

Proposed

FILED FEB 20 1991

SENATE FILE **209**

BY COMMITTEE ON APPROPRIATIONS

Passed Senate, Date 2/20/91 (p. 393) Passed House, Date _____

Vote: Ayes 44 Nays 2 Vote: Ayes _____ Nays _____

Approved _____

A BILL FOR

1 An Act relating to and making supplemental appropriations for the
 2 remainder of the fiscal year ending June 30, 1991, to the
 3 department of human services, national conference of state
 4 legislatures, department of general services, department of
 5 revenue and finance, department of public safety, department
 6 of inspections and appeals, college student aid commission,
 7 board of regents institutions, office of lieutenant governor,
 8 department of transportation, pioneer lawmakers, the office of
 9 the state public defender, department of human rights, Iowa
 10 finance authority, department of economic development,
 11 department of corrections, and extending ethanol fuel project,
 12 and increasing the court civil penalty surcharge, and
 13 providing effective dates.

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

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SF209

DEPARTMENT OF HUMAN SERVICES

1
2 Section 1. There is appropriated from the general fund of
3 the state to the department of human services for the fiscal
4 year 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 purpose designated:

7 To supplement funds appropriated in 1990 Iowa Acts, chapter
8 1270, section 1, as amended by 1991 Iowa Acts, House File 173,
9 for aid to families with dependent children:

10 \$ 2,800,236

11 Sec. 2. There is appropriated from the general fund of the
12 state to the department of human services for the fiscal year
13 beginning July 1, 1990, and ending June 30, 1991, the
14 following amount, or so much thereof as is necessary, to be
15 used for the purpose designated:

16 To supplement funds appropriated in 1990 Iowa Acts, chapter
17 1270, section 2, as amended by 1991 Iowa Acts, House File 173,
18 for medical assistance, including reimbursement for abortion
19 services, which shall be available under the medical
20 assistance program only for those abortions which are
21 medically necessary:

22 \$ 4,382,328

23 Sec. 3. There is appropriated from the general fund of the
24 state to the department of human services for the fiscal year
25 beginning July 1, 1990, and ending June 30, 1991, the
26 following amount, or so much thereof as is necessary, to be
27 used for the purpose designated:

28 To supplement funds appropriated in 1990 Iowa Acts, chapter
29 1270, section 7, for transitional child care assistance:

30 \$ 126,576

31 Sec. 4. There is appropriated from the general fund of the
32 state to the department of human services for the fiscal year
33 beginning July 1, 1990, and ending June 30, 1991, the
34 following amount, or so much thereof as is necessary, to be
35 used for the purpose designated:

1 To supplement funds appropriated in 1990 Iowa Acts, chapter
2 1270, section 13, as amended by 1991 Iowa Acts, House File
3 173, for foster care:

4 \$ 7,873,597

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

10 To supplement funds appropriated in 1990 Iowa Acts, chapter
11 1270, section 15, as amended by 1991 Iowa Acts, House File
12 173, for home-based services on the condition that family
13 planning services are funded, provided that if the department
14 amends the allocation to a program funded under this section,
15 then the department shall promptly notify the legislative
16 fiscal bureau of the change:

17 \$ 309,956

18 Sec. 6. There is appropriated from the general fund of the
19 state to the department of human services 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 purpose designated:

23 To supplement funds appropriated in 1990 Iowa Acts, chapter
24 1270, section 16, for community-based programs on the
25 condition that the prevention grants relating to adolescent
26 pregnancy are funded:

27 \$ 348,914

28 Sec. 7. There is appropriated from the general fund of the
29 state to the department of human services for the fiscal year
30 beginning July 1, 1990, and ending June 30, 1991, the
31 following amount, or so much thereof as is necessary, to be
32 used for the purpose designated:

33 To supplement funds appropriated in 1990 Iowa Acts, chapter
34 1270, section 18, for court-ordered evaluations and treatment
35 pursuant to section 232.141, subsection 4:

1 \$ 6,250,100

2 Sec. 8. There is appropriated from the general fund of the
3 state to the department of human services 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 To supplement funds appropriated in 1990 Iowa Acts, chapter
8 1270, section 21, subsection 4, for the state mental health
9 institute at Mount Pleasant for salaries, support,
10 maintenance, miscellaneous purposes, and for not more than the
11 following additional full-time equivalent positions:

12 \$ 253,713

13FTEs 4.0

14 DEPARTMENT OF GENERAL SERVICES

15 Sec. 9. There is appropriated from the general fund of the
16 state to the department of general services for the fiscal
17 year beginning July 1, 1990, and ending June 30, 1991, the
18 following amount, or so much thereof as is necessary, to be
19 used for the purpose designated:

20 For capitol restoration:

21 \$ 1,000,000

22 NATIONAL CONFERENCE OF STATE LEGISLATURES

23 Sec. 10. There is appropriated from the general fund of
24 the state to the following named agency for the fiscal year
25 beginning July 1, 1990, and ending June 30, 1991, the
26 following amount, or so much thereof as is necessary, to be
27 used for the purpose designated:

28 NATIONAL CONFERENCE OF STATE LEGISLATURES

29 To supplement funds appropriated in 1990 Iowa Acts, chapter
30 1266, section 9, subsection 1, for support of the membership
31 assessment:

32 \$ 2,502

33 DEPARTMENT OF REVENUE AND FINANCE

34 Sec. 11. There is appropriated from the general fund of
35 the state to the department of revenue and finance for the

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

4 For expenses incurred in the litigation of the Burlington
5 Northern Railroad lawsuit:
6 \$ 250,000

7 DEPARTMENT OF PUBLIC SAFETY

8 Sec. 12. There is appropriated from the road use tax fund
9 to the department of public safety, division of highway safety
10 and uniformed force, for the fiscal year beginning July 1,
11 1990, and ending June 30, 1991, the following amounts, or so
12 much thereof as is necessary, to be used for the purposes
13 designated:

14 To supplement funds appropriated in 1990 Iowa Acts, chapter
15 1267, section 6, subsection 5, for payments to the department
16 of personnel for expenses incurred in administering workers'
17 compensation on behalf of the highway safety division of
18 highway safety and uniformed force:
19 \$ 135,000

20 DEPARTMENT OF INSPECTIONS AND APPEALS

21 Sec. 13. There is appropriated from the road use tax fund
22 to the department of inspections and appeals for the fiscal
23 year beginning July 1, 1990, and ending June 30, 1991, the
24 following amount, or so much thereof as is necessary, for the
25 purposes designated:

26 To supplement funds appropriated in 1990 Iowa Acts, chapter
27 1261, section 10, for salaries, support, maintenance, and
28 miscellaneous purposes:
29 \$ 60,000

30 COLLEGE STUDENT AID COMMISSION

31 Sec. 14. There is appropriated from the loan reserve
32 account to the college aid commission for the fiscal year
33 beginning July 1, 1990, and ending June 30, 1991, the
34 following amount, or so much thereof as may be necessary, to
35 be used for the purposes designated:

1 To supplement funds appropriated in 1990 Iowa Acts, chapter
2 1272, section 6, for operating costs of the Stafford loan
3 program including salaries, support, maintenance,
4 miscellaneous purposes, and for not more than the following
5 additional full-time equivalent positions:

6 \$ 617,340
7 FTEs 4.0

8 BOARD OF REGENTS INSTITUTIONS

9 Sec. 15. There is appropriated from the general fund of
10 the state to Iowa state university of science and technology
11 for the fiscal year beginning July 1, 1990, and ending June
12 30, 1991, the following amount, or so much thereof as is
13 necessary, to be used for the purpose designated:

14 Biodegradable plastics research:
15 \$ 135,000

16 LIEUTENANT GOVERNOR

17 Sec. 16. There is appropriated from the general fund of
18 the state to the office of the lieutenant governor for the
19 portion of the fiscal year beginning with the 1991
20 inauguration of the lieutenant governor and ending June 30,
21 1991, the following amount, or so much thereof as is
22 necessary, to be used for the purposes designated:

23 To supplement funds appropriated in 1990 Iowa Acts, chapter
24 1266, section 5, as amended by 1991 Iowa Acts, House File 173,
25 for salaries, support, maintenance, and miscellaneous purposes
26 including the lieutenant governor's compensation and expenses:
27 \$ 30,000

28 DEPARTMENT OF TRANSPORTATION

29 Sec. 17. There is appropriated from the primary road fund
30 to the salary adjustment fund, for the fiscal year beginning
31 July 1, 1990, and ending June 30, 1991, the following amount,
32 or so much thereof as may be necessary, to be used for the
33 purpose designated:

34 To supplement other funds appropriated by the general
35 assembly in 1990 Iowa Acts, chapter 1256, section 11,

1 subsection 2:

2 \$ 1,019,127

3 PIONEER LAWMAKERS

4 Sec. 18. There is appropriated from the general fund of
5 the state to the pioneer lawmakers for the fiscal year
6 beginning July 1, 1990, and ending June 30, 1991, the
7 following amount, or so much thereof as is necessary, to be
8 used for the purpose designated:

9 For expenses of the biennial meeting:

10 \$ 1,000

11 STATE PUBLIC DEFENDER

12 Sec. 19. There is appropriated from the general fund of
13 the state to the office of the state public defender for the
14 fiscal year beginning July 1, 1990, and ending June 30, 1991,
15 the following amounts, or so much thereof as is necessary, for
16 the purposes designated:

17 1. To supplement funds appropriated in 1990 Iowa Acts,
18 chapter 1261, section 9, subsection 1, for salaries, support,
19 maintenance, miscellaneous purposes, and for not more than the
20 following additional full-time equivalent positions:

21 \$ 540,000
22 FTEs 38.00

23 2. To supplement funds appropriated in 1990 Iowa Acts,
24 chapter 1261, section 9, subsection 2, as amended by 1991 Iowa
25 Acts, House File 173, for indigent court-appointed attorney
26 fees for adults and juveniles, notwithstanding section 232.141
27 and chapter 815:

28 \$ 4,760,000

29 DEPARTMENT OF CORRECTIONS

30 Sec. 20. There is appropriated from the general fund of
31 the state to the department of corrections for the fiscal year
32 beginning July 1, 1990, and ending June 30, 1991, the
33 following amounts, or so much thereof as is necessary, to be
34 used for the purposes designated:

35 1. To supplement other funds appropriated by the general

1 assembly in 1990 Iowa Acts, chapter 1268, section 6,
2 subsection 1, as amended by 1991 Iowa Acts, House File 173,
3 for the first judicial district department of correctional
4 services:

5 For salaries, support, maintenance, and miscellaneous
6 purposes:
7 \$ 183,283

8 2. To supplement other funds appropriated by the general
9 assembly in 1990 Iowa Acts, chapter 1268, section 6,
10 subsection 6, as amended by 1991 Iowa Acts, House File 173,
11 for the sixth judicial district department of correctional
12 services:

13 For staffing of additional new beds at the Cedar Rapids
14 residential facility as authorized during the 1989 session of
15 the general assembly:
16 \$ 68,053

17 DEPARTMENT OF HUMAN RIGHTS

18 Sec. 21. There is appropriated from the general fund of
19 the state to the department of human rights for the fiscal
20 year 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 To supplement funds appropriated in 1990 Iowa Acts, chapter
24 1259, section 2, subsection 6, as amended by 1991 Iowa Acts,
25 House File 173, for the division of deaf services for salary
26 and support of an additional interpreter:
27 \$ 13,702

28 IOWA FINANCE AUTHORITY

29 Sec. 22. 1990 Iowa Acts, chapter 1262, section 3,
30 subsection 1, paragraphs b and d, are amended to read as
31 follows:

32 b. Of the amount appropriated in paragraph "a", \$200,000
33 shall be used to finance the purchase or acquisition, in
34 communities with a population of less than 10,000, of modular
35 homes, as defined in section 135B-17, and manufactured homes as

1 defined in 42 U.S.C. § 5403.

2 d. Assistance provided under paragraph "a" shall be
3 limited to mortgages under ~~§35,000~~ §55,000, except in those
4 areas of the state where the median price of homes exceeds the
5 state average ~~and-except-in-the-case-of-the-§200,000-set-aside~~
6 ~~for-communities-of-less-than-10,000-where-the-mortgage-limit~~
7 ~~is-§50,000. In-providing-the-assistance, the-authority-shall~~
8 ~~require-substantial-seller-participation-of-not-less-than-2~~
9 ~~percent-of-the-mortgage-amount, which-participation-includes,~~
10 ~~but-is-not-limited-to, home-ownership-maintenance-funding,~~
11 ~~down-payment-assistance, payment-of-closing-costs, or~~
12 ~~rehabilitation-costs:~~

13 DEPARTMENT OF ECONOMIC DEVELOPMENT

14 Sec. 23. 1989 Iowa Acts, chapter 308, section 1,
15 subsection 2, unnumbered paragraph 2, as item vetoed by the
16 governor, is amended to read as follows:

17 As a condition, limitation, and qualification of this
18 appropriation, the department shall develop and initiate a
19 program to provide cassette tape-recorded explanations of
20 regional points of interest and tourist attractions to be made
21 available ~~without-charge~~ at state welcome centers. The
22 department may charge a reasonable deposit and fee to ensure
23 that the tape is returned to a state welcome center or rest
24 stop, or other location as specified by the department.

25 Sec. 24. 1989 Iowa Acts, chapter 308, section 1,
26 subsection 3, unnumbered paragraph 2, is amended to read as
27 follows:

28 As a condition, limitation, and qualification of this
29 appropriation, the department shall develop and initiate a
30 program to provide cassette tape-recorded explanations of
31 regional points of interest and tourist attractions, to be
32 made available ~~without-charge~~ at state welcome centers. The
33 department may charge a reasonable deposit and fee to ensure
34 that the tape is returned to a state welcome center or rest
35 stop, or other location as specified by the department.

1 Sec. 25. There is appropriated from the general fund of
2 the state to the general assembly for the period beginning on
3 the effective date of this Act and ending June 30, 1991, the
4 sum of \$20,000, or so much thereof as is necessary, for the
5 purpose of continuing through June 30, 1991, the ethanol
6 fueled Brazilian truck project at the state university of
7 Iowa. The appropriation made in this section, upon acceptance
8 by the state university of Iowa, constitutes an extension
9 through June 30, 1991, of the contract entered into between
10 the state university of Iowa and the redesign lottery funded
11 environmental initiatives study committee as that contract was
12 signed by Susan M. Phillips for the state university of Iowa
13 on August 24, 1990, and by Senator Bill Hutchins for the study
14 committee on August 23, 1990.

15 Sec. 26. Section 911.2, unnumbered paragraph 1, Code 1991,
16 as amended by 1991 Iowa Acts, House File 173, section 8i6, is
17 amended to read as follows:

18 When a court imposes a fine or forfeiture for a violation
19 of a state law, or of a city or county ordinance except an
20 ordinance regulating the parking of motor vehicles, the court
21 shall assess an additional penalty in the form of a surcharge
22 equal to ~~twenty-five~~ thirty percent of the fine or forfeiture
23 imposed. In the event of multiple offenses, the surcharge
24 shall be based upon the total amount of fines or forfeitures
25 imposed for all offenses. When a fine or forfeiture is
26 suspended in whole or in part, the surcharge shall be reduced
27 in proportion to the amount suspended.

28 Sec. 27. Section 911.3, Code 1991, as amended by 1991 Iowa
29 Acts, House File 173, section 817, is amended to read as
30 follows:

31 911.3 DISPOSITION OF SURCHARGE.

32 When a court assesses a surcharge under section 911.2, the
33 clerk of the district court shall transmit ~~twenty~~ sixteen and
34 two-thirds percent of the surcharge collected to the treasurer
35 of state to be deposited pursuant to section 321J.17. Ninety

1 percent of the remainder of the surcharge collected shall be
2 transmitted to the treasurer of state by the fifteenth day of
3 the following month. The treasurer of state shall deposit
4 that money in the general fund of the state. The clerk of the
5 district court shall transmit ten percent of the remainder of
6 the surcharge to the county treasurer or shall remit ten
7 percent of the remainder of the surcharge to the city that was
8 the plaintiff in any action for deposit in the general fund of
9 the city.

10 Sec. 28. EFFECTIVE DATE. Sections 26 and 27 of this Act,
11 relating to court surcharges, take effect April 1, 1991, and
12 apply to penalties incurred for violations committed on or
13 after that date.

14 Sec. 29. This Act, being deemed of immediate importance,
15 is effective upon enactment.

16 EXPLANATION

17 This bill makes supplemental appropriations for the
18 remainder of the fiscal year ending June 30, 1991, to the
19 department of human services for aid to dependent children,
20 medical assistance, juvenile justice, community-based
21 services, transitional child care, foster care, home-based
22 services, and the mental health institute at Mount Pleasant;
23 department of general services for capitol restoration;
24 national conference of state legislatures for the annual
25 membership assessment; department of revenue and finance for
26 litigation; department of public safety for workers'
27 compensation expenses; college student aid commission for the
28 Stafford loan program; Iowa state university for biodegradable
29 research; office of lieutenant governor for expenses;
30 department of transportation for salary adjustment; pioneer
31 lawmakers for its biennial meeting; office of state public
32 defender for indigent defense; and department of corrections
33 for staffing and miscellaneous purposes at Cedar Rapids and
34 Waterloo correctional facilities; department of human rights
35 for salary and support of an additional interpreter for the

1 division of deaf services; for the university of Iowa to
2 continue its ethanol fueled Brazilian truck project; to
3 department of inspections and appeals for salaries and support
4 for appeals officers; and adjusting Iowa finance authority's
5 housing assistance program and allowing the department of
6 economic development to charge a fee for welcome center tapes.

7 The bill increases, beginning April 1, 1991, the surcharge
8 which a court assesses when it imposes a fine or forfeiture
9 for violation of state law or city or county ordinance from 25
10 percent to 30 percent and correspondingly reduces the percent
11 of the surcharge which the court keeps to maintain their
12 present share.

13 This bill takes effect upon enactment.

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SENATE FILE 209

S-3062

1 Amend Senate File 209 as follows:

2 1. Page 3, line 35, by striking the words "for
3 the".

4 2. Page 4, by striking line 1.

5 3. Page 4, by inserting after line 6 the
6 following:

7 "Notwithstanding section 8.33, moneys appropriated
8 in this section shall not revert at the end of any
9 fiscal year, and will remain available until the
10 litigation is completed."

By LEONARD L. BOSWELL

S-3062 FILED FEBRUARY 20, 1991

ADOPTED (j.543)

SENATE FILE 209

S-3059

1 Amend Senate File 209, as follows:

2 1. Page 7, by inserting after line 16, the
3 following:

4 "3. For the third judicial district department of
5 correctional services for additional funding for the
6 new 50 bed facility as authorized by 1990 Iowa Acts,
7 chapter 1257, section 30:

8 \$ 40,000

9 The project may also include the colocation of
10 existing administrative office space. Political
11 subdivisions, private individuals, or organizations
12 may contribute to the financing, construction, and
13 operations of the new facility.

14 Notwithstanding section 8.33, moneys remaining
15 unencumbered and unobligated on June 30, 1991, from
16 the appropriation made in this subsection shall not
17 revert but shall remain available for expenditure for
18 purposes of this subsection for the fiscal year
19 beginning July 1, 1991."

By MICHAEL E. GRONSTAL
DONALD V. DOYLE

S-3059 FILED FEBRUARY 20, 1991
ADOPTED (p. 393)

SENATE FILE 209

S-3060

1 Amend Senate File 209 as follows:

2 1. Page 6, by inserting after line 28 the
3 following:

4 "DEPARTMENT OF JUSTICE
5 Sec. ____ . 1990 Iowa Acts, chapter 1259, section 7,
6 is amended to read as follows:

7 SEC. 7. There is appropriated from the separate
8 fund created under section 321J.17 to the ~~family and~~
9 ~~community health division of the Iowa department of~~
10 ~~public health~~ department of justice for the fiscal
11 year beginning July 1, 1990, and ending June 30, 1991,
12 the following amount, or so much thereof as is
13 necessary, to be used for the purposes designated:

14 To pay the costs of medical examinations in crimes
15 of sexual abuse and of treatments for prevention of
16 venereal disease as required by section 709.10:

17 \$ 176,000
18 211,000".

19 2. Title page, line 9, by inserting after the
20 word "defender," the following: "department of
21 justice,".

By MICHAEL GRONSTAL

S-3060 FILED FEBRUARY 20, 1991
ADOPTED (p. 393)

SENATE FILE 209
BY COMMITTEE ON APPROPRIATIONS

(AS AMENDED AND PASSED BY THE SENATE FEBRUARY 20, 1991)

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

Re Passed Senate, Date 3/7/91 (p. 559) Passed House, Date 3/5/91 (p. 541)
Vote: Ayes 47 Nays 1 Vote: Ayes 98 Nays 1

Approved Item Voted March 29, 1991
Motion to override item vote done 4/10/91 (p. 1164)

A BILL FOR

1 An Act relating to and making supplemental appropriations for the
2 remainder of the fiscal year ending June 30, 1991, to the
3 department of human services, national conference of state
4 legislatures, department of general services, department of
5 revenue and finance, department of public safety, department
6 of inspections and appeals, college student aid commission,
7 board of regents institutions, office of lieutenant governor,
8 department of transportation, pioneer lawmakers, the office of
9 the state public defender, department of justice, department
10 of human rights, Iowa finance authority, department of
11 economic development, department of corrections, and extending
12 ethanol fuel project, and increasing the court civil penalty
13 surcharge, and providing effective dates.

S.F. 209

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

15 Conference Committee appointed: Senators Boswell (Chair), Hunsell,
16 Szymoniak, Lind, & Tiedler (p. 716)
17 Representatives Jochem (Chair), Harbor, Heater, Oller, & Peterson 3/21 (776)

18
19 Passed also Conference Committee Report 3/26/91

20 Senate 3/26/91 (p. 868)
21 Ayes 36, Nays 12

22 House 3/26/91 (p. 867)
Ayes 73, Nays 26

1 DEPARTMENT OF HUMAN SERVICES

2 Section 1. There is appropriated from the general fund of
3 the state to the department of human services for the fiscal
4 year 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 purpose designated:

7 To supplement funds appropriated in 1990 Iowa Acts, chapter
8 1270, section 1, as amended by 1991 Iowa Acts, House File 173,
9 for aid to families with dependent children:

10 \$ 2,800,236

11 Sec. 2. There is appropriated from the general fund of the
12 state to the department of human services for the fiscal year
13 beginning July 1, 1990, and ending June 30, 1991, the
14 following amount, or so much thereof as is necessary, to be
15 used for the purpose designated:

16 To supplement funds appropriated in 1990 Iowa Acts, chapter
17 1270, section 2, as amended by 1991 Iowa Acts, House File 173,
18 for medical assistance, including reimbursement for abortion
19 services, which shall be available under the medical
20 assistance program only for those abortions which are
21 medically necessary:

22 \$ 4,382,328
31047

23 Sec. 3. There is appropriated from the general fund of the
24 state to the department of human services for the fiscal year
25 beginning July 1, 1990, and ending June 30, 1991, the
26 following amount, or so much thereof as is necessary, to be
27 used for the purpose designated:

28 To supplement funds appropriated in 1990 Iowa Acts, chapter
29 1270, section 7, for transitional child care assistance:

30 \$ 126,576

31 Sec. 4. There is appropriated from the general fund of the
32 state to the department of human services for the fiscal year
33 beginning July 1, 1990, and ending June 30, 1991, the
34 following amount, or so much thereof as is necessary, to be
35 used for the purpose designated:

1 To supplement funds appropriated in 1990 Iowa Acts, chapter
2 1270, section 13, as amended by 1991 Iowa Acts, House File
3 173, for foster care:

4 \$ 7,873.

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

10 To supplement funds appropriated in 1990 Iowa Acts, chapter
11 1270, section 15, as amended by 1991 Iowa Acts, House File
12 173, for home-based services on the condition that family
13 planning services are funded, provided that if the department
14 amends the allocation to a program funded under this section,
15 then the department shall promptly notify the legislative
16 fiscal bureau of the change:

17 \$ 309,956

18 Sec. 6. There is appropriated from the general fund of the
19 state to the department of human services 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 purpose designated:

23 To supplement funds appropriated in 1990 Iowa Acts, chapter
24 1270, section 16, for community-based programs on the
25 condition that the prevention grants relating to adolescent
26 pregnancy are funded:

27 \$ 348,914

28 Sec. 7. There is appropriated from the general fund of the
29 state to the department of human services for the fiscal year
30 beginning July 1, 1990, and ending June 30, 1991, the
31 following amount, or so much thereof as is necessary, to be
32 used for the purpose designated:

33 To supplement funds appropriated in 1990 Iowa Acts, chapter
34 1270, section 18, for court-ordered evaluations and treatment
35 pursuant to section 232.141, subsection 4:

1 \$ 6,250,100

2 Sec. 8. There is appropriated from the general fund of the
3 state to the department of human services 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 To supplement funds appropriated in 1990 Iowa Acts, chapter
8 1270, section 21, subsection 4, for the state mental health
9 institute at Mount Pleasant for salaries, support,
10 maintenance, miscellaneous purposes, and for not more than the
11 following additional full-time equivalent positions:

12 \$ 253,713
13FTEs 4.0

14 DEPARTMENT OF GENERAL SERVICES

15 Sec. 9. There is appropriated from the general fund of the
16 state to the department of general services for the fiscal
17 year beginning July 1, 1990, and ending June 30, 1991, the
18 following amount, or so much thereof as is necessary, to be
19 used for the purpose designated:

20 For capitol restoration:
21 \$ 1,000,000

22 NATIONAL CONFERENCE OF STATE LEGISLATURES

23 Sec. 10. There is appropriated from the general fund of
24 the state to the following named agency for the fiscal year
25 beginning July 1, 1990, and ending June 30, 1991, the
26 following amount, or so much thereof as is necessary, to be
27 used for the purpose designated:

28 NATIONAL CONFERENCE OF STATE LEGISLATURES

29 To supplement funds appropriated in 1990 Iowa Acts, chapter
30 1266, section 9, subsection 1, for support of the membership
31 assessment:

32 \$ 2,502

33 DEPARTMENT OF REVENUE AND FINANCE

34 Sec. 11. There is appropriated from the general fund of
* 35 the state to the department of revenue and finance the

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

3 For expenses incurred in the litigation of the Burlington
4 Northern Railroad lawsuit:

5 \$ 250,000

6 Notwithstanding section 8.33, moneys appropriated
7 in this section shall not revert at the end of any
8 fiscal year, and will remain available until the
9 litigation is completed.

10 DEPARTMENT OF PUBLIC SAFETY

11 Sec. 12. There is appropriated from the road use tax fund
12 to the department of public safety, division of highway safety
13 and uniformed force, for the fiscal year beginning July 1,
14 1990, and ending June 30, 1991, the following amounts, or so
15 much thereof as is necessary, to be used for the purposes
16 designated:

17 To supplement funds appropriated in 1990 Iowa Acts, chapter
18 1267, section 6, subsection 5, for payments to the department
19 of personnel for expenses incurred in administering workers'
20 compensation on behalf of the highway safety division of
21 highway safety and uniformed force:

22 \$ 135,000

23 DEPARTMENT OF INSPECTIONS AND APPEALS

24 Sec. 13. There is appropriated from the road use tax fund
25 to the department of inspections and appeals for the fiscal
26 year beginning July 1, 1990, and ending June 30, 1991, the
27 following amount, or so much thereof as is necessary, for the
28 purposes designated:

29 To supplement funds appropriated in 1990 Iowa Acts, chapter
30 1261, section 10, for salaries, support, maintenance, and
31 miscellaneous purposes:

32 \$ 60,000

33 COLLEGE STUDENT AID COMMISSION

34 Sec. 14. There is appropriated from the loan reserve
35 account to the college aid commission for the fiscal year

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

4 To supplement funds appropriated in 1990 Iowa Acts, chapter
5 1272, section 6, for operating costs of the Stafford loan
6 program including salaries, support, maintenance,
7 miscellaneous purposes, and for not more than the following
8 additional full-time equivalent positions:

3089	\$	617,340
10	FTEs	4.0

11 BOARD OF REGENTS INSTITUTIONS

12 Sec. 15. There is appropriated from the general fund of
13 the state to Iowa state university of science and technology
14 for the fiscal year beginning July 1, 1990, and ending June
15 30, 1991, the following amount, or so much thereof as is
16 necessary, to be used for the purpose designated:

17 Biodegradable plastics research:

18	\$	135,000
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19 LIEUTENANT GOVERNOR

20 Sec. 16. There is appropriated from the general fund of
21 the state to the office of the lieutenant governor for the
22 portion of the fiscal year beginning with the 1991
23 inauguration of the lieutenant governor and ending June 30,
24 1991, the following amount, or so much thereof as is
25 necessary, to be used for the purposes designated:

26 To supplement funds appropriated in 1990 Iowa Acts, chapter
27 1266, section 5, as amended by 1991 Iowa Acts, House File 173,
28 for salaries, support, maintenance, and miscellaneous purposes
29 including the lieutenant governor's compensation and expenses:

30	\$	30,000
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31 DEPARTMENT OF TRANSPORTATION

32 Sec. 17. There is appropriated from the primary road fund
33 to the salary adjustment fund, for the fiscal year beginning
34 July 1, 1990, and ending June 30, 1991, the following amount,
35 or so much thereof as may be necessary, to be used for the

1 purpose designated:

2 To supplement other funds appropriated by the general
3 assembly in 1990 Iowa Acts, chapter 1256, section 11,
4 subsection 2:

5 \$ 1,019,127

6 PIONEER LAWMAKERS

7 Sec. 18. There is appropriated from the general fund of
8 the state to the pioneer lawmakers for the fiscal year
9 beginning July 1, 1990, and ending June 30, 1991, the
10 following amount, or so much thereof as is necessary, to be
11 used for the purpose designated:

12 For expenses of the biennial meeting:

13 \$ 1,000

14 STATE PUBLIC DEFENDER

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

20 1. To supplement funds appropriated in 1990 Iowa Acts,
21 chapter 1261, section 9, subsection 1, for salaries, support,
22 maintenance, miscellaneous purposes, and for not more than the
23 following additional full-time equivalent positions:

24 \$ 540,000

25 FTEs 38.00

26 2. To supplement funds appropriated in 1990 Iowa Acts,
27 chapter 1261, section 9, subsection 2, as amended by 1991 Iowa
28 Acts, House File 173, for indigent court-appointed attorney
29 fees for adults and juveniles, notwithstanding section 232.141
30 and chapter 815:

31 \$ 4,760,000

32 DEPARTMENT OF JUSTICE

33 Sec. 20. 1990 Iowa Acts, chapter 1259, section 7, is
34 amended to read as follows:

35 SEC. 7. There is appropriated from the separate fund

1 created under section 321J.17 to the family-and-community
2 health-division-of-the-iowa-department-of-public-health
3 department of justice 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 To pay the costs of medical examinations in crimes of
8 sexual abuse and of treatments for prevention of venereal
9 disease as required by section 709.10:

10 \$ 176,000
11 211,000

12 DEPARTMENT OF CORRECTIONS

13 Sec. 21. There is appropriated from the general fund of
14 the state to the department of corrections 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. To supplement other funds appropriated by the general
19 assembly in 1990 Iowa Acts, chapter 1268, section 6,
20 subsection 1, as amended by 1991 Iowa Acts, House File 173,
21 for the first judicial district department of correctional
22 services:

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

x 25 \$ 183,283

26 2. To supplement other funds appropriated by the general
27 assembly in 1990 Iowa Acts, chapter 1268, section 6,
28 subsection 6, as amended by 1991 Iowa Acts, House File 173,
29 for the sixth judicial district department of correctional
30 services:

31 For staffing of additional new beds at the Cedar Rapids
32 residential facility as authorized during the 1989 session of
33 the general assembly:

34 \$ 68,053

35 3. For the third judicial district department of

1 correctional services for additional funding for the
2 new 50 bed facility as authorized by 1990 Iowa Acts,
3 chapter 1257, section 30:

4 \$ 40,000

5 The project may also include the colocation of existing
6 administrative office space. Political subdivisions, private
7 individuals, or organizations may contribute to the financing,
8 construction, and operations of the new facility.

9 Notwithstanding section 8.33, moneys remaining unencumbered
10 and unobligated on June 30, 1991, from the appropriation made
11 in this subsection shall not revert but shall remain available
12 for expenditure for purposes of this subsection for the fiscal
13 year beginning July 1, 1991.

14 DEPARTMENT OF HUMAN RIGHTS

15 Sec. 22. There is appropriated from the general fund of
16 the state to the department of human rights for the fiscal
17 year beginning July 1, 1990, and ending June 30, 1991, the
18 following amount, or so much thereof as is necessary, to be
19 used for the purposes designated:

20 To supplement funds appropriated in 1990 Iowa Acts, chapter
21 1259, section 2, subsection 6, as amended by 1991 Iowa Acts,
22 House File 173, for the division of deaf services for salary
23 and support of an additional interpreter:

24 \$ 13,702

25 IOWA FINANCE AUTHORITY

26 Sec. 23. 1990 Iowa Acts, chapter 1262, section 3,
27 subsection 1, paragraphs b and d, are amended to read as
28 follows:

29 b. Of the amount appropriated in paragraph "a", \$200,000
30 shall be used to finance the purchase or acquisition, in
31 communities with a population of less than 10,000, of modular
32 ~~homes, as defined in section 1359-17 and~~ manufactured homes as
33 defined in 42 U.S.C. § 5403.

34 d. Assistance provided under paragraph "a" shall be
35 limited to mortgages under ~~\$35,000~~ \$55,000, except in those

1 areas of the state where the median price of homes exceeds the
2 state average and-except-in-the-case-of-the-\$200,000-set-aside
3 for-communities-of-less-than-10,000-where-the-mortgage-limit
4 is-\$50,000. In-providing-the-assistance, the-authority-shall
5 require-substantial-seller-participation-of-not-less-than-2
6 percent-of-the-mortgage-amount, which-participation-includes,
7 but-is-not-limited-to, home-ownership-maintenance-funding,
8 down-payment-assistance, payment-of-closing-costs, or
9 rehabilitation-costs.

10 DEPARTMENT OF ECONOMIC DEVELOPMENT

11 Sec. 24. 1989 Iowa Acts, chapter 308, section 1,
12 subsection 2, unnumbered paragraph 2, as item vetoed by the
13 governor, is amended to read as follows:

14 As a condition, limitation, and qualification of this
15 appropriation, the department shall develop and initiate a
16 program to provide cassette tape-recorded explanations of
17 regional points of interest and tourist attractions to be made
18 available without-charge at state welcome centers. The
19 department may charge a reasonable deposit and fee to ensure
20 that the tape is returned to a state welcome center or rest
21 stop, or other location as specified by the department.

22 Sec. 25. 1989 Iowa Acts, chapter 308, section 1,
23 subsection 3, unnumbered paragraph 2, is amended to read as
24 follows:

25 As a condition, limitation, and qualification of this
26 appropriation, the department shall develop and initiate a
27 program to provide cassette tape-recorded explanations of
28 regional points of interest and tourist attractions, to be
29 made available without-charge at state welcome centers. The
30 department may charge a reasonable deposit and fee to ensure
31 that the tape is returned to a state welcome center or rest
32 stop, or other location as specified by the department.

33 Sec. 26. There is appropriated from the general fund of
34 the state to the general assembly for the period beginning on
35 the effective date of this Act and ending June 30, 1991, the

1 sum of \$20,000, or so much thereof as is necessary, for the
2 purpose of continuing through June 30, 1991, the ethanol
3 fueled Brazilian truck project at the state university of
4 Iowa. The appropriation made in this section, upon acceptance
5 by the state university of Iowa, constitutes an extension
6 through June 30, 1991, of the contract entered into between
7 the state university of Iowa and the redesign lottery funded
8 environmental initiatives study committee as that contract was
9 signed by Susan M. Phillips for the state university of Iowa
10 on August 24, 1990, and by Senator Bill Hutchins for the study
11 committee on August 23, 1990.

31007
12 Sec. 27. Section 911.2, unnumbered paragraph 1, Code 1991,
13 as amended by 1991 Iowa Acts, House File 173, section 816, is
14 amended to read as follows:

15 When a court imposes a fine or forfeiture for a violation
16 of a state law, or of a city or county ordinance except an
17 ordinance regulating the parking of motor vehicles, the court
18 shall assess an additional penalty in the form of a surcharge
19 equal to twenty-five thirty percent of the fine or forfeiture
20 imposed. In the event of multiple offenses, the surcharge
21 shall be based upon the total amount of fines or forfeitures
22 imposed for all offenses. When a fine or forfeiture is
23 suspended in whole or in part, the surcharge shall be reduced
24 in proportion to the amount suspended.

25 Sec. 28. Section 911.3, Code 1991, as amended by 1991 Iowa
26 Acts, House File 173, section 817, is amended to read as
27 follows:

28 911.3 DISPOSITION OF SURCHARGE.

29 When a court assesses a surcharge under section 911.2, the
30 clerk of the district court shall transmit twenty sixteen and
31 two-thirds percent of the surcharge collected to the treasurer
32 of state to be deposited pursuant to section 321J.17. Ninety
33 percent of the remainder of the surcharge collected shall be
34 transmitted to the treasurer of state by the fifteenth day of
35 the following month. The treasurer of state shall deposit

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

x 7 Sec. 29. EFFECTIVE DATE. Sections 27 and 28 of this Act,
8 relating to court surcharges, take effect April 1, 1991, and
9 apply to penalties incurred for violations committed on or
10 after that date.

11 Sec. 30. This Act, being deemed of immediate importance,
12 is effective upon enactment.

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H-3085

1 Amend Senate File 209, as amended, passed, and
2 reprinted by the Senate, as follows:

3 1. Page 3, by inserting after line 13, the
4 following:

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

11 To supplement funds appropriated in 1990 Iowa Acts,
12 chapter 1262, section 17, for emergency assistance to
13 families with dependent children under Title IV-A of
14 the federal Social Security Act to match federal
15 dollars for homeless prevention programs:

16 s 500,000".

17 2. Page 7, line 25, by striking the figure
18 "183,283" and inserting the following: "183,000".

19 3. By striking page 7, line 35, through page 8,
20 line 13.

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

23 "Sec. _____. Moneys remaining unencumbered or
24 unobligated from the funds appropriated to the Iowa
25 finance authority for the housing assistance program
26 for the fiscal year beginning July 1, 1989, in section
27 99F.32, subsection 3, paragraph "1", shall be used by
28 the Iowa finance authority for the housing assistance
29 program under the conditions and criteria set out in
30 1990 Iowa Acts, chapter 1262, section 3, as amended by
31 section 23 of this Act, except that \$500,000 of such
32 money shall be transferred to and deposited in the
33 general fund of the state on the effective date of
34 this Act.

35 Notwithstanding section 2.33, section 99F.30,
36 subsection 7, and 1990 Iowa Acts, chapter 1262,
37 section 17, subsection 2, moneys for the housing
38 assistance program remaining unencumbered or
39 unobligated on June 30, 1991, shall not revert or be
40 transferred to any fund but shall be available for
41 expenditure for purposes of the housing assistance
42 program for the fiscal year beginning July 1, 1991."

43 5. By striking page 9, line 13, through page 10,
44 line 11.

45 6. Page 10, by inserting before line 12 the
46 following:

47 "Sec. _____. Section 99F.4, subsection 2, Code 1991,
48 is amended by adding the following new unnumbered
49 paragraph:

50 NEW UNNUMBERED PARAGRAPH. All license fees.

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Page 2

1 operating fees, admissions fees, and penalties
2 collected under this chapter after July 1, 1993, shall
3 be deposited into the excursion boat gambling
4 revolving fund created in the office of the treasurer
5 of state.

6 Sec. _____. 1991 Iowa Acts, House File 173, section
7 1241, is amended by striking the section and inserting
8 in lieu thereof the following:

9 SEC. 1241. Section 523A.20, Code 1991, is amended
10 to read as follows:

11 523A.20 INSURANCE DIVISION'S REGULATORY FUND.

12 The insurance division may authorize the creation
13 of a special revenue fund in the state treasury, to be
14 known as the insurance division regulatory fund.
15 Commencing July 1, 1990, and annually thereafter, the
16 commissioner shall allocate from the fees paid
17 pursuant to section 523A.2, one dollar for each
18 agreement reported on an establishment permit holder's
19 annual report for deposit to the regulatory fund. The
20 remainder of the fees collected pursuant to section
21 523A.2 shall be deposited into the ~~insurance-revolving~~
22 ~~fund; provided, however, that~~ general fund of the
23 state. However, if the balance of the regulatory fund
24 on that July 1 exceeds two hundred thousand dollars,
25 the allocation to the regulatory fund shall not be
26 made and the total sum of the fees paid pursuant to
27 section 523A.2 shall be deposited in the insurance
28 revolving general fund of the state. The moneys in
29 the regulatory fund shall be retained in the fund
30 together with any interest or earnings that are earned
31 on the balance. However, for the fiscal period
32 beginning July 1, 1991, and ending June 30, 1993, any
33 interest or earnings that are earned on the balance
34 during that period shall be deposited into the general
35 fund of the state. The moneys are appropriated and,
36 subject to authorization by the commissioner, may be
37 used to pay investigative expenses and the expenses of
38 receiverships established pursuant to section 523A.19.
39 An annual assessment shall not be imposed if the
40 current balance of the fund exceeds two hundred
41 thousand dollars.

42 Sec. _____. 1991 Iowa Acts, House File 173, section
43 1242, is amended by striking the section and inserting
44 in lieu thereof the following:

45 SEC. 1242. Section 523E.20, Code 1991, is amended
46 to read as follows:

47 523E.20 INSURANCE DIVISION'S REGULATORY FUND.

48 The insurance division may authorize the creation
49 of a special revenue fund in the state treasury, to be
50 known as the insurance division regulatory fund.

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Page 3

1 Commencing July 1, 1990, and annually thereafter, the
2 commissioner shall allocate from the fees paid
3 pursuant to section 523E.2, one dollar for each
4 agreement reported on an establishment permit holder's
5 annual report for deposit to the regulatory fund. The
6 remainder of the fees collected pursuant to section
7 523E.2 shall be deposited into the ~~insurance-revolving~~
8 ~~fund, provided, however, that general fund of the~~
9 ~~state. However, if the balance of the regulatory fund~~
10 ~~on that July 1 exceeds two hundred thousand dollars,~~
11 ~~the allocation to the regulatory fund shall not be~~
12 ~~made and the total sum of the fees paid pursuant to~~
13 ~~section 523E.2 shall be deposited in the ~~insurance~~~~
14 ~~revolving general fund of the state. The moneys in~~
15 ~~the regulatory fund shall be retained in the fund~~
16 ~~together with any interest or earnings that are earned~~
17 ~~on the balance. However, for the fiscal period~~
18 ~~beginning July 1, 1991, and ending June 30, 1993, any~~
19 ~~interest or earnings that are earned on the balance~~
20 ~~during that period shall be deposited into the general~~
21 ~~fund of the state. The moneys are appropriated and,~~
22 ~~subject to authorization by the commissioner, may be~~
23 ~~used to pay investigative expenses and the expenses of~~
24 ~~receiverships established pursuant to section 523E.19.~~
25 ~~An annual assessment shall not be imposed if the~~
26 ~~current balance of the fund exceeds two hundred~~
27 ~~thousand dollars."~~

28 7. Page 10, by striking lines 12 through 24.

29 8. Page 10, lines 30 and 31, by striking the
30 words "twenty sixteen and two-thirds" and inserting
31 the following: "twenty".

32 9. Page 10, line 32, by striking the word
33 "Ninety" and inserting the following: "Ninety Ninety-
34 two".

35 10. Page 11, line 2, by striking the word "ten"
36 and inserting the following: "ten eight".

37 11. Page 11, line 3, by striking the word "ten"
38 and inserting the following: "ten eight".

39 12. Page 11, by inserting after line 6 the
40 following:

41 "Sec. ____ . Moneys deposited into the general fund
42 of the state during the fiscal period beginning July
43 1, 1991, and ending June 30, 1993, that would have
44 been deposited into other funds or accounts but for
45 the provisions of 1991 Iowa Acts, House File 173,
46 division XII, shall only be used for the purposes for
47 which the moneys were collected.

48 Sec. 100. Notwithstanding any provision relating
49 to or contained in section 28.112, the value-added
50 agricultural products and processes financial

H-3085

Page 4

1 assistance fund; section 246.54, the Iowa real estate
 2 education fund; section 246.310, the canteen operating
 3 fund; section 246.706, the revolving farm fund;
 4 section 455A.18, the Iowa resources enhancement and
 5 protection fund; section 467A.71, the conservation
 6 practices revolving loan fund; and section 467F.4, the
 7 water protection fund; any interest earned on or
 8 income from investments of moneys in such funds
 9 received during the fiscal period beginning July 1,
 10 1991, and ending June 30, 1993, shall not be deposited
 11 into such funds but shall be deposited into the
 12 general fund of the state.

13 Sec. _____. 1991 Iowa Acts, House File 173, sections
 14 1202, 1205, 1213, 1220, 1221, 1232, 1233, 1234, 1235,
 15 and 1250, are repealed.

16 Sec. _____. EFFECTIVE DATE. Section 100 of this Act
 17 takes effect July 1, 1991."

18 13. Page 11, line 7, by striking the words and
 19 figure "Sections 27 and" and inserting the following:
 20 "Section".

21 14. Page 11, line 8, by striking the word "take"
 22 and inserting the following: "takes".

23 15. Page 11, line 9, by striking the word "apply"
 24 and inserting the following: "applies".

25 16. Title page, lines 11 and 12, by striking the
 26 words "and extending ethanol fuel project, and
 27 increasing" and inserting the following: "relating to
 28 certain interest, investment income, and funds
 29 received, and relating to".

30 17. By renumbering, relettering, or redesignating
 31 and correcting internal references as necessary.

By COMMITTEE ON APPROPRIATIONS
 JOCHUM of Dubuque, Chairperson

H-3085 FILED FEBRUARY 25, 1991

Adopted 3/5 (p. 539)

SENATE FILE 209

H-3088

1 Amend Senate File 209, as amended, passed, and
 2 reprinted by the Senate, as follows:

3 1. Page 5, line 9, by striking the figure
 4 "617,340" and inserting the following: "547,000".

5 2. Page 5, by inserting after line 10, the
 6 following:

7 "None of the funds appropriated in this section
 8 shall be used to provide any regular or special issue
 9 of "The Goldfinch" publication to any student in the
 10 state, for an expanded college directory for students
 11 in the state, nor for replacing the current phone
 12 systems."

By BARTZ of Worth

H-3088 FILED FEBRUARY 26, 1991

w/s. 3/5

SENATE FILE 209

H-3104

1 Amend Senate File 209 as amended, passed, and
2 reprinted by the Senate as follows:

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

5 "Sec. _____. Notwithstanding the provisions of 1990
6 Iowa Acts, chapter 1270, section 6, the department of
7 human services may revise the allocation of funds
8 appropriated in that section for protective and state
9 child care assistance as the department deems
10 necessary to prevent a deficit in the appropriation.
11 The revision actions the department may take include
12 but are not limited to transfers of allocated funds
13 between counties within a department of human
14 services' district, transfers between the districts,
15 and limiting the number of new persons who are
16 approved to receive state child care assistance. If a
17 transfer of allocated funds is necessary,
18 consideration shall be given to transferring funds
19 from those counties projecting a surplus in the
20 allocation which have no waiting list for services and
21 from those counties with unencumbered funds in the
22 allocation which have a waiting list."

23 2. By renumbering as necessary.

By HAMMOND of Story
HESTER of Pottawattamie

H-3104 FILED FEBRUARY 27, 1991

W. Dept. 2/5 (p 540)

SENATE FILE 209

H-3108

1 Amend amendment, H-3085, to Senate File 209, as
2 amended, passed, and reprinted by the Senate, as
3 follows:

4 1. Page 1, by inserting after line 16, the
5 following:

6 "_____. Page 5, by striking lines 11 through 18."

7 2. Page 1, by striking lines 43 through 44.

8 3. Page 4, by inserting after line 24 the
9 following:

10 "_____. Title page, line 7, by striking the words
11 "board of regents institutions,"."

12 4. Page 4, line 25, by striking the words and
13 figure "lines 11 and" and inserting the following:
14 "line".

15 5. Page 4, line 26, by striking the words "and
16 extending ethanol fuel project,".

By JESSE of Jasper

H-3108 FILED FEBRUARY 27, 1991

W. Dept. 2/5

SENATE FILE 209

H-3100

- 1 Amend Senate File 209 as amended, passed, and
2 reprinted by the Senate, as follows:
3 1. Page 10, by inserting after line 11 the
4 following:
5 "Sec. 100. Section 8.23, unnumbered paragraph 1,
6 Code 1991, is amended to read as follows:
7 On or before September 1, ~~next~~ prior to each
8 legislative session, all departments and
9 establishments of the government shall transmit to the
10 director, on blanks to be furnished by the director,
11 estimates of their expenditure requirements, including
12 every proposed expenditure, for the ensuing fiscal
13 year, classified so as to distinguish between
14 expenditures estimated for administration, operation,
15 and maintenance, and the cost of each project
16 involving the purchase of land or the making of a
17 public improvement or capital outlay of a permanent
18 character, together with supporting data and
19 explanations as called for by the director. The
20 budget estimates shall include for those agencies
21 which pay for energy directly a line item for energy
22 expenses itemized by type of energy and location. The
23 estimates of expenditure requirements shall be based
24 upon seventy-five percent of the funding provided for
25 the current fiscal year accounted for by program
26 reduced by the historical employee vacancy factor in
27 form specified by the director and the remainder of
28 the estimate of expenditure requirements prioritized
29 by program. The estimates shall be accompanied with
30 performance measures for evaluating the effectiveness
31 of the program. If a department or establishment
32 fails to submit estimates within the time specified,
33 the governor shall cause estimates to be prepared for
34 that department or establishment as in the governor's
35 opinion are reasonable and proper. The director shall
36 furnish standard budget request forms to each
37 department or agency of state government."
38 2. Page 11, line 10, by inserting after the word
39 "date." the following: "Section 100 of this Act
40 relating to departmental estimates takes effect July
41 1, 1991."
42 3. Title page, line 13, by inserting after the
43 word "surcharge," the following: "and future budget
44 estimates."
45 4. Renumber as necessary.

By HALVORSON of Clayton
JOCHUM of Dubuque

H-3100 FILED FEBRUARY 27, 1991

Adopted 2/5 (p 541)

SENATE FILE 209

H-3139

1 Amend Senate File 209, as amended, passed, and
2 reprinted by the Senate, as follows:

3 1. Page 10, by inserting before line 25, the
4 following:

5 "Sec. ____ . NEW SECTION. 29C.22 PARTICIPATION IN
6 FUNDING DISASTER RECOVERY FACILITY.

7 All state government departments and agencies may
8 participate in sharing the cost of the design,
9 construction, and operation of a disaster recovery
10 facility located in the STARC armory at Camp Dodge.
11 State departments and agencies may use funds from any
12 source, including but not limited to, user fees, and
13 appropriations for operational or capital purposes, to
14 participate in the facility."

By JOCHUM of Dubuque

H-3139 FILED MARCH 4, 1991

Adopted 3/5 (p. 541)

SENATE AMENDMENT TO
HOUSE AMENDMENT TO
SENATE FILE 209

H-3166

1 Amend the House amendment, S-3085, to Senate File
2 209 as follows:

3 1. Page 1, line 36, by striking the figure
4 "500,000" and inserting the following: "300,000".

5 2. Page 1, by inserting after line 36 the
6 following:

7 "_____. Page 7, by inserting after line 11, the
8 following:

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

14 1. To supplement other funds appropriated by the
15 general assembly in 1990 Iowa Acts, chapter 1268,
16 section 7, subsection 1, as amended by 1991 Iowa Acts,
17 House File 173, for salaries of supreme court
18 justices, appellate court judges, district court
19 judges, district associate judges, judicial
20 magistrates and staff, state court administrator,
21 clerk of the supreme court, district court
22 administrators, clerks of the district court, juvenile
23 court officers, board of law examiners and board of
24 examiners of shorthand reporters and judicial
25 qualifications commission, receipt and disbursement of
26 child support payments, and maintenance, equipment,
27 and miscellaneous purposes:
28 \$ 200,000".

29 3. Page 1, by striking lines 39 and 40.

30 4. Page 2, by striking lines 13 and 14.

31 5. Page 4, by striking line 33.

32 6. By renumbering, relettering, or redesignating
33 and correcting internal references as necessary.

RECEIVED FROM THE SENATE

H-3166 FILED MARCH 11, 1991

House refused to concur 3/13 (p. 627)
Senate inserted 3/20 (p. 715)

HOUSE AMENDMENT TO
SENATE FILE 209

S-3085

1 Amend Senate File 209, as amended, passed, and
2 reprinted by the Senate, as follows:

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

5 "Sec. _____. Notwithstanding the provisions of 1990
6 Iowa Acts, chapter 1270, section 6, the department of
7 human services may revise the allocation of funds
8 appropriated in that section for protective and state
9 child care assistance as the department deems
10 necessary to prevent a deficit in the appropriation.
11 The revision actions the department may take include
12 but are not limited to transfers of allocated funds
13 between counties within a department of human
14 services' district, transfers between the districts,
15 and limiting the number of new persons who are
16 approved to receive state child care assistance. If a
17 transfer of allocated funds is necessary,
18 consideration shall be given to transferring funds
19 from those counties projecting a surplus in the
20 allocation which have no waiting list for services and
21 from those counties with unencumbered funds in the
22 allocation which have a waiting list."

23 2. Page 3, by inserting after line 13, the
24 following:

25 "Sec. _____. There is appropriated from the general
26 fund of the state to the department of human services
27 for the fiscal year beginning July 1, 1990, and ending
28 June 30, 1991, the following amount, or so much
29 thereof as is necessary, to be used for the purpose
30 designated:

31 To supplement funds appropriated in 1990 Iowa Acts,
32 chapter 1262, section 17, for emergency assistance to
33 families with dependent children under Title IV-A of
34 the federal Social Security Act to match federal
35 dollars for homeless prevention programs:

>36 \$ 500,000".

37 3. Page 7, line 25, by striking the figure
38 "183,283" and inserting the following: "133,000".

>39 4. By striking page 7, line 35, through page 8,
40 line 13.

41 5. Page 9, by inserting after line 9 the
42 following:

43 "Sec. _____. Moneys remaining unencumbered or
44 unobligated from the funds appropriated to the Iowa
45 finance authority for the housing assistance program
46 for the fiscal year beginning July 1, 1989, in section
47 99E.32, subsection 3, paragraph "u", shall be used by
48 the Iowa finance authority for the housing assistance
49 program under the conditions and criteria set out in
50 1990 Iowa Acts, chapter 1262, section 3, as amended by

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1 section 23 of this Act, except that \$500,000 of such
2 money shall be transferred to and deposited in the
3 general fund of the state on the effective date of
4 this Act.

5 Notwithstanding section 8.33, section 99E.32,
6 subsection 7, and 1990 Iowa Acts, chapter 1255,
7 section 37, subsection 2, moneys for the housing
8 assistance program remaining unencumbered or
9 unobligated on June 30, 1991, shall not revert or be
10 transferred to any fund but shall be available for
11 expenditure for purposes of the housing assistance
12 program for the fiscal year beginning July 1, 1991."

> 13 6. By striking page 9, line 33, through page 10,
14 line 11.

15 7. Page 10, by inserting after line 11 the
16 following:

17 "Sec. 100. Section 8.23, unnumbered paragraph 1,
18 Code 1991, is amended to read as follows:

19 On or before September 1, next prior to each
20 legislative session, all departments and
21 establishments of the government shall transmit to the
22 director, on blanks to be furnished by the director,
23 estimates of their expenditure requirements, including
24 every proposed expenditure, for the ensuing fiscal
25 year, classified so as to distinguish between
26 expenditures estimated for administration, operation,
27 and maintenance, and the cost of each project
28 involving the purchase of land or the making of a
29 public improvement or capital outlay of a permanent
30 character, together with supporting data and
31 explanations as called for by the director. The
32 budget estimates shall include for those agencies
33 which pay for energy directly a line item for energy
34 expenses itemized by type of energy and location. The
35 estimates of expenditure requirements shall be based
36 upon seventy-five percent of the funding provided for
37 the current fiscal year accounted for by program
38 reduced by the historical employee vacancy factor in
39 form specified by the director and the remainder of
40 the estimate of expenditure requirements prioritized
41 by program. The estimates shall be accompanied with
42 performance measures for evaluating the effectiveness
43 of the program. If a department or establishment
44 fails to submit estimates within the time specified,
45 the governor shall cause estimates to be prepared for
46 that department or establishment as in the governor's
47 opinion are reasonable and proper. The director shall
48 furnish standard budget request forms to each
49 department or agency of state government."

50 8. Page 10, by inserting before line 12 the

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1 following:

2 "Sec. _____. Section 99F.4, subsection 2, Code 1991,
3 is amended by adding the following new unnumbered
4 paragraph:

5 NEW UNNUMBERED PARAGRAPH. All license fees,
6 operating fees, admissions fees, and penalties
7 collected under this chapter after July 1, 1993, shall
8 be deposited into the excursion boat gambling
9 revolving fund created in the office of the treasurer
10 of state.

11 Sec. _____. 1991 Iowa Acts, House File 173, section
12 1241, is amended by striking the section and inserting
13 in lieu thereof the following:

14 SEC. 1241. Section 523A.20, Code 1991, is amended
15 to read as follows:

16 523A.20 INSURANCE DIVISION'S REGULATORY FUND.

17 The insurance division may authorize the creation
18 of a special revenue fund in the state treasury, to be
19 known as the insurance division regulatory fund.
20 Commencing July 1, 1990, and annually thereafter, the
21 commissioner shall allocate from the fees paid
22 pursuant to section 523A.2, one dollar for each
23 agreement reported on an establishment permit holder's
24 annual report for deposit to the regulatory fund. The
25 remainder of the fees collected pursuant to section
26 523A.2 shall be deposited into the insurance-revolving
27 ~~fund; provided, however, that~~ general fund of the
28 state. However, if the balance of the regulatory fund
29 on that July 1 exceeds two hundred thousand dollars,
30 the allocation to the regulatory fund shall not be
31 made and the total sum of the fees paid pursuant to
32 section 523A.2 shall be deposited in the insurance
33 revolving general fund of the state. The moneys in
34 the regulatory fund shall be retained in the fund
35 together with any interest or earnings that are earned
36 on the balance. However, for the fiscal period
37 beginning July 1, 1991, and ending June 30, 1993, any
38 interest or earnings that are earned on the balance
39 during that period shall be deposited into the general
40 fund of the state. The moneys are appropriated and,
41 subject to authorization by the commissioner, may be
42 used to pay investigative expenses and the expenses of
43 receiverships established pursuant to section 523A.19.
44 An annual assessment shall not be imposed if the
45 current balance of the fund exceeds two hundred
46 thousand dollars.

47 Sec. _____. 1991 Iowa Acts, House File 173, section
48 1242, is amended by striking the section and inserting
49 in lieu thereof the following:

50 SEC. 1242. Section 523E.20, Code 1991, is amended

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1 to read as follows:

2 523E.20 INSURANCE DIVISION'S REGULATORY FUND.

3 The insurance division may authorize the creation
4 of a special revenue fund in the state treasury, to be
5 known as the insurance division regulatory fund.
6 Commencing July 1, 1990, and annually thereafter, the
7 commissioner shall allocate from the fees paid
8 pursuant to section 523E.2, one dollar for each
9 agreement reported on an establishment permit holder's
10 annual report for deposit to the regulatory fund. The
11 remainder of the fees collected pursuant to section
12 523E.2 shall be deposited into the ~~insurance-revolving~~
13 ~~fund; provided, however, that~~ general fund of the
14 state. However, if the balance of the regulatory fund
15 on that July 1 exceeds two hundred thousand dollars,
16 the allocation to the regulatory fund shall not be
17 made and the total sum of the fees paid pursuant to
18 section 523E.2 shall be deposited in the insurance
19 revolving general fund of the state. The moneys in
20 the regulatory fund shall be retained in the fund
21 together with any interest or earnings that are earned
22 on the balance. However, for the fiscal period
23 beginning July 1, 1991, and ending June 30, 1993, any
24 interest or earnings that are earned on the balance
25 during that period shall be deposited into the general
26 fund of the state. The moneys are appropriated and,
27 subject to authorization by the commissioner, may be
28 used to pay investigative expenses and the expenses of
29 receiverships established pursuant to section 523E.19.
30 An annual assessment shall not be imposed if the
31 current balance of the fund exceeds two hundred
32 thousand dollars."

33 9. Page 10, by striking lines 12 through 24.

34 10. Page 10, by inserting before line 25, the
35 following:

36 "Sec. ____ . NEW SECTION. 29C.22 PARTICIPATION IN
37 FUNDING DISASTER RECOVERY FACILITY.

38 All state government departments and agencies may
39 participate in sharing the cost of the design,
40 construction, and operation of a disaster recovery
41 facility located in the STARC armory at Camp Dodge.
42 State departments and agencies may use funds from any
43 source, including but not limited to, user fees, and
44 appropriations for operational or capital purposes, to
45 participate in the facility."

46 11. Page 10, lines 30 and 31, by striking the
47 words "twenty sixteen and two-thirds" and inserting
48 the following: "twenty".

49 12. Page 10, line 32, by striking the word
50 "Ninety" and inserting the following: "Ninety Ninety-

- 1 two."
- 2 13. Page 11, line 2, by striking the word "ten"
- 3 and inserting the following: "ten eight".
- 4 14. Page 11, line 3, by striking the word "ten"
- 5 and inserting the following: "ten eight".
- 6 15. Page 11, by inserting after line 6 the
- 7 following:

8 "Sec. _____. Moneys deposited into the general fund
 9 of the state during the fiscal period beginning July
 10 1, 1991, and ending June 30, 1993, that would have
 11 been deposited into other funds or accounts but for
 12 the provisions of 1991 Iowa Acts, House File 173,
 13 division XII, shall only be used for the purposes for
 14 which the moneys were collected.

15 Sec. 200. Notwithstanding any provision relating
 16 to or contained in section 28.112, the value-added
 17 agricultural products and processes financial
 18 assistance fund; section 117.54, the Iowa real estate
 19 education fund; section 246.310, the canteen operating
 20 fund; section 246.706, the revolving farm fund;
 21 section 455A.18, the Iowa resources enhancement and
 22 protection fund; section 467A.71, the conservation
 23 practices revolving loan fund; and section 467F.4, the
 24 water protection fund; any interest earned on or
 25 income from investments of moneys in such funds
 26 received during the fiscal period beginning July 1,
 27 1991, and ending June 30, 1993, shall not be deposited
 28 into such funds but shall be deposited into the
 29 general fund of the state.

30 Sec. _____. 1991 Iowa Acts, House File 173, sections
 31 1202, 1205, 1213, 1220, 1221, 1232, 1233, 1234, 1235,
 32 and 1250, are repealed.

33 Sec. _____. EFFECTIVE DATE. Section 200 of this Act
 34 takes effect July 1, 1991."

35 16. Page 11, line 7, by striking the words and
 36 figure "Sections 27 and" and inserting the following:
 37 "Section".

38 17. Page 11, line 8, by striking the word "take"
 39 and inserting the following: "takes".

40 18. Page 11, line 9, by striking the word "apply"
 41 and inserting the following: "applies".

42 19. Page 11, line 10, by inserting after the word
 43 "date." the following: "Section 100 of this Act
 44 relating to departmental estimates takes effect July
 45 1, 1991."

46 20. Title page, lines 11 and 12, by striking the
 47 words "and extending ethanol fuel project, and
 48 increasing" and inserting the following: "relating to
 49 certain interest, investment income, and funds
 50 received, and relating to".

1 21. Title page, line 13, by inserting after the
 2 word "surcharge," the following: "and future budget
 3 estimates,".

4 22. By renumbering, relettering, or redesignating
 5 and correcting internal references as necessary.

RECEIVED FROM THE HOUSE

SENATE FILE 209

S-3092

1 Amend the House amendment, S-3085, to Senate File
2 209 as follows:

- 3 1. Page 1, line 36, by striking the figure
- 4 "500,000" and inserting the following: "300,000".
- 5 2. Page 1, by striking lines 39 and 40.
- 6 3. Page 2, by striking lines 13 and 14.
- 7 4. Page 4, by striking line 33.

By LEONARD L. BOSWELL

S-3092 FILED MARCH 7, 1991

ADOPTED (p. 559)

SENATE FILE 209

S-3095

1 Amend the House amendment, S-3085, to Senate File
2 209, as amended, passed, and reprinted by the Senate,
3 as follows:

4 1. Page 1, by inserting after line 36 the
5 following:

6 "____". Page 7, by inserting after line 11, the
7 following:

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

13 1. To supplement other funds appropriated by the
14 general assembly in 1990 Iowa Acts, chapter 1268,
15 section 7, subsection 1, as amended by 1991 Iowa Acts,
16 House File 173, for salaries of supreme court
17 justices, appellate court judges, district court
18 judges, district associate judges, judicial
19 magistrates and staff, state court administrator,
20 clerk of the supreme court, district court
21 administrators, clerks of the district court, juvenile
22 court officers, board of law examiners and board of
23 examiners of shorthand reporters and judicial
24 qualifications commission, receipt and disbursement of
25 child support payments, and maintenance, equipment,
26 and miscellaneous purposes:

27 \$ 200,000."

By LEONARD L. BOSWELL
BILL HUTCHINS

S-3095 FILED MARCH 7, 1991

ADOPTED (p. 559)

SENATE FILE 209

S-3096

1 Amend the House amendment, S-3085, to Senate File
2 209, as amended, passed, and reprinted by the Senate,
3 as follows:
4 1. Page 2, by inserting after line 49 the fol-
5 lowing:
6 " . Page 10, by inserting before line 12 the
7 following:
8 "Sec. . Section 96.7, subsection 12, paragraph
9 c, Code 1991, is amended to read as follows:
10 c. Moneys in the fund shall be used by the
11 division only upon appropriation by the general
12 assembly and only for personnel and nonpersonnel costs
13 of rural and satellite job service offices in
14 population centers of less than twenty thousand or fer
15 ~~the division approved training fund funded in section~~
16 ~~87-subsection-27-of-1988-Iowa-Acts, chapter-1274.~~ The
17 treasurer of state shall not transfer funds for the
18 administrative costs of collecting the administrative
19 contribution surcharge."

By RICHARD RUNNING

S-3096 FILED MARCH 7, 1991
RULED OUT OF ORDER (f 554)

REPORT OF THE CONFERENCE COMMITTEE
ON SENATE FILE 209

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 the House of Representatives on Senate File 209, a bill for an Act relating to and making supplemental appropriations for the remainder of the fiscal year ending June 30, 1991, to the department of human services, national conference of state legislatures, department of general services, department of revenue and finance, department of public safety, department of inspections and appeals, college student aid commission, board of regents institutions, office of lieutenant governor, department of transportation, pioneer lawmakers, the office of the state public defender, department of justice, department of human rights, Iowa finance authority, department of economic development, department of corrections, and extending ethanol fuel project, and increasing the court civil penalty surcharge, and providing effective dates, respectfully make the following report:

1. That the Senate recedes from its amendment, H-3166.
2. That the House of Representatives recedes from its amendment, S-3085.
3. That Senate File 209, as amended, passed and reprinted by the Senate, is amended as follows:
 1. Page 1, by inserting after line 22, the following:

"Sec. ____ . Notwithstanding the provisions of 1990 Iowa Acts, chapter 1270, section 6, the department of human services may revise the allocation of funds appropriated in that section for protective and state child care assistance as the department deems necessary to prevent a deficit in the appropriation. The revision actions the department may take include but are not limited to transfers of allocated funds between counties within a department of human services'

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district, transfers between the districts, and limiting the number of new persons who are approved to receive state child care assistance. If a transfer of allocated funds is necessary, consideration shall be given to transferring funds from those counties projecting a surplus in the allocation which have no waiting list for services and from those counties with unencumbered funds in the allocation which have a waiting list."

2. Page 3, by inserting after line 13, the following:

"Sec. _____. There is appropriated from the general fund of the state to the department of human services 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 purpose designated:

To supplement funds appropriated in 1990 Iowa Acts, chapter 1262, section 17, for emergency assistance to families with dependent children under Title IV-A of the federal Social Security Act to match federal dollars for homeless prevention programs:

..... \$ 400,000".

3. Page 7, by inserting after line 11, the following:

"Sec. _____. There is appropriated from the general fund of the state to the judicial department 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. To supplement other funds appropriated by the general assembly in 1990 Iowa Acts, chapter 1268, section 7, subsection 1, as amended by 1991 Iowa Acts, House File 173, for salaries of supreme court justices, appellate court judges, district court judges, district associate judges, judicial magistrates and staff, state court administrator, clerk of the supreme court, district court

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administrators, clerks of the district court, juvenile court officers, board of law examiners and board of examiners of shorthand reporters and judicial qualifications commission, receipt and disbursement of child support payments, and maintenance, equipment, and miscellaneous purposes:

..... \$ 200,000".

4. Page 7, line 25, by striking the figure "183,283" and inserting the following: "133,000".

5. Page 9, by inserting after line 9 the following:

"Sec. ____ . Moneys remaining unencumbered or unobligated from the funds appropriated to the Iowa finance authority for the housing assistance program for the fiscal year beginning July 1, 1989, in section 99E.32, subsection 3, paragraph "u", shall be used by the Iowa finance authority for the housing assistance program under the conditions and criteria set out in 1990 Iowa Acts, chapter 1262, section 3, as amended by section 23 of this Act, except that \$400,000 of such money shall be transferred to and deposited in the general fund of the state on the effective date of this Act.

Notwithstanding section 8.33, section 99E.32, subsection 7, and 1990 Iowa Acts, chapter 1255, section 37, subsection 2, moneys for the housing assistance program remaining unencumbered or unobligated on June 30, 1991, shall not revert or be transferred to any fund but shall be available for expenditure for purposes of the housing assistance program for the fiscal year beginning July 1, 1991."

6. Page 10, by inserting after line 11 the following:

"Sec. 100. Section 8.23, unnumbered paragraph 1, Code 1991, is amended to read as follows:

On or before September 1, text prior to each legislative session, all departments and establishments of the government shall transmit to the director, on blanks to be furnished by the director, estimates of their expenditure requirements, including every proposed expenditure, for the ensuing fiscal

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year, classified so as to distinguish between expenditures estimated for administration, operation, and maintenance, and the cost of each project involving the purchase of land or the making of a public improvement or capital outlay of a permanent character, together with supporting data and explanations as called for by the director. The budget estimates shall include for those agencies which pay for energy directly a line item for energy expenses itemized by type of energy and location. The estimates of expenditure requirements shall be based upon seventy-five percent of the funding provided for the current fiscal year accounted for by program reduced by the historical employee vacancy factor in form specified by the director and the remainder of the estimate of expenditure requirements prioritized by program. The estimates shall be accompanied with performance measures for evaluating the effectiveness of the program. If a department or establishment fails to submit estimates within the time specified, the governor shall cause estimates to be prepared for that department or establishment as in the governor's opinion are reasonable and proper. The director shall furnish standard budget request forms to each department or agency of state government.

Sec. ____ . Section 99F.4, subsection 2, Code 1991, is amended by adding the following new unnumbered paragraph:

NEW UNNUMBERED PARAGRAPH. All license fees, operating fees, admissions fees, and penalties collected under this chapter after July 1, 1993, shall be deposited into the excursion boat gambling revolving fund created in the office of the treasurer of state.

Sec. ____ . 1991 Iowa Acts, House File 173, section 1241, is amended by striking the section and inserting in lieu thereof the following:

SEC. 1241. Section 523A.20, Code 1991, is amended to read as follows:

523A.20 INSURANCE DIVISION'S REGULATORY FUND.

The insurance division may authorize the creation of a

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special revenue fund in the state treasury, to be known as the insurance division regulatory fund. Commencing July 1, 1990, and annually thereafter, the commissioner shall allocate from the fees paid pursuant to section 523A.2, one dollar for each agreement reported on an establishment permit holder's annual report for deposit to the regulatory fund. The remainder of the fees collected pursuant to section 523A.2 shall be deposited into the ~~insurance-revolving-fund; provided, however,~~ that general fund of the state. However, if the balance of the regulatory fund on that July 1 exceeds two hundred thousand dollars, the allocation to the regulatory fund shall not be made and the total sum of the fees paid pursuant to section 523A.2 shall be deposited in the ~~insurance-revolving~~ general fund of the state. The moneys in the regulatory fund shall be retained in the fund together with any interest or earnings that are earned on the balance. However, for the fiscal period beginning July 1, 1991, and ending June 30, 1993, any interest or earnings that are earned on the balance during that period shall be deposited into the general fund of the state. The moneys are appropriated and, subject to authorization by the commissioner, may be used to pay investigative expenses and the expenses of receiverships established pursuant to section 523A.19. An annual assessment shall not be imposed if the current balance of the fund exceeds two hundred thousand dollars.

Sec. ____ . 1991 Iowa Acts, House File 173, section 1242, is amended by striking the section and inserting in lieu thereof the following:

SEC. 1242. Section 523E.20, Code 1991, is amended to read as follows:

523E.20 INSURANCE DIVISION'S REGULATORY FUND.

The insurance division may authorize the creation of a special revenue fund in the state treasury, to be known as the insurance division regulatory fund. Commencing July 1, 1990, and annually thereafter, the commissioner shall allocate from

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the fees paid pursuant to section 523E.2, one dollar for each agreement reported on an establishment permit holder's annual report for deposit to the regulatory fund. The remainder of the fees collected pursuant to section 523E.2 shall be deposited into the ~~insurance-revolving-fund; provided, however, that~~ general fund of the state. However, if the balance of the regulatory fund on that July 1 exceeds two hundred thousand dollars, the allocation to the regulatory fund shall not be made and the total sum of the fees paid pursuant to section 523E.2 shall be deposited in the insurance-revolving general fund of the state. The moneys in the regulatory fund shall be retained in the fund together with any interest or earnings that are earned on the balance. However, for the fiscal period beginning July 1, 1991, and ending June 30, 1993, any interest or earnings that are earned on the balance during that period shall be deposited into the general fund of the state. The moneys are appropriated and, subject to authorization by the commissioner, may be used to pay investigative expenses and the expenses of receiverships established pursuant to section 523E.19. An annual assessment shall not be imposed if the current balance of the fund exceeds two hundred thousand dollars."

7. Page 10, by inserting after line 24, the following:

"Sec. ____ . NEW SECTION. 29C.22 PARTICIPATION IN FUNDING DISASTER RECOVERY FACILITY.

All state government departments and agencies may participate in sharing the cost of the design, construction, and operation of a disaster recovery facility located in the STARC armory at Camp Dodge. State departments and agencies may use funds from any source, including but not limited to, user fees, and appropriations for operational or capital purposes, to participate in the facility."

8. Page 10, line 32, by striking the word "Ninety" and inserting the following: "Ninety Ninety-four".

9. Page 11, line 2, by striking the word "ten" and

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inserting the following: "ten six".

10. Page 11, line 3, by striking the word "ten" and inserting the following: "ten six".

11. Page 11, by inserting after line 6 the following:

"Sec. _____. Moneys deposited into the general fund of the state during the fiscal period beginning July 1, 1991, and ending June 30, 1993, that would have been deposited into other funds or accounts but for the provisions of 1991 Iowa Acts, House File 173, division XII, shall only be used for the purposes for which the moneys were collected.

Sec. 200. Notwithstanding any provision relating to or contained in section 28.112, the value-added agricultural products and processes financial assistance fund; section 117.54, the Iowa real estate education fund; section 246.310, the canteen operating fund; section 246.706, the revolving farm fund; section 455A.18, the Iowa resources enhancement and protection fund; section 467A.71, the conservation practices revolving loan fund; and section 467F.4, the water protection fund; any interest earned on or income from investments of moneys in such funds received during the fiscal period beginning July 1, 1991, and ending June 30, 1993, shall not be deposited into such funds but shall be deposited into the general fund of the state.

Sec. _____. 1991 Iowa Acts, House File 173, sections 1202, 1205, 1213, 1220, 1221, 1232, 1233, 1234, 1235, and 1250, are repealed.

Sec. _____. EFFECTIVE DATE. Section 200 of this Act takes effect July 1, 1991."

12. Page 11, by striking line 9 and inserting the following: "apply to fines and forfeitures collected on or".

13. Page 11, line 10, by inserting after the word "date." the following: "Section 100 of this Act relating to departmental estimates takes effect July 1, 1991."

14. Title page, line 12, by inserting after the word "project," the following: "relating to certain interest,

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investment income, and funds received, relating to future budget estimates,".

15. By renumbering, relettering, or redesignating and correcting internal references as necessary.

ON THE PART OF THE SENATE:

LEONARD BOSWELL, Chairperson
EMIL HUSAK

ELAINE SZYMONIAK

ON THE PART OF THE HOUSE:

THOMAS JOCHUM, Chairperson

C. ARTHUR OLLIE
MICHAEL PETERSON

CCS-209 FILED MARCH 26, 1991

*Senate adopted 3/26 (p. 868)**House adopted 3/26 (p. 867)*



OFFICE OF THE GOVERNOR

STATE CAPITOL

DES MOINES, IOWA 50319

515 281-5211

TERRY E. BRANDTAS
GOVERNOR

March 29, 1991

The Honorable Joseph Welsh
President of the Senate
State Capitol Building
L O C A L

APR 01 91

Dear Mr. President:

I hereby transmit Senate File 209, an act relating to and making supplemental appropriations for the remainder of the fiscal year ending June 30, 1991, to the department of human services, national conference of state legislatures, department of general services, department of revenue and finance, department of public safety, department of inspections and appeals, college student aid commission, board of regents institutions, office of lieutenant governor, department of transportation, pioneer lawmakers, the office of the state public defender, department of justice, department of human rights, Iowa finance authority, department of economic development, department of corrections, and extending ethanol fuel project, relating to certain interest, investment income, and funds received, relating to future budget estimates, and increasing the court civil penalty surcharge, and providing effective dates.

Senate File 209 makes necessary appropriations to meet the state's obligations yet in this fiscal year. In approving the additional funding for court ordered evaluations and treatment of juveniles and indigent defense in this bill, it is my understanding that the necessary statutory language to bring the costs of these programs under control will follow in subsequent legislation very soon. This is essential if we are to achieve the cost avoidance necessary to provide a balanced budget.

Senate File 209 is, therefore, approved on this date with the following exceptions which I hereby disapprove.

I am unable to approve the item designated as Section 30, in its entirety. This section would provide \$20,000 for what is known as the Brazilian truck project. Research and development of the use of ethanol fuel passed this project when the state of Iowa has purchased five automobiles which burn a fuel mixture of up to 85 percent ethanol. These vehicles are American made and are assigned for daily use in our fleet, as opposed to being an experiment. I fully support the increased use of ethanol as a fuel and believe these scarce resources should be used to purchase additional vehicles for our fleet.

The Honorable Joseph Welsh
March 29, 1991
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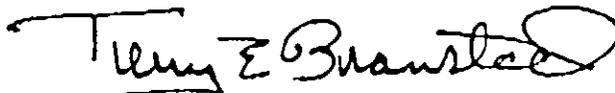
I am unable to approve Section 32, in its entirety. This section would require the deposit of fees collected from excursion boat gambling activities into an excursion boat gambling revolving fund. House File 173, signed by me on February 15, 1991, transferred all revenues derived from excursion boat gambling after June 30, 1991, into the general fund of the state. Approval of this section would recreate a revolving fund, a step backward in our efforts to move toward Generally Accepted Accounting Principles (GAAP). To assure that progress and to also assure proper oversight over all state appropriations and revenue receipts, I disapprove the creation of this separate fund.

I am unable to approve Section 33, 34, 39, 40 and 41, in their entirety. These sections deal with interest earned from funds deposited in special funds outside of the general fund. House File 173 changed current law to require interest earned on the balances of fifteen separate funds to be deposited in the state's general fund. Senate File 209 would amend House File 173 to allow interest earned on these special fund balances to be credited to the general fund only for fiscal years 1992 and 1993. This would be an unfortunate reversal of progress toward GAAP.

All of the programs funded from these special funds derive benefit from the general operation of state government through the provision of basic services, i.e., accounting, payroll and general services functions including space and the use of the state facilities. Deposit of interest earned on special funds is a good means to reimburse the general fund for this expense and should be a permanent policy of the state. Therefore, the permanent and positive changes made in House File 173 should not be reversed.

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 209 are hereby approved as of this date.

Sincerely,



Terry E. Branstad
Governor

TEB/ps

cc: Secretary of State
Secretary of the Senate
Chief Clerk of the House

SENATE FILE 209

AN ACT

RELATING TO AND MAKING SUPPLEMENTAL APPROPRIATIONS FOR THE REMAINDER OF THE FISCAL YEAR ENDING JUNE 30, 1991, TO THE DEPARTMENT OF HUMAN SERVICES, NATIONAL CONFERENCE OF STATE LEGISLATURES, DEPARTMENT OF GENERAL SERVICES, DEPARTMENT OF REVENUE AND FINANCE, DEPARTMENT OF PUBLIC SAFETY, DEPARTMENT OF INSPECTIONS AND APPEALS, COLLEGE STUDENT AID COMMISSION, BOARD OF REGENTS INSTITUTIONS, OFFICE OF LIEUTENANT GOVERNOR, DEPARTMENT OF TRANSPORTATION, PIONEER LAWMAKERS, THE OFFICE OF THE STATE PUBLIC DEFENDER, DEPARTMENT OF JUSTICE; DEPARTMENT OF HUMAN RIGHTS, IOWA FINANCE AUTHORITY, DEPARTMENT OF ECONOMIC DEVELOPMENT, DEPARTMENT OF CORRECTIONS, AND EXTENDING ETHANOL FUEL PROJECT, RELATING TO CERTAIN INTEREST, INVESTMENT INCOME, AND FUNDS RECEIVED, RELATING TO FUTURE BUDGET ESTIMATES, AND INCREASING THE COURT CIVIL PENALTY SURCHARGE, AND PROVIDING EFFECTIVE DATES.

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

DEPARTMENT OF HUMAN SERVICES

Section 1. There is appropriated from the general fund of the state to the department of human services 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 purpose designated:

To supplement funds appropriated in 1990 Iowa Acts, chapter 1270, section 1, as amended by 1991 Iowa Acts, House File 173, for aid to families with dependant children:

..... \$ 2,800,236

Sec. 2. There is appropriated from the general fund of the state to the department of human services 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 purpose designated:

To supplement funds appropriated in 1990 Iowa Acts, chapter 1270, section 2, as amended by 1991 Iowa Acts, House File 173, for medical assistance, including reimbursement for abortion services, which shall be available under the medical assistance program only for those abortions which are medically necessary:

..... \$ 4,382,328

Sec. 3. Notwithstanding the provisions of 1990 Iowa Acts, chapter 1270, section 6, the department of human services may revise the allocation of funds appropriated in that section for protective and state child care assistance as the department deems necessary to prevent a deficit in the appropriation. The revision actions the department may take include but are not limited to transfers of allocated funds between counties within a department of human services' district, transfers between the districts, and limiting the number of new persons who are approved to receive state child care assistance. If a transfer of allocated funds is necessary, consideration shall be given to transferring funds from those counties projecting a surplus in the allocation which have no waiting list for services and from those counties with unencumbered funds in the allocation which have a waiting list.

Sec. 4. There is appropriated from the general fund of the state to the department of human services 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 purpose designated:

To supplement funds appropriated in 1990 Iowa Acts, chapter 1270, section 7, for transitional child care assistance:

..... \$ 126,576

Sec. 5. There is appropriated from the general fund of the state to the department of human services 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 purpose designated:

To supplement funds appropriated in 1990 Iowa Acts, chapter 1270, section 13, as amended by 1991 Iowa Acts, House File 173, for foster care:

..... \$ 7,873,597

Sec. 6. There is appropriated from the general fund of the state to the department of human services 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 purpose designated:

To supplement funds appropriated in 1990 Iowa Acts, chapter 1270, section 15, as amended by 1991 Iowa Acts, House File 173, for home-based services on the condition that family planning services are funded, provided that if the department amends the allocation to a program funded under this section, then the department shall promptly notify the legislative fiscal bureau of the change:

..... \$ 309,956

Sec. 7. There is appropriated from the general fund of the state to the department of human services 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 purpose designated:

To supplement funds appropriated in 1990 Iowa Acts, chapter 1270, section 16, for community-based programs on the condition that the prevention grants relating to adolescent pregnancy are funded:

..... \$ 348,914

Sec. 8. There is appropriated from the general fund of the state to the department of human services 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 purpose designated:

To supplement funds appropriated in 1990 Iowa Acts, chapter 1270, section 18, for court-ordered evaluations and treatment pursuant to section 232.141, subsection 4:

..... \$ 6,250,100

Sec. 9. There is appropriated from the general fund of the state to the department of human 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:

To supplement funds appropriated in 1990 Iowa Acts, chapter 1270, section 21, subsection 4, for the state mental health institute at Mount Pleasant for salaries, support, maintenance, miscellaneous purposes, and for not more than the following additional full-time equivalent positions:

..... \$ 253,713
..... FTEs 4.0

Sec. 10. There is appropriated from the general fund of the state to the department of human services 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 purpose designated:

To supplement funds appropriated in 1990 Iowa Acts, chapter 1262, section 17, for emergency assistance to families with dependent children under Title IV-A of the federal Social Security Act to match federal dollars for homeless prevention programs:

..... \$ 400,000

DEPARTMENT OF GENERAL SERVICES

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

For capitol restoration:
..... \$ 1,000,000

NATIONAL CONFERENCE OF STATE LEGISLATURES

Sec. 12. There is appropriated from the general fund of the state to the following named agency 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 purpose designated:

NATIONAL CONFERENCE OF STATE LEGISLATURES

To supplement funds appropriated in 1990 Iowa Acts, chapter 1266, section 9, subsection 1, for support of the membership assessment:

..... \$ 2,502

DEPARTMENT OF REVENUE AND FINANCE

Sec. 13. There is appropriated from the general fund of the state to the department of revenue and finance the following amount, or so much thereof as is necessary, to be used for the purpose designated:

For expenses incurred in the litigation of the Burlington Northern Railroad lawsuit:

..... \$ 250,000

Notwithstanding section 8.33, moneys appropriated in this section shall not revert at the end of any fiscal year, and will remain available until the litigation is completed.

DEPARTMENT OF PUBLIC SAFETY

Sec. 14. There is appropriated from the road use tax fund to the department of public safety, division of highway safety and uniformed force, 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:

To supplement funds appropriated in 1990 Iowa Acts, chapter 1267, section 6, subsection 5, for payments to the department of personnel for expenses incurred in administering workers' compensation on behalf of the highway safety division of highway safety and uniformed force:

..... \$ 135,000

DEPARTMENT OF INSPECTIONS AND APPEALS

Sec. 15. There is appropriated from the road use tax fund to the department of inspections and appeals 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 purposes designated:

To supplement funds appropriated in 1990 Iowa Acts, chapter 1261, section 10, for salaries, support, maintenance, and miscellaneous purposes:

..... \$ 60,000

COLLEGE STUDENT AID COMMISSION

Sec. 16. There is appropriated from the loan reserve account to the college aid commission for the fiscal year beginning July 1, 1990, and ending June 30, 1991, the following amount, or so much thereof as may be necessary, to be used for the purposes designated:

To supplement funds appropriated in 1990 Iowa Acts, chapter 1272, section 6, for operating costs of the Stafford loan program including salaries, support, maintenance, miscellaneous purposes, and for not more than the following additional full-time equivalent positions:

..... \$ 617,340

..... FTEs 4.0

BOARD OF REGENTS INSTITUTIONS

Sec. 17. There is appropriated from the general fund of the state to Iowa state university of science and technology 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 purpose designated:

Biodegradable plastics research:

..... \$ 135,000

LIEUTENANT GOVERNOR

Sec. 18. 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 1991 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:

To supplement funds appropriated in 1990 Iowa Acts, chapter 1266, section 5, as amended by 1991 Iowa Acts, House File 173, for salaries, support, maintenance, and miscellaneous purposes including the lieutenant governor's compensation and expenses:
..... \$ 30,000

DEPARTMENT OF TRANSPORTATION

Sec. 19. There is appropriated from the primary road fund to the salary adjustment fund, for the fiscal year beginning July 1, 1990, and ending June 30, 1991, the following amount, or so much thereof as may be necessary, to be used for the purpose designated:

To supplement other funds appropriated by the general assembly in 1990 Iowa Acts, chapter 1256, section 11, subsection 2:
..... \$ 1,019,127

PIONEER LAWMAKERS

Sec. 20. There is appropriated from the general fund of the state to the pioneer lawmakers 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 purpose designated:

For expenses of the biennial meeting:
..... \$ 1,000

STATE PUBLIC DEFENDER

Sec. 21. There is appropriated from the general fund of the state to the office of the state public defender for the fiscal year beginning July 1, 1990, and ending June 30, 1991, the following amounts, or so much thereof as is necessary, for the purposes designated:

1. To supplement funds appropriated in 1990 Iowa Acts, chapter 1261, section 9, subsection 1, for salaries, support, maintenance, miscellaneous purposes, and for not more than the following additional full-time equivalent positions:
..... \$ 540,000
..... FTEs 38.00

2. To supplement funds appropriated in 1990 Iowa Acts, chapter 1261, section 9, subsection 2, as amended by 1991 Iowa Acts, House File 173, for indigent court-appointed attorney fees for adults and juveniles, notwithstanding section 232.141 and chapter 815:

..... \$ 4,760,000

DEPARTMENT OF JUSTICE

Sec. 22. 1990 Iowa Acts, chapter 1259, section 7, is amended to read as follows:

SEC. 7. There is appropriated from the separate fund created under section 321J.17 to the ~~family-and-community health-division-of-the-Iowa-department-of-public-health~~ department of justice 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:

To pay the costs of medical examinations in crimes of sexual abuse and of treatments for prevention of venereal disease as required by section 709.10:
..... \$ 176,000
211,000

Sec. 23. There is appropriated from the general fund of the state to the judicial department 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. To supplement other funds appropriated by the general assembly in 1990 Iowa Acts, chapter 1268, section 7, subsection 1, as amended by 1991 Iowa Acts, House File 173, for salaries of supreme court justices, appellate court judges, district court judges, district associate judges, judicial magistrates and staff, state court administrator, clerk of the supreme court, district court administrators, clerks of the district court, juvenile court officers, board of law examiners and board of examiners of shorthand reporters and judicial qualifications commission, receipt and

disbursement of child support payments, and maintenance, equipment, and miscellaneous purposes: \$ 200,000

DEPARTMENT OF CORRECTIONS

Sec. 24. There is appropriated from the general fund of the state to the department of corrections 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. To supplement other funds appropriated by the general assembly in 1990 Iowa Acts, chapter 1268, section 6, subsection 1, as amended by 1991 Iowa Acts, House File 173, for the first judicial district department of correctional services:

For salaries, support, maintenance, and miscellaneous purposes: \$ 133,000

2. To supplement other funds appropriated by the general assembly in 1990 Iowa Acts, chapter 1268, section 6, subsection 6, as amended by 1991 Iowa Acts, House File 173, for the sixth judicial district department of correctional services:

For staffing of additional new beds at the Cedar Rapids residential facility as authorized during the 1989 session of the general assembly: \$ 68,053

3. For the third judicial district department of correctional services for additional funding for the new 50 bed facility as authorized by 1990 Iowa Acts, chapter 1257, section 30: \$ 40,000

The project may also include the colocation of existing administrative office space. Political subdivisions, private individuals, or organizations may contribute to the financing, construction, and operations of the new facility.

Notwithstanding section 8.33, moneys remaining unencumbered and unobligated on June 30, 1991, from the appropriation made in this subsection shall not revert but shall remain available for expenditure for purposes of this subsection for the fiscal year beginning July 1, 1991.

DEPARTMENT OF HUMAN RIGHTS

Sec. 25. There is appropriated from the general fund of the state to the department of human rights 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:

To supplement funds appropriated in 1990 Iowa Acts, chapter 1259, section 2, subsection 6, as amended by 1991 Iowa Acts, House File 173, for the division of deaf services for salary and support of an additional interpreter: \$ 13,702

IOWA FINANCE AUTHORITY

Sec. 26. 1990 Iowa Acts, chapter 1262, section 3, subsection 1, paragraphs b and d, are amended to read as follows:

b. Of the amount appropriated in paragraph "a", \$200,000 shall be used to finance the purchase or acquisition, in communities with a population of less than 10,000, of modular homes, as defined in section 135B.17, and manufactured homes as defined in 42 U.S.C. § 5403.

d. Assistance provided under paragraph "a" shall be limited to mortgages under \$35,000 \$55,000, except in those areas of the state where the median price of homes exceeds the state average and except in the case of the \$200,000 set aside for communities of less than 10,000 where the mortgage limit is 950,000. In providing the assistance, the authority shall require substantial seller participation of not less than 2 percent of the mortgage amount, which participation includes, but is not limited to, home ownership maintenance funding, down-payment assistance, payment of closing costs, or rehabilitation costs.

Sec. 27. Moneys remaining unencumbered or unobligated from the funds appropriated to the Iowa finance authority for the housing assistance program for the fiscal year beginning July 1, 1989, in section 99E.32, subsection 3, paragraph "u", shall be used by the Iowa finance authority for the housing assistance program under the conditions and criteria set out in 1990 Iowa Acts, chapter 1262, section 3, as amended by section 26 of this Act, except that \$400,000 of such money shall be transferred to and deposited in the general fund of the state on the effective date of this Act.

Notwithstanding section 8.33, section 99E.32, subsection 7, and 1990 Iowa Acts, chapter 1255, section 37, subsection 2, moneys for the housing assistance program remaining unencumbered or unobligated on June 30, 1991, shall not revert or be transferred to any fund but shall be available for expenditure for purposes of the housing assistance program for the fiscal year beginning July 1, 1991.

DEPARTMENT OF ECONOMIC DEVELOPMENT

Sec. 28. 1989 Iowa Acts, chapter 308, section 1, subsection 2, unnumbered paragraph 2, as item vetoed by the governor, is amended to read as follows:

As a condition, limitation, and qualification of this appropriation, the department shall develop and initiate a program to provide cassette tape-recorded explanations of regional points of interest and tourist attractions to be made available without-charge at state welcome centers. The department may charge a reasonable deposit and fee to ensure that the tape is returned to a state welcome center or rest stop, or other location as specified by the department.

Sec. 29. 1989 Iowa Acts, chapter 308, section 1, subsection 3, unnumbered paragraph 2, is amended to read as follows:

As a condition, limitation, and qualification of this appropriation, the department shall develop and initiate a program to provide cassette tape-recorded explanations of regional points of interest and tourist attractions, to be

made available without-charge at state welcome centers. The department may charge a reasonable deposit and fee to ensure that the tape is returned to a state welcome center or rest stop, or other location as specified by the department.

Sec. 30. There is appropriated from the general fund of the state to the general assembly for the period beginning on the effective date of this Act and ending June 30, 1991, the sum of \$20,000, or so much thereof as is necessary, for the purpose of continuing through June 30, 1991, the ethanol fueled Brazilian truck project at the state university of Iowa. The appropriation made in this section, upon acceptance by the state university of Iowa, constitutes an extension through June 30, 1991, of the contract entered into between the state university of Iowa and the redesign lottery funded environmental initiatives study committee as that contract was signed by Susan M. Phillips for the state university of Iowa on August 24, 1990, and by Senator Bill Hutchins for the study committee on August 23, 1990.

Sec. 31. Section 8.23, unnumbered paragraph 1, Code 1991, is amended to read as follows:

On or before September 1, next prior to each legislative session, all departments and establishments of the government shall transmit to the director, on blanks to be furnished by the director, estimates of their expenditure requirements, including every proposed expenditure, for the ensuing fiscal year, classified so as to distinguish between expenditures estimated for administration, operation, and maintenance, and the cost of each project involving the purchase of land or the making of a public improvement or capital outlay of a permanent character, together with supporting data and explanations as called for by the director. The budget estimates shall include for those agencies which pay for energy directly a line item for energy expenses itemized by type of energy and location. The estimates of expenditure requirements shall be based upon seventy-five percent of the funding provided for the current fiscal year accounted for by

program reduced by the historical employee vacancy factor in form specified by the director and the remainder of the estimate of expenditure requirements prioritized by program. The estimates shall be accompanied with performance measures for evaluating the effectiveness of the program. If a department or establishment fails to submit estimates within the time specified, the governor shall cause estimates to be prepared for that department or establishment as in the governor's opinion are reasonable and proper. The director shall furnish standard budget request forms to each department or agency of state government.

Sec. 32. Section 99F.4, subsection 2, Code 1991, is amended by adding the following new unnumbered paragraph:

NEW UNNUMBERED PARAGRAPH. All license fees, operating fees, admissions fees, and penalties collected under this chapter after July 1, 1993, shall be deposited into the excursion boat gambling revolving fund created in the office of the treasurer of state.

Sec. 33. 1991 Iowa Acts, House File 173, section 1241, is amended by striking the section and inserting in lieu thereof the following:

SEC. 1241. Section 523A.20, Code 1991, is amended to read as follows:

523A.20 INSURANCE DIVISION'S REGULATORY FUND.

The insurance division may authorize the creation of a special revenue fund in the state treasury, to be known as the insurance division regulatory fund. Commencing July 1, 1990, and annually thereafter, the commissioner shall allocate from the fees paid pursuant to section 523A.2, one dollar for each agreement reported on an establishment permit holder's annual report for deposit to the regulatory fund. The remainder of the fees collected pursuant to section 523A.2 shall be deposited into the ~~insurance-revolving-fund; provided, however, that general fund of the state.~~ However, if the balance of the regulatory fund on that July 1 exceeds two hundred thousand dollars, the allocation to the regulatory

fund shall not be made and the total sum of the fees paid pursuant to section 523A.2 shall be deposited in the insurance revolving general fund of the state. The moneys in the regulatory fund shall be retained in the fund together with any interest or earnings that are earned on the balance. However, for the fiscal period beginning July 1, 1991, and ending June 30, 1993, any interest or earnings that are earned on the balance during that period shall be deposited into the general fund of the state. The moneys are appropriated and, subject to authorization by the commissioner, may be used to pay investigative expenses and the expenses of receiverships established pursuant to section 523A.19. An annual assessment shall not be imposed if the current balance of the fund exceeds two hundred thousand dollars.

Sec. 34. 1991 Iowa Acts, House File 173, section 1242, is amended by striking the section and inserting in lieu thereof the following:

SEC. 1242. Section 523E.20, Code 1991, is amended to read as follows:

523E.20 INSURANCE DIVISION'S REGULATORY FUND.

The insurance division may authorize the creation of a special revenue fund in the state treasury, to be known as the insurance division regulatory fund. Commencing July 1, 1990, and annually thereafter, the commissioner shall allocate from the fees paid pursuant to section 523E.2, one dollar for each agreement reported on an establishment permit holder's annual report for deposit to the regulatory fund. The remainder of the fees collected pursuant to section 523E.2 shall be deposited into the ~~insurance-revolving-fund; provided, however, that general fund of the state.~~ However, if the balance of the regulatory fund on that July 1 exceeds two hundred thousand dollars, the allocation to the regulatory fund shall not be made and the total sum of the fees paid pursuant to section 523E.2 shall be deposited in the insurance revolving general fund of the state. The moneys in the regulatory fund shall be retained in the fund together with

any interest or earnings that are earned on the balance. However, for the fiscal period beginning July 1, 1991, and ending June 30, 1993, any interest or earnings that are earned on the balance during that period shall be deposited into the general fund of the state. The moneys are appropriated and, subject to authorization by the commissioner, may be used to pay investigative expenses and the expenses of receiverships established pursuant to section 523E.19. An annual assessment shall not be imposed if the current balance of the fund exceeds two hundred thousand dollars.

Sec. 35. Section 911.2, unnumbered paragraph 1, Code 1991, as amended by 1991 Iowa Acts, House File 173, section 816, is amended to read as follows:

When a court imposes a fine or forfeiture for a violation of a state law, or of a city or county ordinance except an ordinance regulating the parking of motor vehicles, the court shall assess an additional penalty in the form of a surcharge equal to ~~twenty-five~~ thirty percent of the fine or forfeiture imposed. In the event of multiple offenses, the surcharge shall be based upon the total amount of fines or forfeitures imposed for all offenses. When a fine or forfeiture is suspended in whole or in part, the surcharge shall be reduced in proportion to the amount suspended.

Sec. 36. NEW SECTION. 29C.22 PARTICIPATION IN FUNDING DISASTER RECOVERY FACILITY.

All state government departments and agencies may participate in sharing the cost of the design, construction, and operation of a disaster recovery facility located in the STARC armory at Camp Dodge. State departments and agencies may use funds from any source, including but not limited to, user fees, and appropriations for operational or capital purposes, to participate in the facility.

Sec. 37. Section 911.3, Code 1991, as amended by 1991 Iowa Acts, House File 173, section 817, 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 ~~twenty sixteen and two-thirds~~ percent of the surcharge collected to the treasurer of state to be deposited pursuant to section 321J.17. ~~Ninety~~ Ninety-four percent of the remainder of the surcharge collected shall be transmitted to the treasurer of state by the fifteenth day of the following month. The treasurer of state shall deposit that money in the general fund of the state. The clerk of the district court shall transmit ~~ten~~ six percent of the remainder of the surcharge to the county treasurer or shall remit ~~ten~~ six percent of the remainder of the surcharge to the city that was the plaintiff in any action for deposit in the general fund of the city.

Sec. 38. Moneys deposited into the general fund of the state during the fiscal period beginning July 1, 1991, and ending June 30, 1993, that would have been deposited into other funds or accounts but for the provisions of 1991 Iowa Acts, House File 173, division XII, shall only be used for the purposes for which the moneys were collected.

Sec. 39. Notwithstanding any provision relating to or contained in section 28.112, the value-added agricultural products and processes financial assistance fund; section 117.54, the Iowa real estate education fund; section 246.310, the canteen operating fund; section 246.706, the revolving farm fund; section 455A.18, the Iowa resources enhancement and protection fund; section 467A.71, the conservation practices revolving loan fund; and section 467F.4, the water protection fund; any interest earned on or income from investments of moneys in such funds received during the fiscal period beginning July 1, 1991, and ending June 30, 1993, shall not be deposited into such funds but shall be deposited into the general fund of the state.

Sec. 40. 1991 Iowa Acts, House File 173, sections 1202, 1205, 1213, 1220, 1221, 1232, 1233, 1234, 1235, and 1250, are repealed.

Sec. 41. EFFECTIVE DATE. Section 39 of this Act takes effect July 1, 1991.

Sec. 42. EFFECTIVE DATE. Sections 35 and 37 of this Act, relating to court surcharges, take effect April 1, 1991, and apply to fines and forfeitures collected on or after that date. Section 31 of this Act relating to departmental estimates takes effect July 1, 1991.

Sec. 43. This Act, being deemed of immediate importance, is effective upon enactment.

JOE J. WELSH
President of the Senate

ROBERT C. ARNOULD
Speaker of the House

I hereby certify that this bill originated in the Senate and is known as Senate File 209, Seventy-fourth General Assembly.

JOHN F. DWYER
Secretary of the Senate

Item Voted
Approved 3/29, 1991

TERRY E. BRANSTAD
Governor

SF 209