

Reprinted

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SENATE FILE 2280
BY COMMITTEE ON APPROPRIATIONS
Appropriations (p. 134)
(SUCCESSOR TO LSB 7298SC)

Passed Senate, Date 3/11/90 (p. 134) Passed House, Date 3/22/90 (p. 134)
Vote: Ayes 37 Nays 11 Vote: Ayes 99 Nays 0
Approved *Item Veto* 5/7/90

A BILL FOR

1 An Act relating to and making appropriations to various state
2 agencies including certain state elected officials, the
3 executive council, the department of general services, the
4 department of personnel, the department of revenue and
5 finance, the office of state-federal relations, and the
6 department of management, increasing certain fees, changing
7 the procurement program, and providing for repeals of certain
8 provisions.

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

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1 Section 1.

2 There is appropriated from the general fund of the state to
3 the office of the secretary of state for the fiscal year
4 beginning July 1, 1990, and ending June 30, 1991, the
5 following amounts, or so much thereof as is necessary, to be
6 used for the purposes designated:

7 1. For salaries, support, maintenance, miscellaneous
8 purposes, and for not more than the following full-time
9 equivalent positions:

10	\$	1,746,989
11	FTEs	47.00

12 Of the amount appropriated by this section, \$40,000 shall
13 be used for preparation of informational and educational
14 materials on elections for use by the general public,
15 candidates, students, and election officials.

16 2. For the costs incurred in the printing of the official
17 register:

18	\$	76,750
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19 Sec. 2.

20 There is appropriated from the general fund of the state to
21 the office of the governor for the fiscal year beginning July
22 1, 1990, and ending June 30, 1991, the following amounts, or
23 so much thereof as is necessary, to be used for the purposes
24 designated:

25 1. For salaries, support, maintenance, and miscellaneous
26 purposes for the general office of the governor, and for not
27 more than the following full-time equivalent positions:

28	\$	939,984
29	FTEs	17.00

30 2. For the governor's expenses connected with office:

31	\$	5,434
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32 3. For salaries, support, maintenance, and miscellaneous
33 purposes for the governor's quarters at Terrace Hill, and for
34 not more than the following full-time equivalent positions:

35	\$	97,117
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1 FTEs 3.00
 2 4. For the payment of expenses of ad hoc committees,
 3 councils, and task forces appointed by the governor to
 4 research and analyze a particular subject area relevant to the
 5 problems and responsibilities of state and local government,
 6 including the employment of professional, technical, and
 7 administrative staff and the payment of per diem, not
 8 exceeding \$40, and actual expenses of committee, council, or
 9 task force members and as a condition, limitation, and
 10 qualification of this appropriation, the ad hoc committees,
 11 councils, and task forces appointed by the governor shall be
 12 subject to chapters 21 and 22 and the members shall be so
 13 informed:

14 \$ 8,009

15 5. For salaries, support, maintenance, and miscellaneous
 16 purposes for the office of administrative rules coordinator,
 17 and for not more than the following full-time equivalent
 18 positions:

19 \$ 105,414

20 FTEs 2.00

21 6. For payment of Iowa's membership in the national
 22 governors' conference:

23 \$ 77,870

24 7. Contingent on the certification of the governor by
 25 February 1, 1991, that a need exists, for transitional costs
 26 associated with the election of a new governor:

27 \$ 50,000

28 Sec. 3.

29 There is appropriated from the general fund of the state to
 30 the office of the governor's substance abuse prevention
 31 coordinator for the fiscal year beginning July 1, 1990, and
 32 ending June 30, 1991, the following amounts, or so much
 33 thereof as is necessary, to be used for the purposes
 34 designated:

35 For salaries, support, maintenance, miscellaneous purposes,

1 and for not more than the following full-time equivalent
2 positions:

3 \$ 107,294
4FTEs 8.00

5 Sec. 4.

6 There is appropriated from the general fund of the state to
7 the office of the lieutenant governor for the portion of the
8 fiscal year beginning July 1, 1990, and ending on the date of
9 the next inauguration of the lieutenant governor, the
10 following amount, or so much thereof as is necessary, to be
11 used for the purposes designated:

12 For salaries, support, maintenance, and miscellaneous
13 purposes including the lieutenant governor's compensation and
14 expenses as provided in section 2.10, subsection 2, including
15 service as a member of the legislative council and per diem
16 and expenses incurred while performing duties of the
17 lieutenant governor when the general assembly is not in
18 session:

19 \$ 87,652

20 Sec. 5.

21 There is appropriated from the general fund of the state to
22 the office of the lieutenant governor for the portion of the
23 fiscal year beginning with the next inauguration of the
24 lieutenant governor and ending June 30, 1991, the following
25 amount, or so much thereof as is necessary, to be used for the
26 purposes designated:

27 For salaries, support, maintenance, and miscellaneous
28 purposes including the lieutenant governor's compensation and
29 expenses as provided in section 2.10, subsection 2, including
30 service as a member of the legislative council and per diem
31 and expenses incurred while performing duties of the
32 lieutenant governor when the general assembly is not in
33 session:

34 \$ 70,500

35 Sec. 6.

1 The amounts appropriated under sections 4 and 5 for the
2 fiscal period beginning July 1, 1990, and ending June 30,
3 1991, shall be used for not more than the following full-time
4 equivalent positions in addition to the purposes designated
5 under sections 4 and 5:

6 FTEs 3.00

7 Sec. 7.

8 There is appropriated from the general fund of the state to
9 the office of treasurer of state for the fiscal year beginning
10 July 1, 1990, and ending June 30, 1991, the following amount,
11 or so much thereof as is necessary, to be used for the
12 purposes designated:

13 For salaries, support, maintenance, miscellaneous purposes,
14 and for not more than the following full-time equivalent posi-
15 tions:

16 \$ 814,435

17 FTEs 28.00

18 Of the amount appropriated by this section, \$29,839 shall
19 be used for salary and support for one full-time equivalent
20 position designated as a computer programmer.

21 Sec. 8.

22 There is appropriated from the general fund of the state to
23 the executive council for the fiscal year beginning July 1,
24 1990, and ending June 30, 1991, the following amount, or so
25 much thereof as is necessary, to be used for the purposes
26 designated:

27 For salaries, support, maintenance, miscellaneous purposes,
28 and for not more than the following full-time equivalent posi-
29 tions:

30 \$ 50,148

31 FTEs 1.12

32 Sec. 9.

33 There is appropriated from the general fund of the state to
34 the following named agencies for the fiscal year beginning
35 July 1, 1990, and ending June 30, 1991, the following amounts,

1 or so much thereof as is necessary, to be used for the
2 purposes designated:

3 1. NATIONAL CONFERENCE OF STATE LEGISLATURES
4 For support of the membership assessment:
5 \$ 71,502

6 2. COMMISSION ON UNIFORM STATE LAWS
7 For support of the commission and expenses of the members:
8 \$ 15,000

9 3. PIONEER LAWMAKERS
10 For support and expenses of the members:
11 \$ 707

12 Sec. 10.

13 There is appropriated from the general fund of the state to
14 the department of general services for the fiscal year
15 beginning July 1, 1990, and ending June 30, 1991, the
16 following amounts, or so much thereof as is necessary, to be
17 used for the purposes designated:

18 1. ADMINISTRATION DIVISION
19 For salaries, support, maintenance, miscellaneous purposes,
20 and for not more than the following full-time equivalent posi-
21 tions:
22 \$ 533,954
23 FTEs 16.00

24 2. COMMUNICATIONS DIVISION
25 For salaries, support, maintenance, miscellaneous purposes,
26 and for not more than the following full-time equivalent posi-
27 tions:
28 \$ 438,960
29 FTEs 19.00

30 3. DIRECTOR'S OFFICE
31 For salaries, support, maintenance, miscellaneous purposes,
32 and for not more than the following full-time equivalent posi-
33 tions:
34 \$ 104,644
35 FTEs 2.00

1 4. MATERIALS MANAGEMENT DIVISION

2 For salaries, support, maintenance, miscellaneous purposes,
3 and for not more than the following full-time equivalent posi-
4 tions:

5	\$	94,823
6	FTEs	3.30

7 5. PROPERTY MANAGEMENT DIVISION

8 For salaries, support, maintenance, miscellaneous purposes,
9 and for not more than the following full-time equivalent posi-
10 tions:

11	\$	4,239,496
12	FTEs	156.00

13 6. PRINTING AND MAIL DIVISION

14 For salaries, support, maintenance, miscellaneous purposes,
15 and for not more than the following full-time equivalent posi-
16 tions:

17	\$	595,620
18	FTEs	22.00

19 7. RECORDS MANAGEMENT DIVISION

20 For salaries, support, maintenance, miscellaneous purposes,
21 and for not more than the following full-time equivalent posi-
22 tions:

23	\$	429,998
24	FTEs	14.50

25 8. INFORMATION SERVICES DIVISION

26 For salaries, support, maintenance, miscellaneous purposes,
27 and for not more than the following full-time equivalent posi-
28 tions:

29	\$	7,282,826
30	FTEs	158.00

31 9. The department of general services shall not change the
32 appropriations for the purposes designated in subsections 1
33 through 8 from the amounts appropriated under those
34 subsections unless notice of the revisions is given prior to
35 their effective date to the legislative fiscal bureau. The

1 notice shall include information on the department's rationale
2 for making the changes.

3 10. Savings achieved in providing telecommunications
4 services shall be used by the department of general services
5 to increase efficiencies in the provision of those services.

6 Sec. 11.

7 There is appropriated from the general fund of the state to
8 the department of general services for the fiscal year
9 beginning July 1, 1990, and ending June 30, 1991, the
10 following amounts, or so much thereof as is necessary, to be
11 used for the purposes designated:

12 1. CAPITOL PLANNING COMMISSION

13 For expenses of the members in carrying out their duties
14 under chapter 18A:

15 \$ 3,000

16 2. UTILITY COSTS

17 For payment of utility costs:

18 \$ 2,033,000

19 The department of general services may use funds
20 appropriated in this subsection for utility costs to fund
21 energy conservation projects in the state capitol complex
22 which will have a 100 percent payback within a 24 month
23 period. The department of general services shall report
24 quarterly to the chairpersons and ranking members of the
25 administration appropriations subcommittee concerning the
26 savings generated as a result of implementation of these
27 projects.

28 3. RENTAL SPACE

29 For payment of lease or rental costs of buildings and
30 office space at the seat of government as provided in section
31 18.12, subsection 9, notwithstanding section 18.16:

32 \$ 618,056

33 4. FIRE SAFETY

34 For payment of costs incurred in providing for additional
35 fire safety measures:

1 \$ 80,000

2 The moneys appropriated by this subsection may be used for,
3 but are not limited to, the provision of alarm warning systems
4 and additional means of egress. Moneys provided under this
5 subsection shall not be used to defray the costs of deferred
6 maintenance.

7 Sec. 12.

8 Notwithstanding section 18.12, subsection 11, any excess
9 funds appropriated for utility costs in section 11, subsection
10 2, shall not be deposited in the general fund of the state on
11 June 30, 1991, and these funds are to be used for
12 implementation of energy conservation projects having a
13 payback of 100 percent within a 2-year to 6-year period. The
14 department of general services shall report semiannually to
15 the chairpersons and ranking members of the administration
16 appropriations subcommittee and to the legislative fiscal
17 bureau. The reports shall include a listing of the projects
18 undertaken, the cost of each project, and the projected
19 savings on an annual basis and for the life of the project.

20 The department of general services shall also pursue
21 utility rate reductions for the capitol complex and report the
22 results of these efforts to the chairpersons and ranking
23 members of the administration appropriations subcommittee and
24 to the legislative fiscal bureau. The report shall include,
25 but is not limited to, the options examined, the proposals of
26 the department of general services, and the responses of the
27 utilities. Supporting documentation, including correspondence
28 between the department of general services and the utilities,
29 shall accompany the report.

30 Sec. 13.

31 There is appropriated from the revolving funds designated
32 to the department of general services for the fiscal year
33 beginning July 1, 1990, and ending June 30, 1991, the
34 following amounts, or so much thereof as is necessary, to be
35 used for the purposes designated:

1 1. From the centralized printing permanent revolving fund
2 established by section 18.57 for salaries, support,
3 maintenance, miscellaneous purposes, and for not more than the
4 following full-time equivalent positions:

5	\$	886,644
6	FTEs	30.00

7 2. The remainder of the centralized printing permanent
8 revolving fund is appropriated for the expense incurred in
9 supplying paper stock, offset printing, copy preparation,
10 binding, distribution costs, original payment of printing and
11 binding claims and contingencies arising during the fiscal
12 year beginning July 1, 1990, and ending June 30, 1991, which
13 are legally payable from this fund.

14 3. From the centralized purchasing permanent revolving
15 fund established by section 18.9 for salaries, support,
16 maintenance, miscellaneous purposes, and for not more than the
17 following full-time equivalent positions:

18	\$	543,147
19	FTEs	15.00

20 4. The remainder of the centralized purchasing permanent
21 revolving fund is appropriated for the payment of expenses
22 incurred through purchases by various state departments and
23 for contingencies arising during the fiscal year beginning
24 July 1, 1990, and ending June 30, 1991, which are legally
25 payable from this fund.

26 5. From the vehicle dispatcher revolving fund established
27 by section 18.119 for salaries, support, maintenance, miscel-
28 laneous purposes, and for not more than the following full-
29 time equivalent positions:

30	\$	568,764
31	FTEs	17.00

32 6. The remainder of the vehicle dispatcher revolving fund
33 is appropriated for the purchase of gasoline, gasohol, oil,
34 tires, repairs, and all other maintenance expenses incurred in
35 the operation of state-owned motor vehicles and for contin-

1 gencies arising during the fiscal year beginning July 1, 1990,
2 and ending June 30, 1991, which are legally payable from this
3 fund.

4 7. The division of insurance of the department of commerce
5 shall, on or before July 1, 1990, transfer remaining funds
6 from its revolving account, in excess of those funds necessary
7 to provide initial start-up for the division's fiscal year
8 1991 revolving fund, to the department of general services.

9 As a condition of the appropriation, it is the intent of
10 the general assembly that these transferred funds be used for
11 the following purposes:

12 a. The department of general services shall provide from
13 the funds the rental, preparation of space, and physical move
14 of the division of insurance of the department of commerce to
15 new quarters off of the state capitol complex for the fiscal
16 year beginning July 1, 1990.

17 b. After the rental, preparation, and move of the division
18 of insurance of the department of commerce, the funds remain-
19 ing shall be applied to the renovation of the Lucas state
20 office building.

21 It is the intent of the general assembly that the require-
22 ments of this subsection shall be accomplished as soon after
23 the effective date of this Act as practically feasible.

24 Additionally, the division of insurance of the department
25 of commerce shall provide, on or before January 1, 1991, a
26 report and projection regarding the revenue of the division
27 and the sufficiency of that revenue to cover future rental
28 costs for the division. The report shall be delivered to the
29 chairpersons, vice chairpersons, and ranking members of the
30 appropriations committees, and to the legislative fiscal
31 bureau.

32 Sec. 14.

33 Any capitol complex new construction appropriation shall
34 commence in the administration appropriations subcommittee,
35 even if consideration of the matter necessitates reconvening

1 the subcommittee after its other work is completed.

2 Sec. 15.

3 There is appropriated from the general fund of the state to
4 the department of personnel for the fiscal year beginning July
5 1, 1990, and ending June 30, 1991, the following amount, or so
6 much thereof as is necessary, to be used for the purposes
7 designated:

8 1. ADMINISTRATION

9 For salaries, support, maintenance, and miscellaneous
10 purposes for the director's staff, office services, data/word
11 processing, and insurance cost management, and for not more
12 than the following full-time equivalent positions:

13	\$	1,423,144
14	FTEs	29.65

15 2. FIELD OPERATIONS

16 For salaries, support, maintenance, and miscellaneous
17 purposes for the personnel services, employment law/labor
18 relations, and development, and for not more than the follow-
19 ing full-time equivalent positions:

20	\$	1,477,953
21	FTEs	36.60

22 3. PROJECT MANAGEMENT

23 For salaries, support, maintenance, and miscellaneous
24 purposes for employment and compensation and benefits, and for
25 not more than the following full-time equivalent positions:

26	\$	1,279,529
27	FTEs	38.00

28 As a condition, limitation, and qualification of this
29 appropriation, the department of personnel shall report
30 quarterly to the chairpersons and ranking members of the
31 administration appropriations subcommittee concerning the
32 number of vacancies in existing full-time equivalent positions
33 and the average time taken to fill the vacancies. The reports
34 shall include quarterly and annual averages organized
35 according to state agency and general occupational category as

1 established by the federal equal employment opportunity
2 commission. All departments and agencies of the state shall
3 cooperate with the department in the preparation of the
4 reports.

5 Sec. 16.

6 There is appropriated from the general fund of the state to
7 the department of personnel for the fiscal year beginning July
8 1, 1990, and ending June 30, 1991, the following amount, or so
9 much thereof as is necessary, to be used for the purposes
10 designated:

11 For salaries, support, maintenance, and miscellaneous
12 purposes, to pay the costs of administration of federal old
13 age benefit and Iowa old age survivors insurance programs, and
14 for not more than the following full-time equivalent
15 positions:

16	\$	109,141
17	FTEs	2.50

18 Sec. 17.

19 There is appropriated from the Iowa public employees'
20 retirement system fund to the department of personnel for the
21 fiscal year beginning July 1, 1990, and ending June 30, 1991,
22 the following amount, or so much thereof as is necessary, to
23 be used for the purposes designated:

24 1. For salaries, support, maintenance, and other
25 operational purposes to pay the costs of the Iowa public
26 employees' retirement system:

27	\$	2,616,118
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28 It is the intent of the general assembly that the Iowa
29 public employees' retirement system employ sufficient staff
30 within the appropriation provided in this section to meet the
31 developing requirements of the investment program.

32 2. For design, development, and implementation of a data
33 information system:

34	\$	783,000
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35 Notwithstanding section 8.33, funds appropriated under this

1 subsection that remain unencumbered or unobligated on June 30,
2 1991, shall not revert to the general fund of the state but
3 shall be available for expenditure in subsequent years to
4 complete the data information systems.

5 The department of personnel shall report on or before
6 January 1, 1991, and each 6 months thereafter until the data
7 information system is fully implemented to the chairpersons
8 and ranking members of the administration appropriations
9 subcommittee and to the legislative fiscal bureau, on the
10 progress made in implementing the data information system.
11 The report shall include, but is not limited to, moneys spent
12 and encumbered, progress made relative to the scheduled
13 implementation, and benefits or anticipated benefits of the
14 system.

15 The department of personnel shall report to the
16 chairpersons and ranking members of the administration
17 appropriations subcommittee and to the legislative fiscal
18 bureau the results and effectiveness of the wellness program
19 pilot project developed and tested by the department of
20 personnel in conjunction with the state department of
21 transportation. The department of personnel shall submit the
22 reports in June and December of each year of the project's
23 existence and shall submit a final report upon completion of
24 the project.

25 The department of personnel shall report to the
26 chairpersons and ranking members of the administration
27 appropriations subcommittee and to the legislative fiscal
28 bureau the results and effectiveness of the pilot project
29 regarding the automation of hiring procedures. The department
30 of personnel shall submit progress reports in June and
31 December during the period of existence of the project, and
32 shall submit a final report upon completion of the project.

33 The department of personnel shall submit, annually, a
34 report to the chairpersons and ranking members of the
35 administration appropriations subcommittee and to the

1 legislative fiscal bureau regarding the results of the state's
2 top achievement recognition program. The reports submitted
3 shall include, but are not limited to, identification of the
4 recipients, a description of the meritorious achievements, and
5 the awards conferred.

6 Sec. 18.

7 There is appropriated from the general fund of the state to
8 the department of revenue and finance for the fiscal year
9 beginning July 1, 1990, and ending June 30, 1991, the
10 following amounts, or so much thereof as is necessary, to be
11 used for the purposes designated, and for not more than the
12 following full-time equivalent positions used for the purposes
13 designated in subsections 1 through 6:

14 FTEs 651.65

15 1. AUDIT AND COMPLIANCE

16 For salaries, support, maintenance, and miscellaneous
17 purposes:

18 \$ 9,350,844

19 2. FINANCIAL MANAGEMENT

20 For salaries, support, maintenance, and miscellaneous
21 purposes:

22 \$ 6,541,472

23 3. INFORMATION AND MANAGEMENT SYSTEMS

24 For salaries, support, maintenance, and miscellaneous
25 purposes:

26 \$ 1,790,106

27 4. LOCAL GOVERNMENT SERVICES

28 For salaries, support, maintenance, and miscellaneous
29 purposes:

30 \$ 1,363,212

31 5. TECHNICAL SERVICES

32 For salaries, support, maintenance, and miscellaneous
33 purposes:

34 \$ 1,962,900

35 6. ADMINISTRATION

1 For salaries, support, maintenance, and miscellaneous
2 purposes:

3 \$ 774,903

4 7. The department of revenue and finance shall not change
5 the appropriations for the purposes designated in subsections
6 1 through 6 from the amounts appropriated under those
7 subsections unless notice of the revisions is given prior to
8 their effective date to the legislative fiscal bureau. The
9 notice shall include information on the department's rationale
10 for making the changes.

11 Notwithstanding section 8.33, the excess funds appropriated
12 to the department of revenue and finance shall not be
13 deposited in the general fund of the state on June 30, 1991.
14 The funds shall be expended for the automation effort which
15 includes the purchase of equipment to further automate the
16 process of depositing tax receipts, and the purchase of
17 equipment necessary to achieve benefits from the integrated
18 revenue information system (IRIS) project. The department
19 shall report annually to the chairpersons and ranking members
20 of the administration appropriations subcommittee and to the
21 legislative fiscal bureau regarding the amount of total excess
22 funds, equipment purchases, and projected savings and
23 benefits.

24 The director shall report annually to the fiscal committee
25 of the legislative council, the legislative fiscal bureau, and
26 the chairpersons and ranking members of the administration
27 appropriations subcommittee concerning the effectiveness of
28 the tax audits and investigations conducted, the moneys
29 expended, the tax obligations established, and taxes collected
30 as a result of the tax collection and enforcement efforts of
31 the department.

32 The department of revenue and finance shall report quar-
33 terly to the chairpersons and ranking members of the
34 administration appropriations subcommittee, concerning
35 progress in the implementation of generally accepted

1 accounting principles, including determination of reporting
2 entities, fund classifications, modification of the Iowa
3 financial accounting system, progress on preparing a
4 comprehensive annual financial report, and the most current
5 estimate of the general fund balance based on current
6 generally accepted accounting principles.

7 Sec. 19.

8 There is appropriated from the motor vehicle fuel tax fund
9 created by section 324.77 to the department of revenue and
10 finance for the fiscal year beginning July 1, 1990, and ending
11 June 30, 1991, the following amount, or so much thereof as is
12 necessary, to be used for the purposes designated:

13 For salaries, support, maintenance, and miscellaneous
14 purposes for administration and enforcement of the provisions
15 of chapter 324 and the motor vehicle use tax program:
16 \$ 1,105,804

17 Sec. 20.

18 There is appropriated from the lottery fund to the
19 department of revenue and finance for the fiscal year
20 beginning July 1, 1990, and ending June 30, 1991, the
21 following amount, or so much thereof as is necessary, to be
22 used for the purposes designated:

23 For salaries, support, maintenance, miscellaneous purposes,
24 and for not more than the following full-time equivalent posi-
25 tions:
26 \$ 7,272,163
27 FTEs 138.55

28 Sec. 21.

29 There is appropriated from the general fund of the state to
30 the department of management for the fiscal year beginning
31 July 1, 1990, and ending June 30, 1991, the following amount,
32 or so much thereof as is necessary, to be used for the
33 purposes designated:

34 For salaries, support, maintenance, miscellaneous purposes,
35 and for not more than the following full-time equivalent

1 positions:

2 \$ 1,740,622
3 FTEs 33.00

4 As a condition, limitation, and qualification of this
5 appropriation, not more than \$1,570,027 from all revenue
6 sources, plus an allocation for salary adjustment, may be
7 expended for salaries and benefits for not more than the above
8 listed full-time equivalent positions and not more than
9 \$226,595 from all revenue sources may be expended for support
10 and miscellaneous purposes. Unanticipated federal and local
11 grants or receipts received after this Act becomes effective
12 are not subject to this condition.

13 Sec. 22.

14 There is appropriated from the road use tax fund to the
15 department of management for the fiscal year beginning July 1,
16 1990, and ending June 30, 1991, the following amount, or so
17 much thereof as is necessary, to be used for the purposes
18 designated:

19 For salaries, support, maintenance, and miscellaneous
20 purposes:

21 \$ 55,000

22 Sec. 23.

23 There is appropriated from the general fund of the state to
24 the department of management for the fiscal year beginning
25 July 1, 1990, and ending June 30, 1991, the following amount,
26 or so much thereof as is necessary, to be used for the
27 purposes designated:

28 1. COUNCIL OF STATE GOVERNMENTS

29 For support of the membership assessment:

30 \$ 62,100

31 2. LAW ENFORCEMENT TRAINING REIMBURSEMENTS

32 For reimbursements to local law enforcement agencies for
33 the training of officers who resign pursuant to section
34 384.15, subsection 7:

35 \$ 125,000

1 Sec. 24.

2 There is appropriated from the general fund of the state to
3 the office of state-federal relations for the fiscal year
4 beginning July 1, 1990, and ending June 30, 1991, the
5 following amount, or so much thereof as is necessary, to be
6 used for the purposes designated:

7 For salaries, support, maintenance, miscellaneous purposes,
8 and for not more than the following full-time equivalent posi-
9 tions:

10	\$	225,562
11	FTEs	3.15

12 Sec. 25.

13 Notwithstanding section 8.55, the moneys in the Iowa
14 economic emergency fund are transferred to the general fund of
15 the state if necessary to avoid a deficit in the general fund
16 of the state and to defray expenses at the conclusion of the
17 fiscal year beginning July 1, 1990, and ending June 30, 1991.

18 Sec. 26.

19 For purposes of this Act and any other appropriations
20 statute enacted by the Seventy-third General Assembly, 1990
21 Session, "full-time equivalent position" means a budgeting and
22 monitoring unit that equates the aggregate of full-time
23 positions, part-time positions, a vacancy and turnover factor,
24 and other adjustments. 1 full-time equivalent position
25 represents 2,080 working hours, which is the regular number of
26 hours 1 full-time person works in 1 fiscal year. The number
27 of full-time equivalent positions shall be calculated by
28 totaling the regular number of hours that could be annually
29 worked by persons in all authorized positions, reducing those
30 hours by a vacancy and turnover factor and dividing that
31 amount by 2,080 hours. In order to achieve the full-time
32 equivalent position level, the number of filled positions may
33 exceed the number of full-time equivalent positions during
34 parts of the fiscal year to compensate for time periods when
35 the number of filled positions is below the authorized number

1 of full-time equivalent positions.

2 Sec. 27. Section 8.6, subsection 5, Code Supplement 1989,
3 is amended by striking the subsection.

4 Sec. 28. Section 12.44, unnumbered paragraph 1, Code 1989,
5 is amended to read as follows:

6 Agencies of state government shall be required to waive the
7 requirement of satisfaction or performance bonds for targeted
8 small businesses which are able to demonstrate the inability
9 of securing such a bond because of a lack of experience, lack
10 of net worth, or lack of capital. This waiver shall not apply
11 to businesses with a record of repeated failure of substantial
12 performance or material breach of contract in prior
13 circumstances. The waiver shall be applied only to a project
14 or individual transaction amounting to fifty thousand dollars
15 or less, notwithstanding section 573.2. In order to qualify,
16 the targeted small business shall provide written evidence to
17 the department of inspections and appeals that the bond would
18 otherwise be denied the business. The granting of the waiver
19 shall in no way relieve the business from its contractual
20 obligations and shall not preclude the state agency from
21 pursuing any remedies under law upon default or breach of
22 contract.

23 Sec. 29. Section 15.102, subsection 5, Code 1989, is
24 amended to read as follows:

25 5. "Targeted small business" means a small business which
26 is fifty-one percent or more owned, operated, and actively
27 managed by one or more women or minority persons, provided the
28 business meets all of the following requirements:

- 29 1. Is located in this state.
- 30 2. Is operated for profit.
- 31 3. Has twenty or fewer full-time equivalent employees.
- 32 4. Has an annual gross income of less than three million
33 dollars computed as an average of the three preceding fiscal
34 years.

35 PARAGRAPH DIVIDED. As used in this subsection, "minority

1 person" means an individual who is a Black, Hispanic, Asian or
2 Pacific Islander, or American Indian or Alaskan native.

3 Sec. 30. Section 15.108, subsection 7, paragraph c, Code
4 Supplement 1989, is amended to read as follows:

5 c. Aid ~~in~~ for the development and implementation of the
6 Iowa targeted small business procurement Act established in
7 sections 73.15 through 73.21 and the targeted small business
8 financial assistance program established in section 15.247.
9 The duties of the director under this paragraph include the
10 following:

11 (1) The director, in conjunction with the director of the
12 department of management, shall publicize the procurement set-
13 ~~aside~~ goal program to for targeted small businesses and to
14 agencies of state government, attempt to locate targeted small
15 businesses able to perform ~~set-aside-awards~~ contracts, and
16 encourage program participation. The director may request the
17 cooperation of the department of general services, the
18 department of transportation, the state board of regents, or
19 any other agency of state government in publicizing this
20 program.

21 (2) The director, in conjunction with the director of the
22 department of management, shall publicize the financial
23 assistance program established in section 15.247 to targeted
24 small businesses.

25 (3) When the director determines, or is notified by the
26 head of another agency of state government, that a targeted
27 small business is unable to perform a procurement set-aside
28 awards contract, the director shall assist the small business
29 in attempting to remedy the causes of the inability to
30 perform. In assisting the small business, the director may
31 use any management or financial assistance programs available
32 through state or governmental agencies or private sources.

33 (4) The director, in conjunction with the director of the
34 department of management and jointly with the universities
35 under the jurisdiction of the state board of regents, the area

1 community colleges, and the area vocational schools, shall
2 develop and make available in all areas of the state, programs
3 to offer and deliver concentrated, in-depth advice and
4 services to assist targeted small businesses. The advice and
5 services shall extend to all areas of business management in
6 its practical application, including but not limited to
7 accounting, engineering, drafting, grant writing, obtaining
8 financing, locating bond markets, market analysis, and
9 projections of profit and loss.

10 (5) The director shall submit an annual report to the
11 governor and the general assembly relating progress toward
12 realizing the goals and objectives of the procurement ~~see-~~
13 aside goal program and the financial assistance program
14 established in section 15.247 during the preceding fiscal
15 year. The director of the department of management shall
16 assist in compiling the data to be included in the report.
17 The report shall include the following information:

18 (a) The total dollar value and number of potential ~~see-~~
19 aside-awards targeted small business procurement contracts
20 identified and the percentage of total state procurements this
21 reflects.

22 (b) The total dollar value and number of ~~see-~~
23 procurement contracts awarded to targeted small businesses
24 with appropriate designation as to the total number and value
25 of ~~see-~~aside contracts awarded to each certified targeted
26 small business, and the percentages of the total state
27 procurements the figures of total dollar value and the number
28 of ~~see-~~asides targeted small business contracts reflects.

29 (c) The number of contracts which were designated ~~and-~~
30 aside to satisfy targeted small business procurement goals
31 established pursuant to sections 73.15 through 73.21, but
32 which were not awarded to a targeted small business, the
33 estimated total dollar value of these awards, the lowest offer
34 or bid on each of these awards made by the small business and
35 the price at which these contracts were awarded pursuant to

1 the normal procurement procedures.

2 (d) The efforts undertaken to identify targeted small
3 businesses and to publicize and encourage participation in the
4 set-aside procurement goal and loan guarantee programs during
5 the preceding year.

6 (e) The efforts undertaken to develop technical assistance
7 programs and to remedy the inability of targeted small
8 businesses to perform on potential set-asides procurement
9 contracts.

10 (f) Information about the number of applications received
11 and processed by the Iowa finance authority under the loan
12 guarantee program, the value of loans guaranteed, and follow-
13 up information on targeted small businesses which have been
14 awarded loan guarantees.

15 (g) The director's recommendations for strengthening the
16 set-aside procurement goal program and delivery of services to
17 targeted small businesses. The director of the department of
18 management shall provide recommendations to the director
19 regarding strengthening contract compliance activities by
20 state agencies.

21 (h) The department of general services, the department of
22 transportation, the state board of regents, and all other
23 agencies of state government shall provide all relevant
24 information requested by the director for the preparation of
25 the annual report.

26 Sec. 31. Section 15.247, subsection 2, Code Supplement
27 1989, is amended to read as follows:

28 2. The department shall establish, contingent upon the
29 availability of funds authorized for the program, a targeted
30 small business financial assistance program, to provide for
31 loans, loan guarantees, revolving loans, loans secured by
32 accounts receivable, or grants to targeted small businesses.

33 A targeted small business in any year shall receive under this
34 program not more than twenty-five thousand dollars in a loan
35 or grant, and not more than forty thousand dollars in a

1 guarantee, or a combination of loans, grants, or guarantees.
2 The program shall provide guarantees not to exceed seventy-
3 five percent for loans made by qualified lenders. The
4 department shall establish a financial assistance reserve
5 account from funds provided for this program, from which any
6 default on a guaranteed loan under this section shall be paid.
7 In administering the program the department shall not
8 guarantee loan values in excess of the amount credited to the
9 reserve account and only moneys set aside in the loan reserve
10 account may be used for the payment of a default.

11 Sec. 32. Section 15.264, subsection 8, paragraph c, Code
12 1989, is amended to read as follows:

13 c. Ensure that the loans guaranteed under this part are
14 disbursed and utilized in accordance with the targeted small
15 business ~~set-aside-requirements~~ procurement goals of sections
16 73.15 through 73.21.

17 Sec. 33. Section 73.16, subsections 1 and 2, Code 1989,
18 are amended to read as follows:

19 1. Every agency, department, commission, board, committee,
20 officer or other governing body of the state shall purchase
21 goods and services supplied by small businesses and targeted
22 small businesses in Iowa. In addition to the other provisions
23 of this section relating to ~~set-asides~~ procurement contracts
24 for targeted small businesses, all purchasing authorities
25 shall assure that a proportionate share of small businesses
26 and targeted small businesses identified under the uniform
27 small business vendor application program of the department of
28 economic development are given the opportunity to bid on all
29 solicitations issued by agencies and departments of state
30 government.

31 2. The director of each agency or department of state
32 government having purchasing authority shall ~~designate-and-set~~
33 ~~aside-for-awarding-to~~ establish a procurement goal from
34 certified targeted small businesses identified pursuant to
35 section 10A.104, subsection 8, of at least two three percent,

1 ~~and-should-set-a-goal-of-up-to-ten-percent~~, of the value of
2 anticipated procurements of goods and services, including
3 construction, but not including utility services, each fiscal
4 year. The director of each department and agency of state
5 government shall cooperate with the director of the department
6 of inspections and appeals, the director of the department of
7 economic development, and the director of the department of
8 management and do all acts necessary to carry out the
9 provisions of this division.

10 A merged area school, area education agency, or school
11 district shall establish a procurement goal from certified
12 targeted small businesses, identified pursuant to section
13 10A.104, subsection 8, of at least three percent of the value
14 of anticipated procurements of goods and services including
15 construction, but not including utility services, each fiscal
16 year.

17 Sec. 34. Section 73.17, Code 1989, is amended to read as
18 follows:

19 73.17 TARGETED SMALL BUSINESS ~~SET-ASIDE~~ PROCUREMENT GOALS
20 -- PRELIMINARY PROCEDURES.

21 Quarterly the director of each agency and department of
22 state government shall review the agency's or department's
23 anticipated purchasing requirements. The directors shall
24 notify the director of the department of economic development
25 of their anticipated purchases and recommended ~~set-asides~~
26 procurements with unit quantities and total costs for
27 procurement contracts designated to satisfy the targeted small
28 business procurement goal not later than August 15 of each
29 fiscal year and quarterly thereafter. The directors may
30 divide the procurements so designated into contract award
31 units of economically feasible production runs to facilitate
32 offers or bids from targeted small businesses. In designating
33 ~~set-aside~~ procurements intended to satisfy the targeted small
34 business procurement goal, the directors may vary the included
35 procurements so that a variety of goods and services produced

1 by different targeted small businesses may be set-aside
2 procured each year. The director of the department of
3 economic development, in conjunction with the director of the
4 department of management, shall review the information
5 submitted and may require modifications from the agencies and
6 departments.

7 Sec. 35. Section 73.18, Code 1989, is amended to read as
8 follows:

9 73.18 NOTICE OF SOLICITATION FOR BIDS -- IDENTIFICATION OF
10 TARGETED SMALL BUSINESSES.

11 The director of each agency or department releasing a
12 solicitation for bids or request for proposal under the set-
13 aside targeted small business procurement goal program shall
14 notify the director of the department of inspections and
15 appeals prior to or upon release of the solicitation. The
16 director of the department of inspections and appeals shall
17 notify the soliciting agency or department of any targeted
18 small businesses which have been certified pursuant to section
19 10A.104, subsection 8, and which may be qualified to bid.

20 Sec. 36. Section 73.19, Code 1989, is amended to read as
21 follows:

22 73.19 NEGOTIATED PRICE OR BID CONTRACT.

23 In awarding a contract under the targeted small business
24 set-aside procurement goal program, a director of an agency or
25 department having purchasing authority may use either a
26 negotiated price or bid contract procedure. ~~The amount of an~~
27 ~~award shall not exceed by more than five percent that~~
28 ~~director's estimated price for the goods or services if they~~
29 ~~were to be purchased on the open market or under the~~
30 ~~competitive bidding procedures of any provisions of law or~~
31 ~~rules relating to competitive bidding procedures, and not~~
32 ~~under this set-aside program.~~ A director of an agency or
33 department using a negotiated contract shall consider any
34 targeted small business engaged in that business. The
35 director of the department of economic development or the

1 director of the department of management may assist in the
2 negotiation of a contract price under this section. Surety
3 bonds guaranteed by the United States small business
4 administration are acceptable security for a construction
5 award under this section.

6 Sec. 37. Section 73.20, Code 1989, is amended to read as
7 follows:

8 73.20 DETERMINATION OF ABILITY TO PERFORM.

9 Before announcing ~~the set-aside~~ a contract award pursuant
10 to the targeted small business procurement goal program, the
11 purchasing authority shall evaluate whether the targeted small
12 business scheduled to receive the award is able to perform the
13 ~~set-aside~~ contract. This determination shall include
14 consideration of production and financial capacity and
15 technical competence. If the purchasing authority determines
16 that the targeted small business may be unable to perform, the
17 director of the department of economic development shall be
18 notified and shall assist the targeted small business pursuant
19 to section 15.108, subsection 7, paragraph "c", subparagraph
20 (3).

21 Sec. 38. Section 73.21, Code 1989, is amended to read as
22 follows:

23 73.21 OTHER PROCUREMENT PROCEDURES.

24 All laws and rules pertaining to solicitations, bid
25 evaluations, contract awards, and other procurement matters
26 apply to procurement ~~set-asides~~ contracts for targeted small
27 businesses to the extent there is no conflict. If this
28 division conflicts with other laws or rules, then this
29 division governs.

30 Sec. 39. Section 554.9403, subsection 5, Code 1989, is
31 amended by adding the following new paragraph:

32 NEW PARAGRAPH. c. In addition to the fee imposed under
33 this subsection for an original financing statement or a
34 continuation statement on the standard form, the secretary of
35 state shall collect an additional fee of three dollars. In

1 addition to the fee imposed under this subsection for an
2 original financing statement or a continuation statement on a
3 nonstandard form, the secretary of state shall collect an
4 additional fee of six dollars. A county filing officer shall
5 collect the additional fee provided in this paragraph if the
6 county officer elects to utilize the uniform commercial code
7 information system maintained by the secretary of state.

8 Sec. 40. Section 554.9405, Code 1989, is amended by adding
9 the following new subsection:

10 NEW SUBSECTION. 4. In addition to the fees imposed by
11 this section for an original financing statement indicating an
12 assignment or a separate statement of assignment on the
13 standard form, the secretary of state shall collect an
14 additional fee of three dollars. In addition to the fee
15 imposed in this paragraph for an original financing statement
16 indicating an assignment or a separate statement of assignment
17 on a nonstandard form, the secretary of state shall collect an
18 additional fee of six dollars. A county filing officer shall
19 collect the additional fee provided in this subsection if the
20 county officer elects to utilize the uniform commercial code
21 information system maintained by the secretary of state.

22 Sec. 41. Section 554.9406, Code 1989, is amended by adding
23 the following new unnumbered paragraph:

24 NEW UNNUMBERED PARAGRAPH. In addition to the fee imposed
25 in this section for a statement of release on the standard
26 form, the secretary of state shall collect an additional fee
27 of three dollars. In addition to the fee imposed in this
28 paragraph for a statement of release on a nonstandard form,
29 the secretary of state shall collect an additional fee of six
30 dollars. A county filing officer shall collect the additional
31 fee provided in this section if the county officer elects to
32 utilize the uniform commercial code information system
33 maintained by the secretary of state.

34 Sec. 42. Section 570A.4, subsection 4, Code 1989, is
35 amended to read as follows:

1 4. The secretary of state shall note the filing of a lien
2 statement under this section in the manner provided by chapter
3 554, the uniform commercial code, and shall charge a five
4 ~~dollar-filing-fee-if-the-statement-is-the-standard-form~~
5 ~~prescribed-by-the-secretary-of-state, and otherwise a fee of~~
6 six-dollars fee as provided under section 554.9403.

7 Sec. 43. Section 714.8, Code 1989, is amended by adding
8 the following new subsection:

9 NEW SUBSECTION. 13. FRAUDULENT PRACTICES IN CONNECTION
10 WITH TARGETED SMALL BUSINESS PROGRAMS.

11 a. Knowingly transfers or assigns assets, ownership, or
12 equitable interest in property of a business to a woman or
13 minority person primarily for the purpose of obtaining
14 benefits under targeted small business programs if the
15 transferor would otherwise not be qualified for such programs.

16 b. Solicits and is awarded a state contract on behalf of a
17 targeted small business for the purpose of transferring the
18 contract to another for a percentage if the person
19 transferring or intending to transfer the work had no
20 intention of performing the work.

21 c. Knowingly falsifying information on an application for
22 the purpose of obtaining benefits under targeted small
23 business programs.

24 A violation under this subsection is grounds for
25 decertification of the targeted small business connected with
26 the violation. Decertification shall be in addition to any
27 penalty otherwise authorized by this section.

28 Sec. 44.

29 A fund is created for the purpose of funding efforts to
30 improve the technology used in making records maintained by
31 the secretary of state available to the public. The fees
32 collected by a filing officer under sections 39 through 42 of
33 this Act shall be paid to the treasurer of state within the
34 time required by section 12.10. The treasurer of state shall
35 hold these funds in a revolving fund that shall be established

1 in the name of the secretary of state for the payment of
2 expenses incurred in improving the availability of public
3 records. This fund is subject at all times to the warrant of
4 the department of revenue and finance, drawn upon written
5 requisition of the secretary of state or the secretary of
6 state's designated representative, for the payment of salaries
7 and other expenses necessary to carry out the purposes for
8 which the fund is created. The money in the fund held by the
9 treasurer of state shall be invested by the treasurer of state
10 and the income derived from these investments shall be
11 credited to the fund established in this section.

12 Notwithstanding section 8.33, no part of the fund held by the
13 treasurer of state shall be transferred to the general fund of
14 the state or any other fund, except that the balance of the
15 fund on June 30, 1996, shall be transferred to the general
16 fund of the state.

17 The secretary of state shall provide the legislative fiscal
18 bureau with a monthly accounting of deposits in the fund and
19 expenditures from the fund.

20 Sec. 45. Sections 39, 40, 41, and 44 of this Act are
21 repealed effective July 1, 1996.

22 EXPLANATION

23 This bill makes appropriations to various state agencies
24 including certain elected officials, the executive council,
25 the department of general services, the department of
26 personnel, the department of revenue and finance, the office
27 of state-federal relations, and the department of management.
28 The bill also increases certain filing fees under the uniform
29 commercial code. The targeted small business procurement set-
30 aside program is changed to a targeted small business
31 procurement goal program in response to a United States
32 supreme court decision.

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SENATE FILE 2280
FISCAL NOTE

A fiscal note for Senate File 2280 is hereby submitted pursuant to Joint Rule 17. Data used in developing this fiscal note is available from the Legislative Fiscal Bureau to members of the Legislature upon request.

Senate File 2280 is the Administration Appropriations Subcommittee bill as passed by the Senate Appropriations Subcommittee. In addition to appropriations of \$49,005,670 in General Fund dollars and \$13,830,640 in Other Fund dollars, the bill raises fees for Office of the Secretary of State. This fiscal note will examine only those increased fees.

This bill creates additional filing fees of \$3 for standard form and \$6 for nonstandard form for filing (a) an original or a continuation of a financing statement, (b) assignment of a security interest, (c) release of collateral, and (d) a lien statement by an agricultural supply dealer. These fees will be deposited in a revolving fund and used to upgrade technology and computer software to improve the filing systems and access to the information maintained by the Secretary of State. County governments, businesses, and the general public will be provided computerized access to these business records. The system also will allow instant purchase of documents and electronic filing of documents. It will be designed to operate through existing telephone connections but will be compatible with the Iowa Telecommunications Network and will allow access through that system.

Assumptions:

1. There will be 120,000 to 150,000 filings per year; 80% will be standard form; 20% will be nonstandard form.
2. The additional fee will be collected for six years through FY 1996 after which the additional fee will expire.
3. The technological improvements will cost a minimum of \$200,000. A major cost will be entry of historical data into the system. The amount of historical records that are automated will be adjusted to the funds available.

Fiscal Effect:

The fees will generate approximately \$432,000 to \$540,000 annually. These monies will be deposited in the revolving fund and will not be available to the General Fund. Approximately \$120,000 in salaries will be paid annually from this fund. Over the six years of the project, approximately \$2,592,000 to \$3,240,000 will be raised through these additional fees. At the end of FY 1996, the additional fees will be discontinued and any unencumbered balance in the revolving fund will revert to the General Fund. No significant reversion is expected.

Source: Secretary of State

(LSB 7298sv, MDF)

FILED FEBRUARY 19, 1990

BY DENNIS PROUTY, FISCAL DIRECTOR

S-5086

1 Amend Senate File 2280 as follows:

2 1. Page 3, line 14, by striking the words "as
3 provided in section 2.10, subsection 2,".

4 2. Page 3, line 29, by striking the words and
5 figures "as provided in section 2.10, subsection 2,".

6 3. Page 11, line 13, by striking the figure
7 "1,423,144" and inserting the following: "1,423,044".

8 4. Page 11, lines 16 and 17, by striking the
9 words ", support, maintenance, and miscellaneous
10 purposes".

11 5. Page 11, line 22, by striking the word
12 "PROJECT" and inserting the following: "PROGRAM".

13 6. Page 11, lines 23 and 24, by striking the
14 words ", support, maintenance, and miscellaneous
15 purposes".

16 7. Page 11, by inserting after line 27 the
17 following:

18 "The funds for support, maintenance, and
19 miscellaneous purposes for personnel assigned to field
20 operations under subsection 2 and program management
21 under subsection 3 are payable from the appropriation
22 made in subsection 1."

23 8. Page 15, line 16, by inserting after the word
24 "receipts," the following: "the purchase of an
25 automated call distribution system,".

26 9. By striking page 19, line 4 through page 26,
27 line 29, and inserting the following:

28 "Sec. ____ . Section 384.15, subsection 7, paragraph
29 b, Code 1989, is amended by striking the paragraph and
30 inserting in lieu thereof the following:

31 b. An appropriated law enforcement training
32 reimbursement account is established in the department
33 of management. The proceeds shall be used by the
34 director of the department of management to reimburse
35 cities or counties for eligible law enforcement
36 training expenses incurred as provided in this
37 section."

38 10. Page 28, by striking lines 7 through 27.

39 11. Page 29, by inserting after line 19 the
40 following:

41 "Sec. ____ . Section 911.3, Code 1989, is amended to
42 read as follows:

43 911.3 DISPOSITION OF SURCHARGE.

44 When a court assesses a surcharge under section
45 911.2, the clerk of the district court shall transmit
46 ninety percent of the surcharge collected to the
47 treasurer of state by the fifteenth day of the
48 following month. The treasurer of state shall deposit
49 ~~one-third-of the money in the law-enforcement-training~~
50 ~~reimbursement-fund-established-under-section-384-15~~

Page 2
1 ~~and-the-remaining-two-thirds-of-the-money-in-the~~
2 general fund of the state. The clerk of the district
3 court shall transmit ten percent of the surcharge to
4 the county treasurer or shall remit ten percent of the
5 surcharge to the city that was the plaintiff in any
6 action for deposit in the general fund of the city."

7 12. By renumbering sections and internal
8 references to sections as required.

By MICHAEL GRONSTAL

Adopted 2/13 (S. 5086)

SENATE FILE 2280

S-5106

1 Amend Senate File 2280 as follows:
2 1. Page 1, line 11, by striking the figure
3 "47.00" and inserting the figure "50.00".
4 2. Page 1, by inserting after line 11, the
5 following:
6 "The funds for the salaries, support, maintenance,
7 and miscellaneous purposes for 3 of the 50 FTEs
8 authorized in this section shall be paid from the fund
9 created in section 44 of this Act."
10 3. Page 26, by inserting before line 30, the
11 following:
12 "Sec. ____ . Section 48.3, Code 1989, is amended by
13 adding the following new unnumbered paragraph:
14 NEW UNNUMBERED PARAGRAPH. The state shall pay the
15 postage for all registration forms printed pursuant to
16 this section. There is appropriated annually to the
17 state commissioner of elections out of any funds in
18 the general fund of the state which are not otherwise
19 appropriated, a sum sufficient to pay the postage for
20 all registration forms printed as provided in this
21 section."

By MICHAEL GRONSTAL

S-5106 FILED FEBRUARY 16, 1990

(Adopted 2/16/90)

SENATE FILE 2280

S-5122

1 Amend Senate File 2280 as follows:
2 1. Page 1, line 10, by striking the figure
3 "1,746,989" and inserting the following: "1,706,989".
4 2. Page 1, by striking lines 12 through 15.

By JOHN W. JENSEN

S-5122 FILED FEBRUARY 19, 1990

LOST *(p. 579)*

SENATE FILE 2280

S-5124

1 Amend Senate File 2280 as follows:
2 1. Page 28, by striking line 28 through page 29,
3 line 19.

By JIM LIND
CALVIN O. HULTMAN

S-5124 FILED FEBRUARY 19, 1990

LOST *(p. 600)*

SENATE FILE 2280

S-5118

1 Amend Senate File 2280 as follows:

2 1. Page 12, by inserting after line 27 the
3 following:

4 "As a condition, qualification, and limitation of
5 the funds appropriated under this section, the Iowa
6 public employees' retirement system investment
7 division shall work jointly with the department of
8 personnel, the Iowa public employees' retirement
9 system investment board, and the state treasurer's
10 office to prepare a report for submission to the
11 general assembly by January 1, 1991, regarding the
12 staffing needs and staffing structure for the
13 investment division necessary to meet the requirements
14 of section 97B.6, taking into consideration the
15 expected future growth and diversification of the Iowa
16 public employees' retirement system fund, including
17 responsibilities to oversee fund management, maintain
18 expertise on asset allocation strategies, address
19 corporate governance issues, and identify emerging
20 asset classes. The report shall also address the
21 elements necessary to integrate investment strategies
22 with long-term benefit distribution goals."

By CHARLES BRUNER

S-5118 FILED FEBRUARY 19, 1990

ADOPTED (p. 549)

*Am. Appropriation 3/22
Amended per 5478 D. Pass 21,*

SENATE FILE 2280
BY COMMITTEE ON APPROPRIATIONS

(SUCCESSOR TO LSB 7298SC)

(AS AMENDED AND PASSED BY THE SENATE FEBRUARY 19, 1990)

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

Passed Senate, Date 3/28/90 (p. 1373) Passed House, Date 3/22/90 (p. 1344)
 Vote: Ayes 32 Nays 17 Vote: Ayes 49 Nays 0
 Approved May 7, 1990 - Steve Vetter

A BILL FOR

1 An Act relating to and making appropriations to various state
 2 agencies including certain state elected officials, the
 3 executive council, the department of general services, the
 4 department of personnel, the department of revenue and
 5 finance, the office of state-federal relations, and the
 6 department of management, increasing certain fees, changing
 7 the procurement program, and providing for repeals of certain
 8 provisions.

S.F. 2280

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

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Conference Committee Appointed
 Senators Gronstal (Chair), Kibbie, Dieleman, Jensen & Hultman (p. 1451)
 Reps. Renard (Chair) Kramer, McKee, Adams, ~~Jackson~~ 4/3 (p. 1740)
 Blanshard 4/7 (p. 2230)

Passed w/ Conference Committee Report
 Senate 4/8/90 (p. 1728) House 4/8/90 (p. 2377)
 43-5 52-37

1 Section 1.

2 There is appropriated from the general fund of the state to
3 the office of the secretary of state for the fiscal year
4 beginning July 1, 1990, and ending June 30, 1991, the
5 following amounts, or so much thereof as is necessary, to be
6 used for the purposes designated:

7 1. For salaries, support, maintenance, miscellaneous
8 purposes, and for not more than the following full-time
9 equivalent positions:

x 10	.....	\$	1,746,989
x 11	.....	FTEs	<u>50.00</u>

12 The funds for the salaries, support, maintenance, and
13 miscellaneous purposes for 3 of the 50 FTEs authorized in this
14 section shall be paid from the fund created in section 34 of
15 this Act.

16 Of the amount appropriated by this section, \$40,000 shall
17 be used for preparation of informational and educational
18 materials on elections for use by the general public,
19 candidates, students, and election officials.

20 2. For the costs incurred in the printing of the official
21 register:

22	\$	76,750
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23 Sec. 2.

24 There is appropriated from the general fund of the state to
25 the office of the governor for the fiscal year beginning July
26 1, 1990, and ending June 30, 1991, the following amounts, or
27 so much thereof as is necessary, to be used for the purposes
28 designated:

29 1. For salaries, support, maintenance, and miscellaneous
30 purposes for the general office of the governor, and for not
31 more than the following full-time equivalent positions:

32	.....	\$	939,984
33	FTEs	17.00

34 2. For the governor's expenses connected with office:

35	\$	5,434
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1 3. For salaries, support, maintenance, and miscellaneous
2 purposes for the governor's quarters at Terrace Hill, and for
3 not more than the following full-time equivalent positions:

4 \$ 97,117
5 FTEs 3.00

6 4. For the payment of expenses of ad hoc committees,
7 councils, and task forces appointed by the governor to
8 research and analyze a particular subject area relevant to the
9 problems and responsibilities of state and local government,
10 including the employment of professional, technical, and
11 administrative staff and the payment of per diem, not
12 exceeding \$40, and actual expenses of committee, council, or
13 task force members and as a condition, limitation, and
14 qualification of this appropriation, the ad hoc committees,
15 councils, and task forces appointed by the governor shall be
16 subject to chapters 21 and 22 and the members shall be so
17 informed:

18 \$ 8,009

19 5. For salaries, support, maintenance, and miscellaneous
20 purposes for the office of administrative rules coordinator,
21 and for not more than the following full-time equivalent
22 positions:

23 \$ 105,414
24 FTEs 2.00

25 6. For payment of Iowa's membership in the national
26 governors' conference:

27 \$ 77,870

547828 7. Contingent on the certification of the governor by
29 February 1, 1991, that a need exists, for transitional costs
30 associated with the election of a new governor:

31 \$ 50,000

32 Sec. 3.

33 There is appropriated from the general fund of the state to
34 the office of the governor's substance abuse prevention
35 coordinator for the fiscal year beginning July 1, 1990, and

1 ending June 30, 1991, the following amounts, or so much
2 thereof as is necessary, to be used for the purposes
3 designated:

4 For salaries, support, maintenance, miscellaneous purposes,
5 and for not more than the following full-time equivalent
6 positions:

7 \$ 107,294
8FTEs 8.00

9 Sec. 4.

10 There is appropriated from the general fund of the state to
11 the office of the lieutenant governor for the portion of the
12 fiscal year beginning July 1, 1990, and ending on the date of
13 the next inauguration of the lieutenant governor, the
14 following amount, or so much thereof as is necessary, to be
15 used for the purposes designated:

16 For salaries, support, maintenance, and miscellaneous
17 purposes including the lieutenant governor's compensation and
18 expenses including service as a member of the legislative
19 council and per diem and expenses incurred while performing
20 duties of the lieutenant governor when the general assembly is
21 not in session:

22 \$ 87,652

23 Sec. 5.

24 There is appropriated from the general fund of the state to
25 the office of the lieutenant governor for the portion of the
26 fiscal year beginning with the next inauguration of the
27 lieutenant governor and ending June 30, 1991, the following
28 amount, or so much thereof as is necessary, to be used for the
29 purposes designated:

30 For salaries, support, maintenance, and miscellaneous
31 purposes including the lieutenant governor's compensation and
32 expenses including service as a member of the legislative
33 council and per diem and expenses incurred while performing
34 duties of the lieutenant governor when the general assembly is
35 not in session:

1 \$ 70,500

2 Sec. 6.

3 The amounts appropriated under sections 4 and 5 for the
4 fiscal period beginning July 1, 1990, and ending June 30,
5 1991, shall be used for not more than the following full-time
6 equivalent positions in addition to the purposes designated
7 under sections 4 and 5:

8 FTEs 3.00

9 Sec. 7.

10 There is appropriated from the general fund of the state to
11 the office of treasurer of state for the fiscal year beginning
12 July 1, 1990, and ending June 30, 1991, the following amount,
13 or so much thereof as is necessary, to be used for the
14 purposes designated:

15 For salaries, support, maintenance, miscellaneous purposes,
16 and for not more than the following full-time equivalent posi-
17 tions:

18 \$ 814,435

19 FTEs 28.00

20 Of the amount appropriated by this section, \$29,839 shall
21 be used for salary and support for one full-time equivalent
22 position designated as a computer programmer.

23 Sec. 8.

24 There is appropriated from the general fund of the state to
25 the executive council for the fiscal year beginning July 1,
26 1990, and ending June 30, 1991, the following amount, or so
27 much thereof as is necessary, to be used for the purposes
28 designated:

29 For salaries, support, maintenance, miscellaneous purposes,
30 and for not more than the following full-time equivalent posi-
31 tions:

32 \$ 50,148

33 FTEs 1.12

34 Sec. 9.

35 There is appropriated from the general fund of the state to

1 the following named agencies for the fiscal year beginning
2 July 1, 1990, and ending June 30, 1991, the following amounts,
3 or so much thereof as is necessary, to be used for the
4 purposes designated:

5 1. NATIONAL CONFERENCE OF STATE LEGISLATURES

6 For support of the membership assessment:

7 \$ 71,502

8 2. COMMISSION ON UNIFORM STATE LAWS

9 For support of the commission and expenses of the members:

10 \$ 15,000

11 3. PIONEER LAWMAKERS

12 For support and expenses of the members:

13 \$ 707

14 Sec. 10.

15 There is appropriated from the general fund of the state to
16 the department of general services for the fiscal year
17 beginning July 1, 1990, and ending June 30, 1991, the
18 following amounts, or so much thereof as is necessary, to be
19 used for the purposes designated:

20 1. ADMINISTRATION DIVISION

21 For salaries, support, maintenance, miscellaneous purposes,
22 and for not more than the following full-time equivalent posi-
23 tions:

24 \$ 533,954

25 FTEs 16.00

26 2. COMMUNICATIONS DIVISION

27 For salaries, support, maintenance, miscellaneous purposes,
28 and for not more than the following full-time equivalent posi-
29 tions:

30 \$ 438,960

31 FTEs 19.00

32 3. DIRECTOR'S OFFICE

33 For salaries, support, maintenance, miscellaneous purposes,
34 and for not more than the following full-time equivalent posi-
35 tions:

1 \$ 104,644

2 FTEs 2.00

3 4. MATERIALS MANAGEMENT DIVISION

4 For salaries, support, maintenance, miscellaneous purposes,
5 and for not more than the following full-time equivalent posi-
6 tions:

7 \$ 94,823

8 FTEs 3.30

9 5. PROPERTY MANAGEMENT DIVISION

10 For salaries, support, maintenance, miscellaneous purposes,
11 and for not more than the following full-time equivalent posi-
12 tions:

13 \$ 4,239,496

14 FTEs 156.00

15 6. PRINTING AND MAIL DIVISION

16 For salaries, support, maintenance, miscellaneous purposes,
17 and for not more than the following full-time equivalent posi-
18 tions:

19 \$ 595,620

20 FTEs 22.00

21 7. RECORDS MANAGEMENT DIVISION

22 For salaries, support, maintenance, miscellaneous purposes,
23 and for not more than the following full-time equivalent posi-
24 tions:

25 \$ 429,998

26 FTEs 14.50

27 8. INFORMATION SERVICES DIVISION

28 For salaries, support, maintenance, miscellaneous purposes,
29 and for not more than the following full-time equivalent posi-
30 tions:

x 31 \$ 7,282,826

x 32 FTEs 158.00

33 9. The department of general services shall not change the
34 appropriations for the purposes designated in subsections 1
35 through 8 from the amounts appropriated under those

1 subsections unless notice of the revisions is given prior to
2 their effective date to the legislative fiscal bureau. The
3 notice shall include information on the department's rationale
4 for making the changes.

5 10. Savings achieved in providing telecommunications
6 services shall be used by the department of general services
7 to increase efficiencies in the provision of those services.

8 Sec. 11.

9 There is appropriated from the general fund of the state to
10 the department of general services for the fiscal year
11 beginning July 1, 1990, and ending June 30, 1991, the
12 following amounts, or so much thereof as is necessary, to be
13 used for the purposes designated:

14 1. CAPITOL PLANNING COMMISSION

15 For expenses of the members in carrying out their duties
16 under chapter 18A:

17 \$ 3,000

18 2. UTILITY COSTS

19 For payment of utility costs:

20 \$ 2,033,000

21 The department of general services may use funds
22 appropriated in this subsection for utility costs to fund
23 energy conservation projects in the state capitol complex
24 which will have a 100 percent payback within a 24 month
25 period. The department of general services shall report
26 quarterly to the chairpersons and ranking members of the
27 administration appropriations subcommittee concerning the
28 savings generated as a result of implementation of these
29 projects.

30 3. RENTAL SPACE

31 For payment of lease or rental costs of buildings and
32 office space at the seat of government as provided in section
33 18.12, subsection 9, notwithstanding section 18.16:

34 \$ 618,056

35 4. FIRE SAFETY

1 For payment of costs incurred in providing for additional
2 fire safety measures:

3 \$ 80,000

4 The moneys appropriated by this subsection may be used for,
5 but are not limited to, the provision of alarm warning systems
6 and additional means of egress. Moneys provided under this
7 subsection shall not be used to defray the costs of deferred
8 maintenance.

9 Sec. 12.

10 Notwithstanding section 18.12, subsection 11, any excess
11 funds appropriated for utility costs in section 11, subsection
12 2, shall not be deposited in the general fund of the state on
13 June 30, 1991, and these funds are to be used for
14 implementation of energy conservation projects having a
15 payback of 100 percent within a 2-year to 6-year period. The
16 department of general services shall report semiannually to
17 the chairpersons and ranking members of the administration
18 appropriations subcommittee and to the legislative fiscal
19 bureau. The reports shall include a listing of the projects
20 undertaken, the cost of each project, and the projected
21 savings on an annual basis and for the life of the project.

22 The department of general services shall also pursue
23 utility rate reductions for the capitol complex and report the
24 results of these efforts to the chairpersons and ranking
25 members of the administration appropriations subcommittee and
26 to the legislative fiscal bureau. The report shall include,
27 but is not limited to, the options examined, the proposals of
28 the department of general services, and the responses of the
29 utilities. Supporting documentation, including correspondence
30 between the department of general services and the utilities,
31 shall accompany the report.

32 Sec. 13.

33 There is appropriated from the revolving funds designated
34 to the department of general services for the fiscal year
35 beginning July 1, 1990, and ending June 30, 1991, the

1 following amounts, or so much thereof as is necessary, to be
2 used for the purposes designated:

3 1. From the centralized printing permanent revolving fund
4 established by section 18.57 for salaries, support,
5 maintenance, miscellaneous purposes, and for not more than the
6 following full-time equivalent positions:

7	\$	886,644
8	FTEs	30.00

9 2. The remainder of the centralized printing permanent
10 revolving fund is appropriated for the expense incurred in
11 supplying paper stock, offset printing, copy preparation,
12 binding, distribution costs, original payment of printing and
13 binding claims and contingencies arising during the fiscal
14 year beginning July 1, 1990, and ending June 30, 1991, which
15 are legally payable from this fund.

16 3. From the centralized purchasing permanent revolving
17 fund established by section 18.9 for salaries, support,
18 maintenance, miscellaneous purposes, and for not more than the
19 following full-time equivalent positions:

20	\$	543,147
21	FTEs	15.00

22 4. The remainder of the centralized purchasing permanent
23 revolving fund is appropriated for the payment of expenses
24 incurred through purchases by various state departments and
25 for contingencies arising during the fiscal year beginning
26 July 1, 1990, and ending June 30, 1991, which are legally
27 payable from this fund.

28 5. From the vehicle dispatcher revolving fund established
29 by section 18.119 for salaries, support, maintenance, miscel-
30 laneous purposes, and for not more than the following full-
31 time equivalent positions:

32	\$	568,764
33	FTEs	17.00

34 6. The remainder of the vehicle dispatcher revolving fund
35 is appropriated for the purchase of gasoline, gasohol, oil,

1 tires, repairs, and all other maintenance expenses incurred in
2 the operation of state-owned motor vehicles and for contin-
3 gencies arising during the fiscal year beginning July 1, 1990,
4 and ending June 30, 1991, which are legally payable from this
5 fund.

6 7. The division of insurance of the department of commerce
7 shall, on or before July 1, 1990, transfer remaining funds
8 from its revolving account, in excess of those funds necessary
9 to provide initial start-up for the division's fiscal year
10 1991 revolving fund, to the department of general services.

11 As a condition of the appropriation, it is the intent of
12 the general assembly that these transferred funds be used for
13 the following purposes:

14 a. The department of general services shall provide from
15 the funds the rental, preparation of space, and physical move
16 of the division of insurance of the department of commerce to
17 new quarters off of the state capitol complex for the fiscal
18 year beginning July 1, 1990.

19 b. After the rental, preparation, and move of the division
20 of insurance of the department of commerce, the funds remain-
21 ing shall be applied to the renovation of the Lucas state
22 office building.

23 It is the intent of the general assembly that the require-
24 ments of this subsection shall be accomplished as soon after
25 the effective date of this Act as practically feasible.

26 Additionally, the division of insurance of the department
27 of commerce shall provide, on or before January 1, 1991, a
28 report and projection regarding the revenue of the division
29 and the sufficiency of that revenue to cover future rental
30 costs for the division. The report shall be delivered to the
31 chairpersons, vice chairpersons, and ranking members of the
32 appropriations committees, and to the legislative fiscal
33 bureau.

34 Sec. 14.

35 Any capitol complex new construction appropriation shall

1 commence in the administration appropriations subcommittee,
2 even if consideration of the matter necessitates reconvening
3 the subcommittee after its other work is completed.

4 Sec. 15.

5 There is appropriated from the general fund of the state to
6 the department of personnel for the fiscal year beginning July
7 1, 1990, and ending June 30, 1991, the following amount, or so
8 much thereof as is necessary, to be used for the purposes
9 designated:

10 1. ADMINISTRATION

11 For salaries, support, maintenance, and miscellaneous
12 purposes for the director's staff, office services, data/word
13 processing, and insurance cost management, and for not more
14 than the following full-time equivalent positions:

15	\$	<u>1,423,044</u>
16	FTEs	29.65

17 2. FIELD OPERATIONS

*18 For salaries for the personnel services, employment
19 law/labor relations, and development, and for not more than
20 the following full-time equivalent positions:

21	\$	1,477,953
22	FTEs	36.60

547823 3. PROGRAM MANAGEMENT

*24 For salaries for employment and compensation and benefits,
25 and for not more than the following full-time equivalent
26 positions:

27	\$	1,279,529
28	FTEs	38.00

29 The funds for support, maintenance, and miscellaneous
30 purposes for personnel assigned to field operations under
31 subsection 2 and program management under subsection 3 are
32 payable from the appropriation made in subsection 1.

33 As a condition, limitation, and qualification of this
34 appropriation, the department of personnel shall report
35 quarterly to the chairpersons and ranking members of the

1 administration appropriations subcommittee concerning the
2 number of vacancies in existing full-time equivalent positions
3 and the average time taken to fill the vacancies. The reports
4 shall include quarterly and annual averages organized
5 according to state agency and general occupational category as
6 established by the federal equal employment opportunity
7 commission. All departments and agencies of the state shall
8 cooperate with the department in the preparation of the
9 reports.

10 Sec. 16.

11 There is appropriated from the general fund of the state to
12 the department of personnel for the fiscal year beginning July
13 1, 1990, and ending June 30, 1991, the following amount, or so
14 much thereof as is necessary, to be used for the purposes
15 designated:

16 For salaries, support, maintenance, and miscellaneous
17 purposes, to pay the costs of administration of federal old
18 age benefit and Iowa old age survivors insurance programs, and
19 for not more than the following full-time equivalent
20 positions:

21	\$	109,141
22	FTEs	2.50

23 Sec. 17.

24 There is appropriated from the Iowa public employees'
25 retirement system fund to the department of personnel for the
26 fiscal year beginning July 1, 1990, and ending June 30, 1991,
27 the following amount, or so much thereof as is necessary, to
28 be used for the purposes designated:

29 1. For salaries, support, maintenance, and other
30 operational purposes to pay the costs of the Iowa public
31 employees' retirement system:
32

32	\$	2,616,118
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33 As a condition, qualification, and limitation of the funds
34 appropriated under this section, the Iowa public employees'
35 retirement system investment division shall work jointly with

1 the department of personnel, the Iowa public employees'
2 retirement system investment board, and the state treasurer's
3 office to prepare a report for submission to the general
4 assembly by January 1, 1991, regarding the staffing needs and
5 staffing structure for the investment division necessary to
6 meet the requirements of section 97B.6, taking into
7 consideration the expected future growth and diversification
8 of the Iowa public employees' retirement system fund,
9 including responsibilities to oversee fund management,
10 maintain expertise on asset allocation strategies, address
11 corporate governance issues, and identify emerging asset
12 classes. The report shall also address the elements necessary
13 to integrate investment strategies with long-term benefit
14 distribution goals.

15 It is the intent of the general assembly that the Iowa
16 public employees' retirement system employ sufficient staff
17 within the appropriation provided in this section to meet the
18 developing requirements of the investment program.

19 2. For design, development, and implementation of a data
20 information system:

21 \$ 783,000

22 Notwithstanding section 8.33, funds appropriated under this
23 subsection that remain unencumbered or unobligated on June 30,
24 1991, shall not revert to the general fund of the state but
25 shall be available for expenditure in subsequent years to
26 complete the data information systems.

27 The department of personnel shall report on or before
28 January 1, 1991, and each 6 months thereafter until the data
29 information system is fully implemented to the chairpersons
30 and ranking members of the administration appropriations
31 subcommittee and to the legislative fiscal bureau, on the
32 progress made in implementing the data information system.
33 The report shall include, but is not limited to, moneys spent
34 and encumbered, progress made relative to the scheduled
35 implementation, and benefits or anticipated benefits of the

1 system.

2 The department of personnel shall report to the
3 chairpersons and ranking members of the administration
4 appropriations subcommittee and to the legislative fiscal
5 bureau the results and effectiveness of the wellness program
6 pilot project developed and tested by the department of
7 personnel in conjunction with the state department of
8 transportation. The department of personnel shall submit the
9 reports in June and December of each year of the project's
10 existence and shall submit a final report upon completion of
11 the project.

12 The department of personnel shall report to the
13 chairpersons and ranking members of the administration
14 appropriations subcommittee and to the legislative fiscal
15 bureau the results and effectiveness of the pilot project
16 regarding the automation of hiring procedures. The department
17 of personnel shall submit progress reports in June and
18 December during the period of existence of the project, and
19 shall submit a final report upon completion of the project.

20 The department of personnel shall submit, annually, a
21 report to the chairpersons and ranking members of the
22 administration appropriations subcommittee and to the
23 legislative fiscal bureau regarding the results of the state's
24 top achievement recognition program. The reports submitted
25 shall include, but are not limited to, identification of the
26 recipients, a description of the meritorious achievements, and
27 the awards conferred.

28 Sec. 18.

29 There is appropriated from the general fund of the state to
30 the department of revenue and finance for the fiscal year
31 beginning July 1, 1990, and ending June 30, 1991, the
32 following amounts, or so much thereof as is necessary, to be
33 used for the purposes designated, and for not more than the
34 following full-time equivalent positions used for the purposes
35 designated in subsections 1 through 6:

1 FTES 651.65
2 1. AUDIT AND COMPLIANCE
3 For salaries, support, maintenance, and miscellaneous
4 purposes:
5 \$ 9,350,844
6 2. FINANCIAL MANAGEMENT
7 For salaries, support, maintenance, and miscellaneous
8 purposes:
9 \$ 6,541,472
10 3. INFORMATION AND MANAGEMENT SYSTEMS
11 For salaries, support, maintenance, and miscellaneous
12 purposes:
13 \$ 1,790,106
14 4. LOCAL GOVERNMENT SERVICES
15 For salaries, support, maintenance, and miscellaneous
16 purposes:
17 \$ 1,363,212
18 5. TECHNICAL SERVICES
19 For salaries, support, maintenance, and miscellaneous
20 purposes:
21 \$ 1,962,900
22 6. ADMINISTRATION
23 For salaries, support, maintenance, and miscellaneous
24 purposes:
25 \$ 774,903
26 7. The department of revenue and finance shall not change
27 the appropriations for the purposes designated in subsections
28 1 through 6 from the amounts appropriated under those
29 subsections unless notice of the revisions is given prior to
30 their effective date to the legislative fiscal bureau. The
31 notice shall include information on the department's rationale
32 for making the changes.
33 Notwithstanding section 8.33, the excess funds appropriated
34 to the department of revenue and finance shall not be
35 deposited in the general fund of the state on June 30, 1991.

1 The funds shall be expended for the automation effort which
2 includes the purchase of equipment to further automate the
3 process of depositing tax receipts, the purchase of an
4 automated call distribution system, and the purchase of
5 equipment necessary to achieve benefits from the integrated
6 revenue information system (IRIS) project. The department
7 shall report annually to the chairpersons and ranking members
8 of the administration appropriations subcommittee and to the
9 legislative fiscal bureau regarding the amount of total excess
10 funds, equipment purchases, and projected savings and
11 benefits.

12 The director shall report annually to the fiscal committee
13 of the legislative council, the legislative fiscal bureau, and
14 the chairpersons and ranking members of the administration
15 appropriations subcommittee concerning the effectiveness of
16 the tax audits and investigations conducted, the moneys
17 expended, the tax obligations established, and taxes collected
18 as a result of the tax collection and enforcement efforts of
19 the department.

20 The department of revenue and finance shall report quar-
21 terly to the chairpersons and ranking members of the
22 administration appropriations subcommittee, concerning
23 progress in the implementation of generally accepted
24 accounting principles, including determination of reporting
25 entities, fund classifications, modification of the Iowa
26 financial accounting system, progress on preparing a
27 comprehensive annual financial report, and the most current
28 estimate of the general fund balance based on current
29 generally accepted accounting principles.

30 Sec. 19.

31 There is appropriated from the motor vehicle fuel tax fund
32 created by section 324.77 to the department of revenue and
33 finance for the fiscal year beginning July 1, 1990, and ending
34 June 30, 1991, the following amount, or so much thereof as is
35 necessary, to be used for the purposes designated:

1 For salaries, support, maintenance, and miscellaneous
2 purposes for administration and enforcement of the provisions
3 of chapter 324 and the motor vehicle use tax program:
4 \$ 1,105,804
5 Sec. 20.

6 There is appropriated from the lottery fund to the
7 department of revenue and finance for the fiscal year
8 beginning July 1, 1990, and ending June 30, 1991, the
9 following amount, or so much thereof as is necessary, to be
10 used for the purposes designated:

11 For salaries, support, maintenance, miscellaneous purposes,
12 and for not more than the following full-time equivalent posi-
13 tions:
14 \$ 7,272,163
15 FTEs 138.55
16 Sec. 21.

17 There is appropriated from the general fund of the state to
18 the department of management for the fiscal year beginning
19 July 1, 1990, and ending June 30, 1991, the following amount,
20 or so much thereof as is necessary, to be used for the
21 purposes designated:

22 For salaries, support, maintenance, miscellaneous purposes,
23 and for not more than the following full-time equivalent
24 positions:
25 \$ 1,740,622
26 FTEs 33.00

27 As a condition, limitation, and qualification of this
28 appropriation, not more than \$1,570,027 from all revenue
29 sources, plus an allocation for salary adjustment, may be
30 expended for salaries and benefits for not more than the above
31 listed full-time equivalent positions and not more than
32 \$226,595 from all revenue sources may be expended for support
33 and miscellaneous purposes. Unanticipated federal and local
34 grants or receipts received after this Act becomes effective
35 are not subject to this condition.

1 Sec. 22.

2 There is appropriated from the road use tax fund to the
3 department of management for the fiscal year beginning July 1,
4 1990, and ending June 30, 1991, the following amount, or so
5 much thereof as is necessary, to be used for the purposes
6 designated:

7 For salaries, support, maintenance, and miscellaneous
8 purposes:

9 \$ 55,000

10 Sec. 23.

11 There is appropriated from the general fund of the state to
12 the department of management for the fiscal year beginning
13 July 1, 1990, and ending June 30, 1991, the following amount,
14 or so much thereof as is necessary, to be used for the
15 purposes designated:

16 1. COUNCIL OF STATE GOVERNMENTS

17 For support of the membership assessment:

18 \$ 62,100

19 2. LAW ENFORCEMENT TRAINING REIMBURSEMENTS

20 For reimbursements to local law enforcement agencies for
21 the training of officers who resign pursuant to section
22 384.15, subsection 7:

23 \$ 125,000

24 Sec. 24.

25 There is appropriated from the general fund of the state to
26 the office of state-federal relations for the fiscal year
27 beginning July 1, 1990, and ending June 30, 1991, the
28 following amount, or so much thereof as is necessary, to be
29 used for the purposes designated:

30 For salaries, support, maintenance, miscellaneous purposes,
31 and for not more than the following full-time equivalent posi-
32 tions:

33 \$ 225,562

34 FTEs 3.15

35 Sec. 25.

1 Notwithstanding section 8.55, the moneys in the Iowa
2 economic emergency fund are transferred to the general fund of
3 the state if necessary to avoid a deficit in the general fund
4 of the state and to defray expenses at the conclusion of the
5 fiscal year beginning July 1, 1990, and ending June 30, 1991.

6 Sec. 26.

7 For purposes of this Act and any other appropriations
8 statute enacted by the Seventy-third General Assembly, 1990
9 Session, "full-time equivalent position" means a budgeting and
10 monitoring unit that equates the aggregate of full-time
11 positions, part-time positions, a vacancy and turnover factor,
12 and other adjustments. 1 full-time equivalent position
13 represents 2,080 working hours, which is the regular number of
14 hours 1 full-time person works in 1 fiscal year. The number
15 of full-time equivalent positions shall be calculated by
16 totaling the regular number of hours that could be annually
17 worked by persons in all authorized positions, reducing those
18 hours by a vacancy and turnover factor and dividing that
19 amount by 2,080 hours. In order to achieve the full-time
20 equivalent position level, the number of filled positions may
21 exceed the number of full-time equivalent positions during
22 parts of the fiscal year to compensate for time periods when
23 the number of filled positions is below the authorized number
24 of full-time equivalent positions.

25 Sec. 27. Section 8.6, subsection 5, Code Supplement 1989,
26 is amended by striking the subsection.

* 27 Sec. 28. Section 48.3, Code 1989, is amended by adding the
28 following new unnumbered paragraph:

29 NEW UNNUMBERED PARAGRAPH. The state shall pay the postage
30 for all registration forms printed pursuant to this section.

31 There is appropriated annually to the state commissioner of
32 elections out of any funds in the general fund of the state
33 which are not otherwise appropriated, a sum sufficient to pay
34 the postage for all registration forms printed as provided in
35 this section.

1 Sec. 29. Section 364.13, subsection 7, paragraph b, Code
2 1989, is amended by striking the paragraph and inserting in
3 lieu thereof the following:

4 b. An appropriated law enforcement training reimbursement
5 account is established in the department of management. The
6 proceeds shall be used by the director of the department of
7 management to reimburse cities or counties for eligible law
8 enforcement training expenses incurred as provided in this
9 section.

10 Sec. 30. Section 554.9403, subsection 5, Code 1989, is
11 amended by adding the following new paragraph:

12 NEW PARAGRAPH. c. In addition to the fee imposed under
13 this subsection for an original financing statement or a
14 continuation statement on the standard form, the secretary of
15 state shall collect an additional fee of three dollars. In
16 addition to the fee imposed under this subsection for an
17 original financing statement or a continuation statement on a
18 nonstandard form, the secretary of state shall collect an
19 additional fee of six dollars. A county filing officer shall
20 collect the additional fee provided in this paragraph if the
21 county officer elects to utilize the uniform commercial code
22 information system maintained by the secretary of state.

23 Sec. 31. Section 554.9405, Code 1989, is amended by adding
24 the following new subsection:

25 NEW SUBSECTION. 4. In addition to the fees imposed by
26 this section for an original financing statement indicating an
27 assignment or a separate statement of assignment on the
28 standard form, the secretary of state shall collect an
29 additional fee of three dollars. In addition to the fee
30 imposed in this paragraph for an original financing statement
31 indicating an assignment or a separate statement of assignment
32 on a nonstandard form, the secretary of state shall collect an
33 additional fee of six dollars. A county filing officer shall
34 collect the additional fee provided in this subsection if the
35 county officer elects to utilize the uniform commercial code

1 information system maintained by the secretary of state.

2 Sec. 32. Section 554.9406, Code 1989, is amended by adding
3 the following new unnumbered paragraph:

4 NEW UNNUMBERED PARAGRAPH. In addition to the fee imposed
5 in this section for a statement of release on the standard
6 form, the secretary of state shall collect an additional fee
7 of three dollars. In addition to the fee imposed in this
8 paragraph for a statement of release on a nonstandard form,
9 the secretary of state shall collect an additional fee of six
10 dollars. A county filing officer shall collect the additional
11 fee provided in this section if the county officer elects to
12 utilize the uniform commercial code information system
13 maintained by the secretary of state.

14 Sec. 33. Section 570A.4, subsection 4, Code 1989, is
15 amended to read as follows:

16 4. The secretary of state shall note the filing of a lien
17 statement under this section in the manner provided by chapter
18 554, the uniform commercial code, and shall charge a five
19 ~~dollar-filing-fee-if-the-statement-is-the-standard-form~~
20 ~~prescribed-by-the-secretary-of-state,-and-otherwise-a-fee-of~~
21 six-dollars fee as provided under section 554.9403.

5422
22 Sec. 34.

23 A fund is created for the purpose of funding efforts to
24 improve the technology used in making records maintained by
25 the secretary of state available to the public. The fees
26 collected by a filing officer under sections 30 through 33 of
27 this Act shall be paid to the treasurer of state within the
28 time required by section 12.10. The treasurer of state shall
29 hold these funds in a revolving fund that shall be established
30 in the name of the secretary of state for the payment of
31 expenses incurred in improving the availability of public
32 records. This fund is subject at all times to the warrant of
33 the department of revenue and finance, drawn upon written
34 requisition of the secretary of state or the secretary of
35 state's designated representative, for the payment of salaries

1 and other expenses necessary to carry out the purposes for
2 which the fund is created. The money in the fund held by the
3 treasurer of state shall be invested by the treasurer of state
4 and the income derived from these investments shall be
5 credited to the fund established in this section.
6 Notwithstanding section 8.33, no part of the fund held by the
7 treasurer of state shall be transferred to the general fund of
8 the state or any other fund, except that the balance of the
9 fund on June 30, 1996, shall be transferred to the general
10 fund of the state.

11 The secretary of state shall provide the legislative fiscal
12 bureau with a monthly accounting of deposits in the fund and
13 expenditures from the fund.

14 Sec. 35. Section 911.3, Code 1989, is amended to read as
15 follows:

16 911.3 DISPOSITION OF SURCHARGE.

17 When a court assesses a surcharge under section 911.2, the
18 clerk of the district court shall transmit ninety percent of
19 the surcharge collected to the treasurer of state by the
20 fifteenth day of the following month. The treasurer of state
21 shall deposit one-third of the money in the law-enforcement
22 training-reimbursement-fund-established-under-section-384-16
23 and-the-remaining-two-thirds-of-the-money-in-the general fund
24 of the state. The clerk of the district court shall transmit
25 ten percent of the surcharge to the county treasurer or shall
26 remit ten percent of the surcharge to the city that was the
27 plaintiff in any action for deposit in the general fund of the
28 city.

5472, 54229 Sec. 36. Sections 30, 31, 32, and 34 of this Act are
30 repealed effective July 1, 1996.

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32
33
34
35

SENATE FILE 2280

H-5422

- 1 Amend Senate File 2280, as amended, passed, and
- 2 reprinted by the Senate, as follows:
- 3 1. Page 1, line 11, by striking the figure
- 4 "50.00" and inserting the following: "47.00".
- 5 2. Page 1, by striking lines 12 through 15.
- 6 3. By striking page 21, line 22 through page 22,
- 7 line 13.
- 8 4. Page 22, line 29, by striking the word and
- 9 figures "32, and 34" and inserting the following:
- 10 "and 32".

By TYRRELL of Iowa

H-5422 FILED FEBRUARY 28, 1990

w/2 3/22 (p. 1342)

SENATE FILE 2280

H-5482

- 1 Amend Senate File 2280, as amended, passed, and re-
- 2 printed by the Senate, as follows:
- 3 1. By striking page 12, line 33, through page 13,
- 4 line 14.

By BLANSHAN of Greene
GRUHN of Dickinson
CARPENTER of Polk

H-5482 FILED MARCH 1, 1990

Adopted 3/22 (p. 1342)

SENATE FILE 2280

H-5526

- 1 Amend the committee amendment, H-5478, to Senate
- 2 File 2280, as amended, passed and reprinted by the
- 3 Senate as follows:
- 4 1. Page 1, line 4, by striking the figure
- 5 "1,938,374" and inserting the following: "1,916,374".
- 6 2. Page 1, by inserting after line 10, the
- 7 following:
- 8 " ". Page 2, line 31, by striking the figure
- 9 "50,000" and inserting the following: "10,000".
- 10 3. Page 1, by inserting after line 14, the
- 11 following:
- 12 " ". Page 7, line 20, by striking the figure
- 13 "2,033,000" and inserting the following:
- 14 "2,095,000".
- 15 4. By renumbering as necessary.

By KREMER of Buchanan

H-5526 FILED MARCH 5, 1990

(Placed w/ 3/22 (p. 1339))

SENATE FILE 2280

H-5538

- 1 Amend the Committee amendment, H-5478, to Senate
- 2 File 2280, as amended, passed, and reprinted by the
- 3 Senate, as follows:
- 4 1. Page 1, by striking lines 3 through 6.
- 5 2. Page 1, by striking lines 11 through 14.
- 6 3. By renumbering as necessary.

By BLANSHAN of Greene

H-5538 FILED MARCH 5, 1990

Placed w/ 3/22

SENATE FILE 2280

H-5472

1 Amend Senate File 2280, as amended, passed, and
2 reprinted by the Senate, as follows:

3 1. Page 1, line 11, by striking the number
4 "50.00" and inserting the following: "47.00".

5 2. Page 1, by striking lines 12 through 15.

6 3. By striking page 20, line 10, through page 22,
7 line 13.

8 4. Page 22, by striking lines 29 and 30.

By KREMER of Buchanan
HARBOR of Mills
TYRRELL of Iowa

H-5472 FILED MARCH 1, 1990

w/25 3/22 (7 1342)

SENATE FILE 2280

H-5478

1 Amend Senate File 2280, as amended, passed, and
2 reprinted by the Senate, as follows:

3 1. Page 1, line 10, by striking the figure
4 "1,746,989" and inserting the following: "1,938,374".

5 2. Page 1, line 11, by striking the figure
6 "50.00" and inserting the following: "55.00".

7 3. Page 2, by striking lines 28 through 30, and
8 inserting the following:

9 "7. Contingent on the election of a new governor
10 for costs associated with the transition:".

11 4. Page 6, line 31, by striking the figure
12 "7,282,826" and inserting the following: "7,091,441".

13 5. Page 6, line 32, by striking the figure
14 "158.00" and inserting the following: "153.00".

15 6. Page 11, line 23, by inserting after the
16 figure "3." the following: "a."

17 7. Page 11, line 27, by striking the figure
18 "1,279,529" and inserting the following: "1,136,331".

19 8. Page 11, line 28, by striking the figure
20 "38.00" and inserting the following: "34.00".

21 9. Page 11, by inserting after line 28 the
22 following:

23 "b. WORKERS' COMPENSATION ADMINISTRATION

24 For salaries for the administration of the workers'
25 compensation fund and not more than the following
26 full-time equivalent positions:

27	\$	143,198
28	FTEs	4.00

29 Any funds received by the department for workers'
30 compensation purposes other than the funds
31 appropriated in paragraph "b" shall be used only for
32 the payment of workers' compensation claims."

33 10. By renumbering, relettering, or redesignating
34 and correcting internal references as necessary.

By COMMITTEE ON APPROPRIATIONS
JOCHUM of Dubuque, Chairperson

H-5478 FILED MARCH 1, 1990

w/15 3/22 (7 1339)

SENATE FILE 2280

H-5640

- 1 Amend Senate File 2280, as amended, passed, and
- 2 reprinted by the Senate, as follows:
- 3 1. Page 1, line 10, by striking the figure
- 4 "1,746,989" and inserting the following: "1,724,989".
- 5 2. Page 2, line 31, by striking the figure
- 6 "50,000" and inserting the following: "10,000".
- 7 3. Page 7, line 20, by striking the figure
- 8 "2,033,000" and inserting the following: "2,095,000".

By KREMER of Buchanan

H-5640 FILED MARCH 13, 1990

W/D 3/22 (p. 1339)

SENATE FILE 2280

H-5674

- 1 Amend Senate File 2280, as amended, passed, and
- 2 reprinted by the Senate, as follows:
- 3 1. Page 2, by striking lines 28 through 30, and
- 4 inserting the following:
- 5 "7. Contingent on the election of a new governor
- 6 for costs associated with the transition:".

By RENAUD of Polk

H-5674 FILED MARCH 14, 1990

W/D 3/22 (p. 1342)

SENATE FILE 2280

H-5811

- 1 Amend Senate File 2280, as amended, passed, and
- 2 reprinted by the Senate, as follows:
- 3 1. Page 1, line 10, by striking the figure
- 4 "1,746,989" and inserting the following: "1,677,000".
- 5 2. Page 1, by striking lines 16 through 19.
- 6 3. Page 1, line 22, by striking the figure
- 7 "76,750" and inserting the following: "74,000".
- 8 4. Page 1, line 32, by striking the figure
- 9 "939,984" and inserting the following: "889,000".
- 10 5. Page 1, line 35, by striking the figure
- 11 "5,434" and inserting the following: "4,000".
- 12 6. Page 2, line 4, by striking the figure
- 13 "97,117" and inserting the following: "95,000".
- 14 7. Page 2, line 18, by striking the figure
- 15 "8,009" and inserting the following: "7,000".
- 16 8. Page 2, line 23, by striking the figure
- 17 "105,414" and inserting the following: "103,000".
- 18 9. Page 2, line 27, by striking the figure
- 19 "77,870" and inserting the following: "75,000".
- 20 10. Page 2, by striking lines 28 through 31.
- 21 11. Page 3, line 7, by striking the figure
- 22 "107,294" and inserting the following: "105,000".
- 23 12. Page 3, line 22, by striking the figure
- 24 "87,652" and inserting the following: "85,000".
- 25 13. Page 4, line 1, by striking the figure
- 26 "70,500" and inserting the following: "34,000".
- 27 14. Page 4, line 18, by striking the figure
- 28 "814,435" and inserting the following: "762,000".
- 29 15. Page 4, line 32, by striking the figure
- 30 "50,148" and inserting the following: "40,000".
- 31 16. Page 5, line 7, by striking the figure
- 32 "71,502" and inserting the following: "69,000".
- 33 17. Page 5, line 10, by striking the figure
- 34 "15,000" and inserting the following: "14,000".
- 35 18. Page 5, by striking lines 11 through 13.
- 36 19. Page 5, line 24, by striking the figure
- 37 "533,954" and inserting the following: "492,000".
- 38 20. Page 5, line 30, by striking the figure
- 39 "438,960" and inserting the following: "413,000".
- 40 21. Page 6, line 1, by striking the figure
- 41 "104,644" and inserting the following: "102,000".
- 42 22. Page 6, line 7, by striking the figure
- 43 "94,823" and inserting the following: "92,000".
- 44 23. Page 6, line 13, by striking the figure
- 45 "4,239,496" and inserting the following: "3,744,000".
- 46 24. Page 6, line 19, by striking the figure
- 47 "595,620" and inserting the following: "492,000".
- 48 25. Page 6, line 25, by striking the figure
- 49 "429,998" and inserting the following: "22,000".
- 50 26. Page 6, line 31, by striking the figure

H-5811

Page 2

1 "7,282,826" and inserting the following: "7,175,000".
 2 27. Page 7, line 17, by striking the figure
 3 "3,000" and inserting the following: "2,000".
 4 28. Page 7, line 20, by striking the figure
 5 "2,033,000" and inserting the following: "2,002,000".
 6 29. Page 7, line 34, by striking the figure
 7 "618,056" and inserting the following: "608,000".
 8 30. Page 8, line 3, by striking the figure
 9 "80,000" and inserting the following: "67,000".
 10 31. Page 11, line 15, by striking the figure
 11 "1,423,044" and inserting the following: "1,224,000".
 12 32. Page 11, line 21, by striking the figure
 13 "1,477,953" and inserting the following: "1,454,000".
 14 33. Page 11, line 24, by inserting before the
 15 word "For" the following: "a."

16 34. Page 11, line 27, by striking the figure
 17 "1,279,529" and inserting the following: "1,118,000".
 18 35. Page 11, line 28, by striking the figure
 19 "38.00" and inserting the following: "34.00".
 20 36. Page 11, by inserting after line 28 the
 21 following:

22 "b. WORKERS' COMPENSATION ADMINISTRATION
 23 For salaries for the administration of the workers'
 24 compensation fund and not more than the following
 25 full-time equivalent positions:

26	\$	140,000
27	FTEs	4.00

28 Any funds received by the department for workers'
 29 compensation purposes other than the funds
 30 appropriated in paragraph "b" shall be used only for
 31 the payment of workers' compensation claims."

32 37. Page 12, line 21, by striking the figure
 33 "109,141" and inserting the following: "107,000".
 34 38. Page 15, line 5, by striking the figure
 35 "9,350,844" and inserting the following: "8,948,000".
 36 39. Page 15, line 9, by striking the figure
 37 "6,541,472" and inserting the following: "6,259,000".
 38 40. Page 15, line 13, by striking the figure
 39 "1,790,106" and inserting the following: "1,712,000".
 40 41. Page 15, line 17, by striking the figure
 41 "1,363,212" and inserting the following: "1,304,000".
 42 42. Page 15, line 21, by striking the figure
 43 "1,962,900" and inserting the following: "1,878,000".
 44 43. Page 15, line 25, by striking the figure
 45 "774,903" and inserting the following: "740,000".
 46 44. Page 16, by striking lines 1 through 11, and
 47 inserting the following: "The funds shall be expended
 48 by the audit and compliance division for personnel
 49 salaries and support to increase tax receipts."
 50 45. Page 17, line 25, by striking the figure

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Page 3

1 "1,740,622" and inserting the following: "1,566,000".
 2 46. Page 17, line 28, by striking the figure
 3 "1,570,027" and inserting the following: "1,410,270".
 4 47. Page 17, line 32, by striking the figure
 5 "226,595" and inserting the following: "210,730".
 6 48. Page 18, line 18, by striking the figure
 7 "62,100" and inserting the following: "61,000".
 8 49. Page 18, line 23, by striking the figure
 9 "125,000" and inserting the following: "123,000".
 10 50. Page 18, line 33, by striking the figure
 11 "225,562" and inserting the following: "221,000".
 12 51. Page 19, by inserting after line 24, the
 13 following:
 14 "Sec. _____. LAYOFFS.
 15 It is the intent of the general assembly that
 16 employees of the state of Iowa who are laid off
 17 pursuant to section 19A.9, subsection 14, be provided
 18 assistance by the department of personnel to identify
 19 alternative job opportunities within state government
 20 before the layoff occurs."

By RENAUD of Polk
JOCHUM of Dubuque

H-5811 FILED MARCH 22, 1990
ADOPTED (p. 1342)

SENATE FILE 2280

H-5830

1 Amend Senate File 2280, as amended, passed, and
 2 reprinted by the Senate, as follows:
 3 1. Page 19, by inserting after line 24 the
 4 following:
 5 "Sec. _____. BUDGET LIMITATION FOR LEGISLATIVE
 6 AGENCIES.
 7 The annual budgets for the following designated
 8 legislative agencies shall be limited to the amounts
 9 indicated for the fiscal year beginning July 1, 1990,
 10 and ending June 30, 1991:

11 <u>Legislative Agency</u>	1990-1991 Budget
12 Office of Citizens' Aide	\$ 481,000
13 Legislative Computer Support Bureau	\$ 1,262,832
14 Legislative Fiscal Bureau	\$ 1,187,400
15 Legislative Service Bureau	\$ 2,952,237
16 Administrative Rules Review Committee	\$ 62,006"

By KREMER of Buchanan
CARPENTER of Polk

H-5830 FILED MARCH 22, 1990
LOST (p. 1343)

HOUSE AMENDMENT TO
SENATE FILE 2280

S-5672

- 1 Amend Senate File 2280, as amended, passed, and
2 reprinted by the Senate, as follows:
- 3 1. Page 1, line 10, by striking the figure
4 "1,746,989" and inserting the following: "1,677,000".
 - 5 2. Page 1, by striking lines 16 through 19.
 - 6 3. Page 1, line 22, by striking the figure
7 "76,750" and inserting the following: "74,000".
 - 8 4. Page 1, line 32, by striking the figure
9 "939,984" and inserting the following: "889,000".
 - 10 5. Page 1, line 35, by striking the figure
11 "5,434" and inserting the following: "4,000".
 - 12 6. Page 2, line 4, by striking the figure
13 "97,117" and inserting the following: "95,000".
 - 14 7. Page 2, line 18, by striking the figure
15 "8,009" and inserting the following: "7,000".
 - 16 8. Page 2, line 23, by striking the figure
17 "105,414" and inserting the following: "103,000".
 - 18 9. Page 2, line 27, by striking the figure
19 "77,870" and inserting the following: "75,000".
 - 20 10. Page 2, by striking lines 28 through 31.
 - 21 11. Page 3, line 7, by striking the figure
22 "107,294" and inserting the following: "105,000".
 - 23 12. Page 3, line 22, by striking the figure
24 "87,652" and inserting the following: "85,000".
 - 25 13. Page 4, line 1, by striking the figure
26 "70,500" and inserting the following: "34,000".
 - 27 14. Page 4, line 18, by striking the figure
28 "814,435" and inserting the following: "762,000".
 - 29 15. Page 4, line 32, by striking the figure
30 "50,148" and inserting the following: "40,000".
 - 31 16. Page 5, line 7, by striking the figure
32 "71,502" and inserting the following: "69,000".
 - 33 17. Page 5, line 10, by striking the figure
34 "15,000" and inserting the following: "14,000".
 - 35 18. Page 5, by striking lines 11 through 13.
 - 36 19. Page 5, line 24, by striking the figure
37 "533,954" and inserting the following: "492,000".
 - 38 20. Page 5, line 30, by striking the figure
39 "438,960" and inserting the following: "413,000".
 - 40 21. Page 6, line 1, by striking the figure
41 "104,644" and inserting the following: "102,000".
 - 42 22. Page 6, line 7, by striking the figure
43 "94,823" and inserting the following: "92,000".
 - 44 23. Page 6, line 13, by striking the figure
45 "4,239,496" and inserting the following: "3,744,000".
 - 46 24. Page 6, line 19, by striking the figure
47 "595,620" and inserting the following: "492,000".
 - 48 25. Page 6, line 25, by striking the figure
49 "429,998" and inserting the following: "422,000".
 - 50 26. Page 6, line 31, by striking the figure

S-5672

Page 2

1 "7,282,826" and inserting the following: "7,175,000".
2 27. Page 7, line 17, by striking the figure
3 "3,000" and inserting the following: "2,000".
4 28. Page 7, line 20, by striking the figure
5 "2,033,000" and inserting the following: "2,002,000".
6 29. Page 7, line 34, by striking the figure
7 "618,056" and inserting the following: "608,000".
8 30. Page 8, line 3, by striking the figure
9 "80,000" and inserting the following: "67,000".
10 31. Page 11, line 15, by striking the figure
11 "1,423,044" and inserting the following: "1,224,000".
12 32. Page 11, line 21, by striking the figure
13 "1,477,953" and inserting the following: "1,454,000".
14 33. Page 11, line 24, by inserting before the
15 word "For" the following: "a."
16 34. Page 11, line 27, by striking the figure
17 "1,279,529" and inserting the following: "1,118,000".
18 35. Page 11, line 28, by striking the figure
19 "38.00" and inserting the following: "34.00".
20 36. Page 11, by inserting after line 28 the
21 following:
22 "b. WORKERS' COMPENSATION ADMINISTRATION
23 For salaries for the administration of the workers'
24 compensation fund and not more than the following
25 full-time equivalent positions:
26 \$ 140,000
27FTEs 4.00
28 Any funds received by the department for workers'
29 compensation purposes other than the funds
30 appropriated in paragraph "b" shall be used only for
31 the payment of workers' compensation claims."
32 37. Page 12, line 21, by striking the figure
33 "109,141" and inserting the following: "107,000".
34 38. By striking page 12, line 33, through page
35 13, line 14.
36 39. Page 15, line 5, by striking the figure
37 "9,350,844" and inserting the following: "8,948,000".
38 40. Page 15, line 9, by striking the figure
39 "6,541,472" and inserting the following: "6,259,000".
40 41. Page 15, line 13, by striking the figure
41 "1,790,106" and inserting the following: "1,712,000".
42 42. Page 15, line 17, by striking the figure
43 "1,363,212" and inserting the following: "1,304,000".
44 43. Page 15, line 21, by striking the figure
45 "1,962,900" and inserting the following: "1,878,000".
46 44. Page 15, line 25, by striking the figure
47 "774,903" and inserting the following: "740,000".
48 45. Page 16, by striking lines 1 through 11, and
49 inserting the following: "The funds shall be expended
50 by the audit and compliance division for personnel

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Page 3

- 1 salaries and support to increase tax receipts."
2 46. Page 17, line 25, by striking the figure
3 "1,740,622" and inserting the following: "1,566,000".
4 47. Page 17, line 28, by striking the figure
5 "1,570,027" and inserting the following: "1,410,270".
6 48. Page 17, line 32, by striking the figure
7 "226,595" and inserting the following: "210,730".
8 49. Page 18, line 18, by striking the figure
9 "62,100" and inserting the following: "61,000".
10 50. Page 18, line 23, by striking the figure
11 "125,000" and inserting the following: "123,000".
12 51. Page 18, line 33, by striking the figure
13 "225,562" and inserting the following: "221,000".
14 52. Page 19, by inserting after line 24, the
15 following:
16 "Sec. ____ . LAYOFFS.
17 It is the intent of the general assembly that
18 employees of the state of Iowa who are laid off
19 pursuant to section 19A.9, subsection 14, be provided
20 assistance by the department of personnel to identify
21 alternative job opportunities within state government
22 before the layoff occurs."
23 53. By renumbering, relettering, or redesignating
24 and correcting internal references as necessary.

RECEIVED FROM THE HOUSE

S-5672 FILED MARCH 23, 1990

Senate concurred as amended by 5746 2/25 (p. 1373)

SENATE FILE 2280

S-5746

1 Amend House amendment, S-5672, to Senate File 2280,
2 as amended, passed, and reprinted by the Senate, as
3 follows:

4 1. Page 2, by inserting after line 1 the
5 following:

6 "____. Page 7, by inserting after line 7 the
7 following:

8 "11. In carrying out the requirements of 1990 Iowa
9 Acts, Senate File 2212, section 24, relating to the
10 acquisition or construction of expanded prison
11 facilities, the department of general services may
12 include the architectural and engineering costs of the
13 project as a part of the total costs of the project to
14 be financed by lease-purchase arrangements.

15 12. If personnel reductions are required in the
16 department of general services resulting from budget
17 reductions, the layoffs shall be made only after
18 service contracts with private parties have been
19 reviewed and reduced or canceled where possible."

20 2. Page 2, line 11, by striking the figure
21 "1,224,000" and inserting the following: "1,331,000".

22 3. Page 2, by striking lines 32 and 33, and
23 inserting the following:

24 "____. Page 12, by striking lines 10 through 22."

25 4. Page 2, by striking lines 36 and 37.

26 5. Page 2, line 39, by striking the figure
27 "6,259,000" and inserting the following: "6,047,156".

28 6. Page 2, line 41, by striking the figure
29 "1,712,000" and inserting the following: "1,654,000".

30 7. Page 2, line 43, by striking the figure
31 "1,304,000" and inserting the following: "1,260,000".

32 8. Page 2, line 45, by striking the figure
33 "1,878,000" and inserting the following: "1,814,000".

34 9. Page 2, line 47, by striking the figure
35 "740,000" and inserting the following: "715,000".

36 10. Page 3, by striking lines 16 through 22 and
37 inserting the following:

38 "Sec. ____ . LAYOFF AND RECALL PROCEDURES.

39 The department of personnel in consultation with
40 the department of management, the department of
41 revenue and finance, and the department of general
42 services, shall establish a program for employees of
43 those departments whose positions are terminated as a
44 result of this Act. The departments shall give a
45 preference to qualified persons previously employed
46 whose jobs were terminated as a result of this Act
47 when hiring to fill vacant positions according to
48 existing outplacement procedures established by the
49 department of personnel and recall procedures
50 established by public employee collective bargaining

Page 2

1 agreements."

2 11. By renumbering as necessary.

By MICHAEL GRONSTAL

SENATE FILE 2280

S-5719

1 Amend the House amendment, S-5672, to Senate File
2 2280, as amended, passed, and reprinted by the Senate,
3 as follows:

4 1. Page 3, by inserting after 22 the following:

5 "____". Page 20, by inserting after line 9 the
6 following:

7 Sec. ____ . Section 421.17, subsection 22, Code
8 Supplement 1989, is amended to read as follows:

9 22. To employ collection agencies, within or
10 without the state, to collect delinquent taxes,
11 including penalties and interest, administered by the
12 department where the director finds that departmental
13 personnel are unable to collect the delinquent
14 accounts because of a taxpayer's location outside the
15 state or for any other reason. Fees for services,
16 reimbursement, or other remuneration, including
17 attorney fees, paid to collection agencies shall be
18 based upon the amount of tax, penalty, and interest
19 actually collected and shall be paid only after the
20 amount of tax, penalty, and interest is collected.
21 All funds collected must be remitted in full to the
22 department within thirty days from the date of
23 collection from a taxpayer or in a lesser time as the
24 director prescribes. The funds shall be applied
25 toward the taxpayer's account and handled as are funds
26 received by other means. An amount is appropriated
27 from the amount of tax, penalty, and interest actually
28 collected by the collection agency sufficient to pay
29 all fees for services, reimbursement, or other
30 remuneration pursuant to a contract with a collection
31 agency under this subsection. A collection agency
32 entering into a contract with the department for the
33 collection of delinquent taxes pursuant to this
34 subsection is subject to the requirements and
35 penalties of tax information confidentiality laws of
36 this state. All contracts and fees provided for in
37 this subsection are subject to the approval of the
38 governor."

By JIM LIND

S-5719 FILED MARCH 28, 1990

WITHDRAWN (p. 1270.)

SENATE FILE 2280

S-5727

1 Amend the House amendment, S-5672, to Senate File
2 2280, as amended, passed, and reprinted by the Senate,
3 as follows:

4 1. Page 1, line 45, by striking the figure
5 "3,744,000" and inserting the following: "3,944,000".

By JOHN JENSEN
JOHN SOORHOLTZ

S-5727 FILED MARCH 28, 1990

LOST (1364)

SENATE FILE 2280

S-5750

1 Amend the House amendment, S-5672, to Senate File
2 2280, as amended, passed, and reprinted by the Senate,
3 as follows:
4 1. Page 3, by inserting after 22 the following:
5 " . Page 20, by inserting after line 9 the
6 following:
7 Sec. . Section 421.17, subsection 22, Code
8 Supplement 1989, is amended to read as follows:
9 22. To employ collection agencies, within or
10 without the state, to collect delinquent taxes,
11 including penalties and interest, administered by the
12 department where the director finds that departmental
13 personnel are unable to collect the delinquent
14 accounts because of a taxpayer's location outside the
15 state or for any other reason. To employ collection
16 agencies within the state, to collect delinquent
17 taxes, including penalties and interest, administered
18 by the department where the director finds that
19 departmental personnel are unable to collect the
20 delinquent accounts of a taxpayer within the state.
21 Fees for services, reimbursement, or other
22 remuneration, including attorney fees, paid to
23 collection agencies shall be based upon the amount of
24 tax, penalty, and interest actually collected and
25 shall be paid only after the amount of tax, penalty,
26 and interest is collected. All funds collected must
27 be remitted in full to the department within thirty
28 days from the date of collection from a taxpayer or in
29 a lesser time as the director prescribes. The funds
30 shall be applied toward the taxpayer's account and
31 handled as are funds received by other means. An
32 amount is appropriated from the amount of tax,
33 penalty, and interest actually collected by the
34 collection agency sufficient to pay all fees for
35 services, reimbursement, or other remuneration
36 pursuant to a contract with a collection agency under
37 this subsection. A collection agency entering into a
38 contract with the department for the collection of
39 delinquent taxes pursuant to this subsection is
40 subject to the requirements and penalties of tax
41 information confidentiality laws of this state. All
42 contracts and fees provided for in this subsection are
43 subject to the approval of the governor."

By JIM LIND

S-5750 FILED MARCH 28, 1990
RULED OUT OF ORDER (p. 1273)

SENATE FILE 2280

S-5749

1 Amend the House amendment, S-5672, to Senate File
2 2280, as amended, passed, and reprinted by the Senate,
3 as follows:

4 1. Page 3, by inserting after line 22 the
5 following:

6 "____. Page 20, by inserting before line 1 the
7 following:

8 "Sec. ____ . Section 333A.3, subsection 3, Code
9 1989, is amended to read as follows:

10 3. The committee shall select its own officers and
11 meet at the call of the director of the department of
12 management or at the request of a majority of the
13 board.

14 Sec. ____ . Section 384.15, subsection 2, Code 1989,
15 is amended to read as follows:

16 2. Select its officers and meet at the call of the
17 director of the department of management or ~~upon an~~
18 appeal-of-the-director's-decision at the request of a
19 majority of the board."

By JOE WELSH

S-5749 FILED MARCH 28, 1990
RULED OUT OF ORDER (1373)

SENATE AMENDMENT TO HOUSE AMENDMENT TO SENATE FILE 2280
H-5938

1 Amend House amendment, S-5672, to Senate File 2280,
2 as amended, passed, and reprinted by the Senate, as
3 follows:
4 1. Page 2, by inserting after line 1 the
5 following:
6 "_____. Page 7, by inserting after line 7 the
7 following:
8 "11. In carrying out the requirements of 1990 Iowa
9 Acts, Senate File 2212, section 24, relating to the
10 acquisition or construction of expanded prison
11 facilities, the department of general services may
12 include the architectural and engineering costs of the
13 project as a part of the total costs of the project to
14 be financed by lease-purchase arrangements.
15 12. If personnel reductions are required in the
16 department of general services resulting from budget
17 reductions, the layoffs shall be made only after
18 service contracts with private parties have been
19 reviewed and reduced or canceled where possible."
20 2. Page 2, line 11, by striking the figure
21 "1,224,000" and inserting the following: "1,331,000".
22 3. Page 2, by striking lines 32 and 33, and
23 inserting the following:
24 "_____. Page 12, by striking lines 10 through 22."
25 4. Page 2, by striking lines 36 and 37.
26 5. Page 2, line 39, by striking the figure
27 "6,259,000" and inserting the following: "6,047,156".
28 6. Page 2, line 41, by striking the figure
29 "1,712,000" and inserting the following: "1,654,000".
30 7. Page 2, line 43, by striking the figure
31 "1,304,000" and inserting the following: "1,260,000".
32 8. Page 2, line 45, by striking the figure
33 "1,878,000" and inserting the following: "1,814,000".
34 9. Page 2, line 47, by striking the figure
35 "740,000" and inserting the following: "715,000".
36 10. Page 3, by striking lines 16 through 22 and
37 inserting the following:
38 "Sec. _____. LAYOFF AND RECALL PROCEDURES.
39 The department of personnel in consultation with
40 the department of management, the department of
41 revenue and finance, and the department of general
42 services, shall establish a program for employees of
43 those departments whose positions are terminated as a
44 result of this Act. The departments shall give a
45 preference to qualified persons previously employed
46 whose jobs were terminated as a result of this Act
47 when hiring to fill vacant positions according to
48 existing outplacement procedures established by the
49 department of personnel and recall procedures
50 established by public employee collective bargaining
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1 agreements."
2 11. By renumbering as necessary.

RECEIVED FROM THE SENATE

H-5938 FILED MARCH 29, 1990

House refused to concur 4/2 (p. 1680)
Senate amended 4/2 (p. 1450)

REPORT OF THE CONFERENCE COMMITTEE
ON SENATE FILE 2280

To the President of the Senate and the Speaker of the House of Representatives:

We, the undersigned members of the conference committee appointed to resolve the differences between the Senate and House of Representatives on Senate File 2280, a bill for An Act relating to and making appropriations to various state agencies including certain state elected officials, the executive council, the department of general services, the department of personnel, the department of revenue and finance, the office of state-federal relations, and the department of management, increasing certain fees, changing the procurement program, and providing for repeals of certain provisions, respectfully make the following report:

1. That the Senate recedes from its amendment, H-5938.

2. That the House amendment, S-5672, to Senate File 2280, as amended, passed, and reprinted by the Senate, is amended as follows:

1. Page 2, by inserting after line 1 the following:

"___". Page 7, by inserting after line 7 the following:

"11. In carrying out the requirements of 1990 Iowa Acts, Senate File 2212, section 24, relating to the acquisition or construction of expanded prison facilities, the department of general services may include the architectural and engineering costs of the project as a part of the total costs of the project to be financed by lease-purchase arrangements.

12. If personnel reductions are required in the department of general services resulting from budget reductions, the layoffs shall be made only after service contracts with private parties have been reviewed and reduced or canceled where possible. Personnel reductions shall be distributed among management employees, nonmanagement employees who are not members of a bargaining unit, and nonmanagement employees who are members of a bargaining unit in the same proportion as

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the proportion to total employees represented by each group. The department shall retain those employees most essential to the department's mission. The department shall report to the co-chairpersons and ranking members of the joint administration appropriations subcommittee concerning any personnel reductions to demonstrate how the department has complied with the requirements of this subsection."

2. Page 2, line 11, by striking the figure "1,224,000" and inserting the following: "1,331,000".

3. Page 2, by striking lines 32 and 33, and inserting the following:

"____. Page 12, by striking lines 10 through 22."

4. Page 2, by striking lines 36 and 37.

5. Page 2, line 39, by striking the figure "6,259,000" and inserting the following: "6,047,156".

6. Page 2, line 41, by striking the figure "1,712,000" and inserting the following: "1,654,000".

7. Page 2, line 43, by striking the figure "1,304,000" and inserting the following: "1,260,000".

8. Page 2, line 45, by striking the figure "1,878,000" and inserting the following: "1,814,000".

9. Page 2, line 47, by striking the figure "740,000" and inserting the following: "715,000".

10. Page 3, by striking lines 16 through 22 and inserting the following:

"Sec. ____ . LAYOFF AND RECALL PROCEDURES.

The department of personnel in consultation with the department of management, the department of revenue and finance, and the department of general services, shall establish a program for employees of those departments whose positions are terminated as a result of this Act. The departments shall give a preference to qualified persons previously employed whose jobs were terminated as a result of this Act when hiring to fill vacant positions according to existing outplacement procedures established by the department of personnel and recall procedures established by public

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employee collective bargaining agreements.

Sec. ____.

There is appropriated from the general fund of the state to the department of general services and the department of revenue and finance for the fiscal year beginning July 1, 1990, and ending June 30, 1991, the following amounts, or so much thereof as is necessary, to be used for the purpose designated:

For allocation, upon approval of the department of management, to avoid layoffs, if, after implementing efficiencies and other methods to achieve savings as directed by the department of management, the governor, and the department directors, funds appropriated by this Act are insufficient to otherwise avoid layoffs:

- 1. Department of general services:
..... \$ 250,000
- 2. Department of revenue and finance:
..... \$ 250,000

Sec. ____ Section 7.17, Code 1989, is amended to read as follows:

7.17 OFFICE OF ADMINISTRATIVE RULES CO-ORDINATOR.

The governor shall establish the office of the administrative rules co-ordinator, and appoint its staff, which shall be a part of the governor's office. The administrative rules co-ordinator shall receive all notices and rules promulgated pursuant to chapter 17A and provide the governor with an opportunity to review and object to any rule as provided in chapter 17A. The administrative rules co-ordinator in consultation with the Code editor shall prescribe a uniform style and form by which an agency shall prepare and file a rule pursuant to chapter 17A which shall correlate each rule to a uniform numbering system devised by the administrative rules co-ordinator. The administrative rules co-ordinator shall review all submitted rules for style and form and may return or revise a rule which is not in proper style and form. In prescribing the style and form, the

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administrative rules co-ordinator shall require that the agency include a reference to the statute which the rules are intended to implement."

____. Page 19, by inserting after line 26, the following:

"Sec. ____ Section 13.7, Code 1989, is amended to read as follows:

13.7 SPECIAL COUNSEL.

Compensation shall not be allowed to any person for services as an attorney or counselor to an executive department of the state government, or the head thereof, or to a state board or commission. However, the executive council may employ legal assistance, at a reasonable compensation, in a pending action or proceeding to protect the interests of the state, but only upon a sufficient showing, in writing, made by the attorney general, that the department of justice cannot for reasons stated by the attorney general perform the service, which reasons and action of the council shall be entered upon its records. When the attorney general determines that the department of justice cannot perform legal service in an action or proceeding, the executive council shall request the department involved in the action or proceeding to recommend legal counsel to represent the department. If the attorney general concurs with the department that the person recommended is qualified and suitable to represent the department, the person recommended shall be employed. If the attorney general does not concur in the recommendation, the department shall submit a new recommendation. This section does not affect the general counsel for the utilities board of the department of commerce, the legal counsel for the board of optometry examiners, or the legal counsel of the division of job service of the department of employment services.

Sec. ____ Section 17A.2, Code 1989, is amended by adding the following new subsection:

NEW SUBSECTION. 11. "ARC number" means the identification number assigned by the governor's administrative rules

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coordinator to each rulemaking document.

Sec. _____. Section 17A.4, subsection 1, paragraph a, Code 1989, is amended to read as follows:

a. Give notice of its intended action by submitting three copies of the notice to the administrative rules co-ordinator, who shall assign an ARC number to each rulemaking document and forward two copies to the Code editor for publication in the "Iowa Administrative Bulletin" created pursuant to section 17A.6. Any notice of intended action shall be published at least thirty-five days in advance of the action. The notice shall include a statement of either the terms or substance of the intended action or a description of the subjects and issues involved, and the time when, the place where, and the manner in which interested persons may present their views thereon.

Sec. _____. Section 17A.5, subsection 1, Code Supplement 1989, is amended to read as follows:

1. Each agency shall file in the office of the administrative rules co-ordinator three certified copies of each rule adopted by it. ~~Two copies of each rule shall be forwarded to the Code editor by the administrative rules co-ordinator.~~ The administrative rules co-ordinator shall assign an ARC number to each rulemaking document and forward two copies to the Code editor. The administrative rules co-ordinator shall keep a permanent register of the rules open to public inspection.

Sec. _____. Section 17A.6, Code Supplement 1989, is amended by adding the following new subsections:

NEW SUBSECTION. 7. The Iowa administrative code shall be cited as (agency identification number) IAC, (chapter, rule, subrule, lettered paragraph, or numbered subparagraph).

NEW SUBSECTION. 8. The Iowa administrative bulletin shall be cited as IAB (volume), (number), (publication date), (page number), (ARC number).

Sec. _____. Section 18.136, Code Supplement 1989, is amended by adding the following new subsection:

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NEW SUBSECTION. 4A. It is the intent of the general assembly that during the implementation of parts I and II of the system, the department of general services shall employ a consultant to report to it on the impact of changing technology on the potential cost and capabilities of the system. It is also the intent of the general assembly that the department of education shall study new techniques in distant teaching. These reports shall be made available to the general assembly.

Sec. 101. Section 18.137, unnumbered paragraph 1, Code Supplement 1989, is amended to read as follows:

There is created in the office of the treasurer of state a temporary fund to be known as the state communications network fund. ~~There is appropriated, contingent upon the certification from the department of management of financial resources adequate to fund the expenditure,~~ to the state communications network fund for each the fiscal year of ~~the~~ fiscal period beginning July 1, 1989, and ending June 30, ~~1994~~ 1990, the sum of ~~ten~~ five million dollars from ~~funds in the~~ general fund of the state ~~not otherwise appropriated.~~ Any ~~moneys remaining in the fund on June 30 of a fiscal year, of moneys appropriated from the general fund of the state for that fiscal year, shall revert to the general fund of the state, except that those funds needed to provide the state matching funds pursuant to section 18.136 shall not revert, notwithstanding section 8.33.~~ There is appropriated from the general fund of the state to the state communications network fund for each fiscal year of the fiscal period beginning July 1, 1991, and ending June 30, 1996, the sum of five million dollars. Notwithstanding section 8.33, unobligated and unencumbered moneys from the appropriation for a fiscal year remaining on June 30 of that fiscal year shall not revert to the general fund of the state but shall remain available for expenditure during the next following fiscal year. There shall also be deposited into the state communications network fund proceeds from bonds issued for purposes of projects

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authorized pursuant to section 18.136, matching funds received from the area schools and the local school boards, funds received from leases pursuant to section 18.134, and other moneys by law credited to or designated by a person for deposit into the fund. Notwithstanding the requirements of section 18.136, subsection 1, for the fiscal year beginning July 1, 1990, and ending June 30, 1991, thirty-one thousand dollars of moneys in the state communications network fund may be expended for the state's share of the cost for the design of a disaster recovery facility to be built in conjunction with the Iowa communications network facility and emergency operation center. The department of general services may increase its fees for data processing in order to collect an additional amount not exceeding two hundred thousand dollars during the fiscal year beginning July 1, 1991, to pay for the state's share of the cost of construction of the disaster recovery facility."

___ . Page 20, by inserting before line 1, the following:

"Sec. ___ . Section 90A.7, Code 1989, is amended to read as follows:

90A.7 WRITTEN REPORT FILED -- TAX.

1. Every person conducting a boxing or wrestling match or charging an admission fee for viewing of a closed-circuit boxing or wrestling match in this state shall, within twenty-four hours after such match, furnish to the commissioner a written report, duly verified, showing the number of tickets sold for such boxing or wrestling match, and the amount of gross proceeds thereof of such boxing or wrestling match, and such other matters as the commissioner may prescribe; and shall also within the said same time period pay to the treasurer of state a tax of five percent of its total gross receipts, after deducting any-federal-admission state sales tax, from the sale of tickets of admission to such boxing or wrestling match.

2. Moneys collected pursuant to subsection 1 in excess of the amount of moneys needed to administer this chapter are

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appropriated and shall be used by the state commissioner of athletics to award grants to organizations which promote amateur boxing matches in this state.

3. The state commissioner of athletics shall adopt rules pursuant to chapter 17A to establish procedures for the submission of applications for grants to be awarded pursuant to subsection 2, and for the awarding of grants pursuant to subsection 2.

4. An advisory board composed of three members of the golden gloves association of America, incorporated -- Iowa branch, appointed by the association, and three members of the United States of America amateur boxing federation -- Iowa branch, appointed by the federation, shall advise the state commissioner of athletics regarding the awarding of grants pursuant to subsection 2.

Sec. ____ . Section 97B.49, subsection 16, paragraph d, Code 1989, is amended by adding the following new subparagraph:

NEW SUBPARAGRAPH. (3A) As used in subparagraph (3), "correctional officer" includes any employee of the Iowa department of corrections whose primary purpose is, through ongoing direct inmate contact, to enforce and maintain discipline, safety, and security within a correctional facility and any employee of that department whose primary purpose is to provide security within a correctional facility.

Sec. ____ . Section 258A.3, Code 1989, is amended by adding the following new subsection:

NEW SUBSECTION. 5. The board of optometry examiners may retain a competent attorney to serve as its legal counsel as it finds necessary for the full and efficient discharge of its duties. The legal counsel retained by the board of optometry examiners shall be the attorney for, and legal advisor of, the board of optometry examiners while retained. The legal counsel is exempt from the merit provisions of chapter 19A. The legal counsel retained by the board of optometry examiners shall provide necessary legal advice to the board and may represent the board in disciplinary hearings or in actions

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instituted in a state or federal court challenging the validity of a rule or order of the board.

Sec. ____ . Section 303.79, Code 1989, is amended by adding the following new subsection:

NEW SUBSECTION. 11. If the narrowcast system advisory committee determines that an expansion of the number of sites utilizing distance learning would benefit the implementation of the state educational telecommunications system by demonstrating its capabilities to a greater number of individuals, the advisory committee may recommend that the board establish a demonstration program. Notwithstanding section 18.136, the board may allocate not more than one hundred thousand dollars from the state communications network fund for each of the fiscal years beginning July 1, 1990, and July 1, 1991, to be used to equip additional classrooms."

____ . Page 20, by inserting after line 9, the following:

"Sec. 201. Section 524.1213, subsection 9, Code Supplement 1989, is amended to read as follows:

9. The resulting bank of a merger or consolidation shall not retain any united community bank office or any other bank office within the municipality ~~or-urban-complex~~ in which the principal office of the resulting bank is located if the resulting bank then would have a greater number of bank offices within that municipality ~~or-urban-complex~~ than is expressly permitted by section 524.1202, subsection 2."

____ . Page 22, by inserting after line 28, the following:

"Sec. 202. 1990 Iowa Acts, House File 685, section 3, subsection 1, is amended to read as follows:

1. "Acquire", ~~except in section 524.1802, subsection 1,~~ means to ~~directly or indirectly~~ acquire ~~twenty-five percent or more of the voting securities or other capital stock of, or power to control in any manner the election of a majority of the directors of,~~ over one or more banks conducting a banking business in this state or one or more bank holding companies located in this state or controlling one or more banks conducting a banking business in this state.

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Sec. 203. 1990 Iowa Acts, House File 685, section 3, is amended by adding the following new subsections:

NEW SUBSECTION. 1A. "Bank conducting a banking business in this state" means a state bank or national bank that has its principal place of business in this state and that is authorized to engage and actually is engaged in receiving money for demand deposit, receiving money for time deposit, paying checks, and making commercial loans.

NEW SUBSECTION. 4A. "Control" means control as defined and described in the federal Bank Holding Company Act of 1956, 12 U.S.C. § 1841(a)(2)(A) and (B), as amended to January 1, 1990.

Sec. 204. 1990 Iowa Acts, House File 685, is amended by adding the following new section:

SEC. ____ . NEW SECTION. 524.1851A RIGHTS RESERVED.

Notwithstanding any other provision of this division, a bank holding company described in section 524.1805 may engage in any acquisition or transaction in which it could lawfully engage in the absence of this division.

Sec. 205. 1990 Iowa Acts, House File 685, section 4, is amended to read as follows:

SEC. 4. NEW SECTION. 524.1852 ACQUISITIONS.

1. ~~A regional bank holding company may directly or indirectly acquire an interest in the voting securities or other capital stock of, or power to control in any manner the election of any of the directors of~~ obtain interests not constituting control in, one or more banks conducting a banking business in this state or in one or more bank holding companies located in this state or controlling one or more banks conducting a banking business in this state.

2. ~~Notwithstanding subsection 1, a~~ A regional bank holding company shall not ~~directly or indirectly acquire twenty-five percent or more of the voting securities or other capital stock of, or power to control in any manner the election of a majority of the directors of,~~ acquire one or more banks conducting a banking business in this state or one or more

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bank holding companies located in this state or controlling one or more banks conducting a banking business in this state ~~without~~ except upon the prior approval of the superintendent and compliance with the application procedures and acquisition conditions, limitations, and requirements of this division.

Sec. 206. 1990 Iowa Acts, House File 685, section 6, subsection 5, paragraph 1, is amended to read as follows:

1. Will on balance have a positive effect upon the community interests of the communities served by the bank or banks to be acquired. In considering community interest factors, the superintendent may investigate in addition to the effects of the acquisition on shareholders or depositors, the effects of the acquisition on employees, suppliers, creditors, short-term and long-term impact upon community interests, and community development. ~~The superintendent shall consider the short-term and long-term impact upon community interests of the proposed acquisition, including the possibility that community interests may be best served by the continued independence of the bank or bank holding company to be acquired.~~

Sec. 207. 1990 Iowa Acts, House File 685, section 6, subsection 8, is amended by striking the subsection and inserting in lieu thereof the following:

8. Approval shall be conditioned upon the applicant entering into a contract with the superintendent providing that any bank located in this state and owned or controlled by the applicant will be operated in a manner that conforms to any actions, promised to be undertaken by the applicant in its application, to correct any deficiencies in the procedures or operations of the acquired bank, including requirements of subsection 5, which promises were necessary to allow the superintendent to approve the application. As part of such contract, the applicant shall agree that the applicant, as well as any Iowa bank or Iowa bank holding company acquired by the applicant, shall provide reports to and permit examinations of its records by the superintendent to the

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extent necessary to ensure compliance with the promises referred to in the application.

Sec. 208. 1990 Iowa Acts, House File 685, section 8, subsection 3, is amended to read as follows:

3. The superintendent may assess a civil penalty to a bank holding company in violation of a condition up to five ~~thousand~~ hundred dollars per violation, but not to exceed a total of ~~two-hundred-fifty ten~~ thousand dollars per year.

Sec. 209. 1990 Iowa Acts, House File 685, section 13, subsection 2, is amended to read as follows:

2. An authorization for a state bank ~~chartered-in-this state,~~ to engage in activities regulated under title 20, if any, does not grant ~~the-bank~~ a regional bank holding company that acquires a state bank under section 524.1852 or any state bank owned or controlled by that bank holding company or any subsidiary or affiliate the ability or right to engage in such activities outside of this state.

Sec. 210. 1990 Iowa Acts, House File 685, is amended by adding the following new section:

SEC. ____ . NEW SECTION. 524.1862 PROHIBITED ACQUISITIONS.

Unless expressly authorized by federal law in the absence of the enactment of this division, a foreign bank, as defined in 12 U.S.C. § 3101, or an out-of-state bank holding company that is directly or indirectly owned or controlled by a foreign bank shall not make any type of acquisition described or referred to in section 524.1852, and shall divest itself of any interest acquired in violation of this section. The superintendent may prosecute any action or proceeding necessary to compel compliance with this section.

Sec. ____ .

There is appropriated from the banking revolving fund to the banking division of the department of commerce for the fiscal year beginning July 1, 1990, and ending June 30, 1991, the following amount, or so much thereof as is necessary, for the purpose designated:

For salaries, support, maintenance, miscellaneous purposes,

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and for not more than the following full-time equivalent positions, in connection with the implementation, administration, and enforcement of interstate banking:

.....	\$	50,000
.....	FTEs	2.00

Sec. ____ . RESALE OF COMMUNICATION SERVICES.

It is the intent of the general assembly that the department of general services shall not provide or resell communication services to agencies other than accredited nonpublic schools, nonprofit institutions of higher education eligible for tuition grants, state agencies, school corporations, city libraries, regional libraries as provided in chapter 303B, and county libraries as provided in chapter 358B."

Page 22, by striking lines 29 and 30, and inserting the following:

"Sec. ____ . EFFECTIVE DATES.

1. This section and sections 101 and 201 of this Act, being deemed of immediate importance, take effect upon enactment. All other sections of this Act take effect July 1, 1990.

2. Sections 202 through 210 of this Act shall have the same effect as if originally enacted in 1990 Iowa Acts, House File 685.

3. Section 210 of this Act is repealed effective January 1, 1992.

4. Sections 30, 31, 32, and 34 of this Act are repealed effective July 1, 1996."

____. Title page, line 6, by inserting after the word "management," the following: "and to the state communications network fund, specifying the duties of the administrative rules coordinator, providing for the appropriation of wrestling and boxing taxes, providing for interstate banking, providing legal counsel to certain state agencies, providing for other related matters, providing penalties for violations,"."

ON THE PART OF THE SENATE:

MICHAEL E. GRONSTAL, Chairperson
WILLIAM W. DIELEMAN
CALVIN O. HULTMAN
JOHN W. JENSEN
JOHN P. KIBBIE

ON THE PART OF THE HOUSE:

DENNIS L. RENAUD, Chairperson
JANET L. ADAMS
EUGENE H. BLANSHAN
JOSEPH M. KREMER

CCR-2280 FILED APRIL 8, 1990

Concurred 4/8 (p. 1728)

Use Adopted 4/8 (p. 2377)



TERRY E. BRANSTAD
GOVERNOR

OFFICE OF THE GOVERNOR

STATE CAPITOL
DES MOINES, IOWA 50319
515 281-5211



May 7, 1990

The Honorable Elaine Baxter
Secretary of State
State Capitol Building
L O C A L

Dear Madam Secretary:

I hereby transmit Senate File 2280, an act relating to and making appropriations to various state agencies including certain state elected officials, the executive council, the department of general services, the department of personnel, the department of revenue and finance, the office of state-federal relations, and the department of management, and to the state communications network fund, specifying the duties of the administrative rules coordinator, providing for the appropriation of wrestling and boxing taxes, providing for interstate banking, providing legal counsel to certain state agencies, providing for other related matters, providing for violations, increasing certain fees, changing the procurement program, and providing for repeals of certain provisions.

Senate File 2280 is, therefore, approved on this date with the following exceptions which I hereby disapprove.

I am unable to approve the designated portion of Section 1, subsection 1, and Sections 44, 45, 46, 47 and 48 in their entirety, and Section 61, subsection 4, in its entirety. These provisions would establish a new information and filing system within the Office of the Secretary of State. Funds for this new system would be provided by additional fees charged by the Secretary of State for the filing of certain documents. The fees collected under these provisions would have been imposed upon individuals or entities filing documents with the Secretary of State, and not upon those who would utilize the information system established by this section. It would be appropriate for users of the information to share in the cost of operating the system. Furthermore, the fees should be deposited in the state general fund, rather than a special revolving fund.

The Honorable Elaine Baxter
May 7, 1990
Page 2

I am unable to approve the item designated as Section 10, subsection 9, in its entirety. Because procedures for notifying the Legislative Fiscal Bureau about any intradepartmental transfers are already in place, this requirement is unnecessary and duplicative.

I am unable to approve the item designated as Section 10, subsection 12, in its entirety. This item specifies, in the event that layoffs in the Department of General Services are required due to budget constraints, service contracts with private parties must be reviewed and reduced or canceled where possible before personnel reductions are implemented. Furthermore, if layoffs do occur, they must be prorated between management employees, non-management employees in a union, and non-management employees not in a union. Decisions concerning the implementation of layoff procedures, if needed, are the responsibility of the executive branch and subject to the relevant provisions of contracts negotiated pursuant to Chapter 20.

I am unable to approve the item designated as Section 12, unnumbered paragraph 2, in its entirety. This item directs the Department of General Services to pursue utility rate reductions for the Capitol Complex. Iowa law does not allow utility companies to grant a special rate to the state and does not permit discriminatory rate setting practices.

I am unable to approve the designated portions of Section 13, subsection 7. This item would transfer funds from the Division of Insurance revolving account to the Department of General Services and require that those funds be utilized to renovate their space in the Lucas Building and to move the Insurance Division to another location off of the State Capitol Complex while renovation is being done. While I do not object to the transfer of funds, any arrangements for the renovation of the Lucas Building or other facilities should be made by the Department of General Services.

I am unable to approve the designated portion of Section 20. This provision limits the discretion of the Department of Management to allocate the funds appropriated among salaries, support and miscellaneous purposes. The need for this flexibility is important for an agency as small as the Department of Management, especially in view of current restrictions on hiring and expenditures for travel and equipment.

The Honorable Elaine Baxter
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I am unable to approve the item designated as Section 26, in its entirety, which directs the Department of Personnel to work with the Department of Management, the Department of Revenue of Finance, and the Department of General Services to establish a program for employees of those departments whose positions are terminated as the result of this act. Because a layoff of state employees is not being considered at this time, and because this provision differs from the layoff provisions contained in the AFSCME collective bargaining agreement and with the Department of Personnel's administrative rules, this section cannot be approved.

I am unable to approve the items designated as Sections 30 and 40, in their entirety. These provisions would allow the Board of Optometry Examiners to retain outside counsel without the prior approval required for other state agencies. The Attorney General's Office is responsible for providing legal counsel to state agencies and they should be able to rely on that office to represent them competently. Currently, all state agencies may request outside counsel if special expertise is needed or when the Attorney General's Office has a conflict of interest. These provisions would authorize the Optometry Board to hire outside counsel at will. Not only should this be unnecessary, but it would make future requests by other agencies to hire their own legal counsel difficult to resist. Adequate funding is provided to the Attorney General's Office to provide legal services to state agencies. These provisions would require additional expenditures for services which the Attorney General's office currently has a responsibility to provide.

I am unable to approve the item designated as Section 37, in its entirety. This section would create a general fund standing unlimited appropriation to pay postage for voter registration forms returned by mail. Voter registration in Iowa has been made increasingly easier by past actions of the legislature and myself. Potential voters must accept some responsibilities and cost of postage for one postcard is not an excessive burden.

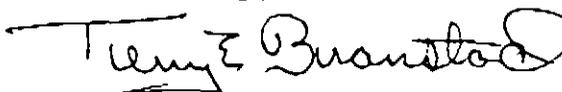
I am unable to approve the item designated as Section 39, in its entirety. This section would greatly expand the number of employees who would be brought under special IPERS retirement provisions. The 1988 legislature directed the Department of Personnel and the Department of Corrections to jointly determine specific job classes to be covered by the correctional officer special protective occupation retirement provisions.

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This provision would supersede the actions taken in response to that legislation by changing the definition of a correctional officer for the purposes of chapter 97B to include any employee whose primary purpose is to provide security within a correctional facility. Under current law, the definition of correctional officer is limited to persons who have direct inmate contact and who enforce and maintain discipline, safety and security within a correctional facility. This expansion of special retirement provisions would include employees who do not have direct inmate contact, possibly including management positions, and could lead to inequitable and inconsistent determinations for special retirement coverage.

For the above reasons, I hereby respectfully disapprove these items in accordance with Amendment IV of the Amendments of 1968 to the Constitution of the State of Iowa. All other items in Senate File 2280 are hereby approved as of this date.

Sincerely,



Terry E. Branstad
Governor

TEB/ps

cc: Secretary of the Senate
Chief Clerk of the House

SENATE FILE 2280

AN ACT

RELATING TO AND MAKING APPROPRIATIONS TO VARIOUS STATE AGEN- CIES INCLUDING CERTAIN STATE ELECTED OFFICIALS, THE EXECUTIVE COUNCIL, THE DEPARTMENT OF GENERAL SERVICES, THE DEPARTMENT OF PERSONNEL, THE DEPARTMENT OF REVENUE AND FINANCE, THE OF- FICE OF STATE-FEDERAL RELATIONS, AND THE DEPARTMENT OF MAN- AGEMENT, AND TO THE STATE COMMUNICATIONS NETWORK FUND, SPECI- FYING THE DUTIES OF THE ADMINISTRATIVE RULES COORDINATOR, PROVIDING FOR THE APPROPRIATION OF WRESTLING AND BOXING TAXES, PROVIDING FOR INTERSTATE BANKING, PROVIDING LEGAL COUNSEL TO CERTAIN STATE AGENCIES, PROVIDING FOR OTHER RE- LATED MATTERS, PROVIDING PENALTIES FOR VIOLATIONS, INCREAS- ING CERTAIN FEES, CHANGING THE PROCUREMENT PROGRAM, AND PROVIDING FOR REPEALS OF CERTAIN PROVISIONS.

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

Section 1.

There is appropriated from the general fund of the state to the office of the secretary of state for the fiscal year beginning July 1, 1990, and ending June 30, 1991, the following amounts, or so much thereof as is necessary, to be used for the purposes designated:

- 1. For salaries, support, maintenance, miscellaneous purposes, and for not more than the following full-time equivalent positions:
- | | | |
|-------|------|-----------|
| ..... | \$ | 1,677,000 |
| ..... | FTEs | 50.00 |

The funds for the salaries, support, maintenance, and miscellaneous purposes for 3 of the 50 FTEs authorized in this section shall be paid from the fund created in section 48 of this Act.

- 2. For the costs incurred in the printing of the official register:
- | | | |
|-------|----|--------|
| | \$ | 74,000 |
|-------|----|--------|

Sec. 2.

There is appropriated from the general fund of the state to the office of the governor for the fiscal year beginning July 1, 1990, and ending June 30, 1991, the following amounts, or so much thereof as is necessary, to be used for the purposes designated:

- 1. For salaries, support, maintenance, and miscellaneous purposes for the general office of the governor, and for not more than the following full-time equivalent positions:
- | | | |
|-------|------|---------|
| ..... | \$ | 889,000 |
| ..... | FTEs | 17.00 |

- 2. For the governor's expenses connected with office:
- | | | |
|-------|----|-------|
| | \$ | 4,000 |
|-------|----|-------|

- 3. For salaries, support, maintenance, and miscellaneous purposes for the governor's quarters at Terrace Hill, and for not more than the following full-time equivalent positions:
- | | | |
|-------|------|--------|
| ..... | \$ | 95,000 |
| ..... | FTEs | 3.00 |

- 4. For the payment of expenses of ad hoc committees, councils, and task forces appointed by the governor to research and analyze a particular subject area relevant to the problems and responsibilities of state and local government, including the employment of professional, technical, and administrative staff and the payment of per diem, not exceeding \$40, and actual expenses of committee, council, or task force members and as a condition, limitation, and qualification of this appropriation, the ad hoc committees, councils, and task forces appointed by the governor shall be subject to chapters 21 and 22 and the members shall be so informed:
- | | | |
|-------|----|-------|
| | \$ | 7,000 |
|-------|----|-------|

- 5. For salaries, support, maintenance, and miscellaneous purposes for the office of administrative rules coordinator,

and for not more than the following full-time equivalent positions:

.....	\$	103,000
.....	FTEs	2.00

6. For payment of Iowa's membership in the national governors' conference:

.....	\$	75,000
-------	----	--------

Sec. 3.

There is appropriated from the general fund of the state to the office of the governor's substance abuse prevention coordinator for the fiscal year beginning July 1, 1990, and ending June 30, 1991, the following amounts, or so much thereof as is necessary, to be used for the purposes designated:

For salaries, support, maintenance, miscellaneous purposes, and for not more than the following full-time equivalent positions:

.....	\$	105,000
.....	FTEs	8.00

Sec. 4.

There is appropriated from the general fund of the state to the office of the lieutenant governor for the portion of the fiscal year beginning July 1, 1990, and ending on the date of the next inauguration of the lieutenant governor, the following amount, or so much thereof as is necessary, to be used for the purposes designated:

For salaries, support, maintenance, and miscellaneous purposes including the lieutenant governor's compensation and expenses including service as a member of the legislative council and per diem and expenses incurred while performing duties of the lieutenant governor when the general assembly is not in session:

.....	\$	85,000
-------	----	--------

Sec. 5.

There is appropriated from the general fund of the state to the office of the lieutenant governor for the portion of the

fiscal year beginning with the next inauguration of the lieutenant governor and ending June 30, 1991, the following amount, or so much thereof as is necessary, to be used for the purposes designated:

For salaries, support, maintenance, and miscellaneous purposes including the lieutenant governor's compensation and expenses including service as a member of the legislative council and per diem and expenses incurred while performing duties of the lieutenant governor when the general assembly is not in session:

.....	\$	34,000
-------	----	--------

Sec. 6.

The amounts appropriated under sections 4 and 5 for the fiscal period beginning July 1, 1990, and ending June 30, 1991, shall be used for not more than the following full-time equivalent positions in addition to the purposes designated under sections 4 and 5:

.....	FTEs	3.00
-------	------	------

Sec. 7.

There is appropriated from the general fund of the state to the office of treasurer of state for the fiscal year beginning July 1, 1990, and ending June 30, 1991, the following amount, or so much thereof as is necessary, to be used for the purposes designated:

For salaries, support, maintenance, miscellaneous purposes, and for not more than the following full-time equivalent positions:

.....	\$	762,000
.....	FTEs	28.00

Of the amount appropriated by this section, \$29,839 shall be used for salary and support for one full-time equivalent position designated as a computer programmer.

Sec. 8.

There is appropriated from the general fund of the state to the executive council for the fiscal year beginning July 1, 1990, and ending June 30, 1991, the following amount, or so

much thereof as is necessary, to be used for the purposes designated:

For salaries, support, maintenance, miscellaneous purposes, and for not more than the following full-time equivalent positions:

..... \$ 40,000
..... FTEs 1.12

Sec. 9.

There is appropriated from the general fund of the state to the following named agencies for the fiscal year beginning July 1, 1990, and ending June 30, 1991, the following amounts, or so much thereof as is necessary, to be used for the purposes designated:

1. NATIONAL CONFERENCE OF STATE LEGISLATURES

For support of the membership assessment:

..... \$ 69,000

2. COMMISSION ON UNIFORM STATE LAWS

For support of the commission and expenses of the members:

..... \$ 14,000

Sec. 10.

There is appropriated from the general fund of the state to the department of general services for the fiscal year beginning July 1, 1990, and ending June 30, 1991, the following amounts, or so much thereof as is necessary, to be used for the purposes designated:

1. ADMINISTRATION DIVISION

For salaries, support, maintenance, miscellaneous purposes, and for not more than the following full-time equivalent positions:

..... \$ 492,000
..... FTEs 16.00

2. COMMUNICATIONS DIVISION

For salaries, support, maintenance, miscellaneous purposes, and for not more than the following full-time equivalent positions:

..... \$ 413,000

..... FTEs 19.00

3. DIRECTOR'S OFFICE

For salaries, support, maintenance, miscellaneous purposes, and for not more than the following full-time equivalent positions:

..... \$ 102,000
..... FTEs 2.00

4. MATERIALS MANAGEMENT DIVISION

For salaries, support, maintenance, miscellaneous purposes, and for not more than the following full-time equivalent positions:

..... \$ 92,000
..... FTEs 3.30

5. PROPERTY MANAGEMENT DIVISION

For salaries, support, maintenance, miscellaneous purposes, and for not more than the following full-time equivalent positions:

..... \$ 3,744,000
..... FTEs 156.00

6. PRINTING AND MAIL DIVISION

For salaries, support, maintenance, miscellaneous purposes, and for not more than the following full-time equivalent positions:

..... \$ 492,000
..... FTEs 22.00

7. RECORDS MANAGEMENT DIVISION

For salaries, support, maintenance, miscellaneous purposes, and for not more than the following full-time equivalent positions:

..... \$ 422,000
..... FTEs 14.50

8. INFORMATION SERVICES DIVISION

For salaries, support, maintenance, miscellaneous purposes, and for not more than the following full-time equivalent positions:

..... \$ 7,175,000

..... FTEs 158.00

9. The department of general services shall not change the appropriations for the purposes designated in subsections 1 through 8 from the amounts appropriated under those subsections unless notice of the revisions is given prior to their effective date to the legislative fiscal bureau. The notice shall include information on the department's rationale for making the changes.

10. Savings achieved in providing telecommunications services shall be used by the department of general services to increase efficiencies in the provision of those services.

11. In carrying out the requirements of 1990 Iowa Acts, Senate File 2212, section 24, relating to the acquisition or construction of expanded prison facilities, the department of general services may include the architectural and engineering costs of the project as a part of the total costs of the project to be financed by lease-purchase arrangements.

12. If personnel reductions are required in the department of general services resulting from budget reductions, the layoffs shall be made only after service contracts with private parties have been reviewed and reduced or canceled where possible. Personnel reductions shall be distributed among management employees, nonmanagement employees who are not members of a bargaining unit, and nonmanagement employees who are members of a bargaining unit in the same proportion as the proportion to total employees represented by each group. The department shall retain those employees most essential to the department's mission. The department shall report to the co-chairpersons and ranking members of the joint administration appropriations subcommittee concerning any personnel reductions to demonstrate how the department has complied with the requirements of this subsection.

Sec. 11.

There is appropriated from the general fund of the state to the department of general services for the fiscal year beginning July 1, 1990, and ending June 30, 1991, the

following amounts, or so much thereof as is necessary, to be used for the purposes designated:

1. CAPITOL PLANNING COMMISSION

For expenses of the members in carrying out their duties under chapter 18A:

..... \$ 2,000

2. UTILITY COSTS

For payment of utility costs:

..... \$ 2,002,000

The department of general services may use funds appropriated in this subsection for utility costs to fund energy conservation projects in the state capitol complex which will have a 100 percent payback within a 24 month period. The department of general services shall report quarterly to the chairpersons and ranking members of the administration appropriations subcommittee concerning the savings generated as a result of implementation of these projects.

3. RENTAL SPACE

For payment of lease or rental costs of buildings and office space at the seat of government as provided in section 18.12, subsection 9, notwithstanding section 18.16:

..... \$ 608,000

4. FIRE SAFETY

For payment of costs incurred in providing for additional fire safety measures:

..... \$ 67,000

The moneys appropriated by this subsection may be used for, but are not limited to, the provision of alarm warning systems and additional means of egress. Moneys provided under this subsection shall not be used to defray the costs of deferred maintenance.

Sec. 12.

Notwithstanding section 18.12, subsection 11, any excess funds appropriated for utility costs in section 11, subsection 2, shall not be deposited in the general fund of the state on

June 30, 1991, and these funds are to be used for implementation of energy conservation projects having a payback of 100 percent within a 2-year to 6-year period. The department of general services shall report semiannually to the chairpersons and ranking members of the administration appropriations subcommittee and to the legislative fiscal bureau. The reports shall include a listing of the projects undertaken, the cost of each project, and the projected savings on an annual basis and for the life of the project.

The department of general services shall also pursue utility rate reductions for the capitol complex and report the results of these efforts to the chairpersons and ranking members of the administration appropriations subcommittee and to the legislative fiscal bureau. The report shall include, but is not limited to, the options examined, the proposals of the department of general services, and the responses of the utilities. Supporting documentation, including correspondence between the department of general services and the utilities, shall accompany the report.

Sec. 13.

There is appropriated from the revolving funds designated to the department of general services for the fiscal year beginning July 1, 1990, and ending June 30, 1991, the following amounts, or so much thereof as is necessary, to be used for the purposes designated:

1. From the centralized printing permanent revolving fund established by section 18.57 for salaries, support, maintenance, miscellaneous purposes, and for not more than the following full-time equivalent positions:
..... \$ 886,644
..... PTEs 30.00

2. The remainder of the centralized printing permanent revolving fund is appropriated for the expense incurred in supplying paper stock, offset printing, copy preparation, binding, distribution costs, original payment of printing and binding claims and contingencies arising during the fiscal

year beginning July 1, 1990, and ending June 30, 1991, which are legally payable from this fund.

3. From the centralized purchasing permanent revolving fund established by section 18.9 for salaries, support, maintenance, miscellaneous purposes, and for not more than the following full-time equivalent positions:
..... \$ 543,147
..... PTEs 15.00

4. The remainder of the centralized purchasing permanent revolving fund is appropriated for the payment of expenses incurred through purchases by various state departments and for contingencies arising during the fiscal year beginning July 1, 1990, and ending June 30, 1991, which are legally payable from this fund.

5. From the vehicle dispatcher revolving fund established by section 18.119 for salaries, support, maintenance, miscellaneous purposes, and for not more than the following full-time equivalent positions:
..... \$ 568,764
..... PTEs 17.00

6. The remainder of the vehicle dispatcher revolving fund is appropriated for the purchase of gasoline, gasohol, oil, tires, repairs, and all other maintenance expenses incurred in the operation of state-owned motor vehicles and for contingencies arising during the fiscal year beginning July 1, 1990, and ending June 30, 1991, which are legally payable from this fund.

7. The division of insurance of the department of commerce shall, on or before July 1, 1990, transfer remaining funds from its revolving account, in excess of those funds necessary to provide initial start-up for the division's fiscal year 1991 revolving fund, to the department of general services.

As a condition of the appropriation, it is the intent of the general assembly that these transferred funds be used for the following purposes:

a. The department of general services shall provide from the funds the rental, preparation of space, and physical move of the division of insurance of the department of commerce to new quarters off of the state capitol complex for the fiscal year beginning July 1, 1990.

b. After the rental, preparation, and move of the division of insurance of the department of commerce, the funds remaining shall be applied to the renovation of the Lucas state office building.

It is the intent of the general assembly that the requirements of this subsection shall be accomplished as soon after the effective date of this Act as practically feasible.

Additionally, the division of insurance of the department of commerce shall provide, on or before January 1, 1991, a report and projection regarding the revenue of the division and the sufficiency of that revenue to cover future rental costs for the division. The report shall be delivered to the chairpersons, vice chairpersons, and ranking members of the appropriations committees, and to the legislative fiscal bureau.

Sec. 14.

Any capitol complex new construction appropriation shall commence in the administration appropriations subcommittee, even if consideration of the matter necessitates reconvening the subcommittee after its other work is completed.

Sec. 15.

There is appropriated from the general fund of the state to the department of personnel for the fiscal year beginning July 1, 1990, and ending June 30, 1991, the following amount, or so much thereof as is necessary, to be used for the purposes designated:

1. ADMINISTRATION

For salaries, support, maintenance, and miscellaneous purposes for the director's staff, office services, data/word processing, and insurance cost management, and for not more than the following full-time equivalent positions:

..... \$ 1,331,000
..... FTEs 29.65

2. FIELD OPERATIONS

For salaries for the personnel services, employment law/labor relations, and development, and for not more than the following full-time equivalent positions:

..... \$ 1,454,000
..... FTEs 36.60

3. PROGRAM MANAGEMENT

a. For salaries for employment and compensation and benefits, and for not more than the following full-time equivalent positions:

..... \$ 1,118,000
..... FTEs 34.00

b. WORKERS' COMPENSATION ADMINISTRATION

For salaries for the administration of the workers' compensation fund and not more than the following full-time equivalent positions:

..... \$ 140,000
..... FTEs 4.00

Any funds received by the department for workers' compensation purposes other than the funds appropriated in paragraph "b" shall be used only for the payment of workers' compensation claims.

The funds for support, maintenance, and miscellaneous purposes for personnel assigned to field operations under subsection 2 and program management under subsection 3 are payable from the appropriation made in subsection 1.

As a condition, limitation, and qualification of this appropriation, the department of personnel shall report quarterly to the chairpersons and ranking members of the administration appropriations subcommittee concerning the number of vacancies in existing full-time equivalent positions and the average time taken to fill the vacancies. The reports shall include quarterly and annual averages organized according to state agency and general occupational category as

established by the federal equal employment opportunity commission. All departments and agencies of the state shall cooperate with the department in the preparation of the reports.

Sec. 16.

There is appropriated from the Iowa public employees' retirement system fund to the department of personnel for the fiscal year beginning July 1, 1990, and ending June 30, 1991, the following amount, or so much thereof as is necessary, to be used for the purposes designated:

- 1. For salaries, support, maintenance, and other operational purposes to pay the costs of the Iowa public employees' retirement system:
..... \$ 2,616,118

It is the intent of the general assembly that the Iowa public employees' retirement system employ sufficient staff within the appropriation provided in this section to meet the developing requirements of the investment program.

- 2. For design, development, and implementation of a data information system:
..... \$ 783,000

Notwithstanding section 8.33, funds appropriated under this subsection that remain unencumbered or unobligated on June 30, 1991, shall not revert to the general fund of the state but shall be available for expenditure in subsequent years to complete the data information systems.

The department of personnel shall report on or before January 1, 1991, and each 6 months thereafter until the data information system is fully implemented to the chairpersons and ranking members of the administration appropriations subcommittee and to the legislative fiscal bureau, on the progress made in implementing the data information system. The report shall include, but is not limited to, moneys spent and encumbered, progress made relative to the scheduled implementation, and benefits or anticipated benefits of the system.

The department of personnel shall report to the chairpersons and ranking members of the administration appropriations subcommittee and to the legislative fiscal bureau the results and effectiveness of the wellness program pilot project developed and tested by the department of personnel in conjunction with the state department of transportation. The department of personnel shall submit the reports in June and December of each year of the project's existence and shall submit a final report upon completion of the project.

The department of personnel shall report to the chairpersons and ranking members of the administration appropriations subcommittee and to the legislative fiscal bureau the results and effectiveness of the pilot project regarding the automation of hiring procedures. The department of personnel shall submit progress reports in June and December during the period of existence of the project, and shall submit a final report upon completion of the project.

The department of personnel shall submit, annually, a report to the chairpersons and ranking members of the administration appropriations subcommittee and to the legislative fiscal bureau regarding the results of the state's top achievement recognition program. The reports submitted shall include, but are not limited to, identification of the recipients, a description of the meritorious achievements, and the awards conferred.

Sec. 17.

There is appropriated from the general fund of the state to the department of revenue and finance for the fiscal year beginning July 1, 1990, and ending June 30, 1991, the following amounts, or so much thereof as is necessary, to be used for the purposes designated, and for not more than the following full-time equivalent positions used for the purposes designated in subsections 1 through 6:

- FTEs 651.65
- 1. AUDIT AND COMPLIANCE

For salaries, support, maintenance, and miscellaneous purposes:
 \$ 9,350,844

2. FINANCIAL MANAGEMENT

For salaries, support, maintenance, and miscellaneous purposes:
 \$ 6,047,156

3. INFORMATION AND MANAGEMENT SYSTEMS

For salaries, support, maintenance, and miscellaneous purposes:
 \$ 1,654,000

4. LOCAL GOVERNMENT SERVICES

For salaries, support, maintenance, and miscellaneous purposes:
 \$ 1,260,000

5. TECHNICAL SERVICES

For salaries, support, maintenance, and miscellaneous purposes:
 \$ 1,814,000

6. ADMINISTRATION

For salaries, support, maintenance, and miscellaneous purposes:
 \$ 715,000

7. The department of revenue and finance shall not change the appropriations for the purposes designated in subsections 1 through 6 from the amounts appropriated under those subsections unless notice of the revisions is given prior to their effective date to the legislative fiscal bureau. The notice shall include information on the department's rationale for making the changes.

Notwithstanding section 8.33, the excess funds appropriated to the department of revenue and finance shall not be deposited in the general fund of the state on June 30, 1991. The funds shall be expended by the audit and compliance division for personnel salaries and support to increase tax receipts.

The director shall report annually to the fiscal committee of the legislative council, the legislative fiscal bureau, and the chairpersons and ranking members of the administration appropriations subcommittee concerning the effectiveness of the tax audits and investigations conducted, the moneys expended, the tax obligations established, and taxes collected as a result of the tax collection and enforcement efforts of the department.

The department of revenue and finance shall report quarterly to the chairpersons and ranking members of the administration appropriations subcommittee, concerning progress in the implementation of generally accepted accounting principles, including determination of reporting entities, fund classifications, modification of the Iowa financial accounting system, progress on preparing a comprehensive annual financial report, and the most current estimate of the general fund balance based on current generally accepted accounting principles.

Sec. 18.

There is appropriated from the motor vehicle fuel tax fund created by section 324.77 to the department of revenue and finance for the fiscal year beginning July 1, 1990, and ending June 30, 1991, the following amount, or so much thereof as is necessary, to be used for the purposes designated:

For salaries, support, maintenance, and miscellaneous purposes for administration and enforcement of the provisions of chapter 324 and the motor vehicle use tax program:
 \$ 1,105,804

Sec. 19.

There is appropriated from the lottery fund to the department of revenue and finance for the fiscal year beginning July 1, 1990, and ending June 30, 1991, the following amount, or so much thereof as is necessary, to be used for the purposes designated:

For salaries, support, maintenance, miscellaneous purposes, and for not more than the following full-time equivalent positions:

..... \$ 7,272,163
..... FTEs 138.55

Sec. 20.

There is appropriated from the general fund of the state to the department of management for the fiscal year beginning July 1, 1990, and ending June 30, 1991, the following amount, or so much thereof as is necessary, to be used for the purposes designated:

For salaries, support, maintenance, miscellaneous purposes, and for not more than the following full-time equivalent positions:

..... \$ 1,566,000
..... FTEs 33.00

As a condition, limitation, and qualification of this appropriation, not more than \$1,410,270 from all revenue sources, plus an allocation for salary adjustment, may be expended for salaries and benefits for not more than the above listed full-time equivalent positions and not more than \$210,730 from all revenue sources may be expended for support and miscellaneous purposes. Unanticipated federal and local grants or receipts received after this Act becomes effective are not subject to this condition.

Sec. 21.

There is appropriated from the road use tax fund to the department of management for the fiscal year beginning July 1, 1990, and ending June 30, 1991, the following amount, or so much thereof as is necessary, to be used for the purposes designated:

For salaries, support, maintenance, and miscellaneous purposes:
..... \$ 55,000

Sec. 22.

There is appropriated from the general fund of the state to the department of management for the fiscal year beginning July 1, 1990, and ending June 30, 1991, the following amount, or so much thereof as is necessary, to be used for the purposes designated:

1. COUNCIL OF STATE GOVERNMENTS

For support of the membership assessment:

..... \$ 61,000

2. LAW ENFORCEMENT TRAINING REIMBURSEMENTS

For reimbursements to local law enforcement agencies for the training of officers who resign pursuant to section 384.15, subsection 7:

..... \$ 123,000

Sec. 23.

There is appropriated from the general fund of the state to the office of state-federal relations for the fiscal year beginning July 1, 1990, and ending June 30, 1991, the following amount, or so much thereof as is necessary, to be used for the purposes designated:

For salaries, support, maintenance, miscellaneous purposes, and for not more than the following full-time equivalent positions:

..... \$ 221,000
..... FTEs 3.15

Sec. 24.

Notwithstanding section 8.55, the moneys in the Iowa economic emergency fund are transferred to the general fund of the state if necessary to avoid a deficit in the general fund of the state and to defray expenses at the conclusion of the fiscal year beginning July 1, 1990, and ending June 30, 1991.

Sec. 25.

For purposes of this Act and any other appropriations statute enacted by the Seventy-third General Assembly, 1990 Session, "full-time equivalent position" means a budgeting and monitoring unit that equates the aggregate of full-time positions, part-time positions, a vacancy and turnover factor, and other adjustments. 1 full-time equivalent position represents 2,080 working hours, which is the regular number of hours 1 full-time person works in 1 fiscal year. The number of full-time equivalent positions shall be calculated by totaling the regular number of hours that could be annually

worked by persons in all authorized positions, reducing those hours by a vacancy and turnover factor and dividing that amount by 2,080 hours. In order to achieve the full-time equivalent position level, the number of filled positions may exceed the number of full-time equivalent positions during parts of the fiscal year to compensate for time periods when the number of filled positions is below the authorized number of full-time equivalent positions.

Sec. 26. LAYOFF AND RECALL PROCEDURES.

The department of personnel in consultation with the department of management, the department of revenue and finance, and the department of general services, shall establish a program for employees of those departments whose positions are terminated as a result of this Act. The departments shall give a preference to qualified persons previously employed whose jobs were terminated as a result of this Act when hiring to fill vacant positions according to existing outplacement procedures established by the department of personnel and recall procedures established by public employee collective bargaining agreements.

Sec. 27.

There is appropriated from the general fund of the state to the department of general services and the department of revenue and finance for the fiscal year beginning July 1, 1990, and ending June 30, 1991, the following amounts, or so much thereof as is necessary, to be used for the purpose designated:

For allocation, upon approval of the department of management, to avoid layoffs, if, after implementing efficiencies and other methods to achieve savings as directed by the department of management, the governor, and the department directors, funds appropriated by this Act are insufficient to otherwise avoid layoffs:

- 1. Department of general services:
 - \$ 250,000
- 2. Department of revenue and finance:

..... \$ 250,000

Sec. 28. Section 7.17, Code 1989, is amended to read as follows:

7.17 OFFICE OF ADMINISTRATIVE RULES CO-ORDINATOR.

The governor shall establish the office of the administrative rules co-ordinator, and appoint its staff, which shall be a part of the governor's office. The administrative rules co-ordinator shall receive all notices and rules promulgated pursuant to chapter 17A and provide the governor with an opportunity to review and object to any rule as provided in chapter 17A. The administrative rules co-ordinator in consultation with the Code editor shall prescribe a uniform style and form by which an agency shall prepare and file a rule pursuant to chapter 17A which shall correlate each rule to a uniform numbering system devised by the administrative rules co-ordinator. The administrative rules co-ordinator shall review all submitted rules for style and form and may return or revise a rule which is not in proper style and form. In prescribing the style and form, the administrative rules co-ordinator shall require that the agency include a reference to the statute which the rules are intended to implement.

Sec. 29. Section 8.6, subsection 5, Code Supplement 1989, is amended by striking the subsection.

Sec. 30. Section 13.7, Code 1989, is amended to read as follows:

13.7 SPECIAL COUNSEL.

Compensation shall not be allowed to any person for services as an attorney or counselor to an executive department of the state government, or the head thereof, or to a state board or commission. However, the executive council may employ legal assistance, at a reasonable compensation, in a pending action or proceeding to protect the interests of the state, but only upon a sufficient showing, in writing, made by the attorney general, that the department of justice cannot for reasons stated by the attorney general perform the

service, which reasons and action of the council shall be entered upon its records. When the attorney general determines that the department of justice cannot perform legal service in an action or proceeding, the executive council shall request the department involved in the action or proceeding to recommend legal counsel to represent the department. If the attorney general concurs with the department that the person recommended is qualified and suitable to represent the department, the person recommended shall be employed. If the attorney general does not concur in the recommendation, the department shall submit a new recommendation. This section does not affect the general counsel for the utilities board of the department of commerce, the legal counsel for the board of optometry examiners, or the legal counsel of the division of job service of the department of employment services.

Sec. 31. Section 17A.2, Code 1989, is amended by adding the following new subsection:

NEW SUBSECTION. 11. "ARC number" means the identification number assigned by the governor's administrative rules coordinator to each rulemaking document.

Sec. 32. Section 17A.4, subsection 1, paragraph a, Code 1989, is amended to read as follows:

a. Give notice of its intended action by submitting three copies of the notice to the administrative rules co-ordinator, who shall assign an ARC number to each rulemaking document and forward two copies to the Code editor for publication in the "Iowa Administrative Bulletin" created pursuant to section 17A.6. Any notice of intended action shall be published at least thirty-five days in advance of the action. The notice shall include a statement of either the terms or substance of the intended action or a description of the subjects and issues involved, and the time when, the place where, and the manner in which interested persons may present their views thereon.

Sec. 33. Section 17A.5, subsection 1, Code Supplement 1989, is amended to read as follows:

1. Each agency shall file in the office of the administrative rules co-ordinator three certified copies of each rule adopted by it. ~~Two copies of each rule shall be forwarded to the Code editor by the administrative rules co-ordinator.~~ The administrative rules co-ordinator shall assign an ARC number to each rulemaking document and forward two copies to the Code editor. The administrative rules co-ordinator shall keep a permanent register of the rules open to public inspection.

Sec. 34. Section 17A.6, Code Supplement 1989, is amended by adding the following new subsections:

NEW SUBSECTION. 7. The Iowa administrative code shall be cited as (agency identification number) IAC, (chapter, rule, subrule, lettered paragraph, or numbered subparagraph).

NEW SUBSECTION. 8. The Iowa administrative bulletin shall be cited as IAB (volume), (number), (publication date), (page number), (ARC number).

Sec. 35. Section 18.136, Code Supplement 1989, is amended by adding the following new subsection:

NEW SUBSECTION. 4A. It is the intent of the general assembly that during the implementation of parts I and II of the system, the department of general services shall employ a consultant to report to it on the impact of changing technology on the potential cost and capabilities of the system. It is also the intent of the general assembly that the department of education shall study new techniques in distant teaching. These reports shall be made available to the general assembly.

Sec. 36. Section 18.137, unnumbered paragraph 1, Code Supplement 1989, is amended to read as follows:

There is created in the office of the treasurer of state a temporary fund to be known as the state communications network fund. ~~There is appropriated, contingent upon the certification from the department of management of financial~~

~~resources adequate to fund the expenditure, to the state communications network fund for each the fiscal year of the fiscal period beginning July 1, 1989, and ending June 30, 1994 1990, the sum of ten five million dollars from funds in the general fund of the state not otherwise appropriated. Any moneys remaining in the fund on June 30 of a fiscal year, of moneys appropriated from the general fund of the state for that fiscal year, shall revert to the general fund of the state, except that those funds needed to provide the state matching funds pursuant to section 18.136 shall not revert, notwithstanding section 8.33.~~ There is appropriated from the general fund of the state to the state communications network fund for each fiscal year of the fiscal period beginning July 1, 1991, and ending June 30, 1996, the sum of five million dollars. Notwithstanding section 8.33, unobligated and unencumbered moneys from the appropriation for a fiscal year remaining on June 30 of that fiscal year shall not revert to the general fund of the state but shall remain available for expenditure during the next following fiscal year. There shall also be deposited into the state communications network fund proceeds from bonds issued for purposes of projects authorized pursuant to section 18.136, matching funds received from the area schools and the local school boards, funds received from leases pursuant to section 18.134, and other moneys by law credited to or designated by a person for deposit into the fund. Notwithstanding the requirements of section 18.136, subsection 1, for the fiscal year beginning July 1, 1990, and ending June 30, 1991, thirty-one thousand dollars of moneys in the state communications network fund may be expended for the state's share of the cost for the design of a disaster recovery facility to be built in conjunction with the Iowa communications network facility and emergency operation center. The department of general services may increase its fees for data processing in order to collect an additional amount not exceeding two hundred thousand dollars during the fiscal year beginning July 1, 1991, to pay for the

state's share of the cost of construction of the disaster recovery facility.

Sec. 37. Section 48.3, Code 1989, is amended by adding the following new unnumbered paragraph:

NEW UNNUMBERED PARAGRAPH. The state shall pay the postage for all registration forms printed pursuant to this section. There is appropriated annually to the state commissioner of elections out of any funds in the general fund of the state which are not otherwise appropriated, a sum sufficient to pay the postage for all registration forms printed as provided in this section.

Sec. 38. Section 90A.7, Code 1989, is amended to read as follows:

90A.7 WRITTEN REPORT FILED -- TAX.

1. Every person conducting a boxing or wrestling match or charging an admission fee for viewing of a closed-circuit boxing or wrestling match in this state shall, within twenty-four hours after such match, furnish to the commissioner a written report, duly verified, showing the number of tickets sold for such boxing or wrestling match, and the amount of gross proceeds thereof of such boxing or wrestling match, and such other matters as the commissioner may prescribe; and shall also within the said same time period pay to the treasurer of state a tax of five percent of its total gross receipts, after deducting any federal admission state sales tax, from the sale of tickets of admission to such boxing or wrestling match.

2. Moneys collected pursuant to subsection 1 in excess of the amount of moneys needed to administer this chapter are appropriated and shall be used by the state commissioner of athletics to award grants to organizations which promote amateur boxing matches in this state.

3. The state commissioner of athletics shall adopt rules pursuant to chapter 17A to establish procedures for the submission of applications for grants to be awarded pursuant to subsection 2, and for the awarding of grants pursuant to subsection 2.

4. An advisory board composed of three members of the golden gloves association of America, incorporated -- Iowa branch, appointed by the association, and three members of the United States of America amateur boxing federation -- Iowa branch, appointed by the federation, shall advise the state commissioner of athletics regarding the awarding of grants pursuant to subsection 2.

Sec. 39. Section 97B.49, subsection 16, paragraph d, Code 1989, is amended by adding the following new subparagraph:

NEW SUBPARAGRAPH. (3A) As used in subparagraph (3), "correctional officer" includes any employee of the Iowa department of corrections whose primary purpose is, through ongoing direct inmate contact, to enforce and maintain discipline, safety, and security within a correctional facility and any employee of that department whose primary purpose is to provide security within a correctional facility.

Sec. 40. Section 258A.3, Code 1989, is amended by adding the following new subsection:

NEW SUBSECTION. 5. The board of optometry examiners may retain a competent attorney to serve as its legal counsel as it finds necessary for the full and efficient discharge of its duties. The legal counsel retained by the board of optometry examiners shall be the attorney for, and legal advisor of, the board of optometry examiners while retained. The legal counsel is exempt from the merit provisions of chapter 19A. The legal counsel retained by the board of optometry examiners shall provide necessary legal advice to the board and may represent the board in disciplinary hearings or in actions instituted in a state or federal court challenging the validity of a rule or order of the board.

Sec. 41. Section 303.79, Code 1989, is amended by adding the following new subsection:

NEW SUBSECTION. 11. If the narrowcast system advisory committee determines that an expansion of the number of sites utilizing distance learning would benefit the implementation of the state educational telecommunications system by

demonstrating its capabilities to a greater number of individuals, the advisory committee may recommend that the board establish a demonstration program. Notwithstanding section 18.136, the board may allocate not more than one hundred thousand dollars from the state communications network fund for each of the fiscal years beginning July 1, 1990, and July 1, 1991, to be used to equip additional classrooms.

Sec. 42. Section 384.15, subsection 7, paragraph b, Code 1989, is amended by striking the paragraph and inserting in lieu thereof the following:

b. An appropriated law enforcement training reimbursement account is established in the department of management. The proceeds shall be used by the director of the department of management to reimburse cities or counties for eligible law enforcement training expenses incurred as provided in this section.

Sec. 43. Section 524.1213, subsection 9, Code Supplement 1989, is amended to read as follows:

9. The resulting bank of a merger or consolidation shall not retain any united community bank office or any other bank office within the municipality or urban complex in which the principal office of the resulting bank is located if the resulting bank then would have a greater number of bank offices within that municipality or urban complex than is expressly permitted by section 524.1202, subsection 2.

Sec. 44. Section 554.9403, subsection 5, Code 1989, is amended by adding the following new paragraph:

NEW PARAGRAPH. c. In addition to the fee imposed under this subsection for an original financing statement or a continuation statement on the standard form, the secretary of state shall collect an additional fee of three dollars. In addition to the fee imposed under this subsection for an original financing statement or a continuation statement on a nonstandard form, the secretary of state shall collect an additional fee of six dollars. A county filing officer shall collect the additional fee provided in this paragraph if the

county officer elects to utilize the uniform commercial code information system maintained by the secretary of state.

Sec. 45. Section 554.9405, Code 1989, is amended by adding the following new subsection:

NEW SUBSECTION. 4. In addition to the fees imposed by this section for an original financing statement indicating an assignment or a separate statement of assignment on the standard form, the secretary of state shall collect an additional fee of three dollars. In addition to the fee imposed in this paragraph for an original financing statement indicating an assignment or a separate statement of assignment on a nonstandard form, the secretary of state shall collect an additional fee of six dollars. A county filing officer shall collect the additional fee provided in this subsection if the county officer elects to utilize the uniform commercial code information system maintained by the secretary of state.

Sec. 46. Section 554.9406, Code 1989, is amended by adding the following new unnumbered paragraph:

NEW UNNUMBERED PARAGRAPH. In addition to the fee imposed in this section for a statement of release on the standard form, the secretary of state shall collect an additional fee of three dollars. In addition to the fee imposed in this paragraph for a statement of release on a nonstandard form, the secretary of state shall collect an additional fee of six dollars. A county filing officer shall collect the additional fee provided in this section if the county officer elects to utilize the uniform commercial code information system maintained by the secretary of state.

Sec. 47. Section 570A.4, subsection 4, Code 1989, is amended to read as follows:

4. The secretary of state shall note the filing of a lien statement under this section in the manner provided by chapter 554, the uniform commercial code, and shall charge a five dollar filing fee if the statement is the standard form prescribed by the secretary of state and otherwise a fee of six dollars fee as provided under section 554.9403.

Sec. 48.

A fund is created for the purpose of funding efforts to improve the technology used in making records maintained by the secretary of state available to the public. The fees collected by a filing officer under sections 44 through 47 of this Act shall be paid to the treasurer of state within the time required by section 12.10. The treasurer of state shall hold these funds in a revolving fund that shall be established in the name of the secretary of state for the payment of expenses incurred in improving the availability of public records. This fund is subject at all times to the warrant of the department of revenue and finance, drawn upon written requisition of the secretary of state or the secretary of state's designated representative, for the payment of salaries and other expenses necessary to carry out the purposes for which the fund is created. The money in the fund held by the treasurer of state shall be invested by the treasurer of state and the income derived from these investments shall be credited to the fund established in this section. Notwithstanding section 8.33, no part of the fund held by the treasurer of state shall be transferred to the general fund of the state or any other fund, except that the balance of the fund on June 30, 1996, shall be transferred to the general fund of the state.

The secretary of state shall provide the legislative fiscal bureau with a monthly accounting of deposits in the fund and expenditures from the fund.

Sec. 49. Section 911.3, Code 1989, is amended to read as follows:

911.3 DISPOSITION OF SURCHARGE.

When a court assesses a surcharge under section 911.2, the clerk of the district court shall transmit ninety percent of the surcharge collected to the treasurer of state by the fifteenth day of the following month. The treasurer of state shall deposit one-third of the money in the law-enforcement training-reimbursement-fund-established-under-section-304.15 and the remaining two-thirds of the money in the general fund

of the state. The clerk of the district court shall transmit ten percent of the surcharge to the county treasurer or shall remit ten percent of the surcharge to the city that was the plaintiff in any action for deposit in the general fund of the city.

Sec. 50. 1990 Iowa Acts, House File 685, section 3, subsection 1, is amended to read as follows:

1. "Acquire" ~~except in section 524.1802, subsection 1, means to directly or indirectly acquire twenty-five percent or more of the voting securities or other capital stock of, or power to control in any manner the election of a majority of the directors of, over~~ one or more banks conducting a banking business in this state or one or more bank holding companies located in this state or controlling one or more banks conducting a banking business in this state.

Sec. 51. 1990 Iowa Acts, House File 685, section 3, is amended by adding the following new subsections:

NEW SUBSECTION. 1A. "Bank conducting a banking business in this state" means a state bank or national bank that has its principal place of business in this state and that is authorized to engage and actually is engaged in receiving money for demand deposit, receiving money for time deposit, paying checks, and making commercial loans.

NEW SUBSECTION. 4A. "Control" means control as defined and described in the federal Bank Holding Company Act of 1956, 12 U.S.C. § 1841(a)(2)(A) and (B), as amended to January 1, 1990.

Sec. 52. 1990 Iowa Acts, House File 685, is amended by adding the following new section:

SEC. ____ . NEW SECTION. 524.1851A RIGHTS RESERVED.

Notwithstanding any other provision of this division, a bank holding company described in section 524.1805 may engage in any acquisition or transaction in which it could lawfully engage in the absence of this division.

Sec. 53. 1990 Iowa Acts, House File 685, section 4, is amended to read as follows:

SEC. 4. NEW SECTION. 524.1852 ACQUISITIONS.

1. A regional bank holding company may directly or indirectly ~~acquire an interest in the voting securities or other capital stock of, or power to control in any manner the election of any of the directors of~~ obtain interests not constituting control in, one or more banks conducting a banking business in this state or in one or more bank holding companies located in this state or controlling one or more banks conducting a banking business in this state.

2. ~~Notwithstanding subsection 1, a~~ regional bank holding company shall not ~~directly or indirectly acquire twenty-five percent or more of the voting securities or other capital stock of, or power to control in any manner the election of a majority of the directors of,~~ acquire one or more banks conducting a banking business in this state or one or more bank holding companies located in this state or controlling one or more banks conducting a banking business in this state without except upon the prior approval of the superintendent and compliance with the application procedures and acquisition conditions, limitations, and requirements of this division.

Sec. 54. 1990 Iowa Acts, House File 685, section 6, subsection 5, paragraph 1, is amended to read as follows:

1. Will on balance have a positive effect upon the community interests of the communities served by the bank or banks to be acquired. In considering community interest factors, the superintendent may investigate in addition to the effects of the acquisition on shareholders or depositors, the effects of the acquisition on employees, suppliers, creditors, short-term and long-term impact upon community interests, and community development. ~~The superintendent shall consider the short-term and long-term impact upon community interests of the proposed acquisition, including the possibility that community interests may be best served by the continued independence of the bank or bank holding company to be acquired.~~

Sec. 55. 1990 Iowa Acts, House File 685, section 6, subsection 8, is amended by striking the subsection and inserting in lieu thereof the following:

8. Approval shall be conditioned upon the applicant entering into a contract with the superintendent providing that any bank located in this state and owned or controlled by the applicant will be operated in a manner that conforms to any actions, promised to be undertaken by the applicant in its application, to correct any deficiencies in the procedures or operations of the acquired bank, including requirements of subsection 5, which promises were necessary to allow the superintendent to approve the application. As part of such contract, the applicant shall agree that the applicant, as well as any Iowa bank or Iowa bank holding company acquired by the applicant, shall provide reports to and permit examinations of its records by the superintendent to the extent necessary to ensure compliance with the promises referred to in the application.

Sec. 56. 1990 Iowa Acts, House File 685, section 8, subsection 3, is amended to read as follows:

3. The superintendent may assess a civil penalty to a bank holding company in violation of a condition up to five thousand hundred dollars per violation, but not to exceed a total of two-hundred-fifty ten thousand dollars per year.

Sec. 57. 1990 Iowa Acts, House File 685, section 13, subsection 2, is amended to read as follows:

2. An authorization for a state bank chartered-in-this state, to engage in activities regulated under title 20, if any, does not grant the-bank a regional bank holding company that acquires a state bank under section 524.1852 or any state bank owned or controlled by that bank holding company or any subsidiary or affiliate the ability or right to engage in such activities outside of this state.

Sec. 58. 1990 Iowa Acts, House File 685, is amended by adding the following new section:

SEC. ____ . NEW SECTION. 524.1862 PROHIBITED ACQUISITIONS.

Unless expressly authorized by federal law in the absence of the enactment of this division, a foreign bank, as defined in 12 U.S.C. § 3101, or an out-of-state bank holding company

that is directly or indirectly owned or controlled by a foreign bank shall not make any type of acquisition described or referred to in section 524.1852, and shall divest itself of any interest acquired in violation of this section. The superintendent may prosecute any action or proceeding necessary to compel compliance with this section.

Sec. 59.

There is appropriated from the banking revolving fund to the banking division of the department of commerce for the fiscal year beginning July 1, 1990, and ending June 30, 1991, the following amount, or so much thereof as is necessary, for the purpose designated:

For salaries, support, maintenance, miscellaneous purposes, and for not more than the following full-time equivalent positions, in connection with the implementation, administration, and enforcement of interstate banking:	
.....	\$ 50,000
.....	FTEs 2.00

Sec. 60. RESALE OF COMMUNICATION SERVICES.

It is the intent of the general assembly that the department of general services shall not provide or resell communication services to agencies other than accredited nonpublic schools, nonprofit institutions of higher education eligible for tuition grants, state agencies, school corporations, city libraries, regional libraries as provided in chapter 303B, and county libraries as provided in chapter 358B.

Sec. 61. EFFECTIVE DATES.

1. This section and sections 36 and 43 of this Act, being deemed of immediate importance, take effect upon enactment. All other sections of this Act take effect July 1, 1990.

2. Sections 50 through 58 of this Act shall have the same effect as if originally enacted in 1990 Iowa Acts, House File 685.

3. Section 58 of this Act is repealed effective January 1, 1992.

4. Sections 44, 45, 46, and 48 of this Act are repealed effective July 1, 1996.

JO ANN ZIMMERMAN
President of the Senate

DONALD D. AVENSON
Speaker of the House

I hereby certify that this bill originated in the Senate and is known as Senate File 2280, Seventy-third General Assembly.

John F. Dwyer
Approved 5/7, 1990

JOHN F. DWYER
Secretary of the Senate

TERRY E. BRANSTAD
Governor