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SENATE FILE 2437
BY COMMITTEE ON APPROPRIATIONS

FILED APR 8 1990

(SUCCESSOR TO LSB 8485XC)

Passed Senate, Date _____ Passed House, Date _____

Vote: Ayes _____ Nays _____ Vote: Ayes _____ Nays _____

Approved _____

A BILL FOR

1 An Act relating to and making appropriations to finance state
2 government and its obligations, and providing effective dates.
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

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SF 2437

DIVISION I

Section 101. DROUGHT ASSISTANCE.

1. DEPARTMENT OF AGRICULTURE AND LAND STEWARDSHIP.

a. There is appropriated from the general fund of the state to the department of agriculture and land stewardship 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 administration including salaries, support, maintenance, and miscellaneous purposes, for the hay hot line and for climatological services:

..... \$ 50,000

b. As a condition, limitation, and qualification of the appropriation made under paragraph "a", the appropriation shall be used to support the following full-time equivalent positions:

(1) For the hay hot line:
..... FTEs 2.0

(2) For climatological services:
..... FTEs 0.5

(3) For miscellaneous purposes relating to laboratory analysis activities:
..... FTEs 2.0

The full-time equivalent positions specified under this subsection shall be temporary positions as specified by the department. However, the positions shall terminate not later than June 30, 1991.

2. IOWA STATE UNIVERSITY OF SCIENCE AND TECHNOLOGY.

a. The Iowa state university of science and technology extension service shall act as the central clearinghouse in each county for drought-related information which shall serve as the agency in the county designated to coordinate drought-related activities.

b. There is appropriated from the general fund of the state to the state board of regents for the fiscal year

1 beginning July 1, 1990, and ending June 30, 1991, the
2 following amount, or so much thereof as is necessary, to be
3 used for the purpose designated:

4 For Iowa state university of science and technology
5 extension service to administer a rural concern drought hot
6 line, to carry out the provisions in paragraph "a", to
7 administer a forage testing program for purposes of analyzing
8 the impact of the drought on foraging, and to develop a
9 library of drought samples:

10 \$ 150,000

11 3. DEPARTMENT OF NATURAL RESOURCES. The department of
12 natural resources shall administer a statewide water
13 conservation education program.

14 4. STATE DEPARTMENT OF TRANSPORTATION. The state
15 department of transportation shall cease all spraying of
16 residual pesticides, as defined in section 206.2, along
17 roadsides, including ditches along roadsides, in order to
18 preserve from pesticide contamination of the food chain,
19 vegetation, in areas, which may be utilized as animal feed.
20 However, this subsection does not prohibit the use of
21 pesticides necessary to control noxious weeds, as defined in
22 section 317.1.

23 5. REPORTING. The department of agriculture and land
24 stewardship and Iowa state university of science and
25 technology shall not later than December 15, 1990, report to
26 the committees on appropriations in the senate and house of
27 representatives, and to the agriculture and natural resources
28 appropriations subcommittee, information relating to
29 expenditure of moneys appropriated to the departments under
30 this section, including a review of activities supported by
31 the appropriations.

32 6. REVERSION. Moneys appropriated under this section
33 which are not expended by June 30, 1991, shall revert to the
34 general fund of the state as provided in section 8.33.

35 Sec. 102. EFFECTIVE DATES.

1 1. The department of agriculture and land stewardship and
2 Iowa state university of science and technology shall not
3 expend moneys appropriated or implement provisions under
4 section 101, subsections 1 and 2, of this Act until at least
5 15 counties are subject to a proclamation of a disaster
6 emergency due to a drought which is issued by the governor.

7 2. The department of natural resources shall not implement
8 a statewide water conservation education program under section
9 101, subsection 3, of this Act until at least 15 counties are
10 subject to a proclamation of a disaster emergency due to a
11 drought which is issued by the governor.

12 3. Provisions contained in section 101, subsection 4, of
13 this Act which prohibit the spraying of pesticides shall not
14 be effective on or after January 1, 1991.

15 4. Section 101, subsection 4, of this Act, being deemed of
16 immediate importance, takes effect upon enactment.

17 DIVISION II

18 Sec. 201. MEDICAL ASSISTANCE SUPPLEMENT.

19 There is appropriated from the general fund of the state to
20 the department of human services for the fiscal year beginning
21 July 1, 1989, and ending June 30, 1990, the following amounts,
22 or so much thereof as is necessary, to be used for the purpose
23 designated:

24 For medical assistance to be used for the same purposes and
25 to supplement funds appropriated by 1989 Iowa Acts, chapter
26 318, section 2:

27 \$ 3,920,000

28 Sec. 202. EFFECTIVE DATE.

29 Section 201 of this Act, being deemed of immediate
30 importance, takes effect upon enactment.

31 DIVISION III

32 Sec. 301. CAPITOL COMPLEX CHILD DAY CARE PROGRAM.

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

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

3 For planning, design, site acquisition and preparation, and
4 other expenditures necessary to establish a child day care
5 program available to public employees officed at or near the
6 capitol complex:

7 \$ 600,000

8 2. There is appropriated from the general fund of the
9 state to the department of general services for the fiscal
10 year beginning July 1, 1991, and ending June 30, 1992, the
11 following amount or so much thereof as is necessary, to be
12 used for the purposes designated:

13 For planning and other expenditures, which may include a
14 lease purchase contract, necessary to establish a child day
15 care program available to public employees officed at or near
16 the capitol complex:

17 \$ 1,100,000

18 3. Notwithstanding section 8.33, the moneys appropriated
19 in this section that remain unencumbered and unobligated on
20 June 30 of the fiscal year in which the moneys were
21 appropriated, shall not revert to the general fund of the
22 state but shall remain available for expenditure for the
23 purposes designated during the succeeding fiscal year.

24 4. The general assembly considers child day care to be an
25 important service for employers, employees, and their
26 children. Employer-supported child care can have a positive
27 impact upon employee morale and retention and can positively
28 affect the children who are receiving child care services.
29 High quality child care is of significant value to employers.
30 It is believed that a quality, on-site child care program
31 available to the children of state employees will provide a
32 model for other employers in this state to emulate.

33 5. a. The legislative council is requested to appoint a
34 capitol complex child day care program steering committee to
35 provide direction to the department of general services in

1 developing facility plans, establishing the facilities,
2 developing operating policies, contracting with a vendor to
3 operate the program, and other decisions involving
4 establishment and operation of the program. The steering
5 committee shall utilize the March 1990 consultant report to
6 the capitol complex ad hoc committee on child care,
7 particularly the intermediate quality recommendations, in its
8 decision making.

9 b. The steering committee membership shall include members
10 of the general assembly; representatives of the departments of
11 general services, personnel, human services, and education;
12 employees officed at the capitol complex who purchase child
13 day care services; a representative of the state board of
14 regents center for early childhood education; a representative
15 of the Iowa state university of science and technology early
16 childhood education programs; and other persons knowledgeable
17 concerning child day care programs.

18 6. In consultation with the steering committee, the
19 director of the department of general services shall retain a
20 consultant to oversee the process of developing the program
21 and shall contract with a vendor to manage the program.

22 7. The program shall be designed to operate with a
23 capacity of 150 children and to regularly serve infants,
24 toddlers, preschool, school age, and mildly ill children.

25 DIVISION IV

26 Sec. 401. CONTINGENCY REDUCTIONS IN APPROPRIATIONS.

27 Notwithstanding section 8.31, if actual revenue collected
28 by the state in the fiscal year ending June 30, 1990, is less
29 than the revenue estimate agreed to at the March 13, 1990,
30 meeting of the revenue estimating conference or if revenue
31 collected in the fiscal year ending June 30, 1991, is
32 significantly less than the estimate agreed to by the same
33 meeting of the revenue estimating conference for the fiscal
34 year ending June 30, 1991, and it is determined that the
35 estimated budget resources are insufficient to pay in full all

1 appropriations for the fiscal year ending June 30, 1991,
2 before the governor orders uniform reductions in budgeted
3 resources, appropriations enacted by the Seventy-third General
4 Assembly, 1990 Session, shall be reduced in accordance with
5 the priority order listed in this section.

6 1. In addition to the \$20,000,000 in expenditure
7 reductions for the fiscal year ending June 30, 1991, contained
8 in the governor's budget austerity plan issued to department
9 heads, dated March 21, 1990, by reducing discretionary
10 expenditures in executive branch agencies by up to \$10,000,000
11 by denying approval of expenditures as follows:

12 a. Purchasing of new vehicles, noncritical equipment,
13 office furnishings, or other noncritical expenditures.

14 b. Expenditures for out-of-state travel, airplane travel,
15 or subscriptions to periodicals shall not exceed the
16 expenditure amount for these purposes in the fiscal year
17 ending June 30, 1990.

18 c. An exception to permit an expenditure for an item or
19 service listed in this subsection may be granted in individual
20 cases by the director of the department of management, with
21 the approval of the governor.

22 d. An expenditure reduction made pursuant to this
23 subsection shall not involve an employee layoff.

24 2. By reducing by 2 percent, all annual appropriations for
25 operations from the general fund of the state made by the
26 Seventy-third General Assembly, 1990 Session, to all state
27 agencies within the executive branch of state government,
28 except for the regents' institutions, the department of human
29 services, and state correctional institutions. The reduction
30 is expected to realize a savings of \$5,000,000. An
31 appropriation for operations does not include a grant-in-aid,
32 a standing appropriation, or a capital appropriation.

33 3. By reducing expenditure of funds appropriated by 1990
34 Iowa Acts, Senate File 2422, by no more than 5 percent for a
35 savings in an amount up to \$2,905,000.

DIVISION V

Sec. 501. CONTINGENCY APPROPRIATIONS.

In the event that the anticipated ending balance of the general fund of the state for the fiscal year ending June 30, 1990, as certified by the director of the department of management exceeds \$132,200,000, or so much as is necessary to assure an ending balance for the fiscal year ending June 30, 1991, of \$30,000,000, 50 percent of such excess, up to a maximum of \$49,600,000, shall be used for recognizing additional liabilities, identified in section 502, subsection 1, of this Act, necessary to continue the GAAP implementation schedule required by 1986 Iowa Acts, chapter 1245, section 2046, and 50 percent of such excess, up to a maximum of \$31,870,000, shall be used for various capital projects identified in section 502, subsection 2, of this Act.

Sec. 502.

1. From the funds set aside in section 501 of this Act for recognizing additional liabilities necessary to complete the GAAP implementation schedule required by 1986 Iowa Acts, chapter 1245, section 2046, there is appropriated in the following priority order to the following named agencies for the designated fiscal year the specified amounts, or as much thereof as may be available, for the purposes designated:

a. For the fiscal year beginning July 1, 1989, and ending June 30, 1990, to the department of management for recognizing additional liabilities necessary to complete the GAAP implementation schedule required by 1986 Iowa Acts, chapter 1245, section 2046, for the merged area schools' general operations:

..... \$ 13,579,598

The funds appropriated in this paragraph shall be allocated to each school as follows:

- (1) Merged Area I \$ 611,887
- (2) Merged Area II \$ 795,008
- (3) Merged Area III \$ 739,949

1	(4)	Merged Area IV	\$	377,297
2	(5)	Merged Area V	\$	745,291
3	(6)	Merged Area VI	\$	782,118
4	(7)	Merged Area VII	\$	1,105,991
5	(8)	Merged Area IX	\$	1,099,495
6	(9)	Merged Area X	\$	1,744,567
7	(10)	Merged Area XI	\$	1,875,037
8	(11)	Merged Area XII	\$	835,261
9	(12)	Merged Area XIII	\$	797,531
10	(13)	Merged Area XIV	\$	353,975
11	(14)	Merged Area XV	\$	1,097,051
12	(15)	Merged Area XVI	\$	619,140

13 b. For the fiscal year beginning July 1, 1990, and ending
14 June 30, 1991, to the following agencies:

15 (1) To the department of revenue and finance an amount
16 sufficient to charge all franchise tax refunds to the
17 appropriate fiscal year.

18 (2) To the department of revenue and finance an amount
19 sufficient to charge all special education appropriations to
20 the appropriate fiscal year.

21 (3) To the department of human services an amount
22 sufficient to charge all foster care appropriations to the
23 appropriate fiscal year.

24 (4) To the department of revenue and finance an amount
25 sufficient to charge all standing unlimited appropriations to
26 the appropriate fiscal year.

27 (5) Notwithstanding section 442.26, to the department of
28 education an amount sufficient to charge up to an additional
29 65 percent of the amount of state school foundation aid equal
30 to the general allocation of the school district as determined
31 under section 405A.2 and the amount of the tax credit for
32 livestock pursuant to section 442.2, subsection 2, 1987 Code.

33 2. From the funds set aside in section 501 of this Act for
34 various capital projects, there is appropriated in the
35 following priority order to the following named agencies for

1 the fiscal year beginning July 1, 1990, and ending June 30,
2 1991, the specified amounts, or as much thereof as may be
3 available, for the purposes designated:

4 a. To the department of general services for capitol
5 restoration:

6 \$ 6,400,000

7 b. To the state communications network fund:

8 \$ 5,000,000

9 c. To the department of human services for construction of
10 a residential facility at the Eldora training school:

11 \$ 920,000

12 d. To the department of general services up to the
13 following amount, for fire safety improvements to buildings
14 located in the capitol complex:

15 \$ 1,000,000

16 e. To the Iowa court information system (ICIS) and
17 micrographics:

18 \$ 5,300,000

19 The funds appropriated in this subsection shall be
20 allocated as follows:

21 (1) Iowa court information system:

22 \$ 4,500,000

23 (2) Micrographics:

24 \$ 800,000

25 f. To the Iowa state university of science and technology
26 for planning the construction of a livestock research
27 facility:

28 \$ 1,000,000

29 g. To the university of northern Iowa for wellness center
30 planning:

31 \$ 1,000,000

32 h. To the Iowa national guard for armories at Corning and
33 Oskaloosa:

34 \$ 850,000

35 i. To the department of general services for renovation of

- 1 the Lucas state office building:
- 2 \$ 1,000,000
- 3 j. To the department of general services for remodeling
- 4 the old historical building:
- 5 \$ 2,000,000
- 6 k. To the Iowa state university of science and technology
- 7 for the cattle/swine research facilities:
- 8 \$ 3,500,000
- 9 l. To the Iowa state fair board for capital projects:
- 10 \$ 1,000,000
- 11 m. To the state board of regents for distribution to the
- 12 state universities for capital utility projects:
- 13 \$ 1,500,000
- 14 n. To the university of Iowa for college of medicine
- 15 research facility planning:
- 16 \$ 1,000,000
- 17 o. To the department of general services to demolish the
- 18 Court avenue bridge:
- 19 \$ 400,000

20 Sec. 503. 1989 Iowa Acts, chapter 319, section 12, is

21 repealed.

22 Sec. 504.
23 If section 502, subsection 1, paragraph "a" and section 503
24 of this Act are enacted by the general assembly then the full
25 appropriation for general state financial aid to merged areas
26 for the fiscal year ending June 30, 1991, shall be made in the
27 fiscal year ending June 30, 1991.

28 Sec. 505.

29 Sections 501 through 504 of this Act, being deemed of
30 immediate importance, take effect upon enactment.

31 DIVISION VI

32 Sec. 601. PRISON CONSTRUCTION PAYMENT.

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

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

3 For annual payment relating to the financial arrangement
4 for the construction of expansion in prison capacity as
5 provided in 1990 Iowa Acts, Senate File 2212, section 24:
6 \$ 1,028,000

7 Sec. 602. 1990 Iowa Acts, Senate File 2408, section 6,
8 subsection 1, paragraph d, is amended by striking the
9 paragraph and inserting in lieu thereof the following:

10 d. For contracting for aptitude and job-related interest
11 assessment, career exploration, the individualized
12 employability development plan, and job retention skills with
13 a private entity which is not controlled or administered by
14 any state agency or any political subdivision of the state,
15 and which has programs with a minimum of 15 years of service
16 experience with offender and ex-offender populations:

17 \$ 90,000

18 Sec. 603. 1990 Iowa Acts, Senate File 2408, section 6,
19 subsection 8, paragraph g, is amended by striking the
20 paragraph.

21 DIVISION VII

22 Sec. 701. Section 21.2, subsection 1, Code Supplement
23 1989, is amended by adding the following new paragraph:

24 NEW PARAGRAPH. f. A nonprofit corporation licensed to
25 conduct gambling games pursuant to chapter 99F.

26 Sec. 702. Section 22.1, unnumbered paragraphs 1 and 2,
27 Code 1989, are amended to read as follows:

28 Wherever As used in this chapter, "public records" includes
29 all records, documents, tape, or other information, stored or
30 preserved in any medium, of or belonging to this state or any
31 county, city, township, school corporation, political
32 subdivision, nonprofit corporation licensed to conduct
33 gambling games pursuant to chapter 99F, nonprofit corporation
34 whose facilities or indebtedness are supported in whole or in
35 part with property tax revenue and which is licensed to

1 conduct pari-mutuel wagering pursuant to chapter 99D, or tax-
2 supported district in this state, or any branch, department,
3 board, bureau, commission, council, or committee of any of the
4 foregoing.

5 The term "government body" means this state, or any county,
6 city, township, school corporation, political subdivision, tax
7 supported district, nonprofit corporation licensed to conduct
8 gambling games pursuant to chapter 99F, nonprofit corporation
9 whose facilities or indebtedness are supported in whole or in
10 part with property tax revenue and which is licensed to
11 conduct pari-mutuel wagering pursuant to chapter 99D, or other
12 entity of this state, or any branch, department, board,
13 bureau, commission, council, committee, official or officer,
14 of any of the foregoing or any employee delegated the
15 responsibility for implementing the requirements of this
16 chapter.

17 Sec. 703. Section 22.7, Code Supplement 1989, is amended
18 by adding the following new subsection:

19 NEW SUBSECTION. 27. Marketing and advertising budget and
20 strategy of a nonprofit corporation which is subject to this
21 chapter. However, this exemption does not apply to salaries
22 or benefits of employees who are employed by the nonprofit
23 corporation to handle the marketing and advertising
24 responsibilities.

25 Sec. 704.

26 Sections 701 through 703 of this Act take effect September
27 1, 1991.

28 DIVISION VIII

29 Sec. 801. 1990 Iowa Acts, Senate File 2328, section 23,
30 subsection 3, unnumbered paragraph 3, is amended to read as
31 follows:

32 The appropriation in this section is in addition to the
33 appropriation to the racing and gaming commission from the
34 excursion boat gambling revolving fund in section 21 22.

35 DIVISION IX

1 Sec. 901. NEW SECTION. 281.10 ADDITIONAL SPECIAL
2 EDUCATION WEIGHTING.

3 In addition to the programs and services offered to
4 children requiring special education during the regular school
5 year, school districts shall offer programs and services
6 beyond the required one hundred eighty day school year to
7 children requiring special education and assigned a weight
8 under section 281.9, subsection 1, paragraph "d", and placed
9 in the category of profoundly multiply handicapped, commonly
10 referred to as severely and profoundly handicapped, who would
11 benefit from additional instructional programming. The
12 programs and services offered under this section are not
13 special education extended year programs and are not a part of
14 a child's individual education program. However, a child
15 provided an extended year program may also be eligible for the
16 programs and services provided under this section if they meet
17 the requirements of this section.

18 Programs and services offered under this section shall be
19 at least one week in duration. In order to provide funds for
20 the excess costs of the programs and services, each full-time
21 equivalent child receiving programs and services under this
22 section is assigned an additional weighting of one-tenth for
23 each week that programs and services are provided under this
24 section, not to exceed six-tenths, for the excess costs of the
25 programs and services above the moneys generated from the
26 special education weighting plan in section 281.9. The
27 additional weighting shall be included in the weighted
28 enrollment of the school district of the residence of the
29 child and the enrollment count under this section shall be
30 taken on December 1 of each year.

31 The school budget review committee shall calculate the
32 additional amount added for the weighting under this section
33 to the nearest one-hundredth of one percent so that, to the
34 extent possible, the moneys generated by the weighting on and
35 after July 1, 1991, will be equivalent to the moneys generated

1 by the one-tenth weighting prior to July 1, 1991.

2 If a part of the district's programs and services offered
3 pursuant to this section includes special education support
4 services, the district shall contract with the applicable area
5 education agency and shall pay the area education agency for
6 those services from moneys generated under this section. A
7 district may pay transportation costs for the child for
8 attendance at programs offered under this section from moneys
9 generated under this section.

10 Sec. 902. Section 257.15, Code Supplement 1989, is amended
11 by adding the following new subsection:

12 NEW SUBSECTION. 4. INAPPLICABILITY. This section does
13 not apply to moneys generated pursuant to section 281.10.

14 Sec. 903.

15 Section 901 of this Act, being deemed of immediate
16 importance, takes effect upon enactment.

17 DIVISION X

18 Sec. 1001. Section 262A.6A, subsection 1, Code 1989, is
19 amended to read as follows:

20 1. The board shall issue bonds authorized under section
21 262A.4 by the Seventy-second General Assembly in an amount not
22 exceeding nineteen million dollars; and from the forty-one
23 million three hundred thousand dollars authorized by 1990 Iowa
24 Acts, House Concurrent Resolution 133, if approved by the
25 governor, in an amount not exceeding fifteen million dollars;
26 in the form of capital appreciation bonds as provided in this
27 section rather than the form prescribed in sections 262A.5 and
28 262A.6. The capital appreciation bonds shall be designed to
29 be marketed primarily to Iowans to facilitate savings for
30 future higher education costs.

31 DIVISION XI

32 Sec. 1101. Section 256.9, Code Supplement 1989, is amended
33 by adding the following new subsections:

34 NEW SUBSECTION. 39. Develop model guidelines for district
35 in-service training programs for truancy officers and direct

1 the area education agencies to assist local school districts
2 in providing the programs.

3 NEW SUBSECTION. 40. Prepare a plan and a report for
4 ensuring that all Iowa children will be able to satisfy the
5 requirements for high school graduation. The plan and report
6 shall include a statement of the dimensions of the dropout
7 problem in Iowa; a survey of existing programs geared to
8 dropout prevention; a plan for use of competency-based outcome
9 methods and measures; proposals for alternative means for
10 satisfying graduation requirements including alternative high
11 school settings, supervised vocational experiences, education
12 experiences within the correctional system, screening and
13 assessment mechanisms for identifying students who are at-risk
14 of dropping out and the development of an individualized
15 education plan for identified students; a requirement that
16 schools provide information to students who drop out of school
17 on options for pursuing education at a later date; the
18 development of basic materials and information for schools to
19 present to students leaving school; a requirement that
20 students notify their school districts of residence when the
21 student discontinues school, including the reasons for leaving
22 school and future plans for career development; a requirement
23 that, unless a student chooses to make the information
24 relating to the student leaving school confidential, schools
25 make the information available to community colleges, area
26 education agencies, and other educational institutions upon
27 request; and recommendations for the establishment of pilot
28 projects for the development of model alternative options
29 education programs; a plan for implementation of any
30 recommended courses of action to attain a zero dropout rate by
31 the year 2000; and other requirements necessary to achieve the
32 goals of this subsection. Alternative means for satisfying
33 graduation requirements which relate to the development of
34 individualized education plans for students who have dropped
35 out of the regular school program shall include, but are not

1 limited to, a tracking component that requires a school
2 district to maintain periodic contact with a student,
3 assistance to a dropout in curing any of the student's
4 academic deficiencies, an assessment of the student's
5 employability skills and plans to improve those skills, and
6 treatment or counseling for a student's social needs. The
7 department shall also prepare a cost estimate associated with
8 implementation of proposals to attain a zero dropout rate,
9 including but not limited to evaluation of existing funding
10 sources and a recommended allocation of the financial burden
11 among federal, state, local, and family resources. The
12 department, in conjunction with the plan and report, shall
13 prepare an education bill of rights that delineates education
14 opportunities that are to be legal entitlements for Iowa
15 children. The report and plan shall be submitted to the
16 general assembly by January 15, 1993.

17 Sec. 1102. NEW SECTION. 280.19A ALTERNATIVE OPTIONS
18 EDUCATION PROGRAMS.

19 By January 15, 1995, each school district shall adopt a
20 plan to provide alternative options education programs to
21 students who are either at risk of dropping out or have
22 dropped out. An alternative options education program may be
23 provided in a district, through a sharing agreement with a
24 school in a contiguous district, or through an areawide
25 program available at the community college serving the merged
26 area in which the school district is located. Each area
27 education agency shall provide assistance in establishing a
28 plan to provide alternative education options to students
29 attending a public school in a district served by the agency.

30 Sec. 1103. DEPARTMENTAL STUDY.

31 The department of education shall assess the expected
32 impact of an increase in the maximum compulsory attendance age
33 from sixteen to up to eighteen on increased enrollment of
34 sixteen and seventeen-year-olds, and the characteristics of
35 this population with respect to educational and basic skill

1 level, family support structure, orientation to the
2 traditional school curricula, and orientation to alternative
3 curricula.

4 The department of education shall, by January 1992, do the
5 following:

6 1. Identify experiences other states have had, and
7 educational and social support responses they have made, as a
8 result of increasing the compulsory attendance age from
9 sixteen to eighteen years of age.

10 2. Seek to develop program materials that consider health,
11 employment and training, and human service needs in addition
12 to education needs to assist local districts in serving
13 students who are at risk of dropping out of the regular
14 schools and programs.

15 3. Develop definitions of the terms "at-risk student" and
16 "dropout" which are appropriate for students in middle and
17 high schools and which will assist districts in identifying
18 students in need of alternative academic programming.

19 4. Develop recommendations regarding alternative
20 programming for students who are at risk of dropping out of
21 the regular schools and programs. The recommendations shall
22 include, but are not limited to, the following:

23 a. Modification of the minimum educational standards
24 contained in section 256.11.

25 b. Alternative curricula, including competency-based
26 instruction.

27 c. Alternative teaching methods, including individualized
28 programming.

29 d. Alternative options for graduation.

30 The department of education, in coordination with the
31 department of human services, the supreme court, the
32 department of public health, and the department of employment
33 services, by July 1992, shall build a data base which will
34 assist in the identification of at-risk students and middle
35 and high schools within the state having a significant

1 population of at-risk students. At-risk characteristics to be
2 considered may include, but are not limited to, high levels of
3 one or more of the following: below grade level performing
4 students, grade retention, school dropouts, school expulsions,
5 teen pregnancy, poverty, single parent families, substance
6 abuse, teenage suicides, youth underemployment, juvenile
7 delinquency, and child abuse. In building this data base,
8 consideration shall be given to protecting the privacy of the
9 individual student and limiting the data burden on school
10 districts.

11 Sec. 1104. ALTERNATIVE PROGRAMS.

12 Alternative options education programs, for middle school
13 and high school students, designed to provide incentives for
14 the students to remain in school, shall not be subject to the
15 minimum hours of instruction requirement adopted by the state
16 board of education.

17 DIVISION XII

18 Sec. 1201. 1990 Iowa Acts, Senate File 2327, section 9, is
19 repealed.

20 DIVISION XIII

21 Sec. 1301.

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

27 To provide grants to any Iowa city for development of a
28 proposed public river front park, wetlands, and recreational
29 area, for purposes including but not limited to support of
30 educational, scientific, cultural, recreational, or other
31 public purposes, or a combination of these purposes:

32 \$ 50,000

33 As a condition, limitation, and qualification of the
34 appropriation in this section, the criteria used by the
35 department of economic development in selecting a city

1 applying for the grant, shall assign weight and priority to
2 the applications based on all of the following criteria:

3 1. That the development of the proposed project is in
4 response to a stipulation and settlement of a lawsuit filed in
5 federal court requiring a comprehensive recreational master
6 plan for the park.

7 2. That all or a portion of the park is situated on
8 wetlands and the design or location of the park enhances or
9 helps preserve a natural wildlife area.

10 3. That the grant funds shall be matched in the amount of
11 at least one-third by the community through the installation
12 of public infrastructure to the area or by in-kind labor
13 contributions performed by a union local apprentice training
14 program, or both.

15 4. That the proposed project will extend present
16 recreational and bicycle trail systems.

17 5. That the proposed project will improve water-based
18 recreational activities for the community.

19 6. That the proposed project will establish an educational
20 eco-laboratory.

21 DIVISION XIV

22 Sec. 1401.

23 The appropriation in the section of 1990 Iowa Acts, Senate
24 File 2423, which appropriates \$355,000 to the state board of
25 regents for the state university of Iowa, for agricultural
26 health and safety programs, shall be reduced by \$105,000 to
27 \$250,000.

28 DIVISION XV

29 Sec. 1501. JUDICIAL DEPARTMENT -- PILOT PROJECT AND STUDY.

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

35 1. For the implementation of the pilot program for

1 mediation of child custody and visitation issues in
2 dissolution issues established in this Act:

3 \$ 136,000

4 2. For the family court system feasibility study required
5 of the supreme court in this Act:

6 \$ 70,000

7 Sec. 1502. Section 222.59, subsection 4, Code 1989, is
8 amended to read as follows:

9 4. If a proposed placement of a patient from a hospital-
10 school or special unit which is not satisfactory to the
11 patient's parent, guardian or advocate is approved by the
12 administrator; or a proposed placement which is satisfactory
13 to the patient's parent, guardian or advocate is modified,
14 altered or rescinded by the administrator, the parent,
15 guardian or advocate may appeal to the department of human
16 services, within thirty days after notification to the parent,
17 guardian or advocate of the proposed placement. The
18 department shall give the appellant reasonable notice and
19 opportunity for a fair hearing, conducted by the director or
20 the director's designee who shall act as an impartial arbiter
21 of fact and law. In such hearing the parent, guardian or
22 advocate shall have the opportunity to confront witnesses, to
23 have access to hospital records, to present evidence and
24 witnesses on their behalf and to be represented by counsel.
25 The standard for such fair hearing shall be to provide "that
26 placement which inures to the best interest of the patient."
27 Judicial review of actions of the department may be sought in
28 accordance with the terms of the Iowa administrative procedure
29 Act. The department shall furnish the petitioner with a copy
30 of any papers filed by the petitioner in support of the
31 petitioner's position, a transcript of any testimony taken,
32 and a copy of the department's decision. In the district
33 court hearings, the parent, guardian or advocate has the right
34 to be represented by counsel. The court shall, in all cases
35 where the interests of the patient conflict with that of

1 parent, guardian, or advocate, appoint counsel as guardian ad
2 litem for the patient. The guardian ad litem shall be a
3 practicing attorney. Notwithstanding the terms of the Iowa
4 administrative procedure Act, where a petition is filed for
5 judicial review of a proposed placement, the proposed
6 placement shall be stayed pending the outcome of said review
7 proceeding.

8 Sec. 1503. Section 226.31, Code 1989, is amended to read
9 as follows:

10 226.31 EXAMINATION BY COURT -- NOTICE.

11 Before granting the order authorized in section 226.30 the
12 court or judge shall investigate the allegations of the
13 petition and before proceeding to a hearing thereon on the
14 allegations shall require notice to be served on the attorney
15 who represented the patient in any prior proceedings under
16 sections 229.6 to 229.15 or the advocate appointed under
17 section 229.19, or in the case of a patient who entered the
18 hospital voluntarily, on any relative, friend, or guardian of
19 the person in question of the filing of said the application.
20 ~~On-such~~ At the hearing the court or judge shall appoint a
21 guardian ad litem for said the person, if ~~it~~ the court or
22 judge deems such action necessary to protect the rights of
23 such the person. The guardian ad litem shall be a practicing
24 attorney.

25 Sec. 1504. Section 232.2, subsection 20, Code Supplement
26 1989, is amended to read as follows:

27 20. "Guardian ad litem" means a person practicing attorney
28 appointed by the court to represent the interests of a child
29 in any judicial proceeding to which the child is a party, and
30 ~~includes-a-court-appointed-special-advocate,-except-that-a~~
31 ~~court-appointed-special-advocate-shall-not-file-motions~~
32 ~~pursuant-to-section-232-54,-subsections-1-and-4,-and-section~~
33 ~~232-103,-subsection-2,-paragraph-"c".~~

34 Sec. 1505. Section 232.52, Code 1989, is amended by adding
35 the following new subsection:

1 NEW SUBSECTION. 8. If a child has previously been
2 adjudicated as a child in need of assistance, and a social
3 worker or other caseworker from the department of human
4 services has been assigned to work on the child's case, the
5 court may order the department of human services to assign the
6 same social worker or caseworker to work on any matters
7 related to the child arising under this division.

8 Sec. 1506. Section 232.89, subsection 2, unnumbered
9 paragraph 1, Code Supplement 1989, is amended to read as
10 follows:

11 Upon the filing of a petition, the court shall appoint
12 counsel and a guardian ad litem for the child identified in
13 the petition as a party to the proceedings. If a guardian ad
14 litem has previously been appointed for the child in a
15 proceeding under division II of this chapter or a proceeding
16 in which the court has waived jurisdiction under section
17 232.45, the court shall appoint the same guardian ad litem
18 upon the filing of the petition under this part. Counsel
19 shall be appointed as follows:

20 Sec. 1507. Section 232.89, subsection 4, Code Supplement
21 1989, is amended to read as follows:

22 4. The same person may serve both as the child's counsel
23 and as guardian ad litem. However, the court may appoint a
24 separate guardian ad litem, if the same person cannot properly
25 represent the legal interests of the child as legal counsel
26 and also represent the best interest of the child as guardian
27 ad litem, or a separate guardian ad litem is required to
28 fulfill the requirements of subsection 2.

29 Sec. 1508. Section 235B.1, subsection 8, paragraph c, Code
30 Supplement 1989, is amended to read as follows:

31 c. In every case involving adult abuse which is
32 substantiated by the department and which results in a
33 judicial proceeding on behalf of the dependent adult, legal
34 counsel shall be appointed by the court to represent the
35 dependent adult in the proceedings. The court may also

1 appoint a guardian ad litem to represent the dependent adult
2 if necessary to protect the dependent adult's best interests.
3 The guardian ad litem shall be a practicing attorney. The
4 same attorney may be appointed to serve both as legal counsel
5 and as guardian ad litem. Before legal counsel or a guardian
6 ad litem is appointed pursuant to this section, the court
7 shall require the dependent adult and any person legally
8 responsible for the support of the dependent adult to complete
9 under oath a detailed financial statement. If, on the basis
10 of that financial statement, the court deems that the
11 dependent adult or the legally responsible person is able to
12 bear all or a portion of the cost of the legal counsel or
13 guardian ad litem, the court shall so order. In cases where
14 the dependent adult or the legally responsible person is
15 unable to bear the cost of the legal counsel or guardian ad
16 litem, the expense shall be paid by the county.

17 Sec. 1509. Section 600A.2, subsection 9, Code 1989, is
18 amended to read as follows:

19 9. "Guardian ad litem" means a person appointed by a court
20 or juvenile court having jurisdiction over the minor child to
21 represent that child in a legal action. A guardian ad litem
22 appointed under this chapter shall be a practicing attorney.

23 Sec. 1510. Section 602.1612, subsection 1, Code 1989, is
24 amended to read as follows:

25 1. Justices of the supreme court, judges of the court of
26 appeals, district judges, and district associate judges who
27 are retired by reason of age or who are drawing benefits under
28 section 602.9106, and senior judges who have retired under
29 section 602.9207 or who have relinquished senior judgeship
30 under section 602.9208, subsection 1, may with their consent
31 be assigned by the supreme court ~~or-by-the-chief-judge-in-the~~
32 ~~case-of-district-associate-judges~~ to temporary judicial duties
33 on a court in this state if the assignment is deemed necessary
34 by the supreme court to expedite the administration of
35 justice. ~~A-retired-justice-or-judge-shall-not-be-assigned-to~~

~~1 temporary-judicial-duties-on-any-court-superior-to-the-highest
2 court-to-which-that-justice-or-judge-had-been-appointed-prior
3 to-retirement,-and-shall-not-be-assigned-for-temporary-duties
4 with-the-supreme-court-or-the-court-of-appeals-except-in-the
5 case-of-a-temporary-absence-of-a-member-of-one-of-those
6 courts-~~

7 Sec. 1511. Section 602.9202, Code 1989, is amended by
8 adding the following new subsection:

9 NEW SUBSECTION. 5. "Date of retirement" means the date
10 that the annuitant is eligible to receive a retirement annuity
11 under this part.

12 Sec. 1512. Section 602.9206, unnumbered paragraph 1, Code
13 1989, is amended to read as follows:

14 Section 602.1612 does not apply to a senior judge but does
15 apply to a retired senior judge. During the tenure of a
16 senior judge, if the judge is able to serve, the judge may be
17 assigned by the supreme court to temporary judicial duties on
18 courts of this state without salary for an aggregate of
19 thirteen weeks out of each twelve-month period, and for
20 additional weeks with the judge's consent. ~~A-senior-judge
21 shall-not-be-assigned-to-judicial-duties-on-a-court-superior
22 to-the-highest-court-to-which-the-judge-was-appointed-prior-to
23 retirement,-and-shall-not-be-assigned-to-the-court-of-appeals
24 or-the-supreme-court-except-to-serve-in-the-temporary-absence
25 of-a-member-of-that-court-~~ While serving on temporary
26 assignment, a senior judge has and may exercise all of the
27 authority of the office to which the judge is assigned, shall
28 continue to be paid the judge's annuity as senior judge, shall
29 be reimbursed for the judge's actual expenses to the extent
30 expenses of a district judge are reimbursable under section
31 602.1509, may, if permitted by the assignment order, appoint a
32 temporary court reporter, who shall be paid the remuneration
33 and reimbursement for actual expenses provided by law for a
34 reporter in the court to which the senior judge is assigned,
35 and, if assigned to the court of appeals or the supreme court,

1 shall be given the assistance of a law clerk and a secretary
2 designated by the court administrator of the judicial
3 department from the court administrator's staff. Each order
4 of temporary assignment shall be filed with the clerks of
5 court at the places where the senior judge is to serve.

6 Sec. 1513. Section 633.244, Code 1989, is amended to read
7 as follows:

8 633.244 INCOMPETENT SPOUSE -- ELECTION BY COURT.

9 In case an affidavit is filed that the surviving spouse is
10 incapable of making an election to take against the will, or
11 to elect to occupy the homestead, and does not have a
12 conservator, the court shall fix a time and place of hearing
13 on the matter, and cause a notice thereof to be served upon
14 the surviving spouse in such manner and for such time as the
15 court may direct. At the hearing, a guardian ad litem shall
16 be appointed to represent the spouse, and the court shall
17 enter such orders as it deems appropriate under the
18 circumstances. The guardian ad litem shall be a practicing
19 attorney.

20 Sec. 1514. Section 633.514, Code 1989, is amended to read
21 as follows:

22 633.514 HEARING -- CONTINUANCE -- ORDERS.

23 If, on the day set for hearing, the absentee fails to
24 appear, the court shall appoint some disinterested person as
25 guardian ad litem to appear for the absentee and all
26 distributees not appearing, and said cause shall thereupon
27 stand continued for twenty days. The guardian ad litem shall
28 be a practicing attorney. The court shall have authority to
29 make further continuance upon proper showing. The guardian ad
30 litem shall investigate the matter and things alleged in the
31 petition. Upon the further hearing, the court shall hear the
32 proofs, and, if satisfied of the truth of the allegations of
33 the petition, shall enter an order establishing the death of
34 the absentee as a matter of law.

35 Sec. 1515. Section 910A.15, unnumbered paragraph 1, Code

1 1989, is amended to read as follows:

2 A prosecuting witness who is a child, as defined in section
3 702.5, in a case involving a violation of chapter 709 or
4 section 726.2, 726.3, 726.6, or 728.12, is entitled to have
5 the witness's interests represented by a guardian ad litem at
6 all stages of the proceedings arising from such violation.
7 The guardian ad litem ~~may-but-need-not~~ shall be a practicing
8 attorney and shall be designated by the court after due
9 consideration is given to the desires and needs of the child
10 and the compatibility of the child and the child's interests
11 with the prospective guardian ad litem. ~~However, a person who~~
12 ~~is also a prosecuting witness in the same proceeding shall not~~
13 ~~be designated guardian ad litem.~~ If a guardian ad litem has
14 previously been appointed for the child in a proceeding under
15 chapter 232 or a proceeding in which the juvenile court has
16 waived jurisdiction under section 232.45, the court shall
17 appoint the same guardian ad litem under this section. The
18 guardian ad litem shall receive notice of and may attend all
19 depositions, hearings and trial proceedings to support the
20 child and advocate for the protection of the child but shall
21 not be allowed to separately introduce evidence or to directly
22 examine or cross-examine witnesses. However, the guardian ad
23 litem shall file reports to the court as required by the
24 court.

25 Sec. 1516. 1989 Iowa Acts, chapter 165, is repealed.

26 Sec. 1517. PILOT PROGRAM FOR MEDIATION OF CHILD CUSTODY
27 AND VISITATION ISSUES IN DISSOLUTION CASES ESTABLISHED.

28 1. The supreme court shall establish a pilot program for
29 mandatory mediation of child custody and visitation issues in
30 dissolution cases pursuant to chapter 598. However, mediation
31 shall not be mandatory and shall not be ordered if any of the
32 following conditions apply:

33 a. The court determines that there is no reasonable
34 possibility that mediation will promote settlement of the
35 issues in dispute.

1 b. The court determines there is a substantial allegation
2 of direct physical or significant emotional harm to a party or
3 to a child.

4 c. The court determines that mediation will otherwise fail
5 to serve the best interests of the child.

6 d. The court determines that a verified petition alleging
7 domestic abuse has been filed by a party pursuant to chapter
8 236.

9 e. The court determines that a child in need of assistance
10 petition has been filed pursuant to chapter 232, division III,
11 concerning a child for whom a custody or visitation
12 determination is necessary.

13 If the court determines that mediation is inappropriate
14 pursuant to this subsection, the court shall state its find-
15 ings and conclusions in writing.

16 The pilot program shall be established in Linn county for a
17 period of two years, beginning July 1, 1990, and ending June
18 30, 1992.

19 Proceedings under the program shall be conducted pursuant
20 to the rules for mediation proceedings adopted by the supreme
21 court.

22 2. The supreme court shall submit a report to the general
23 assembly by January 1, 1993. The report shall contain recom-
24 mendations regarding the use of mediation in child custody and
25 visitation matters on a statewide basis in proceedings brought
26 under chapter 598. The report shall also include an evalua-
27 tion of the program as directed by the supreme court.

28 3. In a proceeding under chapter 598 involving either a
29 temporary or permanent child custody or visitation determina-
30 tion, the court shall order mediation at no cost to the
31 parties.

32 4. The implementation of this section is contingent upon
33 the appropriation of state funds to carry out its purposes.

34 Sec. 1518.

35 If the Seventy-third General Assembly amends section 730.5,

1 subsection 2, Code 1989, by adding an exemption relating to
2 the prohibition against drug testing of employees or
3 applicants for employment as adopted by federal regulation,
4 the exemption is of no effect, as it applies to a particular
5 regulation, upon a finding by a court of competent
6 jurisdiction that the particular regulation is
7 unconstitutional or otherwise invalid, or upon the revision or
8 amendment of the regulation.

9 Sec. 1519. FAMILY COURT STUDY COMMITTEE.

10 1. The legislative council is requested to establish an
11 interim study committee to consider the feasibility of the
12 implementation of a family court system within the unified
13 trial court system. The study committee shall submit a report
14 of its findings and recommendations to the legislative council
15 and the general assembly by January 15, 1991.

16 2. The supreme court shall develop a plan to implement a
17 family court system within the unified trial court system. In
18 developing the plan, the supreme court shall establish a panel
19 consisting of a statewide, geographical representation of each
20 of the following groups:

- 21 a. District judges.
- 22 b. District associate judges.
- 23 c. Juvenile court referees.
- 24 d. Juvenile court officers.
- 25 e. Members of the Iowa state bar association.
- 26 f. Members of the general assembly who shall be ex
27 officio, nonvoting members of the panel.

28 The supreme court shall submit a report of the findings and
29 conclusions of the panel to the legislative interim study
30 committee, established to study the feasibility of a family
31 court system, by November 15, 1990.

32 Sec. 1520. STUDY REGARDING LEGAL EDUCATION REQUIREMENTS
33 FOR ATTORNEYS PRACTICING IN FAMILY LAW.

34 The supreme court is requested to further review the
35 feasibility of implementing an expanded continuing legal

1 education requirement for judges and attorneys practicing in
2 the family law area, to enhance the quality of justice and
3 representation of persons involved in family law issues. In
4 conducting the review, the supreme court shall consider
5 requiring attorneys to attend classes at accredited colleges
6 and universities, in order to indicate a limitation or
7 description of practice by listing in the field of domestic
8 relations and family law pursuant to disciplinary rule 2-105
9 of the Iowa code of professional responsibility for lawyers.

10 DIVISION XVI

11 Section 1601. FEASIBILITY STUDY.

12 There is appropriated from the general fund of the state to
13 the Iowa peace institute established in chapter 38 for the
14 fiscal year beginning July 1, 1990, and ending June 30, 1991,
15 the following amount, or so much thereof as is necessary, to
16 be used for the purposes designated:

17 For a study of the feasibility of establishing an
18 international museum:

19 \$ 35,000

20 DIVISION XVII

21 Sec. 1701.

22 Notwithstanding the appropriations made in 1989 Iowa Acts,
23 chapter 322, section 3, and the certification by the governor
24 to the department of revenue and finance that the ending fund
25 balance on June 30, 1989, was sufficient to fund all of the
26 projects listed in that section, the appropriation of
27 \$33,940,000 for the fiscal year beginning July 1, 1989, and
28 ending June 30, 1990, is reduced by \$28,369,405, and there is
29 appropriated from the general fund of the state to the state
30 board of regents for the following listed fiscal years the
31 amounts specified, to be allocated by the state board of
32 regents for the projects listed in 1989 Iowa Acts, chapter
33 322, section 3, as follows:

34 1. For the fiscal year beginning July 1, 1990, and ending
35 June 30, 1991:

1 \$ 10,925,405

2 2. For the fiscal year beginning July 1, 1991, and ending
3 June 30, 1992:

4 \$ 13,530,400

5 3. For the fiscal year beginning July 1, 1992, and ending
6 June 30, 1993:

7 \$ 3,913,600

8 The state board of regents shall determine which of the
9 projects listed in 1989 Iowa Acts, chapter 322, section 3,
10 shall be funded for a fiscal year and the amount to be
11 allocated for a project based upon project needs, but the
12 total funding for a project for all fiscal years shall not
13 exceed the amount listed in 1989 Iowa Acts, chapter 322,
14 section 3.

15 Notwithstanding 1989 Iowa Acts, chapter 322, section 3, as
16 it relates to the reversion of the moneys appropriated in that
17 section, and notwithstanding section 8.33, unobligated or
18 unencumbered funds appropriated in this section for a fiscal
19 year shall not revert to the general fund of the state on June
20 30 of the fiscal year for which the moneys are appropriated,
21 but shall remain available for the purposes for which
22 appropriated until September 30, 1993.

23 Sec. 1702.

24 Section 1701 of this Act, being deemed of immediate
25 importance, takes effect upon enactment.

26 DIVISION XVIII

27 Sec. 1801.

28 There is appropriated from the general fund of the state to
29 the department of public safety for the fiscal year beginning
30 July 1, 1990, and ending June 30, 1991, the following amounts,
31 or so much thereof as is necessary, for a 2 percent salary
32 contribution by the state, to the peace officers' retirement,
33 accident, and disability system provided for in chapter 97A,
34 to supplement the 16 percent state salary contribution
35 provided for in 1990 Iowa Acts, Senate File 2402, in order to

1 raise the total salary contribution to 18 percent, as follows:

2 1. For the division of criminal investigation and bureau
3 of identification containing the bureaus of identification,
4 liquor law enforcement, and riverboat gambling enforcement:

5 \$ 53,115

6 2. For the division of narcotics:

7 \$ 20,837

8 3. For the fire marshal's office:

9 \$ 7,641

10 Sec. 1802.

11 Notwithstanding sections 99D.17 and 99D.18, there is
12 appropriated from funds paid to the state racing and gaming
13 commission pursuant to section 99D.14, to the department of
14 public safety for the fiscal year beginning July 1, 1990, and
15 ending June 30, 1991, the following amount, or so much thereof
16 as is necessary, for a 2 percent salary contribution by the
17 state, to the peace officers' retirement, accident, and
18 disability system provided for in chapter 97A, to supplement
19 the 16 percent state salary contribution provided for in 1990
20 Iowa Acts, Senate File 2402, in order to raise the total
21 salary contribution to 18 percent, as follows:

22 For the pari-mutuel law enforcement agents:

23 \$ 3,207

24 Sec. 1803.

25 There is appropriated from the road use tax fund to the
26 department of public safety for the fiscal year beginning July
27 1, 1990, and ending June 30, 1991, the following amount, or so
28 much thereof as is necessary, for a 2 percent salary
29 contribution by the state, to the peace officers' retirement,
30 accident, and disability system provided for in chapter 97A,
31 to supplement the 16 percent state salary contribution
32 provided for in 1990 Iowa Acts, Senate File 2402, in order to
33 raise the total salary contribution to 18 percent, as follows:

34 For the division of highway safety and uniformed force:

35 \$ 281,156

SENATE FILE 2437

S-6029

1 Amend Senate File 2437 as follows:

2 1. Page 32, by inserting after line 4, the
3 following:

4 "DIVISION

5 RECREATION AND EDUCATIONAL GRANTS PROGRAM

6 Sec. 1901.

7 Notwithstanding section 501 of this Act, in the
8 event that the anticipated ending balance of the
9 general fund of the state for the fiscal year ending
10 June 30, 1990, as certified by the director of the
11 department of management exceeds \$132,200,000, there
12 is appropriated from the general fund of the state to
13 the department of human rights for the fiscal year
14 beginning July 1, 1990, and ending June 30, 1991, the
15 following amount, or so much thereof as is necessary,
16 to be used for the purpose designated:

17 For salaries, support, maintenance, miscellaneous
18 purposes, and for not more than the following full-
19 time equivalent positions related to the recreation
20 and educational grants program:

21	\$	400,000
22	FTEs	1.00

23 1. Of the amount appropriated under this section,
24 \$300,000 shall be used as follows:

25 a. To provide state funds to encourage and
26 supplement recreational and educational activities for
27 low-income youth grades K-12 by filling existing gaps
28 and permitting expansion in the current system of
29 community-based recreational and educational programs;
30 establishing a comprehensive network of services that
31 are continuous and year-round that focus on recreation
32 and personal development education for low-income
33 youth grades K-12; and providing
34 recreational/educational programs for youth from
35 families with incomes no more than 120 percent above
36 the federal poverty level.

37 b. To be eligible for state funds under this
38 paragraph, the applicant must be a nonprofit
39 organization whose mission includes providing services
40 for low-income youth grades K-12; the activities must
41 be those not currently offered by the organization, or
42 if currently offered are demonstrably underfunded; and
43 the activities must be free of charge to all youth who
44 meet the income requirements. A nominal fee, at cost,
45 may be assessed to youth who do not meet the stated
46 income requirements. Grants will be awarded based on
47 the organization's demonstrated ability to provide
48 organized recreational or educational programs or a
49 combination of both.

50 c. Grants awarded under this paragraph shall be

S-6029

Page 2

1 awarded on a competitive basis to fund low-income
2 youth programs in both urban and rural areas
3 throughout the state.

4 2. Of the amount appropriated under this
5 subsection, \$100,000 shall be used for exemplary
6 social and community-based organizations whose
7 activities are primarily targeted toward minority
8 populations in the state. Grants awarded under this
9 paragraph shall be awarded on a competitive basis.

10 3. Of the funds appropriated under this
11 subsection, 8 percent of the funds may be used for
12 administrative purposes of the department of human
13 rights.

14 4. Notwithstanding section 8.33, moneys
15 appropriated under this subsection for the fiscal year
16 beginning July 1, 1990, shall not revert to the
17 general fund of the state at the end of the fiscal
18 year but shall be available for expenditure during the
19 fiscal year beginning July 1, 1991, for the purposes
20 designated.

21 Sec. 1902.

22 Notwithstanding section 8.33, moneys appropriated
23 from the jobs now account for the fiscal year
24 beginning July 1, 1989, pursuant to section 99E.32,
25 subsection 5, paragraph "v", which remain unexpended
26 on June 30, 1990, shall not revert to any fund but
27 shall be available for expenditure for the purposes
28 designated during the fiscal year beginning July 1,
29 1990, and shall be in addition to any other moneys
30 available for those purposes.

31 Sec. 1903. EFFECTIVE DATE.

32 Section 1902 of this Act, being deemed of immediate
33 importance, takes effect upon enactment."

By TOM MANN, Jr.

JIM LIND

AL STURGEON

S-6029 FILED APRIL 8, 1990

WITHDRAWN (p.1748)

SENATE FILE 2437

S-6030

1 Amend Senate File 2437 as follows:

2 1. Page 19, by striking lines 21 through 27.

3 2. By renumbering as necessary.

By RICHARD VARN

S-6030 FILED APRIL 8, 1990

WITHDRAWN (p.1748)

SENATE FILE 2437

S-6033

1 Amend Senate File 2437 as follows:

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

4 "Sec. 2. STUDY REQUIRED.

5 Notwithstanding section 8.33, the department of
6 human services shall complete by January 2, 1991, the
7 studies required pursuant to 1989 Iowa Acts, chapter
8 318, section 1, subsection 5, and the funds
9 appropriated for this purpose that remain unencumbered
10 and unobligated on June 30, 1990, shall not revert to
11 the general fund but shall remain available for the
12 purposes designated during the fiscal year beginning
13 July 1, 1990."

14 2. Page 3, line 29, by striking the word and
15 figure "Section 201" and inserting the following:
16 "Sections 201 and 2".

17 3. Page 3, line 30, by striking the word "takes"
18 and inserting the following: "take".

By CHARLES BRUNER

S-6033 FILED APRIL 8, 1990

WITHDRAWN (p. 1748)

SENATE FILE 2437

S-6034

1 Amend Senate File 2437 as follows:

2 1. By striking page 30, line 26, through page 32,
3 line 9.

By RICHARD F. DRAKE
JIM LIND

S-6034 FILED APRIL 8, 1990

WITHDRAWN (p. 1748)

SENATE FILE 2437

S-6031

1 Amend Senate File 2437 as follows:

2 1. Page 32, by inserting after line 4, the
3 following:

4 "Sec. ____ . SPECIAL OLYMPICS FUND.

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

10 For the Iowa special olympics fund:

11 \$ 5,000

12 1. An Iowa special olympics fund is established in
13 the office of the treasurer of state, which shall
14 consist of the amounts appropriated to the fund by the
15 general assembly for each fiscal year.

16 2. The moneys in the Iowa special olympics fund
17 shall be expended at the request of the honorary
18 chairperson of the Iowa special olympics."

By EUGENE FRAISE

S-6031 FILED APRIL 8, 1990

WITHDRAWN (p.1748)

SENATE FILE 2437

S-6032

1 Amend Senate File 2437 as follows:

2 1. Page 5, by inserting after line 24 the
3 following:

4 "Sec. ____ . FIRE FIGHTERS' MEMORIAL.

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

10 To fund in part the cost of building a memorial
11 honoring fallen fire fighters:

12 \$ 50,000

13 Notwithstanding section 8.33, the moneys
14 appropriated in this section shall not revert after
15 the end of the fiscal year ending June 30, 1991, but
16 shall remain available for expenditure during the
17 fiscal year beginning July 1, 1991, and ending June
18 30, 1992."

19 2. By renumbering as necessary.

By EMIL J. HUSAK

S-6032 FILED APRIL 8, 1990

WITHDRAWN (p.1748)

SENATE FILE 2437

S-6036

Amend Senate File 2437 as follows:

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

"Sec. 2. STUDY REQUIRED.

Notwithstanding section 8.33, the department of human services shall complete by January 2, 1991, the studies required pursuant to 1989 Iowa Acts, chapter 318, section 1, subsection 5, and the funds appropriated for this purpose that remain unencumbered and unobligated on June 30, 1990, shall not revert to the general fund but shall remain available for the purposes designated during the fiscal year beginning July 1, 1990."

2. Page 3, line 29, by striking the word and figure "Section 201" and inserting the following: "Sections 201 and 2".

3. Page 3, line 30, by striking the word "takes" and inserting the following: "take".

4. Page 18, by inserting after line 17 the following:

"Sec. ____ . 1990 Iowa Acts, Senate File 2327, section 1, subsection 1, is amended to read as follows:

1. GENERAL ADMINISTRATION

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

.....	\$	815,706
.....		<u>1,040,706</u>
..... FTEs		<u>21.00</u>
		<u>25.50</u>

Sec. ____ . 1990 Iowa Acts, Senate File 2327, section 1, subsection 12, paragraph a, is amended to read as follows:

a. Small business program:

.....	\$	151,314
.....		<u>207,559</u>
..... FTEs		<u>2.00</u>
		<u>3.50"</u>

5. Page 18, line 18, by striking the words and figure "section 9, is" and inserting the following: "sections 7, 9, 18 through 22, and 30 through 35, are".

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

"Sec. ____ . Section 232.147, subsection 3, paragraph c, Code 1989, is amended to read as follows:

c. The child's parent, guardian or custodian, court-appointed special advocate, and guardian ad litem."

S-6036

Page 2

- 1 7. Page 24, by striking lines 7 through 11.
- 2 8. Page 24, line 25, by inserting after the word
- 3 "court-" the following: "A senior judge shall not be
- 4 assigned to judicial duties on the supreme court
- 5 unless the judge has been appointed to serve on the
- 6 supreme court prior to retirement."
- 7 9. By striking page 27, line 34 through page 28,
- 8 line 8.
- 9 10. Title, line 2, by inserting after the word
- 10 "government" the following ", its regulatory
- 11 functions,".
- 12 11. By renumbering, relettering, or redesignating
- 13 and correcting internal references as necessary.

By JOE J. WELSH

S-6036 FILED APRIL 8, 1990

ADOPTED (p. 1748)

SENATE FILE 2437

S-6026

- 1 Amend Senate File 2437 as follows:
- 2 1. By striking page 11, line 21 through page 12,
- 3 line 27.

By EUGENE FRAISE

S-6026 FILED APRIL 8, 1990

WITHDRAWN (p. 1749)