to read as
9 follows:

10 8.22A REVENUE ESTIMATING CONFERENCE.

11 The state revenue estimating conference is created
12 consisting of the governor or the governor's designee, the
13 director of the legislative fiscal bureau, and a third member
14 agreed to by the other two members. The governor's designee,
15 if not a state employee, shall be reimbursed for actual ex-
16 penses incurred in the performance of the designee's duties
17 and may be eligible to receive compensation as provided in
18 section 7E.6.

19 The conference shall meet as often as deemed necessary, but
20 shall meet at least quarterly. The conference may use sources
21 of information deemed appropriate.

22 By December 15, 1986 and by December 15 of each succeeding
23 year the conference shall make all reasonable efforts to agree
24 to a revenue estimate for the current fiscal year and for the
25 fiscal year beginning the following July 1. ~~That~~ The latest
26 revenue estimate shall be used by the governor in the
27 preparation of the budget message under section 8.22 and by
28 the legislature in the budget process. if the conference does
29 not agree to a revenue estimate by December 15, the governor
30 and the legislature shall use the average revenue estimate
31 from among those proposed by each member of the conference.

32 Sec. 4. Section 8.31, unnumbered paragraphs 2 and 4, Code
33 Supplement 1987, are amended to read as follows:

34 The director of the department of management shall approve
35 the allotments subject to review by the governor, unless it is

1 found that the estimated budget resources during the fiscal
2 year are insufficient to pay all appropriations in full, in
3 which event such allotments may be modified to the extent the
4 governor may deem necessary in order that there shall be no
5 overdraft or deficit in the several funds of the state at the
6 end of the fiscal year, and the director shall submit copies
7 of the allotments thus approved or modified to the director of
8 the legislative fiscal bureau and to the head of the
9 department or establishment concerned, who shall set up such
10 allotments on the books and be governed accordingly in the
11 control of expenditures.

12 Allotments thus made may be subsequently modified by the
13 director of the department of management at the direction of
14 the governor either upon the written request of the head of
15 the department or establishment concerned, or in the event the
16 governor finds that the estimated budget resources during the
17 fiscal year are insufficient to pay all appropriations in
18 full, upon the governor's own initiative to the extent the
19 governor may deem necessary in order that there shall be no
20 overdraft or deficit in the several funds of the state at the
21 end of the fiscal year; and the head of the department or
22 establishment and the director of the legislative fiscal
23 bureau shall be given notice of a modification in the same way
24 as in the case of original allotments.

25 Sec. 5. Section 8.35A, subsection 2, Code 1987, is amended
26 to read as follows:

27 2. Commencing September 1, the director shall provide
28 weekly budget tapes in the form and level of detail requested
29 by the legislative fiscal bureau reflecting finalized agency
30 budget requests for the following fiscal year as submitted to
31 the governor. The director shall transmit all agency requests
32 in final form to the legislative fiscal bureau by November 15
33 1. Final budget records containing the governor's
34 recommendation and final agency requests shall be transmitted
35 to the legislative fiscal bureau by January 1 or no later than

1 the date the governor's budget document is delivered to the
2 printer. The governor's recommendation included on this
3 record shall be considered confidential by the legislative
4 fiscal bureau until it is made public by the governor. The
5 legislative fiscal bureau shall use this data in the
6 preparation of information for the legislative appropriation
7 process.

8 Sec. 6. Section 8.39, subsections 3 and 4, Code Supplement
9 1987, are amended to read as follows:

10 3. Prior to any transfer of funds pursuant to subsection 1
11 or 2 of this section or a transfer of an allocation from a
12 subunit of a department which statutorily has independent
13 budgeting authority, the director shall notify the
14 chairpersons of the standing committees on budget of the
15 senate and the house of representatives, and the chairpersons
16 of subcommittees of such committees, and the director of the
17 legislative fiscal bureau of the proposed transfer. The
18 notice from the director shall include information concerning
19 the amount of the proposed transfer, the departments,
20 institutions or agencies affected by the proposed transfer and
21 the reasons for the proposed transfer. Chairpersons notified
22 shall be given at least two weeks to review and comment on the
23 proposed transfer before the transfer of funds is made.

24 4. Any transfer made under the provisions of this section
25 shall be reported to the legislative fiscal committee and to
26 the director of the legislative fiscal bureau on a monthly
27 basis. The report shall cover each calendar month and shall
28 be due the tenth day of the following month. The report shall
29 contain the following: The amount of each transfer; the date
30 of each transfer; the departments and funds affected; a brief
31 explanation of the reason for the transfer; and such other
32 information as may be required by the committee. A summary of
33 all transfers made under the provisions of this section shall
34 be included in the annual report of the legislative fiscal
35 committee.

1 Sec. 7. Section 8.52, subsection 3, Code 1987, is amended
2 by striking the subsection.

3 Sec. 8. Section 15.104, Code Supplement 1987, is amended
4 by adding the following new subsection after subsection 7 and
5 renumbering the subsequent subsection:

6 NEW SUBSECTION. 8. Administer the provisions of chapter
7 368 relating to city development, but only as provided in
8 section 368.9, subsection 2.

9 Sec. 9. Section 15.108, subsection 3, paragraph a,
10 subparagraph (3), Code Supplement 1987, is amended to read as
11 follows:

12 (3) Provide office space and staff assistance to the city
13 development board as provided in section 368.9.

14 Sec. 10. Section 15.108, subsection 5, paragraph m, Code
15 Supplement 1987, is amended to read as follows:

16 m. Seek coordination with and assistance from the state
17 department of transportation and the department of natural
18 resources in regard to the Mississippi river parkway under
19 chapter 308 for the purposes of furthering tourism efforts.

20 Sec. 11. NEW SECTION. 17.11 REPORTS TO GENERAL ASSEMBLY
21 -- DISTRIBUTION.

22 When an official report is required by law to be submitted
23 to the general assembly or its members, the report shall be
24 accompanied by a cover letter citing the relevant statutory
25 provisions, and the submission shall be to the following:

26 1. The lieutenant governor and the speaker of the house of
27 representatives.

28 2. The majority and minority leaders of the senate and the
29 house of representatives.

30 3. The secretary of the senate and the chief clerk of the
31 house of representatives.

32 Sec. 12. Section 17A.6, Code 1987, is amended by adding
33 the following new subsection:

34 NEW SUBSECTION. 6. The Code editor, with the approval of
35 the administrative rules review committee and the administra-

1 tive rules coordinator, may delete a rule from the Iowa admin-
2 istrative code if the agency that adopted the rule has ceased
3 to exist, no successor agency has jurisdiction over the rule,
4 and no statutory authority exists supporting the rule.

5 Sec. 13. Section 18.97, subsections 3 and 4, Code 1987,
6 are amended to read as follows:

7 3. To ~~historical-division-of~~ the department of cultural
8 affairs 2 4 copies

9 4. ~~To state-historical-society~~ 2 copies

10 Sec. 14. Section 18.98, subsections 3 and 4, Code 1987,
11 are amended to read as follows:

12 3. To ~~historical-division-of~~ the department of cultural
13 affairs 2 3 copies

14 4. ~~To state-historical-society~~ 1 copy

15 Sec. 15. Section 19A.1A, subsection 3, Code 1987, is
16 amended to read as follows:

17 3. The director commission may establish by rule divisions
18 and other subunits as necessary for the organization of the
19 department. The director, subject to approval by the
20 commission, may also establish regional field service offices
21 staffed by employees of the executive departments in which
22 they are located. The functions and staffs of the regional
23 offices are subject to policies set by the director of the
24 department of personnel.

25 Sec. 16. Section 19A.3, subsection 16, Code Supplement
26 1987, is amended to read as follows:

27 16. All confidential employees. "Confidential employee"
28 includes the confidential secretary of the deputy secretary of
29 agriculture.

30 Sec. 17. Section 19A.15, unnumbered paragraph 2, Code
31 1987, is amended to read as follows:

32 Any applicant for a position subject to the provisions of
33 this chapter shall be permitted to review, in accordance with
34 such rules as the director commission may prescribe, any test,
35 grade, or evaluation resulting from the application for

1 employment.

2 Sec. 18. Section 79.37, Code 1987, is amended to read as
3 follows:

4 79.37 COLLECTIVE BARGAINING AGREEMENTS.

5 Administrative rules adopted by the ~~director-of-the~~
6 ~~department-of personnel~~ commission pursuant to this chapter
7 shall not supersede provisions of collective bargaining
8 agreements negotiated under chapter 20.

9 Sec. 19. Section 123.27, subsection 2, Code 1987, is
10 amended to read as follows:

11 2. On any legal holiday except those designated by the
12 administrator ~~and-approved-by-the-executive-council.~~

13 Sec. 20. Section 125.7, subsection 5, Code 1987, is
14 amended to read as follows:

15 5. ~~Promulgate-rules-for-subsections-1-and-7-and-review~~
16 ~~other~~ Adopt rules necessary to carry out the provisions of
17 this chapter, ~~subject-to-review-in-accordance-with-chapter~~
18 ~~17A.~~

19 Sec. 21. Section 125.20, Code 1987, is amended to read as
20 follows:

21 125.20 RULES.

22 The ~~department~~ commission shall establish rules pursuant to
23 chapter 17A requiring facilities to use reasonable accounting
24 and reimbursement systems which recognize relevant cost-
25 related factors for substance abuse patients. A facility
26 shall not be licensed nor shall any payment be made under this
27 chapter to a facility which fails to comply with those rules
28 or which does not permit inspection by the department or
29 examination of all records, including financial records,
30 methods of administration, general and special dietary
31 programs, the disbursement of drugs and methods of supply, and
32 any other records the ~~department~~ commission deems relevant to
33 the establishment of such a system. However, rules issued
34 pursuant to this ~~paragraph~~ section shall not apply to any
35 facility referred to in section 125.13, subsection 2 or

1 section 125.43.

2 Sec. 22. Section 125.25, subsection 2, Code 1987, is
3 amended to read as follows:

4 2. The department commission shall adopt rules governing
5 the approval of line item budgets for the operation of
6 facilities. The rules shall include provisions for the
7 approval of a facility's budget by the department.

8 Sec. 23. Section 125.32, unnumbered paragraph 1, Code
9 1987, is amended to read as follows:

10 The department commission shall adopt ~~and may amend and~~
11 ~~repeat~~ rules for acceptance of persons into the treatment
12 program, subject to chapter 17A, considering available
13 treatment resources and facilities, for the purpose of early
14 and effective treatment of substance abusers, intoxicated
15 persons, and concerned family members. In establishing the
16 rules the department commission shall be guided by the
17 following standards:

18 Sec. 24. Section 125.33, subsection 2, Code 1987, is
19 amended to read as follows:

20 2. Subject to rules adopted by the department commission,
21 the administrator or the administrator's designee in charge of
22 a facility may determine who shall be admitted for treatment
23 or rehabilitation. If a person is refused admission, the
24 administrator or the administrator's designee, subject to
25 rules adopted by the department commission, shall refer the
26 person to another facility for treatment if possible and
27 appropriate.

28 Sec. 25. Section 135.11, subsection 13, Code Supplement
29 1987, is amended to read as follows:

30 13. ~~Establish, publish,~~ Adopt and enforce rules not
31 inconsistent with law for the enforcement of the provisions of
32 this title ~~and chapter 125~~ and for the enforcement of the
33 various laws, the administration and supervision of which are
34 imposed upon the department.

35 Sec. 26. Section 135.11A, Code 1987, is amended to read as

1 follows:

2 135.11A PROFESSIONAL LICENSURE DIVISION.

3 There shall be a professional licensure division within the
4 department of public health. Each board of examiners
5 specified under chapter 147 or under the administrative
6 authority of the department, except the state board of
7 nursing, state board of medical examiners, state board of
8 dental examiners, state board of chiropractic examiners, and
9 state board of pharmacy examiners, shall receive
10 administrative and clerical support from the division and may
11 not employ its own support staff for administrative and
12 clerical duties.

13 Sec. 27. Section 159.6, subsections 7, 11, and 12, Code
14 1987, are amended by striking the subsections.

15 Sec. 28. Section 246.105, subsection 7, Code 1987, is
16 amended to read as follows:

17 7. Adopt rules in accordance with chapter 17A as the board
18 deems necessary to transact its business and for the
19 administration and exercise of its powers and duties, and
20 approve all rules before they are adopted by the director or
21 the department.

22 Sec. 29. Section 246.307, Code 1987, is amended to read as
23 follows:

24 246.307 ANNUAL REPORTS.

25 The superintendent of each institution shall make an annual
26 report to the director. ~~The report shall include a detailed~~
27 ~~and accurate inventory of the stock and supplies on hand, and~~
28 ~~their amount and value.~~

29 Sec. 30. Section 246.311, Code 1987, is amended to read as
30 follows:

31 246.311 CONTINGENT FUND.

32 The director may permit the superintendent of each
33 institution to retain a stated amount of funds in possession
34 as a contingent fund for the payment of freight, postage,
35 commodities purchased on authority of the director on a cash

1 basis, salaries, and bills granting discount for cash. If
2 necessary, the director shall make proper requisition upon the
3 director of revenue and finance for a warrant on the treasurer
4 of state to secure the contingent fund for each institution.
5 ~~A monthly report of the status of the contingent fund shall be~~
6 ~~submitted by the superintendent of the institution to the~~
7 ~~director, according to rules prescribed by the director.~~

8 Sec. 31. Section 246.804, Code 1987, is amended to read as
9 follows:

10 246.804 DUTIES OF INDUSTRIES BOARD.

11 The industries board's principal duties shall be to
12 ~~promulgate and~~ adopt rules and to advise the state director
13 regarding the management of Iowa state industries so as to
14 further the intent stated by section 246.801, and to approve
15 all rules related to Iowa state industries before they are
16 adopted by the state director.

17 Sec. 32. Section 294.15, unnumbered paragraph 3, Code
18 1987, is amended to read as follows:

19 Application for these retirement allowance payments shall
20 be made to the department of personnel under rules prescribed
21 by the ~~director of that department~~ personnel commission. An
22 eligible person is entitled to receive the retirement
23 allowance payments effective from the date of application to
24 the department, if the application is approved, and the
25 payments shall be continued on the first day of each month
26 thereafter during the lifetime of the person.

27 Sec. 33. Section 303.1A, subsection 1, Code Supplement
28 1987, is amended to read as follows:

29 1. Adopt rules that are necessary for the effective
30 administration of the department, except as otherwise provided
31 in this chapter.

32 Sec. 34. Section 303.8, subsection 1, Code 1987, is
33 amended by adding the following new paragraph:

34 NEW PARAGRAPH. f. Approve all rules related to the state
35 historical board and division before they are adopted by the

1 director.

2 Sec. 35. Section 303.33, unnumbered paragraph 1, Code
3 1987, is amended to read as follows:

4 Two years after the establishment of a district, including
5 a district within the limits of a city, a referendum for the
6 termination of the district shall be held if ten percent of
7 the eligible voters in the district so request. If the
8 qualified electors, by a majority of those voting, favor
9 termination, this Act will no longer have any effect on the
10 property formerly included in the district.

11 Sec. 36. Section 303.34, unnumbered paragraph 1, Code
12 1987, is amended to read as follows:

13 The provisions of sections 303.20 ~~to 303.33~~ through 303.32
14 do not apply within the limits of a city. However, in order
15 for a city to designate an area which is deemed to merit
16 preservation as an area of historical significance, the
17 following shall apply:

18 Sec. 37. Section 303.34, subsection 3, Code 1987, is
19 amended to read as follows:

20 3. A city may provide by ordinance for the establishment
21 of a commission to deal with matters involving areas of
22 historical significance but shall provide by ordinance for
23 such commission upon the enactment of the ordinance
24 designating an area as an area of historical significance as
25 required in subsection 4. Upon the establishment of the
26 commission the city shall provide by ordinance for the method
27 of appointment, the number, and terms, of members of the
28 commission and for the duties and powers of the commission.
29 The commission shall contain not less than three members. The
30 members of the commission shall be appointed with due regard
31 to proper representation of residents and property owners of
32 the city and their relevant fields of knowledge including but
33 not limited to history, urban planning, architecture, and
34 ~~archaeology, law, and sociology~~. At least one resident of
35 each designated area of historical significance shall be

1 appointed to the commission and such member may represent one
2 of the relevant fields of knowledge. The members of the
3 commission shall reflect the socioeconomic characteristics of
4 the population of the area or areas of historical significance
5 with due regard given to the appointment of members
6 representing the elderly and low-income populations of the
7 area or areas of historical significance. Cities with a
8 population of more than fifty thousand shall not appoint more
9 than one-third of the members to the commission of an area of
10 historical significance that are members of a city zoning
11 commission appointed pursuant to chapter 414. The commission
12 shall have the power to approve or deny applications for
13 proposed alterations to exterior features within an area
14 designated as an area of historical significance. An
15 aggrieved party may appeal the commission's action to the
16 governing body of the city. If not satisfied by the decision
17 of the governing body, the party may appeal within sixty days
18 of the governing body's decision to the district court for the
19 county in which the designated area is located. On appeal the
20 governing body or the district court as the case may be shall
21 consider whether the commission has exercised its powers and
22 followed the guidelines established by the law and ordinance,
23 and whether the commission's action was patently arbitrary or
24 capricious.

25 Sec. 38. Section 303.87, Code 1987, is amended by adding
26 the following new subsection:

27 NEW SUBSECTION. 3. Approve all rules related to the arts
28 council and division before they are adopted by the director.

29 Sec. 39. Section 303.92, subsection 2, Code 1987, is
30 amended to read as follows:

31 2. The commission shall elect one of its members as
32 chairperson. The commission shall meet at the time and place
33 specified by call of the chairperson. Four members are a
34 quorum for the transaction of business. The commission shall
35 approve all rules related to the state library commission and

1 division before they are adopted by the director.

2 Sec. 40. Section 303B.6, subsection 8, Code 1987, is
3 amended to read as follows:

4 8. Shall provide interlibrary loan and information
5 services intraregionally, but which are capable of being
6 linked interregionally, according to the standards developed
7 by the ~~state-library-commission~~ department of cultural
8 affairs.

9 Sec. 41. Section 307.10, Code 1987, is amended by adding
10 the following new subsection:

11 NEW SUBSECTION. 8. Adopt rules pursuant to chapter 17A as
12 it deems necessary to transact its business and exercise its
13 powers and duties.

14 Sec. 42. Section 307.12, subsection 9, Code 1987, is
15 amended to read as follows:

16 9. Adopt rules in accordance with chapter 17A as the
17 director deems necessary for the ~~administration-of-the~~
18 ~~department-and-the~~ exercise of the director's ~~and-department's~~
19 powers and duties, subject to the approval of the commission.

20 Sec. 43. Section 308.1, Code 1987, is amended by adding
21 the following new unnumbered paragraph:

22 NEW UNNUMBERED PARAGRAPH. The state department of
23 transportation shall provide office space and staff assistance
24 to the commission, and shall budget funds to cover the
25 expenses of the commission.

26 Sec. 44. Section 315.10, Code 1987, is amended to read as
27 follows:

28 315.10 RULES.

29 The department shall, subject to the approval of the state
30 transportation commission, adopt rules pursuant to chapter 17A
31 as necessary for the administration of this chapter.

32 Sec. 45. Section 321.428, unnumbered paragraph 1, Code
33 1987, is amended to read as follows:

34 The director may approve or disapprove lighting devices and
35 ~~issue~~ adopt and enforce rules establishing standards and

1 specifications for the approval of the lighting devices, their
2 installation, adjustment, and aiming, and adjustment when in
3 use on motor vehicles. The rules shall be approved by the
4 state transportation commission and shall correlate with and,
5 so far as practicable, conform to the then current standards
6 and specifications of the society of automotive engineers
7 applicable to such equipment.

8 Sec. 46. Section 328.12, subsection 2, Code 1987, is
9 amended to read as follows:

10 2. RULES. Make reasonable rules, consistent with this
11 chapter, as deemed by the director to be necessary and
12 expedient for the administration and enforcement of this
13 chapter, and amend the rules at any time. Rules proposed by
14 the director shall be subject to the approval of this
15 commission.

16 Sec. 47. Section 331.304, subsection 7, Code 1987, is
17 amended to read as follows:

18 7. The board may file a petition with the city-development
19 board as provided in section 368.11.

20 Sec. 48. ~~Section~~ 331.321, subsection 1, paragraph w, Code
21 Supplement 1987, is amended to read as follows:

22 w. Local representatives to serve with the city
23 development board as provided in section 368.14.

24 Sec. 49. Section 333A.3, subsection 3, Code 1987, is
25 amended to read as follows:

26 3. The committee shall select its own officers and meet at
27 the call of the director chairperson of the department-of
28 management committee.

29 Sec. 50. Section 368.1, subsection 1, Code 1987, is
30 amended to read as follows:

31 1. "Board" means the city development board established
32 created in section 368.9, subsection 1 or the Iowa economic
33 development board as provided in section 368.9, subsection 2.

34 Sec. 51. Section 368.9, Code 1987, is amended to read as
35 follows:

1 368.9 BOARD CREATED.

2 1. A Except as provided in subsection 2, a city
3 development board is created. The department of economic
4 development shall provide office space and staff assistance,
5 and shall budget funds to cover expenses of the board and
6 committees. The board consists of three members appointed by
7 the governor subject to confirmation by the senate. The
8 appointments must be for six-year staggered terms beginning
9 and ending as provided by section 69.19, or to fill an
10 unexpired term in case of a vacancy. Members are eligible for
11 reappointment, but no member shall serve more than two
12 complete six-year terms.

13 Each member is entitled to receive from the state actual
14 and necessary expenses in performance of board duties and may
15 also be eligible to receive compensation as provided in
16 section 7E.6.

17 2. The director of the department of economic development
18 may by executive action abolish the city development board and
19 transfer its duties under this chapter to the Iowa economic
20 development board created in section 15.103.

21 Sec. 52. Section 368.10, subsection 1, Code 1987, is
22 amended to read as follows:

23 ~~1. The board shall conduct studies of city development,~~
24 ~~and shall submit an annual report to the governor and to such~~
25 ~~those members of the general assembly as who request it, an~~
26 ~~annual report which shall include a summary of the~~
27 ~~annexations, severances, incorporations, consolidations, and~~
28 ~~discontinuances approved by the board. This report shall~~
29 ~~include an analysis of all plans for designated revitalization~~
30 ~~areas filed with the board pursuant to sections 404.1 to 404.7~~
31 ~~since the last annual report.~~

32 Sec. 53. Section 384.15, subsection 2, Code 1987, is
33 amended to read as follows:

34 2. Select its officers and meet at the call of the
35 director chairperson of the ~~department of management~~ committee

1 or upon an appeal of the director's decision.

2 Sec. 54. Section 384.38, subsection 2, Code 1987, is
3 amended to read as follows:

4 2. Upon petition as provided in section 384.41, subsection
5 1, a city may assess to private property affected by public
6 improvements within three miles of the city's boundaries the
7 cost of construction and repair of public improvements within
8 that area. The right of way of a railway company shall not be
9 assessed unless the company joins as a petitioner for said
10 improvements. In the petition the property owners shall waive
11 the limitation provided in section 384.62 that an assessment
12 may not exceed twenty-five percent of the value of the lot.
13 The petition shall contain a statement that the owners agree
14 to pay the city an amount equal to five percent of the cost of
15 the improvements, to cover administrative expenses incurred by
16 the city. This amount may be added to the cost of the
17 improvements. Before the council may adopt the resolution of
18 necessity, the preliminary resolution, preliminary plans and
19 specifications, plat, schedule, and estimate of cost must be
20 submitted to, and receive written approval from the board of
21 supervisors of any county which contains part of the property,
22 and the city-development board established as provided in
23 section 368.9.

24 Sec. 55. Section 421.17, subsection 17, Code Supplement
25 1987, is amended to read as follows:

26 17. To certify to the department of management on January
27 1 of each year the aggregate of each state tax for each county
28 for said year.

29 Sec. 56. Section 455A.4, subsection 1, paragraph i, Code
30 1987, is amended to read as follows:

31 i. Adopt rules in accordance with chapter 17A as necessary
32 or desirable for the organization or reorganization of the
33 department, except that such rules shall not conflict with
34 rules adopted by either the natural resource commission or the
35 environmental protection commission pursuant to section 455A.5

1 or 455A.6.

2 Sec. 57. Section 455C.4, subsection 3, Code Supplement
3 1987, is amended to read as follows:

4 3. A dealer or a distributor may not refuse to accept and
5 to pay the refund value of an empty wine container which is
6 marked to indicate that it was sold by a state liquor store.
7 However, effective January 1, 1989, a dealer or a distributor
8 may refuse to accept and to pay the refund value of an empty
9 wine or alcoholic liquor container which is marked to indicate
10 that it was sold by a state liquor store. Effective January
11 1, 1989, a dealer or a distributor shall not be reimbursed by
12 the alcoholic beverages division of the department of
13 commerce.

14 Sec. 58. Section 496A.101, subsection 1, Code 1987, is
15 amended to read as follows:

16 1. Upon the voluntary or involuntary dissolution of a
17 corporation the portion of the assets distributable to a
18 creditor or shareholder who is unknown, or who is under
19 disability and there is no person legally competent to receive
20 such distributive portion, or who cannot be found after the
21 exercise of reasonable diligence by the person or persons
22 responsible for the distribution in liquidation of the
23 corporation's assets, shall be reduced to cash and deposited
24 with the state treasurer of state, together-with-a-statement
25 giving-the-name-of-the-person, if-known, entitled-to-such
26 fund, that person's last-known address, the amount-of-that
27 person's-distributive-portion, and-such-other-information
28 about-such-person-as-the-state-treasurer-may-reasonably
29 require, pursuant to section 556.6 on forms prescribed by the
30 treasurer, whereupon the person or persons responsible for the
31 distribution in liquidation of the corporation's assets shall
32 be released and discharged from any further liability with
33 respect to the funds so deposited. The state treasurer of
34 state shall issue the state treasurer's receipt for such-fund
35 and-shall-deposit-same-in-a-special-account-to-be-maintained

1 ~~by-the-state-treasurer~~ the moneys deposited.

2 Sec. 59. Section 496A.101, subsection 2, Code 1987, is
3 amended by striking the subsection and inserting in lieu
4 thereof the following:

5 2. Claims for ownership or right to the moneys after they
6 have been remitted to the treasurer shall be filed pursuant to
7 chapter 556.

8 Sec. 60. Section 496A.101, Code 1987, is amended by adding
9 the following new subsection:

10 NEW SUBSECTION. 3. Moneys deposited with the treasurer of
11 state pursuant to this section before the effective date of
12 this Act and deposited in the special fund shall be
13 transferred to the unclaimed property trust fund created by
14 section 556.18 and are subject to the reversion requirements
15 of that section.

16 Sec. 61. Section 524.208, Code 1987, is amended to read as
17 follows:

18 524.208 ASSISTANTS, EXAMINERS, AND OTHER EMPLOYEES.

19 The superintendent may appoint assistants, examiners, and
20 other employees as the superintendent deems necessary to the
21 proper discharge of the duties imposed upon the superintendent
22 by the laws of this state. Pay plans shall be established, in
23 accordance with chapter 19A, for employees, other than
24 clerical, who examine the accounts and affairs of state banks
25 and who examine the accounts and affairs of other persons,
26 subject to supervision and regulation by the superintendent,
27 which are substantially equivalent to those paid by the
28 Federal Deposit Insurance Corporation and other federal
29 supervisory agencies in this area of the United States.

30 Sec. 62. Section 534.401, subsection 2, unnumbered
31 paragraph 2, Code 1987, is amended to read as follows:

32 The ~~supervisor~~ superintendent ~~may, with the approval of the~~
33 ~~auditor of state,~~ appoint examiners and assistants necessary
34 to properly execute the duties of the office. Any An examiner
35 ~~so-appointed~~ shall have had at least one year of actual

1 experience as examiner, officer, or employee, of a savings and
2 loan association. ~~Such~~ The examiners' salaries shall be fixed
3 ~~by the auditor of state subject to the approval of the~~
4 ~~comptroller and governor, which salaries shall be commensurate~~
5 ~~with that in the range of other employees as prescribed by~~
6 ~~certain classifications in accordance with their experience~~
7 ~~and qualifications~~ chapter 19A. In addition such the
8 examiners shall be reimbursed for their actual and necessary
9 expense.

10 Sec. 63. Section 556.8, Code 1987, is amended to read as
11 follows:

12 556.8 PROPERTY HELD BY STATE COURTS AND PUBLIC OFFICERS
13 AND AGENCIES.

14 1. All intangible personal property held for the owner by
15 any court, public corporation, public authority, or public
16 officer of this state, or a political subdivision of the
17 state, that has remained unclaimed by the owner for more than
18 two years after becoming payable or distributable is presumed
19 abandoned.

20 2. All intangible personal property held for the owner by
21 any court, public corporation, public authority, agency,
22 instrumentality, officer or employee of the United States of
23 America or any other state or any subdivision thereof, that
24 has remained unclaimed by the owner for more than two years
25 after becoming payable or distributable is presumed abandoned.
26 Property shall be presumed abandoned under this subsection
27 only if the owner's last known address, according to the
28 records of a holder identified in this subsection, is located
29 within this state.

30 Sec. 64. Section 556.11, unnumbered paragraph 1, Code
31 1987, is amended to read as follows:

32 All agreements to pay compensation to recover or assist in
33 the recovery of property reported under this section, made
34 within twenty-four months after the date payment or delivery
35 is made under section 556.13 are unenforceable. However, such

1 agreements made after twenty-four months from the date payment
2 or delivery is required under this section are valid if the
3 fee or compensation agreed upon is not more than twenty-five
4 percent of the recoverable property, the agreement is in
5 writing and signed by the owner, and the writing discloses the
6 nature and value of the property and the name and address of
7 the person or entity in possession. This section does not
8 prevent an owner from asserting, at any time, that an
9 agreement to locate property is based upon excessive or unjust
10 consideration.

11 Sec. 65. Section 556.18, subsection 1, Code 1987, is
12 amended to read as follows:

13 1. Except as provided in subsection 3, all funds received
14 under this chapter, including the proceeds from the sale of
15 abandoned property under section 556.17, shall be deposited
16 monthly by the treasurer of state in the general funds of the
17 state. However, the treasurer of state shall retain in a
18 separate trust fund an amount not exceeding one hundred
19 thousand dollars from which the treasurer of state shall make
20 prompt payment of claims duly allowed under section 556.20.
21 Before making the deposit, the treasurer of state shall record
22 the name and last known address of each person appearing from
23 the holders' reports to be entitled to the abandoned property
24 and of the name and last known address of each insured person
25 or annuitant, and with respect to each policy or contract
26 listed in the report of a life insurance corporation, its
27 number, the name of the corporation, and the amount due. The
28 record shall be available for public inspection at all
29 reasonable business hours.

30 Sec. 66. Section 602.8105, subsection 4, Code Supplement
31 1987, is amended by striking the subsection and inserting in
32 lieu thereof the following:

33 4. The clerk shall pay to the treasurer of state all fees
34 which have come into the clerk's possession and are unclaimed
35 pursuant to section 556.8 on forms prescribed by the

1 treasurer. Claims for payment of the moneys must be filed
2 pursuant to chapter 556.

3 Sec. 67. Section 602.8105, Code Supplement 1987, is
4 amended by adding the following new subsection:

5 NEW SUBSECTION. 5. Moneys remitted to the treasurer
6 pursuant to subsection 4 before the effective date of this Act
7 shall be transferred to the unclaimed property trust fund
8 created by section 556.18 and are subject to the reversion
9 requirements of that section.

10 Sec. 68. 1986 Iowa Acts, chapter 1238, section 59, is
11 amended to read as follows:

12 SEC. 59. 1986 Iowa Acts, Senate File 2175, section 2046,
13 is amended by striking the section and inserting the
14 following:

15 SEC. 2046. Section 421.31, subsection 3 5, in its
16 requirement that the government's accounts be in accordance
17 with generally accepted accounting principles, takes effect
18 with the fiscal year beginning July 1, 1992.

19 The governor, auditor of state, treasurer of state,
20 director of the legislative fiscal bureau, and the department
21 of management shall phase in the implementation of generally
22 accepted accounting principles, as defined by the governmental
23 accounting standards board, which includes fund
24 reclassifications, revenue recognition, and recognition of all
25 appropriate liabilities beginning with the fiscal year
26 beginning July 1, 1987.

27 The fiscal impact to the state general fund of implementing
28 fund reclassifications, and recognizing additional liabilities
29 shall be phased in according to the following schedule for the
30 fiscal years beginning July 1:

31	1987	ten percent
32	1988	twenty percent
33	1989	forty percent
34	1990	sixty percent
35	1991	eighty percent

1 1992 one hundred percent

2 Sec. 69. 1986 Iowa Acts, chapter 1246, section 202,
3 subsection 5, is amended to read as follows:

4 5. CHILDREN, YOUTH, AND FAMILIES DIVISION

5 For salaries and support of not more than two full-time
6 equivalent positions annually, maintenance and miscellaneous
7 purposes:

8 \$ 68,001

9 ~~It is the intent of the general assembly that the children,~~
10 ~~youth, and families division be terminated June 30, 1988.~~

11 Sec. 70. 1987 Iowa Acts, chapter 22, section 20, is
12 amended to read as follows:

13 SEC. 20. Section 11 of this Act is retroactive to July 1,
14 1986, and is repealed effective January 1, 1989.

15 Sec. 71. REPEALS.

16 1. 1986 Iowa Acts, chapter 1245, section 668, is repealed.

17 2. Sections 28.51, 28.52, 28.53, 135.43, and 135.44, Code
18 1987, are repealed.

19 3. Section 601K.40, Code Supplement 1987, is repealed.

20 Sec. 72. NONSTATUTORY ADVISORY COMMITTEES -- DEPARTMENT OF
21 ECONOMIC DEVELOPMENT.

22 1. The nonstatutory advisory committee regarding partners
23 for economic progress shall be abolished. The director of the
24 department of economic development may abolish or combine
25 other nonstatutory advisory committees while assuring
26 administrative efficiency and the continued effective
27 performance of the responsibilities of the advisory groups.

28 2. The director of the department of economic development
29 may by executive action maintain the Iowa high technology
30 council or transfer its duties as set out in sections 28.52
31 and 28.53, Code 1987, to the Iowa economic development board
32 created in section 15.103.

33 Sec. 73. EFFECTIVE DATE. This Act, being deemed of
34 immediate importance, takes effect upon enactment.

35 EXPLANATION

1 This bill makes statutory modifications to the organization
2 and procedures of state government and other related
3 adjustments as a follow-up to the comprehensive government
4 reorganization of 1986. The bill amends the following
5 sections of the Code:

6 Section 8.6 is amended to recognize that the revenue
7 estimating conference, rather than the director of the
8 department of management, is responsible for making estimates
9 of state revenue.

10 Section 8.22A is amended to require that the revenue
11 estimating conference agree to a revenue estimate by December
12 15 for the use of the governor in preparation of the
13 governor's budget message. If they cannot agree, the average
14 of their estimates is to be used. The section is also amended
15 to provide reimbursement for expenses and eligibility for per
16 diem for a member of the revenue estimating conference who is
17 the governor's designee but is not a state employee.

18 Section 8.31 is amended to require the department of
19 management to provide the legislative fiscal bureau with
20 copies of approved or modified allotments of state funds.

21 Section 8.35A is amended to require submission of agency
22 budget requests to the legislative fiscal bureau beginning
23 September 1 and the final form of such requests to the
24 legislative fiscal bureau by November 1.

25 Section 8.39 is amended to require that notice of any
26 intradepartmental or interdepartmental transfers of unexpended
27 funds must be given to the director of the legislative fiscal
28 bureau at the same time notice is given to specified members
29 of the general assembly.

30 Section 8.52 is amended to recognize that the revenue
31 estimating conference, rather than the department of
32 management, is responsible for making state revenue estimates.

33 Sections 15.104, 331.304, 331.321, 368.1, 368.9, and 384.38
34 are amended to allow the director of the department of
35 economic development to abolish the city development board and

1 to transfer its duties to the economic development board.

2 Sections 15.108 and 308.1 are amended to provide that the
3 state department of transportation, rather than the department
4 of economic development, shall provide operating assistance to
5 the Mississippi parkway planning commission.

6 Sections 15.108, 28.52, and 28.53 are amended to allow the
7 director of the department of economic development to maintain
8 the Iowa high technology council or to transfer its duties to
9 the economic development board.

10 Section 17.11 is created to provide for the distribution of
11 official reports required by law to be submitted to the
12 general assembly or its members.

13 Section 17A.6 is amended to authorize the editorial
14 deletion of administrative rules which can have no further
15 effect.

16 Sections 18.97 and 18.98 are amended to require the free
17 distribution of copies of publications of the Code editor's
18 office to the department of cultural affairs, rather than
19 distribution to different divisions or subunits of that
20 department. The same number of copies would still be
21 distributed to the department.

22 Sections 19A.1A, 19A.15, 79.37, 246.105, 246.804, 294.15,
23 303.1A, 303.8, 303.87, 303.92, and 455A.4 are amended to
24 provide that rulemaking authority rests with the personnel
25 commission rather than with the department of personnel, with
26 the board of corrections rather than with the department of
27 corrections, with the state historical society board of
28 trustees, the arts council, and the state library commission
29 rather than with the department of cultural affairs and with
30 the natural resource commission and the environmental
31 protection commission rather than with the department of
32 natural resources.

33 Section 19A.3 is amended to specify that the confidential
34 secretary of the deputy secretary of agriculture is excluded
35 from the merit system.

1 Section 123.27 is amended to allow the administrator of the
2 alcoholic beverages division of the department of commerce to
3 designate legal holidays on which the division may do business
4 and strikes the provision requiring the approval of the
5 executive council.

6 Sections 125.7, 125.20, 125.25, 125.32, 125.33, and 135.11
7 are amended to transfer substance abuse rulemaking authority
8 from the Iowa department of public health to the commission on
9 substance abuse.

10 Section 135.11A is amended to allow the state board of
11 chiropractic examiners to employ its own support staff for
12 administrative and clerical duties.

13 Section 159.6 is amended to delete the regulation of food
14 and food service establishments and hotels from the list of
15 responsibilities of the department of agriculture and land
16 stewardship. The regulatory authority has already been
17 transferred to the department of inspections and appeals.

18 Sections 246.307 and 246.311 are amended to delete certain
19 requirements with respect to reports by the superintendents of
20 correctional institutions.

21 Sections 303.33 and 303.34 are amended to apply the
22 referendum provisions of section 303.33 to city historical
23 preservation districts and to modify the membership
24 requirements of city historical preservation commissions.

25 Section 303B.6 is amended to recognize interlibrary loan
26 standards established by the department of cultural affairs,
27 rather than by the state library commission.

28 Sections 307.10 and 307.12 are amended to provide that the
29 state transportation commission adopt its own rules and that
30 rules developed by the state department of transportation are
31 subject to the approval of the commission.

32 Sections 315.10 and 321.428 are amended to provide that
33 rules developed by the state department of transportation for
34 the RISE fund and for standards for lighting devices on
35 vehicles are subject to the approval of the state

1 transportation commission.

2 Section 328.12 is amended to provide that rules proposed by
3 the director of transportation with respect to aeronautics are
4 subject to approval by the state transportation commission.

5 Section 333A.3 is amended to require the county finance
6 committee to meet at the call of the committee's chairperson.

7 Section 368.10 is amended to recognize that the requirement
8 for the submission of a plan for the designated revitalization
9 area was abolished in 1986.

10 Section 384.15 is amended to require the city finance
11 committee to meet at the call of the committee's chairperson.

12 Section 421.17 is amended to provide for certification of
13 state taxes by county by the director of revenue and finance
14 to the department of management.

15 Section 455C.4 is amended to provide that reimbursement for
16 empty wine and alcoholic liquor containers sold in state
17 liquor stores will cease on January 1, 1989.

18 Section 496A.101 is amended to provide that unclaimed cash,
19 derived from the voluntary or involuntary dissolution of a
20 corporation, is presumed to be abandoned and is subject to
21 disposition pursuant to chapter 556.

22 Sections 524.208 and 534.401 are amended to refer to
23 chapter 19A and to correct the title of the superintendent of
24 savings and loan associations.

25 Section 556.8 is amended to provide that all intangible
26 personal property held by a court or public entity, whether
27 state, local, or federal, for more than two years after
28 becoming payable or distributable, is presumed abandoned.

29 Section 556.11 is amended to provide that certain
30 agreements for the recovery of property may be made after
31 twenty-four months following the time when payment or delivery
32 is required under section 556.13.

33 Section 556.18 is amended to require that the proceeds from
34 the sale of abandoned property shall be deposited monthly in
35 the general fund of the state by the treasurer of state.

1 Section 602.8105 is amended to provide that unclaimed fees
2 which have come into the possession of the clerk shall be
3 presumed to be abandoned property, and are subject to
4 disposition pursuant to chapter 556.

5 1986 Iowa Acts, chapter 1238, section 59 is amended to
6 require the treasurer of state and the director of the
7 legislative fiscal bureau to assist in the phase-in of
8 generally accepted accounting principles with respect to the
9 state budget.

10 1986 Iowa Acts, chapter 1246, section 202, subsection 5, is
11 amended to strike the provision which expresses the intent of
12 the general assembly that the children, youth, and families
13 division of the department of human rights be terminated
14 effective June 30, 1988.

15 1987 Iowa Acts, chapter 22, section 20, is amended to
16 repeal the sunset on the provision exempting from tax lia-
17 bility corporations whose sole business activity in the state
18 is placing liquor in bailment with the alcoholic beverages
19 division as required by House File 2484, 1986 Iowa Acts,
20 chapter 1246, section 603.

21 The following Iowa Act and Code sections are repealed:

22 1986 Iowa Acts, chapter 1245, section 668, which would
23 abolish the water resource districts effective July 1, 1988.

24 Sections 28.51 through 28.53 which create the Iowa high
25 technology council.

26 Sections 135.43 and 135.44 which authorize the Iowa
27 department of public health to plan, construct, and operate,
28 and to secure federal financing for, mental health facilities.

29 Section 601K.40 which would repeal provisions creating the
30 division of children, youth and families in the department of
31 human rights, and also the commission on children, youth and
32 families, effective June 30, 1989.

33 Regarding certain nonstatutory advisory committees and
34 groups related to the department of economic development,
35 several committees are abolished or authorized to be abolished

1 or combined with other advisory committees or groups.

2 The bill takes effect upon enactment.

3 COMPANION TO LSB 4800XH

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LSB 4800XS 72

SENATE FILE 2341

S-6070

1 Amend Senate File 2341 as follows:
2 1. Page 4, by inserting after line 31 the
3 following:
4 "4. The director of the legislative fiscal bureau
5 and the director of the legislative service bureau."

S-6070

Filed April 15, 1988 ADOPTED BY ROBERT CARR
(p. 1676)

SENATE FILE 2341

S-6074

1 Amend the Committee amendment, S-6065, to Senate
2 File 2341 as follows:
3 1. Page 1, by striking lines 16 through 18 and
4 inserting the following:
5 "____. Page 5, by striking lines 25 through 29 and
6 inserting the following:
7 "Sec. ____ Section 19A.3, Code Supplement 1987, is
8 amended by adding the following new subsections:
9 NEW SUBSECTION. 21. One secretary and one
10 administrative assistant for each elected official,
11 and one secretary for each deputy director and each
12 division administrator in the department of an elected
13 official.
14 NEW SUBSECTION. 22. All professional employees in
15 the farm commodities division of the department of
16 agriculture and land stewardship.
17 NEW SUBSECTION. 23. All professional employees in
18 the administrative division of the department of
19 agriculture and land stewardship, except that the
20 following are subject to the merit system:
21 a. Temporary apiary inspectors.
22 b. Professional employees of the statistics bureau
23 who are on assignment to work with the national
24 agricultural statistics service of the United States
25 department of agriculture.""
26 2. By renumbering as necessary.

S-6074

Filed April 15, 1988 LOST BY MICHAEL GRONSTAL
(p. 1676)

SENATE FILE 2341

S-6078

1 Amend Senate File 2341 as follows:
2 1. Page 21, by inserting after line 19 the
3 following:
4 "4. If 1988 Iowa Acts, Senate File 2312, is
5 enacted, Senate File 2312, section 63, is amended by
6 striking the section."

S-6078

Filed April 15, 1988 OUT OF ORDER BY RAY TAYLOR

SENATE FILE 2341

S-6065

- 1 Amend Senate File 2341 as follows:
2 1. Page 1, line 13, by inserting after the word
3 "member" the following: "from outside state
4 government".
5 2. Page 1, by striking lines 15 and 16 and
6 inserting the following: "if not a state employee,
7 and the member from outside state government, shall be
8 reimbursed their actual expenses incurred in the
9 performance of their duties".
10 3. Page 1, line 23, by striking the words "make
11 all reasonable efforts to".
12 4. Page 1, by striking lines 28 through 31 and
13 inserting the following: "the legislature in the
14 budget process."
15 5. Page 4, by striking lines 3 through 13.
16 6. Page 5, line 29, by inserting after the word
17 "agriculture" the following: "and of the deputy
18 secretary of state".
19 7. Page 8, by inserting after line 12 the
20 following:
21 "Sec. ____ . NEW SECTION. 147.105 BOARD OF NURSING
22 REPRESENTATIVES AS PEACE OFFICERS.
23 Investigators appointed by the executive director
24 of the board of nursing pursuant to section 152.3, and
25 other representatives of the board as designated by
26 the executive director, have the powers and status of
27 peace officers when enforcing this chapter and
28 chapters 152 and 258A."
29 8. Page 8, by striking lines 13 and 14.
30 9. By striking page 8, line 22 through page 9,
31 line 7.
32 10. Page 12, line 18, by striking the words "and
33 department's" and inserting the following: "and
34 department's".
35 11. Page 13, by striking lines 16 through 23.
36 12. By striking page 13, line 29 through page 14,
37 line 31.
38 13. Page 15, by striking lines 2 through 23.
39 14. Page 17, by striking lines 22 and 23 and
40 inserting the following: "by the laws of this state.
41 Pay plans, based on biweekly pay periods, shall be
42 established for employees, other than".
43 15. By striking page 17, line 32 through page 18,
44 line 9 and inserting the following:
45 "The supervisor superintendent may, with the
46 approval of the auditor of state, appoint examiners
47 and assistants necessary to properly execute the
48 duties of the office. Any An examiner so appointed
49 shall have had at least one year of actual experience
50 as examiner, officer, or employee, of a savings and

1 loan association. Such ~~The~~ examiners' salaries shall
2 be fixed by the ~~auditor-of-state~~ superintendent
3 subject to the approval of the ~~comptroller~~ director of
4 management and governor, which salaries shall be based
5 on biweekly pay periods and shall be commensurate with
6 that those in the range of other employees as
7 prescribed by certain classifications in accordance
8 with their experience and qualifications. In addition
9 such the examiners shall be reimbursed for their
10 actual and necessary expense."

11 16. Page 18, by striking lines 26 through 29.

12 17. Page 19, line 3, by striking the word
13 "twenty-five" and inserting the following: "ten".

14 18. Page 19, by inserting after line 29 the
15 following:

16 "Sec. ____ . Section 566.15, Code 1987, is amended
17 to read as follows:

18 566.15 AUTHORITY TO INVEST FUNDS.

19 The board of supervisors, mayor and council, or
20 board of trustees, as the case may be, shall have
21 authority to receive and invest, by exercising the
22 judgement and care, under the circumstances then
23 prevailing, which persons of prudence, discretion, and
24 intelligence exercise in the management of their own
25 affairs as provided in section 633.123, subsection 1,
26 all moneys and property, so donated or bequeathed, and
27 that portion of cemetery lot sales and permanent
28 charges made against cemetery lots which has been set
29 aside in a perpetual care fund in-such-authorized
30 investments-and-in-the-manner-prescribed-in-section
31 682-237,-or-as-the-same-may-be-hereafter-amended. Such
32 money-must-be-invested-at-the-market-value-of-such
33 securities,-and-they-shall-use-the The income from
34 such investment shall be used in caring for the
35 property of the donor in any a cemetery, or as shall
36 be is provided in the terms of such the gift or
37 donations or agreement for sale and purchase of a
38 cemetery lot."

39 19. Title, page 1, lines 4 and 5, by striking the
40 words "and city development board".

41 20. Title, page 1, line 9, by striking the words
42 "a certain position is" and inserting the following:
43 "certain positions are".

44 21. Title, page 1, line 15, by inserting after
45 the word "examiners," the following: "providing peace
46 officer status for certain nursing board
47 investigators,".

48 22. Title, page 2, line 3, by inserting after the
49 word "entity," the following: "relating to the
50 investment of certain cemetery funds,".

Page 3

1 23. By renumbering as necessary.

SENATE FILE 2341

S-6058

- 1 Amend Senate File 2341 as follows:
- 2 1. Page 12, by striking lines 2 through 8.
- 3 2. By renumbering as necessary.

S-6058

Filed April 15, 1988

ADOPTED
(p. 1676)

BY JEAN LLOYD-JONES

SENATE FILE 2341

S-6064

- 1 Amend Senate File 2341 as follows:
- 2 1. Page 21, by inserting after line 18 the
- 3 following:
- 4 "3. Chapter 478A, Code 1987, is repealed."

S-6064

Filed April 15, 1988

OUT OF ORDER
(p. 1677)

BY JACK RIFE

SENATE FILE 2341

S-6044

1 Amend Senate File 2341 as follows:
 2 1. Page 3, by inserting after line 7 the
 3 following:
 4 "Sec. _____. Section 8.35A, Code 1987, is amended by
 5 adding the following new subsection:
 6 NEW SUBSECTION. 5. The director of the department
 7 of management shall prepare and submit to the
 8 legislative fiscal committee by October 1 of each year
 9 all of the following:
 10 a. A financial statement for state government
 11 listing all current assets and liabilities according
 12 to generally accepted accounting principles.
 13 b. An itemized listing of all outstanding bonded
 14 indebtedness for all state agencies."
 15 2. By renumbering as necessary.

S-6044

Filed April 15, 1988

Adopted 4/15 (p. 1676)

BY	EDGAR H. HOLDEN	CALVIN HULTMAN
	GEORGE R. KINLEY	DALE L. TIEDEN
	JULIA GENTLEMAN	RAY TAYLOR
	JOHN JENSEN	C. JOSEPH COLEMAN
	FORREST SCHWENGELS	WILLIAM DIELEMAN
	RICHARD F. DRAKE	WILLIAM PALMER
	WILMER RENSINK	EUGENE FRAIS
	JACK W. HESTER	PATRICK DELU
	RICHARD VANDE HOEF	DONALD GETTINGS
	LEE W. HOLT	BERL E. PRIEBE
	HURLEY W. HALL	JAMES WELLS
	JIM LIND	NORMAN GOODWIN
	LINN FUHRMAN	JACK RIFE
	JOHN A. PETERSON	LEONARD BOSWELL
	DAVID READINGER	JOY CORNING

SENATE FILE 2341

S-6057

1 Amend Senate File 2341 as follows:
 2 1. Page 21, by inserting after line 1 the
 3 following:
 4 "Sec. _____. 1986 Iowa Acts, chapter 1245, section
 5 668, is amended to read as follows:
 6 SEC. 668. Effective July 1, 1988 1989, section
 7 455B.280 and chapter 467D, Code 1985, are repealed,
 8 and section 467A.4, subsection 4, paragraphs "g"
 9 through "m", Code Supplement 1985, are amended by
 10 striking the paragraphs."

DIV

A

DIV B

11 2. Page 21, by striking line 16.
 12 3. By renumbering as necessary.

S-6057

DIV A - WITHDRAWN

Filed April 15, 1988 DIV B - ADOPTED BY WILLIAM DIELEMAN

(p. 1680)

SENATE FILE 2341
BY HUTCHINS
(COMPANION TO LSB 4800XH
BY ARNOULD)

(AS AMENDED AND PASSED BY THE SENATE APRIL 15, 1988)

_____ - New Language by the Senate
* - Language Stricken by the Senate

Passed Senate, Date _____ Passed House, Date 4/15/88
Vote: Ayes _____ Nays _____ Vote: Ayes 70 Nays 7

Approved _____

Conference Committee Organized 4/16 (p. 2016) Hutchins, Likens, Barker, Coker, Carpenter, Honing

A BILL FOR

1 An Act relating to the preparation of revenue estimates, relating
2 to the submission of reports, requests, and data by the
3 executive branch to the legislative branch, relating to
* 4 changes in status of the high technology council, allowing the
5 Code editor to delete obsolete administrative rules, providing
6 for the provision of operating assistance to the Mississippi
7 parkway planning commission, providing for distribution of
8 publications of the Code editor, specifying that certain
9 positions are excluded from the state merit system, relating
10 to the designation of legal holidays for alcoholic beverage
11 operations, providing for certain rulemaking authority in
12 certain state agencies, requiring certain meetings by the
13 county finance committee and city finance committee,
14 correcting an obsolete reference, relating to staff support
15 for the board of chiropractic examiners, providing peace
16 officer status for certain nursing board investigators,
17 providing for a certain certification of state taxes, relating
18 to reimbursement for certain empty alcoholic beverage
19 containers, deleting certain regulatory responsibilities of

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1 the department of agriculture and land stewardship, deleting
2 certain requirements relating to certain reports by
3 superintendents of correctional institutions, modifying the
4 structure and procedures relating to city historical
5 preservation commissions, recognizing certain interlibrary
6 loan standards, relating to the acquisition and disposition of
7 abandoned property held by any governmental entity, relating
8 to the investment of certain cemetery funds, correcting the
9 title of the superintendent of savings and loan associations,
10 relating to the making of recovery-of-property agreements,
11 relating to the phase-in of generally accepted accounting
12 principles, repealing the termination of the division of
13 children, youth, and families, concerning the tax liability of
14 liquor bailment corporations, striking the repeal of water
15 resource districts, deleting certain authority of the
16 department of public health relating to mental health
17 facilities, concerning the organization of certain
18 nonstatutory committees and groups related to the department
19 of economic development, making conforming changes for the
20 above-specified changes in the organization and procedures of
21 state government being made as a follow-up to the
22 comprehensive government reorganization of 1986, and providing
23 an effective date.

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

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1 Section 1. Section 8.6, subsection 9, paragraphs d and e,
2 Code 1987, are amended by striking the paragraphs.

3 Sec. 2. Section 8.6, subsection 9, paragraph f, Code 1987,
4 is amended to read as follows:

5 f. The expenditures ~~and receipts~~ of the state for the last
6 completed fiscal year, and estimates of the expenditures and
7 receipts of the state for the current fiscal year.

8 Sec. 3. Section 8.22A, Code 1987, is amended to read as
9 follows:

10 8.22A REVENUE ESTIMATING CONFERENCE.

11 The state revenue estimating conference is created
12 consisting of the governor or the governor's designee, the
13 director of the legislative fiscal bureau, and a third member
14 from outside state government agreed to by the other two
15 members. The governor's designee, if not a state employee,
16 and the member from outside state government, shall be
17 reimbursed their actual expenses incurred in the performance
18 of their duties and may be eligible to receive compensation as
19 provided in section 7E.6.

20 The conference shall meet as often as deemed necessary, but
21 shall meet at least quarterly. The conference may use sources
22 of information deemed appropriate.

23 By December 15, 1986 and by December 15 of each succeeding
* 24 year the conference shall agree to a revenue estimate for the
25 current fiscal year and for the fiscal year beginning the
26 following July 1. ~~That~~ The latest revenue estimate shall be
27 used by the governor in the preparation of the budget message
28 under section 8.22 and by the legislature in the budget
29 process.

30 Sec. 4. Section 8.31, unnumbered paragraphs 2 and 4, Code
31 Supplement 1987, are amended to read as follows:

32 The director of the department of management shall approve
33 the allotments subject to review by the governor, unless it is
34 found that the estimated budget resources during the fiscal
35 year are insufficient to pay all appropriations in full, in

1 which event such allotments may be modified to the extent the
2 governor may deem necessary in order that there shall be no
3 overdraft or deficit in the several funds of the state at the
4 end of the fiscal year, and the director shall submit copies
5 of the allotments thus approved or modified to the director of
6 the legislative fiscal bureau and to the head of the
7 department or establishment concerned, who shall set up such
8 allotments on the books and be governed accordingly in the
9 control of expenditures.

10 Allotments thus made may be subsequently modified by the
11 director of the department of management at the direction of
12 the governor either upon the written request of the head of
13 the department or establishment concerned, or in the event the
14 governor finds that the estimated budget resources during the
15 fiscal year are insufficient to pay all appropriations in
16 full, upon the governor's own initiative to the extent the
17 governor may deem necessary in order that there shall be no
18 overdraft or deficit in the several funds of the state at the
19 end of the fiscal year; and the head of the department or
20 establishment and the director of the legislative fiscal
21 bureau shall be given notice of a modification in the same way
22 as in the case of original allotments.

23 Sec. 5. Section 8.35A, subsection 2, Code 1987, is amended
24 to read as follows:

25 2. Commencing September 1, the director shall provide
26 weekly budget tapes in the form and level of detail requested
27 by the legislative fiscal bureau reflecting finalized agency
28 budget requests for the following fiscal year as submitted to
29 the governor. The director shall transmit all agency requests
30 in final form to the legislative fiscal bureau by November 15
31 1. Final budget records containing the governor's
32 recommendation and final agency requests shall be transmitted
33 to the legislative fiscal bureau by January 1 or no later than
34 the date the governor's budget document is delivered to the
35 printer. The governor's recommendation included on this

1 record shall be considered confidential by the legislative
2 fiscal bureau until it is made public by the governor. The
3 legislative fiscal bureau shall use this data in the
4 preparation of information for the legislative appropriation
5 process.

6 Sec. 6. Section 8.35A, Code 1987, is amended by adding the
7 following new subsection:

8 NEW SUBSECTION. 5. The director of the department of
9 management shall prepare and submit to the legislative fiscal
10 committee by October 1 of each year all of the following:

11 a. A financial statement for state government listing all
12 current assets and liabilities according to generally accepted
13 accounting principles.

14 b. An itemized listing of all outstanding bonded
15 indebtedness for all state agencies.

16 Sec. 7. Section 8.39, subsections 3 and 4, Code Supplement
17 1987, are amended to read as follows:

18 3. Prior to any transfer of funds pursuant to subsection 1
19 or 2 of this section or a transfer of an allocation from a
20 subunit of a department which statutorily has independent
21 budgeting authority, the director shall notify the
22 chairpersons of the standing committees on budget of the
23 senate and the house of representatives, and the chairpersons
24 of subcommittees of such committees, and the director of the
25 legislative fiscal bureau of the proposed transfer. The
26 notice from the director shall include information concerning
27 the amount of the proposed transfer, the departments,
28 institutions or agencies affected by the proposed transfer and
29 the reasons for the proposed transfer. Chairpersons notified
30 shall be given at least two weeks to review and comment on the
31 proposed transfer before the transfer of funds is made.

32 4. Any transfer made under the provisions of this section
33 shall be reported to the legislative fiscal committee and to
34 the director of the legislative fiscal bureau on a monthly
35 basis. The report shall cover each calendar month and shall

1 be due the tenth day of the following month. The report shall
2 contain the following: The amount of each transfer; the date
3 of each transfer; the departments and funds affected; a brief
4 explanation of the reason for the transfer; and such other
5 information as may be required by the committee. A summary of
6 all transfers made under the provisions of this section shall
7 be included in the annual report of the legislative fiscal
8 committee.

9 Sec. 8. Section 8.52, subsection 3, Code 1987, is amended
10 by striking the subsection.

* 11 Sec. 9. Section 15.108, subsection 5, paragraph m, Code
12 Supplement 1987, is amended to read as follows:

13 m. Seek coordination with and assistance from the state
14 department of transportation and the department of natural
15 resources in regard to the Mississippi river parkway under
16 chapter 308 for the purposes of furthering tourism efforts.

17 Sec. 10. NEW SECTION. 17.11 REPORTS TO GENERAL ASSEMBLY
18 -- DISTRIBUTION.

19 When an official report is required by law to be submitted
20 to the general assembly or its members, the report shall be
21 accompanied by a cover letter citing the relevant statutory
22 provisions, and the submission shall be to the following:

23 1. The lieutenant governor and the speaker of the house of
24 representatives.

25 2. The majority and minority leaders of the senate and the
26 house of representatives.

27 3. The secretary of the senate and the chief clerk of the
28 house of representatives.

29 4. The director of the legislative fiscal bureau and the
30 director of the legislative service bureau.

31 Sec. 11. Section 17A.6, Code 1987, is amended by adding
32 the following new subsection:

33 NEW SUBSECTION. 6. The Code editor, with the approval of
34 the administrative rules review committee and the administra-
35 tive rules coordinator, may delete a rule from the Iowa admin-

1 istrative code if the agency that adopted the rule has ceased
2 to exist, no successor agency has jurisdiction over the rule,
3 and no statutory authority exists supporting the rule.

4 Sec. 12. Section 18.97, subsections 3 and 4, Code 1987,
5 are amended to read as follows:

6 3. To ~~historical-division-of~~ the department of cultural
7 affairs 2 4 copies

8 4. ~~---To-state-historical-society-----~~ 2-copies

9 Sec. 13. Section 18.98, subsections 3 and 4, Code 1987,
10 are amended to read as follows:

11 3. To ~~historical-division-of~~ the department of cultural
12 affairs 2 3 copies

13 4. ~~---To-state-historical-society-----~~ 1-copy

14 Sec. 14. Section 19A.1A, subsection 3, Code 1987, is
15 amended to read as follows:

16 3. The director commission may establish by rule divisions
17 and other subunits as necessary for the organization of the
18 department. The director, subject to approval by the
19 commission, may also establish regional field service offices
20 staffed by employees of the executive departments in which
21 they are located. The functions and staffs of the regional
22 offices are subject to policies set by the director of the
23 department of personnel.

24 Sec. 15. Section 19A.3, subsection 16, Code Supplement
25 1987, is amended to read as follows:

26 16. All confidential employees. "Confidential employee"
27 includes the confidential secretary of the deputy secretary of
28 agriculture and of the deputy secretary of state.

29 Sec. 16. Section 19A.15, unnumbered paragraph 2, Code
30 1987, is amended to read as follows:

31 Any applicant for a position subject to the provisions of
32 this chapter shall be permitted to review, in accordance with
33 such rules as the director commission may prescribe, any test,
34 grade, or evaluation resulting from the application for
35 employment.

1 Sec. 17. Section 79.37, Code 1987, is amended to read as
2 follows:

3 79.37 COLLECTIVE BARGAINING AGREEMENTS.

4 Administrative rules adopted by the ~~director-of-the~~
5 ~~department-of personnel~~ commission pursuant to this chapter
6 shall not supersede provisions of collective bargaining
7 agreements negotiated under chapter 20.

8 Sec. 18. Section 123.27, subsection 2, Code 1987, is
9 amended to read as follows:

10 2. On any legal holiday except those designated by the
11 administrator ~~and-approved-by-the-executive-council.~~

12 Sec. 19. Section 125.7, subsection 5, Code 1987, is
13 amended to read as follows:

14 5. ~~Promulgate-rules-for-subsections-1-and-2-and-review~~
15 ~~other~~ Adopt rules necessary to carry out the provisions of
16 this chapter, ~~subject-to-review-in-accordance-with-chapter~~
17 ~~17A.~~

18 Sec. 20. Section 125.20, Code 1987, is amended to read as
19 follows:

20 125.20 RULES.

21 The ~~department~~ commission shall establish rules pursuant to
22 chapter 17A requiring facilities to use reasonable accounting
23 and reimbursement systems which recognize relevant cost-
24 related factors for substance abuse patients. A facility
25 shall not be licensed nor shall any payment be made under this
26 chapter to a facility which fails to comply with those rules
27 or which does not permit inspection by the department or
28 examination of all records, including financial records,
29 methods of administration, general and special dietary
30 programs, the disbursement of drugs and methods of supply, and
31 any other records the ~~department~~ commission deems relevant to
32 the establishment of such a system. However, rules issued
33 pursuant to this ~~paragraph~~ section shall not apply to any
34 facility referred to in section 125.13, subsection 2 or
35 section 125.43.

1 Sec. 21. Section 125.25, subsection 2, Code 1987, is
2 amended to read as follows:

3 2. The department commission shall adopt rules governing
4 the approval of line item budgets for the operation of
5 facilities. The rules shall include provisions for the
6 approval of a facility's budget by the department.

7 Sec. 22. Section 125.32, unnumbered paragraph 1, Code
8 1987, is amended to read as follows:

9 The department commission shall adopt ~~and may amend and~~
10 ~~repeat~~ rules for acceptance of persons into the treatment
11 program, subject to chapter 17A, considering available
12 treatment resources and facilities, for the purpose of early
13 and effective treatment of substance abusers, intoxicated
14 persons, and concerned family members. In establishing the
15 rules the department commission shall be guided by the
16 following standards:

17 Sec. 23. Section 125.33, subsection 2, Code 1987, is
18 amended to read as follows:

19 2. Subject to rules adopted by the department commission,
20 the administrator or the administrator's designee in charge of
21 a facility may determine who shall be admitted for treatment
22 or rehabilitation. If a person is refused admission, the
23 administrator or the administrator's designee, subject to
24 rules adopted by the department commission, shall refer the
25 person to another facility for treatment if possible and
26 appropriate.

27 Sec. 24. Section 135.11, subsection 13, Code Supplement
28 1987, is amended to read as follows:

29 13. ~~Establish; publish;~~ Adopt and enforce rules not
30 inconsistent with law for the enforcement of the provisions of
31 this title ~~and chapter 125~~ and for the enforcement of the
32 various laws, the administration and supervision of which are
33 imposed upon the department.

34 Sec. 25. Section 135.11A, Code 1987, is amended to read as
35 follows:

1 135.11A PROFESSIONAL LICENSURE DIVISION.

2 There shall be a professional licensure division within the
3 department of public health. Each board of examiners
4 specified under chapter 147 or under the administrative
5 authority of the department, except the state board of
6 nursing, state board of medical examiners, state board of
7 dental examiners, state board of chiropractic examiners, and
8 state board of pharmacy examiners, shall receive
9 administrative and clerical support from the division and may
10 not employ its own support staff for administrative and
11 clerical duties.

12 Sec. 26. NEW SECTION. 147.105 BOARD OF NURSING
13 REPRESENTATIVES AS PEACE OFFICERS.

14 Investigators appointed by the executive director of the
15 board of nursing pursuant to section 152.3, and other
16 representatives of the board as designated by the executive
17 director, have the powers and status of peace officers when
18 enforcing this chapter and chapters 152 and 258A.

* 19 Sec. 27. Section 246.105, subsection 7, Code 1987, is
20 amended to read as follows:

21 7. Adopt rules in accordance with chapter 17A as the board
22 deems necessary to transact its business and for the
23 administration and exercise of its powers and duties, and
24 approve all rules before they are adopted by the director or
25 the department.

* 26 Sec. 28. Section 246.804, Code 1987, is amended to read as
27 follows:

28 246.804 DUTIES OF INDUSTRIES BOARD.

29 The industries board's principal duties shall be to
30 ~~promulgate~~ adopt rules and to advise the state director
31 regarding the management of Iowa state industries so as to
32 further the intent stated by section 246.801, and to approve
33 all rules related to Iowa state industries before they are
34 adopted by the state director.

35 Sec. 29. Section 294.15, unnumbered paragraph 3, Code

1 1987, is amended to read as follows:

2 Application for these retirement allowance payments shall
3 be made to the department or personnel under rules prescribed
4 by the ~~director-of-that-department~~ personnel commission. An
5 eligible person is entitled to receive the retirement
6 allowance payments effective from the date of application to
7 the department, if the application is approved, and the
8 payments shall be continued on the first day of each month
9 thereafter during the lifetime of the person.

10 Sec. 30. Section 303.1A, subsection 1, Code Supplement
11 1987, is amended to read as follows:

12 1. Adopt rules that are necessary for the effective
13 administration of the department, except as otherwise provided
14 in this chapter.

15 Sec. 31. Section 303.8, subsection 1, Code 1987, is
16 amended by adding the following new paragraph:

17 NEW PARAGRAPH. f. Approve all rules related to the state
18 historical board and division before they are adopted by the
19 director.

20 Sec. 32. Section 303.33, unnumbered paragraph 1, Code
21 1987, is amended to read as follows:

22 Two years after the establishment of a district, including
23 a district within the limits of a city, a referendum for the
24 termination of the district shall be held if ten percent of
25 the eligible voters in the district so request. If the
26 qualified electors, by a majority of those voting, favor
27 termination, this Act will no longer have any effect on the
28 property formerly included in the district.

29 Sec. 33. Section 303.34, unnumbered paragraph 1, Code
30 1987, is amended to read as follows:

31 The provisions of sections ~~303.20 to-303-33~~ through 303.32
32 do not apply within the limits of a city. However, in order
33 for a city to designate an area which is deemed to merit
34 preservation as an area of historical significance, the
35 following shall apply:

1 Sec. 34. Section 303.34, subsection 3, Code 1987, is
2 amended to read as follows:

3 3. A city may provide by ordinance for the establishment
4 of a commission to deal with matters involving areas of
5 historical significance but shall provide by ordinance for
6 such commission upon the enactment of the ordinance
7 designating an area as an area of historical significance as
8 required in subsection 4. Upon the establishment of the
9 commission the city shall provide by ordinance for the method
10 of appointment, the number, and terms, of members of the
11 commission and for the duties and powers of the commission.
12 The commission shall contain not less than three members. The
13 members of the commission shall be appointed with due regard
14 to proper representation of residents and property owners of
15 the city and their relevant fields of knowledge including but
16 not limited to history, urban planning, architecture, and
17 archaeology, ~~law, and sociology~~. At least one resident of
18 each designated area of historical significance shall be
19 appointed to the commission and such member may represent one
20 of the relevant fields of knowledge. The members of the
21 commission shall reflect the socioeconomic characteristics of
22 the population of the area or areas of historical significance
23 with due regard given to the appointment of members
24 representing the elderly and low-income populations of the
25 area or areas of historical significance. Cities with a
26 population of more than fifty thousand shall not appoint more
27 than one-third of the members to the commission of an area of
28 historical significance that are members of a city zoning
29 commission appointed pursuant to chapter 414. The commission
30 shall have the power to approve or deny applications for
31 proposed alterations to exterior features within an area
32 designated as an area of historical significance. An
33 aggrieved party may appeal the commission's action to the
34 governing body of the city. If not satisfied by the decision
35 of the governing body, the party may appeal within sixty days

1 of the governing body's decision to the district court for the
2 county in which the designated area is located. On appeal the
3 governing body or the district court as the case may be shall
4 consider whether the commission has exercised its powers and
5 followed the guidelines established by the law and ordinance,
6 and whether the commission's action was patently arbitrary or
7 capricious.

8 Sec. 35. Section 303.87, Code 1987, is amended by adding
9 the following new subsection:

10 NEW SUBSECTION. 3. Approve all rules related to the arts
11 council and division before they are adopted by the director.

12 Sec. 36. Section 303.92, subsection 2, Code 1987, is
13 amended to read as follows:

14 2. The commission shall elect one of its members as
15 chairperson. The commission shall meet at the time and place
16 specified by call of the chairperson. Four members are a
17 quorum for the transaction of business. The commission shall
18 approve all rules related to the state library commission and
19 division before they are adopted by the director.

* 20 Sec. 37. Section 307.10, Code 1987, is amended by adding
21 the following new subsection:

22 NEW SUBSECTION. 8. Adopt rules pursuant to chapter 17A as
23 it deems necessary to transact its business and exercise its
24 powers and duties.

25 Sec. 38. Section 307.12, subsection 9, Code 1987, is
26 amended to read as follows:

27 9. Adopt rules in accordance with chapter 17A as the
28 director deems necessary for the ~~administration of the~~
29 ~~department and the~~ exercise of the director's and department's
30 powers and duties, subject to the approval of the commission.

31 Sec. 39. Section 308.1, Code 1987, is amended by adding
32 the following new unnumbered paragraph:

33 NEW UNNUMBERED PARAGRAPH. The state department of
34 transportation shall provide office space and staff assistance
35 to the commission, and shall budget funds to cover the

1 expenses of the commission.

2 Sec. 40. Section 315.10, Code 1987, is amended to read as
3 follows:

4 315.10 RULES.

5 The department shall, subject to the approval of the state
6 transportation commission, adopt rules pursuant to chapter 17A
7 as necessary for the administration of this chapter.

8 Sec. 41. Section 321.428, unnumbered paragraph 1, Code
9 1987, is amended to read as follows:

10 The director may approve or disapprove lighting devices and
11 ~~issue~~ adopt and enforce rules establishing standards and
12 specifications for the approval of the lighting devices, their
13 installation, adjustment, and aiming, and adjustment when in
14 use on motor vehicles. The rules shall be approved by the
15 state transportation commission and shall correlate with and,
16 so far as practicable, conform to the then current standards
17 and specifications of the society of automotive engineers
18 applicable to such equipment.

19 Sec. 42. Section 328.12, subsection 2, Code 1987, is
20 amended to read as follows:

21 2. RULES. Make reasonable rules, consistent with this
22 chapter, as deemed by the director to be necessary and
23 expedient for the administration and enforcement of this
24 chapter, and amend the rules at any time. Rules proposed by
25 the director shall be subject to the approval of this
26 commission.

* 27 Sec. 43. Section 333A.3, subsection 3, Code 1987, is
28 amended to read as follows:

29 3. The committee shall select its own officers and meet at
30 the call of the director chairperson of the department-of
31 management committee.

* 32 Sec. 44. Section 384.15, subsection 2, Code 1987, is
33 amended to read as follows:

34 2. Select its officers and meet at the call of the
35 director chairperson of the department-of-management committee

1 or upon an appeal of the director's decision.

* 2 Sec. 45. Section 421.17, subsection 17, Code Supplement
3 1987, is amended to read as follows:

4 17. To certify to the department of management on January
5 1 of each year the aggregate of each state tax for each county
6 for said year.

7 Sec. 46. Section 455A.4, subsection 1, paragraph 1, Code
8 1987, is amended to read as follows:

9 1. Adopt rules in accordance with chapter 17A as necessary
10 or desirable for the organization or reorganization of the
11 department, except that such rules shall not conflict with
12 rules adopted by either the natural resource commission or the
13 environmental protection commission pursuant to section 455A.5
14 or 455A.6.

15 Sec. 47. Section 455C.4, subsection 3, Code Supplement
16 1987, is amended to read as follows:

17 3. A dealer or a distributor may not refuse to accept and
18 to pay the refund value of an empty wine container which is
19 marked to indicate that it was sold by a state liquor store.
20 However, effective January 1, 1989, a dealer or a distributor
21 may refuse to accept and to pay the refund value of an empty
22 wine or alcoholic liquor container which is marked to indicate
23 that it was sold by a state liquor store. Effective January
24 1, 1989, a dealer or a distributor shall not be reimbursed by
25 the alcoholic beverages division of the department of
26 commerce.

27 Sec. 48. Section 496A.101, subsection 1, Code 1987, is
28 amended to read as follows:

29 1. Upon the voluntary or involuntary dissolution of a
30 corporation the portion of the assets distributable to a
31 creditor or shareholder who is unknown, or who is under
32 disability and there is no person legally competent to receive
33 such distributive portion, or who cannot be found after the
34 exercise of reasonable diligence by the person or persons
35 responsible for the distribution in liquidation of the

1 corporation's assets, shall be reduced to cash and deposited
2 with the state treasurer of state, together with a statement
3 giving the name of the person, if known, entitled to such
4 fund, that person's last known address, the amount of that
5 person's distributive portion, and such other information
6 about such person as the state treasurer may reasonably
7 require, pursuant to section 556.6 on forms prescribed by the
8 treasurer, whereupon the person or persons responsible for the
9 distribution in liquidation of the corporation's assets shall
10 be released and discharged from any further liability with
11 respect to the funds so deposited. The state treasurer of
12 state shall issue the state treasurer's receipt for such fund
13 and shall deposit same in a special account to be maintained
14 by the state treasurer the moneys deposited.

15 Sec. 49. Section 496A.101, subsection 2, Code 1987, is
16 amended by striking the subsection and inserting in lieu
17 thereof the following:

18 2. Claims for ownership or right to the moneys after they
19 have been remitted to the treasurer shall be filed pursuant to
20 chapter 556.

21 Sec. 50. Section 496A.101, Code 1987, is amended by adding
22 the following new subsection:

23 NEW SUBSECTION. 3. Moneys deposited with the treasurer of
24 state pursuant to this section before the effective date of
25 this Act and deposited in the special fund shall be
26 transferred to the unclaimed property trust fund created by
27 section 556.18 and are subject to the reversion requirements
28 of that section.

29 Sec. 51. Section 524.208, Code 1987, is amended to read as
30 follows:

31 524.208 ASSISTANTS, EXAMINERS, AND OTHER EMPLOYEES.
32 The superintendent may appoint assistants, examiners, and
33 other employees as the superintendent deems necessary to the
34 proper discharge of the duties imposed upon the superintendent
35 by the laws of this state. Pay plans, based on biweekly pay

1 periods, shall be established for employees, other than
2 clerical, who examine the accounts and affairs of state banks
3 and who examine the accounts and affairs of other persons,
4 subject to supervision and regulation by the superintendent,
5 which are substantially equivalent to those paid by the
6 Federal Deposit Insurance Corporation and other federal
7 supervisory agencies in this area of the United States.

8 Sec. 52. Section 534.401, subsection 2, unnumbered
9 paragraph 2, Code 1987, is amended to read as follows:

10 The supervisor superintendent may, with the approval of the
11 auditor-of-state, appoint examiners and assistants necessary
12 to properly execute the duties of the office. Any An examiner
13 so-appointed shall have had at least one year of actual
14 experience as examiner, officer, or employee, of a savings and
15 loan association. Such The examiners' salaries shall be fixed
16 by the auditor-of-state superintendent subject to the approval
17 of the comptroller director of management and governor, which
18 salaries shall be based on biweekly pay periods and shall be
19 commensurate with that those in the range of other employees
20 as prescribed by certain classifications in accordance with
21 their experience and qualifications. In addition such the
22 examiners shall be reimbursed for their actual and necessary
23 expense.

24 Sec. 53. Section 556.8, Code 1987, is amended to read as
25 follows:

26 556.8 PROPERTY HELD BY STATE COURTS AND PUBLIC OFFICERS
27 AND AGENCIES.

28 1. All intangible personal property held for the owner by
29 any court, public corporation, public authority, or public
30 officer of this state, or a political subdivision of the
31 state, that has remained unclaimed by the owner for more than
32 two years after becoming payable or distributable is presumed
33 abandoned.

34 2. All intangible personal property held for the owner by
35 any court, public corporation, public authority, agency,

1 instrumentality, officer or employee of the United States of
2 America or any other state or any subdivision thereof, that
3 has remained unclaimed by the owner for more than two years
* 4 after becoming payable or distributable is presumed abandoned.

5 Sec. 54. Section 556.11, unnumbered paragraph 1, Code
6 1987, is amended to read as follows:

7 All agreements to pay compensation to recover or assist in
8 the recovery of property reported under this section, made
9 within twenty-four months after the date payment or delivery
10 is made under section 556.13 are unenforceable. However, such
11 agreements made after twenty-four months from the date payment
12 or delivery is required under this section are valid if the
13 fee or compensation agreed upon is not more than ten percent
14 of the recoverable property, the agreement is in writing and
15 signed by the owner, and the writing discloses the nature and
16 value of the property and the name and address of the person
17 or entity in possession. This section does not prevent an
18 owner from asserting, at any time, that an agreement to locate
19 property is based upon excessive or unjust consideration.

20 Sec. 55. Section 556.18, subsection 1, Code 1987, is
21 amended to read as follows:

22 1. Except as provided in subsection 3, all funds received
23 under this chapter, including the proceeds from the sale of
24 abandoned property under section 556.17, shall be deposited
25 monthly by the treasurer of state in the general funds of the
26 state. However, the treasurer of state shall retain in a
27 separate trust fund an amount not exceeding one hundred
28 thousand dollars from which the treasurer of state shall make
29 prompt payment of claims duly allowed under section 556.20.
30 Before making the deposit, the treasurer of state shall record
31 the name and last known address of each person appearing from
32 the holders' reports to be entitled to the abandoned property
33 and of the name and last known address of each insured person
34 or annuitant, and with respect to each policy or contract
35 listed in the report of a life insurance corporation, its

1 number, the name of the corporation, and the amount due. The
2 record shall be available for public inspection at all
3 reasonable business hours.

4 Sec. 56. Section 566.15, Code 1987, is amended to read as
5 follows:

6 566.15 AUTHORITY TO INVEST FUNDS.

7 The board of supervisors, mayor and council, or board of
8 trustees, as the case may be, shall have authority to receive
9 and invest, by exercising the judgement and care, under the
10 circumstances then prevailing, which persons of prudence,
11 discretion, and intelligence exercise in the management of
12 their own affairs as provided in section 633.223, subsection
13 1, all moneys and property, so donated or bequeathed, and that
14 portion of cemetery lot sales and permanent charges made
15 against cemetery lots which has been set aside in a perpetual
16 care fund in such authorized investments and in the manner
17 prescribed in section 682.23, or as the same may be hereafter
18 amended. Such money must be invested at the market value of
19 such securities, and they shall use the The income from such
20 investment shall be used in caring for the property of the
21 donor in any a cemetery, or as shall be is provided in the
22 terms of such the gift or donations or agreement for sale and
23 purchase of a cemetery lot.

24 Sec. 57. Section 602.8105, subsection 4, Code Supplement
25 1987, is amended by striking the subsection and inserting in
26 lieu thereof the following:

27 4. The clerk shall pay to the treasurer of state all fees
28 which have come into the clerk's possession and are unclaimed
29 pursuant to section 556.8 on forms prescribed by the
30 treasurer. Claims for payment of the moneys must be filed
31 pursuant to chapter 556.

32 Sec. 58. Section 602.8105, Code Supplement 1987, is
33 amended by adding the following new subsection:

34 NEW SUBSECTION. 5. Moneys remitted to the treasurer
35 pursuant to subsection 4 before the effective date of this Act

1 shall be transferred to the unclaimed property trust fund
2 created by section 556.18 and are subject to the reversion
3 requirements of that section.

4 Sec. 59. 1986 Iowa Acts, chapter 1238, section 59, is
5 amended to read as follows:

6 SEC. 59. 1986 Iowa Acts, Senate File 2175, section 2046,
7 is amended by striking the section and inserting the
8 following:

9 SEC. 2046. Section 421.31, subsection 3 5, in its
10 requirement that the government's accounts be in accordance
11 with generally accepted accounting principles, takes effect
12 with the fiscal year beginning July 1, 1992.

13 The governor, auditor of state, treasurer of state,
14 director of the legislative fiscal bureau, and the department
15 of management shall phase in the implementation of generally
16 accepted accounting principles, as defined by the governmental
17 accounting standards board, which includes fund
18 reclassifications, revenue recognition, and recognition of all
19 appropriate liabilities beginning with the fiscal year
20 beginning July 1, 1987.

21 The fiscal impact to the state general fund of implementing
22 fund reclassifications, and recognizing additional liabilities
23 shall be phased in according to the following schedule for the
24 fiscal years beginning July 1:

25	1987	ten percent
26	1988	twenty percent
27	1989	forty percent
28	1990	sixty percent
29	1991	eighty percent
30	1992	one hundred percent

31 Sec. 60. 1986 Iowa Acts, chapter 1246, section 202,
32 subsection 5, is amended to read as follows:

33 5. CHILDREN, YOUTH, AND FAMILIES DIVISION

34 For salaries and support of not more than two full-time
35 equivalent positions annually, maintenance and miscellaneous

1 purposes:

2 \$ 68,001

3 ~~it-is-the-intent-of-the-general-assembly-that-the-children,~~
4 ~~youth-and-families-division-be-terminated-June-30,-1988.~~

5 Sec. 61. 1987 Iowa Acts, chapter 22, section 20, is
6 amended to read as follows:

7 SEC. 20. Section 11 of this Act is retroactive to July 1,
8 1986, and is repealed effective January 1, 1989.

9 Sec. 62. REPEALS.

* 10 1. Sections 28.51, 28.52, 28.53, 135.43, and 135.44, Code
11 1987, are repealed.

12 2. Section 601K.40, Code Supplement 1987, is repealed.

13 Sec. 63. NONSTATUTORY ADVISORY COMMITTEES -- DEPARTMENT OF
14 ECONOMIC DEVELOPMENT.

15 1. The nonstatutory advisory committee regarding partners
16 for economic progress shall be abolished. The director of the
17 department of economic development may abolish or combine
18 other nonstatutory advisory committees while assuring
19 administrative efficiency and the continued effective
20 performance of the responsibilities of the advisory groups.

21 2. The director of the department of economic development
22 may by executive action maintain the Iowa high technology
23 council or transfer its duties as set out in sections 28.52
24 and 28.53, Code 1987, to the Iowa economic development board
25 created in section 15.103.

26 Sec. 64. EFFECTIVE DATE. This Act, being deemed of
27 immediate importance, takes effect upon enactment.

28 COMPANION TO LSB 4800XH

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HOUSE AMENDMENT TO
SENATE FILE 2341

11

1 Amend Senate File 2341, as amended, passed, and
2 reprinted by the Senate, as follows:

3 1. Page 5, by inserting after line 3 the
4 following:

5 "Sec. _____. Section 17A.8, subsection 1, paragraphs
6 a and b, Code 1987, are amended to read as follows:

7 a. ~~Three~~ Five senators appointed by the majority
8 leader of the senate.

9 b. ~~Three~~ Five representatives appointed by the
10 speaker of the house.

11 Sec. _____. Section 17A.8, subsection 4, Code 1987,
12 is amended to read as follows:

13 4. The committee shall choose a chairperson from
14 its membership and prescribe its rules of procedure.
15 The appointment of a chairperson shall be for a period
16 of two years, and shall rotate between the senate and
17 house on a biennial basis. The committee may employ a
18 secretary or may appoint the Code editor or a designee
19 to act as secretary."

20 2. Page 5, by striking lines 14 through 23.

21 3. Page 5, by striking line 28 and inserting the
22 following: "state."

23 4. By striking page 5, line 29 through page 6,
24 line 7.

25 5. By striking page 6, line 12 through page 7,
26 line 33.

27 6. By striking page 7, line 34 through page 8,
28 line 11.

29 7. Page 8, by inserting after line 11 the
30 following:

31 "Sec. _____. Sections 135.111 through 135.118 are
32 enacted as a new division of chapter 135 entitled
33 "Health Profession Review Commission".

34 Sec. _____. NEW SECTION. 135.111 DECLARATION.

35 1. The general assembly declares that it is
36 advisable to have the results of an independent
37 research, review, and evaluation process prior to
38 legislative decision-making regarding proposals
39 concerning the following:

40 a. Licensure of health care professionals, and the
41 professionals' scope of practice.

42 b. Whether additional categories of health care
43 institutions and professions should be licensed, after
44 considering educational, experiential, and other
45 relevant criteria.

46 c. Whether health care payors should be required
47 to include or offer certain benefits or coverage or
48 make payment for services provided by particular
49 health care institutions and professions, and the
50 appropriate levels of benefits or coverage for such

1 services.

2 d. Other changes affecting the professional
3 practice acts of the health professions.

4 A process for independent, expert research, review,
5 and evaluation will encourage a less fragmented, more
6 rational approach to the consideration of proposals in
7 these areas and will provide the general assembly with
8 adequate and reliable information as to the effect of
9 these proposals on health care and health care
10 delivery in the state, including the effect, if any,
11 on the availability and cost of services and coverage.

12 2. The general assembly further declares that
13 there is need for a process by which qualified persons
14 may be engaged to conduct analytical research to
15 provide a broader base of information for use in
16 considering health care issues and measuring the long-
17 term and interactive effects of various proposals.

18 3. The general assembly further declares that the
19 conduct of this health care research and review will
20 benefit the citizens of Iowa and that the costs of
21 such research should be borne by those affected.

22 Sec. ____ . NEW SECTION. 135.112 DEFINITIONS.

23 As used in this division, unless the context
24 otherwise requires:

25 1. "Commission" means the health profession review
26 commission.

27 2. "Health care institution" or "health care
28 professional" means a person which furnishes health
29 care services.

30 3. "Health care payor" means a person which offers
31 administrative, indemnity, or payment services for
32 health care in exchange for a premium or service
33 charge under a program of health care benefits,
34 including, but not limited to, an insurance company,
35 association, or exchange issuing health insurance
36 policies in this state; a health service corporation
37 operating pursuant to chapter 514; a health
38 maintenance organization operating pursuant to chapter
39 514B; a preferred provider organization; a fraternal
40 benefit society; a third-party administrator; a
41 corporation, labor organization, or other entity which
42 provides covered services for its employees or members
43 by means of a self-funded program of benefits, and a
44 certified bargaining representative that represents a
45 group or groups of employees for whom employers
46 purchase a program of benefits which provide covered
47 services; and any other person or entity which makes
48 payments to health care institutions and health care
49 professionals for health care services.

50 4. "Health care services" means services included

1 in the furnishing to any individual of care necessary
2 for the purpose of preventing, alleviating, curing, or
3 healing human physical or mental illness, injury, or
4 disability.

5 5. "Health note" means a summary of the results of
6 the short-term review and analysis of a legislative
7 proposal which has been prepared by the commission
8 pursuant to section 135.114, subsection 2.

9 6. "Person" means a person as defined in section
10 4.1.

11 Sec. ____ . NEW SECTION. 135.113 COMMISSION
12 ESTABLISHED --PURPOSE.

13 1. A health profession review commission is
14 established for the purpose of organizing and
15 conducting health profession research, review, and
16 evaluation activities through the use of existing
17 resources available within appropriate state agencies
18 and by contracting with individuals or organizations
19 who are recognized experts in the fields of study of
20 health, insurance, statistics, economics, or other
21 appropriate academic disciplines in furtherance of the
22 purpose and intent of the general assembly as
23 expressed in section 135.111.

24 Nothing in this division shall be construed as
25 granting the commission authority to establish health
26 care policy.

27 2. The commission consists of the director of
28 public health, the commissioners of insurance and
29 human services, and the directors of the legislative
30 service bureau and the legislative fiscal bureau. The
31 director of public health is the chairperson of the
32 commission. The other members may designate persons
33 to represent them as regular members of the
34 commission. A majority of the members of the
35 commission constitutes a quorum. The commission shall
36 meet at least once during each calendar quarter.
37 Meeting dates shall be set by members of the
38 commission or by call of the chairperson upon five
39 days' notice to the members. Action of the commission
40 shall not be taken except upon the affirmative vote of
41 a majority of the members of the commission.

42 The members of the commission shall not receive a
43 salary or per diem for being on the commission but
44 shall receive reimbursement for necessary travel and
45 expenses while engaged in commission business. Funds
46 for reimbursement shall come from the moneys
47 appropriated to the department or agency of which the
48 member is the head.

49 Sec. ____ . NEW SECTION. 135.114 DUTIES OF
50 COMMISSION.

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1 1. The commission shall establish a process of
2 research, review, and evaluation to be utilized in the
3 consideration of legislative proposals concerning the
4 following:

5 a. Licensure of health care professionals, and the
6 professionals' scope of practice.

7 b. Whether additional categories of health care
8 institutions and professions should be licensed, after
9 considering educational, experiential, and other
10 relevant criteria.

11 c. Mandating health care payors to include or
12 offer certain benefits or coverage or make payment for
13 services provided by particular health care
14 institutions and professions, and mandating certain
15 levels of benefits or coverage for those services.

16 d. Other changes affecting the professional
17 practice acts of the health professions.

18 The process shall be designed to address the
19 effects of each proposal with respect to health care
20 and health care delivery in this state, including the
21 availability and cost of services and coverage. The
22 commission shall undertake studies pursuant to this
23 subsection in response to requests from members of the
24 general assembly or as it deems appropriate. Reports
25 of the studies shall be available upon request. At
26 least once every six months the commission shall
27 provide to members of the general assembly a listing
28 of completed reports which may be requested.

29 2. In addition, the commission shall establish a
30 process for the preparation of health notes for
31 legislative proposals concerning the matters described
32 in subsection 1. The process shall apply to each such
33 legislative proposal for which a health note is
34 requested by a member of the general assembly. The
35 health note shall contain a summary of the results of
36 the commission's short-term review and analysis of the
37 proposal and, insofar as possible, shall be submitted
38 to the members of the general assembly within the time
39 limits set forth in the request. A health note may be
40 requested for a proposal whether or not the proposal
41 is the subject of a more extensive study pursuant to
42 subsection 1.

43 3. The commission may contract with individuals or
44 entities having recognized expertise in the fields of
45 health, insurance, economics or other appropriate
46 academic disciplines as necessary to conduct the
47 research, review, and evaluation of proposals as
48 provided in subsection 1. The experts may be
49 organized into panels of two or three. The commission
50 may assign more than one study to a single expert or

1 panel. A study shall not be assigned to a single
2 expert under subsection 1, subsection 2, or any other
3 provision of this section except by unanimous decision
4 of the commission. A panel shall not include more
5 than one employee, agent, contractor, or other
6 representative from a particular employer,
7 corporation, partnership, or other entity. When a
8 proposal is chosen for study pursuant to subsection 1,
9 the commission shall review the proposal to determine
10 if the special training and knowledge required to
11 conduct the study is possessed by the existing staffs
12 of the executive departments under the control and
13 direction of members of the commission. If so, by
14 unanimous decision only, the commission may assign the
15 study to existing staffs.

16 4. The commission may assign to outside experts
17 engaged for studies pursuant to subsection 1 the
18 responsibility for preparing particular health notes
19 pursuant to subsection 2. If, by unanimous decision
20 only, the commission determines that outside experts
21 are not needed to prepare particular health notes, the
22 responsibility may be assigned to existing staffs.

23 5. The commission shall not enter into an
24 agreement with a person or entity if either of the
25 following applies:

26 a. The person or entity has a material financial
27 interest in the provision of health care services in a
28 health care field to be covered by the study.

29 b. The person or entity is registered, licensed,
30 or certified to provide health care services to be
31 covered by the study, unless a majority of the study
32 panel is composed of persons not registered, licensed,
33 or certified to provide health care services.

34 6. The commission shall also provide for one or
35 more three-member panels of experts to conduct an
36 analytical research study of the scopes of practice of
37 all health care professions in the state for the
38 purpose of analyzing the interrelationships,
39 boundaries, and areas of overlap with emphasis on the
40 overall effects of existing and proposed statutes and
41 rules upon health care costs, availability of
42 services, and other facets of the health care delivery
43 system. The study shall include a comparative review
44 of scope of practice and related provisions in other
45 states and shall take into account the changes in
46 recent decades and developing trends in the following
47 areas:

48 a. Relationships among the health care
49 professions.

50 b. Educational and experiential requirements for

1 the various health care professions.

2 c. The general structure of the health care
3 delivery system, including the growth of alternative
4 structures such as health maintenance organizations.

5 d. Appropriate levels of delivery of professional
6 health care services in the rural and urban areas of
7 the state.

8 e. Relationships among health care providers,
9 including hospitals, health care facilities, and other
10 institutional providers, health maintenance
11 organizations, health care professionals, and
12 insurers.

13 f. Health care needs of persons of different age
14 levels in the state.

15 7. Before assigning a study under this section,
16 the commission shall consult with the health data
17 commission, the legislative extended assistance group,
18 and others concerning relevant studies completed or
19 pending. Persons assigned to conduct studies under
20 this section shall be encouraged to seek advice and
21 utilize research from these sources to avoid
22 duplication of effort.

23 Sec. . NEW SECTION. 135.115 INFORMATION ON
24 LEGISLATIVE PROPOSALS.

25 The commission may prepare for each category of
26 legislative proposal a list specifying the types of
27 data and the questions and issues which should be
28 addressed by persons submitting information on
29 specific proposals. The lists may include the
30 following:

31 1. The extent to which the proposed benefit and
32 the services it would provide are needed by, available
33 to and utilized by the population of the state.

34 2. The extent to which insurance coverage for the
35 proposed benefit already exists, or if no such
36 coverage exists, the extent to which this lack of
37 coverage results in inadequate health care or
38 financial hardship for the population of the state.

39 3. Relevant findings bearing on the social impact
40 of the lack of the proposed benefit.

41 4. Where the proposed benefit would mandate
42 coverage of a particular therapy by health care
43 payors, the results of at least one professionally
44 accepted, controlled trial comparing the medical
45 consequences of the proposed therapy, alternative
46 therapies, and no therapy.

47 5. Where the proposed benefit would mandate
48 coverage by health care payors of an additional class
49 of health care institutions or professionals in
50 addition to those currently covered, the results of at

1 least one professionally accepted, controlled trial
2 comparing the medical results achieved by the
3 additional class of practitioners and those
4 practitioners whose services already are covered by
5 benefits.

6 6. The results of any other relevant research
7 conducted by the federal government, other states, and
8 private and public health care research agencies or
9 foundations.

10 7. Evidence of the financial impact of the
11 proposed legislation, including the following:

12 a. The extent to which the proposed benefit would
13 increase or decrease costs for treatment or service.

14 b. The extent to which similar mandated benefits
15 in other states have affected charges, costs, and
16 payments for services.

17 c. The extent to which the proposed benefit would
18 increase the appropriate use of the treatment or
19 service.

20 d. The impact of the proposed benefit on
21 administrative expenses of health care payors.

22 e. The impact of the proposed benefit on the costs
23 to purchasers of health care coverage and benefits.

24 f. The impact of the proposed benefit on the total
25 cost of health care within the state.

26 8. Where the proposal would authorize a new
27 category of health care institution or health care
28 professional or expand the licensure or scope of
29 practice of existing health care institutions and
30 professions, the following:

31 a. The effect of the proposed authorization or
32 expansion on relationships among and between existing
33 health care institutions and professions.

34 b. The educational and experiential requirements
35 for the various health care professions, including but
36 not limited to, credentialing.

37 c. The general impact, in terms of cost, quality,
38 and access of the proposal on the existing health care
39 delivery system.

40 d. The impact of the proposal on the delivery of
41 institutional and professional health care services in
42 the rural and urban areas of the state.

43 e. A comparison of similar proposals or related
44 provisions or changes in other states.

45 f. The impact of the proposal on the health care
46 needs of persons of different age levels in the state.

47 Sec. ____ . NEW SECTION. 135.116 PROCEDURES.

48 1. The commission may establish procedures for the
49 submission and review of information on a legislative
50 proposal. In the review and evaluation of information

1 submitted in connection with a proposal, consideration
2 shall be given to the extent to which the
3 documentation is responsive to the items on the list
4 provided pursuant to section 135.115; whether or not
5 the research cited meets generally recognized
6 professional standards for the conduct of scholarly
7 research; whether or not the information includes all
8 known research relevant to the proposal; and whether
9 or not the conclusions and interpretations are
10 consistent with the data submitted. The commission
11 may request information and advice from state
12 departments and agencies, including but not limited to
13 the health data commission, the health profession
14 examining boards, and from political subdivisions.

15 2. The commission may adopt rules pursuant to
16 chapter 17A establishing time limits, forms, and other
17 procedures applicable to the research, review, and
18 evaluation process and the preparation of health
19 notes. The rules may include provisions for notice
20 and public hearings.

21 Sec. ____ . NEW SECTION. 135.117 ADMINISTRATION --
22 RULES -- REPORTS.

23 1. The director of public health is responsible
24 for the administration of this division and may assign
25 staff of the department of public health to the
26 commission.

27 2. The commission, in cooperation with the
28 director of public health, shall adopt rules pursuant
29 to chapter 17A as necessary to carry out this
30 division.

31 3. The commission shall submit an annual report on
32 the actions taken by the commission to the general
33 assembly not later than January 15 of each year.

34 Sec. ____ . NEW SECTION. 135.118 HEALTH REVIEW
35 ACCOUNT.

36 1. There is established in the general fund of the
37 state an account to be known as the health review
38 account. The account is composed of the fees imposed
39 by law upon health care professionals for health
40 research, review, and evaluation activities conducted
41 pursuant to this division. Subject to legislative
42 authorization, an amount equivalent to the amount in
43 the health review account is appropriated to the
44 health profession review commission to be used for
45 conducting its health research, review, and evaluation
46 activities as provided in this division.

47 Sec. ____ . NEW SECTION. 135E.6A ADDITIONAL FEE
48 FOR HEALTH REVIEW.

49 In addition to the fees required by section 135E.5,
50 each person granted a license as a nursing home

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1 administrator or a renewal of such a license shall pay
2 to the board an annual fee equal to ten percent of the
3 fee for the license or renewal, as appropriate, for
4 health policy research, review, and evaluation
5 activities pursuant to sections 135.111 through
6 135.118. The fee shall be paid at the time the
7 license or renewal fee is paid. The fees collected
8 shall be paid to the treasurer of state and deposited
9 in the general fund of the state to the credit of the
10 health review account established in section 135.118.

11 Sec. ____ . NEW SECTION. 135F.14 ADDITIONAL FEES
12 FOR HEALTH REVIEW.

13 In addition to the fees required pursuant to
14 section 135F.6, each person granted registration or
15 certification by the department as a respiratory care
16 practitioner or renewal of such registration or
17 certification shall pay to the department an annual
18 fee equal to ten percent of the fee for the
19 registration or certification or the renewal, as
20 appropriate, for health policy research, review, and
21 evaluation activities pursuant to sections 135.111
22 through 135.118. The fee shall be paid at the time
23 the registration, certification, or renewal fee is
24 paid. The fees collected shall be paid to the
25 treasurer of state and deposited in the general fund
26 of the state to the credit of the health review
27 account established in section 135.118.

28 Sec. ____ . Section 145.2, Code 1987, is amended by
29 adding a new unnumbered paragraph, following
30 unnumbered paragraph 1, as follows:

31 NEW UNNUMBERED PARAGRAPH. The commission shall
32 also cooperate with the health profession review
33 commission, established in section 135.113, by
34 providing advice, assistance, and information as
35 appropriate to the achievement of the purposes and
36 responsibilities of that commission.

37 Sec. ____ . Section 145.3, subsection 3, paragraph
38 b, Code 1987, is amended by adding the following new
39 unnumbered paragraph:

40 NEW UNNUMBERED PARAGRAPH. In addition, the
41 commission shall adopt rules relating to the gathering
42 of UB-82 claims data for all hospital inpatients and
43 outpatients whose charges are not submitted to third-
44 party payers, including self-paid, charity, and bad
45 debt cases.

46 Sec. ____ . NEW SECTION. 147.81 ADDITIONAL FEE FOR
47 HEALTH REVIEW.

48 In addition to the fees required by sections 147.25
49 and 147.80, each person granted a license or other
50 credential or a renewal of a license or credential

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1 pursuant to this chapter or chapter 147A, 148, 148A,
2 148B, 148C, 149, 150, 150A, 151, 152, 152A, 153, 153A,
3 154, 154A, 154B, 154C, 155A, or 156 shall pay to the
4 department, or to the appropriate board of examiners
5 if the board is required by law to collect the license
6 fees, an annual fee equal to ten percent of the fee
7 for the license or renewal, as appropriate, for health
8 policy research, review, and evaluation activities
9 pursuant to sections 135.111 through 135.118. The fee
10 shall be paid at the time the license or renewal fee
11 is paid. The fees collected shall be paid to the
12 treasurer of state and deposited in the general fund
13 of the state to the credit of the health review
14 account established in section 135.118.

15 The additional annual fee imposed by this section
16 shall also be imposed upon persons granted licenses or
17 other credentials in health care professions for which
18 licensing or credentialing provisions are enacted
19 after January 1, 1988."

20 8. Page 8, by striking lines 12 through 18.

21 9. By striking page 8, line 19 through page 9,
22 line 19.

23 10. By striking page 9, line 20 through page 11,
24 line 7.

25 11. Page 11, by striking lines 8 through 30.

26 12. Page 12, by striking lines 2 through 26.

27 13. By striking page 12, line 27 through page 13,
28 line 1.

29 14. Page 13, by striking lines 7 through 14.

30 15. Page 17, by striking lines 4 through 23.

31 16. Page 18, by striking lines 13 through 15 and
32 inserting the following:

33 "The governor, auditor of state, treasurer of
34 state, and the department of management, in
35 consultation with the director of the legislative
36 fiscal bureau, shall phase in the implementation of
37 generally".

38 17. By striking page 18, line 31 through page 19,
39 line 4.

40 18. Page 19, by striking line 8 and inserting the
41 following: "1986, and is repealed effective ~~January~~
42 June 30, 1989."

43 19. Page 19, by striking line 12.

44 20. By striking title page 1, line 1 through
45 title page 2, line 23, and inserting the following:
46 "An Act relating to the organization and procedures of
47 state government, by making modifications to the
48 authority for and procedures relating to governmental
49 information, budget, and finance administration, by
50 making modifications in the authority for and

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1 procedures relating to state personnel administration,
2 by making modifications to the powers, procedures, and
3 structure of certain state governmental agencies, by
4 making modifications for the disposition of unclaimed
5 and abandoned property, by extending a tax liability
6 exemption, by making adjustments to the 1986
7 legislation reorganizing state government, by making
8 other related adjustments and modifications, and by
9 providing an effective date."
10 21. By renumbering, relettering, or redesignating
11 and correcting internal references as necessary.

S-6111

Filed April 17, 1988

LOST

RECEIVED FROM THE HOUSE

Refer to Senate 4/16 (p. 1745)
House included 4/16 (p. 2016)

SENATE FILE 2341

H-6548

1 Amend Senate File 2341, as amended, passed, and
2 reprinted by the Senate, as follows:

3 1. Page 8, by inserting after line 11 the
4 following:

5 "Sec. ____ . Sections 135.111 through 135.118 are
6 enacted as a new division of chapter 135 entitled
7 "Health Profession Review Commission".

8 Sec. ____ . NEW SECTION. 135.111 DECLARATION.

9 i. The general assembly declares that it is
10 advisable to have the results of an independent
11 research, review, and evaluation process prior to
12 legislative decision-making regarding proposals
13 concerning the following:

14 a. Licensure of health care professionals, and the
15 professionals' scope of practice.

16 b. Whether additional categories of health care
17 institutions and professions should be licensed, after
18 considering educational, experiential, and other
19 relevant criteria.

20 c. Whether health care payors should be required
21 to include or offer certain benefits or coverage or
22 make payment for services provided by particular
23 health care institutions and professions, and the
24 appropriate levels of benefits or coverage for such
25 services.

26 d. Other changes affecting the professional
27 practice acts of the health professions.

28 A process for independent, expert research, review,
29 and evaluation will encourage a less fragmented, more
30 rational approach to the consideration of proposals in
31 these areas and will provide the general assembly with
32 adequate and reliable information as to the effect of
33 these proposals on health care and health care
34 delivery in the state, including the effect, if any,
35 on the availability and cost of services and coverage.

36 2. The general assembly further declares that
37 there is need for a process by which qualified persons
38 may be engaged to conduct analytical research to
39 provide a broader base of information for use in
40 considering health care issues and measuring the long-
41 term and interactive effects of various proposals.

42 3. The general assembly further declares that the
43 conduct of this health care research and review will
44 benefit the citizens of Iowa and that the costs of
45 such research should be borne by those affected.

46 Sec. ____ . NEW SECTION. 135.112 DEFINITIONS.

47 As used in this division, unless the context
48 otherwise requires:

49 1. "Commission" means the health profession review
50 commission.

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Page 2

- 1 2. "Health care institution" or "health care
2 professional" means a person which furnishes health
3 care services.
- 4 3. "Health care payor" means a person which offers
5 administrative, indemnity, or payment services for
6 health care in exchange for a premium or service
7 charge under a program of health care benefits,
8 including, but not limited to, an insurance company,
9 association, or exchange issuing health insurance
10 policies in this state; a health service corporation
11 operating pursuant to chapter 514; a health
12 maintenance organization operating pursuant to chapter
13 514B; a preferred provider organization; a fraternal
14 benefit society; a third-party administrator; a
15 corporation, labor organization, or other entity which
16 provides covered services for its employees or members
17 by means of a self-funded program of benefits, and a
18 certified bargaining representative that represents a
19 group or groups of employees for whom employers
20 purchase a program of benefits which provide covered
21 services; and any other person or entity which makes
22 payments to health care institutions and health care
23 professionals for health care services.
- 24 4. "Health care services" means services included
25 in the furnishing to any individual of care necessary
26 for the purpose of preventing, alleviating, curing, or
27 healing human physical or mental illness, injury, or
28 disability.
- 29 5. "Health note" means a summary of the results of
30 the short-term review and analysis of a legislative
31 proposal which has been prepared by the commission
32 pursuant to section 135.114, subsection 2.
- 33 6. "Person" means a person as defined in section
34 4.1.
- 35 Sec. . NEW SECTION. 135.113 COMMISSION
36 ESTABLISHED --PURPOSE.
- 37 1. A health profession review commission is
38 established for the purpose of organizing and
39 conducting health profession research, review, and
40 evaluation activities through the use of existing
41 resources available within appropriate state agencies
42 and by contracting with individuals or organizations
43 who are recognized experts in the fields of study of
44 health, insurance, statistics, economics, or other
45 appropriate academic disciplines in furtherance of the
46 purpose and intent of the general assembly as
47 expressed in section 135.111.
- 48 Nothing in this division shall be construed as
49 granting the commission authority to establish health
50 care policy.

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1 2. The commission consists of the director of
2 public health, the commissioners of insurance and
3 human services, and the directors of the legislative
4 service bureau and the legislative fiscal bureau. The
5 director of public health is the chairperson of the
6 commission. The other members may designate persons
7 to represent them as regular members of the
8 commission. A majority of the members of the
9 commission constitutes a quorum. The commission shall
10 meet at least once during each calendar quarter.
11 Meeting dates shall be set by members of the
12 commission or by call of the chairperson upon five
13 days' notice to the members. Action of the commission
14 shall not be taken except upon the affirmative vote of
15 a majority of the members of the commission.

16 The members of the commission shall not receive a
17 salary or per diem for being on the commission but
18 shall receive reimbursement for necessary travel and
19 expenses while engaged in commission business. Funds
20 for reimbursement shall come from the moneys
21 appropriated to the department or agency of which the
22 member is the head.

23 Sec. . NEW SECTION. 135.114 DUTIES OF
24 COMMISSION.

25 1. The commission shall establish a process of
26 research, review, and evaluation to be utilized in the
27 consideration of legislative proposals concerning the
28 following:

29 a. Licensure of health care professionals, and the
30 professionals' scope of practice.

31 b. Whether additional categories of health care
32 institutions and professions should be licensed, after
33 considering educational, experiential, and other
34 relevant criteria.

35 c. Mandating health care payors to include or
36 offer certain benefits or coverage or make payment for
37 services provided by particular health care
38 institutions and professions, and mandating certain
39 levels of benefits or coverage for those services.

40 d. Other changes affecting the professional
41 practice acts of the health professions.

42 The process shall be designed to address the
43 effects of each proposal with respect to health care
44 and health care delivery in this state, including the
45 availability and cost of services and coverage. The
46 commission shall undertake studies pursuant to this
47 subsection in response to requests from members of the
48 general assembly or as it deems appropriate. Reports
49 of the studies shall be available upon request. At
50 least once every six months the commission shall

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1 provide to members of the general assembly a listing
2 of completed reports which may be requested.

3 2. In addition, the commission shall establish a
4 process for the preparation of health notes for
5 legislative proposals concerning the matters described
6 in subsection 1. The process shall apply to each such
7 legislative proposal for which a health note is
8 requested by a member of the general assembly. The
9 health note shall contain a summary of the results of
10 the commission's short-term review and analysis of the
11 proposal and, insofar as possible, shall be submitted
12 to the members of the general assembly within the time
13 limits set forth in the request. A health note may be
14 requested for a proposal whether or not the proposal
15 is the subject of a more extensive study pursuant to
16 subsection 1.

17 3. The commission may contract with individuals or
18 entities having recognized expertise in the fields of
19 health, insurance, economics or other appropriate
20 academic disciplines as necessary to conduct the
21 research, review, and evaluation of proposals as
22 provided in subsection 1. The experts may be
23 organized into panels of two or three. The commission
24 may assign more than one study to a single expert or
25 panel. A study shall not be assigned to a single
26 expert under subsection 1, subsection 2, or any other
27 provision of this section except by unanimous decision
28 of the commission. A panel shall not include more
29 than one employee, agent, contractor, or other
30 representative from a particular employer,
31 corporation, partnership, or other entity. When a
32 proposal is chosen for study pursuant to subsection 1,
33 the commission shall review the proposal to determine
34 if the special training and knowledge required to
35 conduct the study is possessed by the existing staffs
36 of the executive departments under the control and
37 direction of members of the commission. If so, by
38 unanimous decision only, the commission may assign the
39 study to existing staffs.

40 4. The commission may assign to outside experts
41 engaged for studies pursuant to subsection 1 the
42 responsibility for preparing particular health notes
43 pursuant to subsection 2. If, by unanimous decision
44 only, the commission determines that outside experts
45 are not needed to prepare particular health notes, the
46 responsibility may be assigned to existing staffs.

47 5. The commission shall not enter into an
48 agreement with a person or entity if either of the
49 following applies:

50 a. The person or entity has a material financial

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1 interest in the provision of health care services in a
2 health care field to be covered by the study.

3 b. The person or entity is registered, licensed,
4 or certified to provide health care services to be
5 covered by the study, unless a majority of the study
6 panel is composed of persons not registered, licensed,
7 or certified to provide health care services.

8 6. The commission shall also provide for one or
9 more three-member panels of experts to conduct an
10 analytical research study of the scopes of practice of
11 all health care professions in the state for the
12 purpose of analyzing the interrelationships,
13 boundaries, and areas of overlap with emphasis on the
14 overall effects of existing and proposed statutes and
15 rules upon health care costs, availability of
16 services, and other facets of the health care delivery
17 system. The study shall include a comparative review
18 of scope of practice and related provisions in other
19 states and shall take into account the changes in
20 recent decades and developing trends in the following
21 areas:

22 a. Relationships among the health care
23 professions.

24 b. Educational and experiential requirements for
25 the various health care professions.

26 c. The general structure of the health care
27 delivery system, including the growth of alternative
28 structures such as health maintenance organizations.

29 d. Appropriate levels of delivery of professional
30 health care services in the rural and urban areas of
31 the state.

32 e. Relationships among health care providers,
33 including hospitals, health care facilities, and other
34 institutional providers, health maintenance
35 organizations, health care professionals, and
36 insurers.

37 f. Health care needs of persons of different age
38 levels in the state.

39 7. Before assigning a study under this section,
40 the commission shall consult with the health data
41 commission, the legislative extended assistance group,
42 and others concerning relevant studies completed or
43 pending. Persons assigned to conduct studies under
44 this section shall be encouraged to seek advice and
45 utilize research from these sources to avoid
46 duplication of effort.

47 Sec. . NEW SECTION. 135.115 INFORMATION ON
48 LEGISLATIVE PROPOSALS.

49 The commission may prepare for each category of
50 legislative proposal a list specifying the types of

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- 1 data and the questions and issues which should be
2 addressed by persons submitting information on
3 specific proposals. The lists may include the
4 following:
- 5 1. The extent to which the proposed benefit and
6 the services it would provide are needed by, available
7 to and utilized by the population of the state.
 - 8 2. The extent to which insurance coverage for the
9 proposed benefit already exists, or if no such
10 coverage exists, the extent to which this lack of
11 coverage results in inadequate health care or
12 financial hardship for the population of the state.
 - 13 3. Relevant findings bearing on the social impact
14 of the lack of the proposed benefit.
 - 15 4. Where the proposed benefit would mandate
16 coverage of a particular therapy by health care
17 payors, the results of at least one professionally
18 accepted, controlled trial comparing the medical
19 consequences of the proposed therapy, alternative
20 therapies, and no therapy.
 - 21 5. Where the proposed benefit would mandate
22 coverage by health care payors of an additional class
23 of health care institutions or professionals in
24 addition to those currently covered, the results of at
25 least one professionally accepted, controlled trial
26 comparing the medical results achieved by the
27 additional class of practitioners and those
28 practitioners whose services already are covered by
29 benefits.
 - 30 6. The results of any other relevant research
31 conducted by the federal government, other states, and
32 private and public health care research agencies or
33 foundations.
 - 34 7. Evidence of the financial impact of the
35 proposed legislation, including the following:
 - 36 a. The extent to which the proposed benefit would
37 increase or decrease costs for treatment or service.
 - 38 b. The extent to which similar mandated benefits
39 in other states have affected charges, costs, and
40 payments for services.
 - 41 c. The extent to which the proposed benefit would
42 increase the appropriate use of the treatment or
43 service.
 - 44 d. The impact of the proposed benefit on
45 administrative expenses of health care payors.
 - 46 e. The impact of the proposed benefit on the costs
47 to purchasers of health care coverage and benefits.
 - 48 8. The impact of the proposed benefit on the total
49 cost of health care within the state.
 - 50 9. Where the proposal would authorize a new

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1 category of health care institution or health care
2 professional or expand the licensure or scope of
3 practice of existing health care institutions and
4 professions, the following:
5 a. The effect of the proposed authorization or
6 expansion on relationships among and between existing
7 health care institutions and professions.
8 b. The educational and experiential requirements
9 for the various health care professions, including but
10 not limited to, credentialing.
11 c. The general impact, in terms of cost, quality,
12 and access of the proposal on the existing health care
13 delivery system.
14 d. The impact of the proposal on the delivery of
15 institutional and professional health care services in
16 the rural and urban areas of the state.
17 e. A comparison of similar proposals or related
18 provisions or changes in other states.
19 f. The impact of the proposal on the health care
20 needs of persons of different age levels in the state.

21 Sec. ____ . NEW SECTION. 135.116 PROCEDURES.

22 1. The commission may establish procedures for the
23 submission and review of information on a legislative
24 proposal. In the review and evaluation of information
25 submitted in connection with a proposal, consideration
26 shall be given to the extent to which the
27 documentation is responsive to the items on the list
28 provided pursuant to section 135.115; whether or not
29 the research cited meets generally recognized
30 professional standards for the conduct of scholarly
31 research; whether or not the information includes all
32 known research relevant to the proposal; and whether
33 or not the conclusions and interpretations are
34 consistent with the data submitted. The commission
35 may request information and advice from state
36 departments and agencies, including but not limited to
37 the health data commission, the health profession
38 examining boards, and from political subdivisions.

39 2. The commission may adopt rules pursuant to
40 chapter 17A establishing time limits, forms, and other
41 procedures applicable to the research, review, and
42 evaluation process and the preparation of health
43 notes. The rules may include provisions for notice
44 and public hearings.

45 Sec. ____ . NEW SECTION. 135.117 ADMINISTRATION --
46 RULES -- REPORTS.

47 1. The director of public health is responsible
48 for the administration of this division and may assign
49 staff of the department of public health to the
50 commission.

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1 2. The commission, in cooperation with the
2 director of public health, shall adopt rules pursuant
3 to chapter 17A as necessary to carry out this
4 division.

5 3. The commission shall submit an annual report on
6 the actions taken by the commission to the general
7 assembly not later than January 15 of each year.

8 Sec. ____ . NEW SECTION. 135.118 HEALTH REVIEW
9 ACCOUNT.

10 1. There is established in the general fund of the
11 state an account to be known as the health review
12 account. The account is composed of the fees imposed
13 by law upon health care professionals for health
14 research, review, and evaluation activities conducted
15 pursuant to this division. Subject to legislative
16 authorization, an amount equivalent to the amount in
17 the health review account is appropriated to the
18 health profession review commission to be used for
19 conducting its health research, review, and evaluation
20 activities as provided in this division.

21 Sec. ____ . NEW SECTION. 135E.6A ADDITIONAL FEE
22 FOR HEALTH REVIEW.

23 In addition to the fees required by section 135E.5,
24 each person granted a license as a nursing home
25 administrator or a renewal of such a license shall pay
26 to the board an annual fee equal to ten percent of the
27 fee for the license or renewal, as appropriate, for
28 health policy research, review, and evaluation
29 activities pursuant to sections 135.111 through
30 135.118. The fee shall be paid at the time the
31 license or renewal fee is paid. The fees collected
32 shall be paid to the treasurer of state and deposited
33 in the general fund of the state to the credit of the
34 health review account established in section 135.118.

35 Sec. ____ . NEW SECTION. 135F.14 ADDITIONAL FEES
36 FOR HEALTH REVIEW.

37 In addition to the fees required pursuant to
38 section 135F.6, each person granted registration or
39 certification by the department as a respiratory care
40 practitioner or renewal of such registration or
41 certification shall pay to the department an annual
42 fee equal to ten percent of the fee for the
43 registration or certification or the renewal, as
44 appropriate, for health policy research, review, and
45 evaluation activities pursuant to sections 135.111
46 through 135.118. The fee shall be paid at the time
47 the registration, certification, or renewal fee is
48 paid. The fees collected shall be paid to the
49 treasurer of state and deposited in the general fund
50 of the state to the credit of the health review

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1 account established in section 135.118.

2 Sec. ____ . Section 145.2, Code 1987, is amended by
3 adding a new unnumbered paragraph, following
4 unnumbered paragraph 1, as follows:

5 NEW UNNUMBERED PARAGRAPH. The commission shall
6 also cooperate with the health profession review
7 commission, established in section 135.113, by
8 providing advice, assistance, and information as
9 appropriate to the achievement of the purposes and
10 responsibilities of that commission.

11 Sec. ____ . Section 145.3, subsection 3, paragraph
12 b, Code 1987, is amended by adding the following new
13 unnumbered paragraph:

14 NEW UNNUMBERED PARAGRAPH. In addition, the
15 commission shall adopt rules relating to the gathering
16 of UB-82 claims data for all hospital inpatients and
17 outpatients whose charges are not submitted to third-
18 party payers, including self-paid, charity, and bad
19 debt cases.

20 Sec. ____ . NEW SECTION. 147.81 ADDITIONAL FEE FOR
21 HEALTH REVIEW.

22 In addition to the fees required by sections 147.25
23 and 147.80, each person granted a license or other
24 credential or a renewal of a license or credential
25 pursuant to this chapter or chapter 147A, 148, 148A,
26 148B, 148C, 149, 150, 150A, 151, 152, 152A, 153, 153A,
27 154, 154A, 154B, 154C, 155A, or 156 shall pay to the
28 department, or to the appropriate board of examiners
29 if the board is required by law to collect the license
30 fees, an annual fee equal to ten percent of the fee
31 for the license or renewal, as appropriate, for health
32 policy research, review, and evaluation activities
33 pursuant to sections 135.111 through 135.118. The fee
34 shall be paid at the time the license or renewal fee
35 is paid. The fees collected shall be paid to the
36 treasurer of state and deposited in the general fund
37 of the state to the credit of the health review
38 account established in section 135.118.

39 The additional annual fee imposed by this section
40 shall also be imposed upon persons granted licenses or
41 other credentials in health care professions for which
42 licensing or credentialing provisions are enacted
43 after January 1, 1988."

44 2. By renumbering sections.

By SWARTZ of Marshall

E-6548 FILED APRIL 16, 1988

ADOPTED (p. 2186)

SENATE FILE 2341

H-6543

1 Amend the amendment, H-6543, to Senate File 2341,
2 as amended, passed, and reprinted by the Senate, as
3 follows:

- 4 1. Page 1, by striking lines 8 through 19 and
5 inserting the following:
6 " . By striking page 7, line 34 through page 8,
7 line 11."
8 2. By renumbering as necessary.

By HAMMOND of Story
CARPENTER of Polk

H-6543 FILED APRIL 16, 1988

ADOPTED (p. 217)

SENATE FILE 2341

H-6547

1 Amend Senate File 2341, as amended, passed, and
2 reprinted by the Senate, as follows:

- 3 1. Page 5, by inserting after line 3 the
4 following:
5 "Sec. . Section 17A.8, subsection 1, paragraphs
6 a and b, Code 1987, are amended to read as follows:
7 a. ~~Three~~ Five senators appointed by the majority
8 leader of the senate.
9 b. ~~Three~~ Five representatives appointed by the
10 speaker of the house.
11 Sec. . Section 17A.8, subsection 4, Code 1987,
12 is amended to read as follows:
13 4. The committee shall choose a chairperson from
14 its membership and prescribe its rules of procedure.
15 The appointment of a chairperson shall be for a period
16 of two years, and shall rotate between the senate and
17 house on a biennial basis. The committee may employ a
18 secretary or may appoint the Code editor or a delegate
19 to act as secretary."
20 2. By renumbering as necessary.

By PARKER of Jasper
TABOR of Jackson

H-6547 FILED APRIL 16, 1988

ADOPTED (p. 219)

SENATE FILE 2341

H-6542

- 1 Amend Senate File 2341 as amended, passed, and
2 reprinted by the Senate, as follows:
- 3 1. Page 5, by striking lines 14 through 23.
 - 4 2. By striking page 5, line 29 through page 6,
5 line 7.
 - 6 3. By striking page 6, line 12 through page 7,
7 line 33.
 - 8 4. Page 8, by inserting after line 11 the
9 following:
10 "Sec. ____ . Section 135.31, Code 1987, is amended
11 to read as follows:
12 135.31 LOCATION OF BOARDS.
13 The offices for the state board of medical
14 examiners, the state board of pharmacy examiners, the
15 state board of nursing examiners, and the state board
16 of dental examiners, and the state board of
17 chiropractic examiners shall be located within the
18 department of public health. The individual boards
19 shall have policymaking and rulemaking authority."
20 5. Page 8, by striking lines 12 through 18.
 - 21 6. By striking page 8, line 19 through page 9,
22 line 19.
 - 23 7. By striking page 9, line 20 through page 11,
24 line 7.
 - 25 8. Page 11, by striking lines 8 through 30.
 - 26 9. Page 12, by striking lines 2 through 26.
 - 27 10. By striking page 12, line 27 through page 13,
28 line 1.
 - 29 11. Page 13, by striking lines 7 through 14.
 - 30 12. Page 17, by striking lines 4 through 23.
 - 31 13. Page 18, by striking lines 13 through 15 and
32 inserting the following:
33 "The governor, auditor of state, treasurer of
34 state, and the department of management, in
35 consultation with the director of the legislative
36 fiscal bureau, shall phase in the implementation of
37 generally".
 - 38 14. By striking page 18, line 31 through page 19,
39 line 4.
 - 40 15. Page 19, by striking line 8 and inserting the
41 following: "1986, and is repealed effective January-1
42 June 30, 1989."
 - 43 16. Page 19, by striking line 12.
 - 44 17. By striking title page 1, line 1 through
45 title page 2, line 23, and inserting the following:
46 "An Act relating to the organization and procedures of
47 state government, by making modifications to the
48 authority for and procedures relating to government
49 information, budget, and finance administration, by
50 making modifications in the authority for and

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- 1 procedures relating to state personnel administration,
- 2 by making modifications to the powers, procedures, and
- 3 structure of certain state governmental agencies, by
- 4 making modifications for the disposition of unclaimed
- 5 and abandoned property, by extending a tax liability
- 6 exemption, by making adjustments to the 1986
- 7 legislation reorganizing state government, by making
- 8 other related adjustments and modifications, and by
- 9 providing an effective date."
- 10 18. By renumbering as necessary.

By COMMITTEE ON STATE GOVERNMENT
BLANSHAN of Greene, Chairperson

H-6542 FILED APRIL 16, 1988
ADOPTED *as amended by 6543 (4/5/88)*

SENATE FILE 2341

H-6538

- 1 Amend Senate File 2341, as amended, passed, and
- 2 reprinted by the Senate, as follows:
- 3 1. Page 1, line 26, by striking the words
- 4 "revenue estimate" and inserting the following:
- 5 "estimate fiscal year's actual revenue receipts".
- 6 2. Page 1, line 34, by striking the word
- 7 "estimated" and inserting the following: "estimated".
- 8 3. Page 2, line 14, by striking the word
- 9 "estimated" and inserting the following: "estimated".

By TYRRELL of Iowa

H-6538 FILED APRIL 16, 1988
LOST *(4/23/88)*

SENATE FILE 2341

H-6540

- 1 Amend Senate File 2341, as amended, passed, and
- 2 reported by the Senate, as follows:
- 3 1. Page 13, line 24, by striking the figure
- 4 "1989" and inserting the following: "1990".

By VAN CAMP of Scott

H-6540 FILED APRIL 16, 1988
LOST *(4/23/88)*

SENATE FILE 2341

H-6541

- 1 Amend Senate File 2341, as amended, passed, and
- 2 reprinted by the Senate, as follows:
- 3 1. Page 5, by striking line 28 and inserting the
- 4 following: "state."

By BLACK of Jasper

H-6541 FILED APRIL 16, 1988
ADOPTED *(4/23/88)*