

*Reprinted*

FILED APR 19 1991

SENATE FILE 532  
BY COMMITTEE ON APPROPRIATIONS

Passed Senate, Date 4/16/91 (S. 1264) Passed House, Date 4/25/91 (P. 1561)  
Vote: Ayes 49 Nays 0 Vote: Ayes 88 Nays 1  
Approved Item Voted May 9, 1991

A BILL FOR

1 An Act relating to reductions and increases in appropriations  
2 made for the fiscal year ending June 30, 1991, to departments  
3 and agencies of state government and to other public purposes,  
4 transferring moneys to the general fund of the state, and  
5 providing an effective date.

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

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SF 532

1 DIVISION I  
 2 DEPARTMENT OF HUMAN SERVICES  
 3 Sec. 101. 1990 Iowa Acts, chapter 1270, section 21,  
 4 subsection 1, unnumbered paragraph 1, as amended by 1991 Iowa  
 5 Acts, House File 173, section 117, is amended to read as  
 6 follows:  
 7 State mental health institute at Cherokee:  
 8 ..... \$ ~~14,186,485~~  
 9 ..... 14,137,569  
 10 ..... FTEs 409.33

11 DIVISION II  
 12 CIVIL RIGHTS COMMISSION  
 13 Sec. 201. 1990 Iowa Acts, chapter 1259, section 1,  
 14 unnumbered paragraph 2, as amended by 1991 Iowa Acts, House  
 15 File 173, section 201, is amended to read as follows:  
 16 For salaries, support, maintenance, miscellaneous purposes,  
 17 and for not more than the following full-time equivalent posi-  
 18 tions:  
 19 ..... \$ ~~1,701,039~~  
 20 ..... 977,155  
 21 ..... FTEs 37.00

22 DEPARTMENT OF HUMAN RIGHTS  
 23 Sec. 202. 1990 Iowa Acts, chapter 1259, section 2,  
 24 subsection 1, and subsections 3, 4, 5, 6, and 7, as amended by  
 25 1991 Iowa Acts, House File 173, section 202, are amended to  
 26 read as follows:

27 1. CENTRAL ADMINISTRATION DIVISION  
 28 For salaries, support, maintenance, miscellaneous purposes,  
 29 and for not more than the following full-time equivalent posi-  
 30 tions:  
 31 ..... \$ 242,000  
 32 ..... 237,000  
 33 ..... FTEs 9.00

34 3. PERSONS WITH DISABILITIES DIVISION  
 35 For salaries, support, maintenance, miscellaneous purposes,

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

3 .....	\$	189,000
4 .....		<u>184,100</u>
5 .....	FTEs	4.00

6 Of the funds appropriated to the division, there is  
7 allocated an amount necessary to fund the central registry for  
8 brain injuries established pursuant to section 135.22.

9 4. STATUS OF WOMEN DIVISION

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

13 .....	\$	207,500
14 .....		<u>199,480</u>
15 .....	FTEs	4.10

16 b. For the displaced homemaker program:

17 .....	\$	140,000
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18 5. CHILDREN, YOUTH AND FAMILIES DIVISION

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

22 .....	\$	<del>163,121</del>
23 .....		<u>149,605</u>
24 .....	FTEs	8.00

25 Of the funds appropriated in this subsection, no less than  
26 \$36,300 shall be spent for expenses relating to the  
27 administration of federal funds for juvenile assistance. It  
28 is the intent of the general assembly that the department of  
29 human rights employ sufficient staff to meet the federal  
30 funding match requirements established by the federal office  
31 for juvenile justice delinquency prevention. The governor's  
32 advisory council on juvenile justice shall determine the  
33 staffing level necessary to carry out federal and state  
34 mandates for juvenile justice.

35 6. DEAF SERVICES DIVISION

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

4 .....	\$	285,277
5 .....		<u>280,877</u>
6 .....	FTEs	10.00

7 The fees collected by the division for provision of  
8 interpretation services by the division to obligated agencies  
9 shall be dispersed pursuant to the provisions of section 8.32,  
10 and shall be dedicated and used by the division for the  
11 provision of continued and expanded interpretation services.

12 7. STATUS OF BLACKS DIVISION

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

16 .....	\$	68,735
17 .....		<u>66,631</u>
18 .....	FTEs	1.50

19 Sec. 203. 1990 Iowa Acts, chapter 1268, section 9,  
20 unnumbered paragraph 2, as amended by 1991 Iowa Acts, House  
21 File 173, section 204, is amended to read as follows:

22 For the division of criminal and juvenile justice planning  
23 established pursuant to section 601K.1, and for not more than  
24 the following full-time equivalent positions:

25 .....	\$	48,063
26 .....		<u>37,915</u>
27 .....	FTEs	2.00

28 DEPARTMENT FOR THE BLIND

29 Sec. 204. 1990 Iowa Acts, chapter 1259, section 4,  
30 unnumbered paragraph 2, as amended by 1991 Iowa Acts, House  
31 File 173, section 203, is amended to read as follows:

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

35 .....	\$	2,345,087
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1 1,324,087  
2 ..... FTEs 103.50

3 DEPARTMENT OF ELDER AFFAIRS

4 Sec. 205. 1990 Iowa Acts, chapter 1259, section 5,  
5 subsection 1, and subsection 7, unnumbered paragraph 1, as  
6 amended by 1991 Iowa Acts, House File 173, section 205, are  
7 amended to read as follows:

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

11 ..... \$ 464,989  
12 ..... 437,970  
13 ..... FTEs 32.00

14 It is the intent of the general assembly that the  
15 department employ an alternative housing coordinator and a  
16 long-term care coordinator as 2 of the full-time equivalent  
17 positions.

18 Of the funds appropriated under this subsection, \$50,000  
19 shall be allocated to fund the representative payee project  
20 established within the department of elder affairs.

21 For elderly services programs:

22 ..... \$ ~~1,471,800~~  
x 23 ..... 1,436,646

24 Sec. 206. 1990 Iowa Acts, chapter 1272, section 19, as  
25 amended by 1991 Iowa Acts, House File 173, section 206, is  
26 amended to read as follows:

27 SEC. 19. There is appropriated from the general fund of  
28 the state to the department of elder affairs for the fiscal  
29 year beginning July 1, 1990, and ending June 30, 1991, the  
30 following amount, or so much thereof as may be necessary, to  
31 conduct the elderlaw education program under section 249D.54:

32 ..... \$ 48,891  
33 ..... 29,207

34 IOWA DEPARTMENT OF PUBLIC HEALTH

35 Sec. 207. 1990 Iowa Acts, chapter 1259, section 6,

1 subsection 1, as amended by 1991 Iowa Acts, House File 173,  
2 section 207, is amended to read as follows:

3 1. CENTRAL ADMINISTRATION DIVISION

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

7 .....	\$	775,696
8 .....		<u>767,696</u>
9 .....	FTEs	57.00

10 As a condition, limitation, and qualification of the  
11 appropriation made in this subsection, the director of the  
12 Iowa department of public health or the director's designee  
13 shall participate in an interagency working committee convened  
14 by the governor's planning council for developmental  
15 disabilities to examine the feasibility of establishing an  
16 office of disability prevention within state government.

17 Sec. 208. 1990 Iowa Acts, chapter 1259, section 6,  
18 subsection 2, paragraph a, as amended by 1991 Iowa Acts, House  
19 File 173, section 208, is amended to read as follows:

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

23 .....	\$	<del>1,753,766</del>
24 .....		<u>1,052,766</u>
25 .....	FTEs	15.75

26 The department shall allocate from the funds appropriated  
27 under this subsection ~~\$754,500~~ \$653,500 for the fiscal year  
28 beginning July 1, 1990, and ending June 30, 1991, for the  
29 chronic renal disease program. The types of assistance to  
30 eligible recipients under the program may include hospital and  
31 medical expenses, home dialysis supplies, insurance premiums,  
32 travel expenses, prescription and nonprescription drugs, and  
33 lodging expenses for persons in training. The program  
34 expenditures shall not exceed these allocations. If projected  
35 expenditures will exceed the allocations, the department shall

1 establish by administrative rule a mechanism to reduce  
2 financial assistance under the renal disease program in order  
3 to keep expenditures within the allocations.

4 Sec. 209. 1990 Iowa Acts, chapter 1259, section 6,  
5 subsection 3, paragraph a, unnumbered paragraph 1, as amended  
6 by 1991 Iowa Acts, House File 173, section 210, is amended to  
7 read as follows:

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

11 .....	\$	2,401,789
12 .....		<u>2,273,559</u>
13 .....	FTEs	78.50

14 Sec. 210. 1990 Iowa Acts, chapter 1259, section 6,  
15 subsection 3, paragraph b, unnumbered paragraph 1, as amended  
16 by 1991 Iowa Acts, House File 173, section 211, is amended to  
17 read as follows:

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

21 .....	\$	975,583
22 .....		<u>935,583</u>
23 .....	FTEs	5.00

24 Sec. 211. 1990 Iowa Acts, chapter 1259, section 6,  
25 subsections 5 and 10, as amended by 1991 Iowa Acts, House File  
26 173, section 212, are amended to read as follows:

27 5. STATE BOARD OF DENTAL EXAMINERS

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

31 .....	\$	222,328
32 .....		<u>215,628</u>
33 .....	FTEs	4.00

34 10. SUBSTANCE ABUSE DIVISION

35 a. For salaries, support, maintenance, miscellaneous

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

3 .....	\$	489,571
4 .....		<u>484,571</u>
5 .....	FTEs	15.00

6 b. For program grants:

7 .....	\$	7,382,000
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8 Sec. 212. 1990 Iowa Acts, chapter 1259, section 6,  
9 subsection 11, paragraphs a and e, unnumbered paragraph 1, as  
10 amended by 1991 Iowa Acts, House File 173, section 213, are  
11 amended to read as follows:

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

15 .....	\$	3,558,864
16 .....		<u>3,458,864</u>
17 .....	FTEs	87.60

18 The department shall allocate from the funds appropriated  
19 under this paragraph at least ~~\$631,000~~ \$571,285 for the fiscal  
20 year beginning July 1, 1990, and ending June 30, 1991, for the  
21 birth defects and genetics counseling program and of these  
22 funds, ~~\$397,000~~ \$37,934 shall be allocated for a central birth  
23 defects registry program, and ~~\$296,000~~ \$238,147 shall be  
24 allocated for regional genetic counseling services contracted  
25 from the university of Iowa hospitals and clinics under the  
26 control of the state board of regents.

27 Of the funds appropriated under this paragraph, ~~\$124,000~~  
28 \$104,000 shall be used for a lead abatement program.

29 Of the funds appropriated in this paragraph, the following  
30 amounts shall be allocated to the university of Iowa hospitals  
31 and clinics under the control of the state board of regents  
32 for the following programs under the Iowa specialized child  
33 health care services:

34 (1) Mobile and regional child health specialty clinics:		
35 .....	\$	341,500

1 330,556

2 The regional clinic located in Sioux City shall maintain a  
3 social worker component to assist the families of children  
4 participating in the clinic program.

5 (2) Muscular dystrophy and related genetic disease  
6 programs:

7 ..... \$ 125,000  
8 121,671

9 (3) Statewide perinatal program:

10 ..... \$ 67,000  
11 65,192

12 The birth defects and genetic counseling service shall  
13 apply a sliding fee scale to determine the amount a person re-  
14 ceiving the services is required to pay for the services.  
15 These fees shall be considered repayment receipts and used for  
16 the program.

17 Of the funds allocated to the mobile and regional child  
18 health specialty clinics under subparagraph (1), ~~\$101,500~~  
19 \$98,922 shall be used for a specialized medical home care  
20 program providing care planning and coordination of community  
21 support services for children who require technical medical  
22 care in the home.

23 The university of Iowa hospitals and clinics shall not  
24 receive indirect costs from the funds for each program.

25 Of the funds appropriated under this paragraph, \$1,750,000  
26 shall be used for maternal and child health services, and  
27 shall be allocated for the following purposes:

28 (1) For outreach services and the hiring of 4 half-time  
29 paraprofessionals to be located in and surrounding the areas  
30 of Black Hawk, Tama, Woodbury, and Scott counties:

31 ..... \$ 50,000

32 ~~(3)~~ (2) Of the funds appropriated under this paragraph  
33 for prevention services for women to decrease problems of  
34 pregnancy and to reduce the incidences of low birth weights,  
35 priorities shall be given to communities with a high

1 concentration of minorities.

2 The Iowa department of public health shall administer the  
3 statewide maternal and child health program and the crippled  
4 children's program by conducting mobile and regional child  
5 health specialty clinics and conducting other activities to  
6 improve the health of low-income women and children and to  
7 promote the welfare of children with actual or potential  
8 handicapping conditions and chronic illnesses in accordance  
9 with the requirements of Title V of the Social Security Act.

10 For the development and maintenance of well-elderly clinics  
11 in the state:

12 ..... \$ 645,000  
13 625,000

14 Sec. 213. 1989 Iowa Acts, chapter 304, section 1106,  
15 unnumbered paragraph 2, is amended to read as follows:

16 To support agricultural health and safety programs:  
17 ..... \$ 45,000  
18 39,883

19 Sec. 214. 1989 Iowa Acts, chapter 304, section 1108,  
20 unnumbered paragraph 1, as amended by 1990 Iowa acts, chapter  
21 1259, section 9, is amended to read as follows:

22 If division II and section 1101 of this Act are enacted,  
23 there is appropriated from the general fund of the state to  
24 the Iowa department of public health for the fiscal period  
25 beginning October 1, 1989, and ending June 30, 1990, \$300,000  
26 \$290,000 to be used for the purposes designated:

27 Sec. 215. 1990 Iowa Acts, chapter 1259, section 6,  
28 subsection 2, paragraph c, is amended to read as follows:

29 c. For the health data clearinghouse of the health data  
30 commission:  
31 ..... \$ 375,000  
32 355,000

33 Sec. 216. 1990 Iowa Acts, chapter 1262, section 14,  
34 unnumbered paragraph 2, is amended to read as follows:

35 For the acquisition of emergency medical services

1 equipment:

2 .....	\$	750,000
3 .....		<u>600,000</u>

4 DIVISION III  
5 AUDITOR OF STATE

6 Sec. 301. 1990 Iowa Acts, chapter 1261, section 1,  
7 unnumbered paragraph 2, as amended by 1991 Iowa Acts, House  
8 File 173, section 401, is amended to read as follows:

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

12 .....	\$	2,003,602
13 .....		<u>1,983,602</u>
14 .....	FTEs	154.50

15 CAMPAIGN FINANCE DISCLOSURE COMMISSION

16 Sec. 302. 1990 Iowa Acts, chapter 1261, section 2,  
17 unnumbered paragraph 2, as amended by 1991 Iowa Acts, House  
18 File 173, section 402, is amended to read as follows:

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

22 .....	\$	258,533
23 .....		<u>253,057</u>
24 .....	FTEs	6.75

25 DEPARTMENT OF EMPLOYMENT SERVICES

26 Sec. 303. 1990 Iowa Acts, chapter 1261, section 3,  
27 subsection 1, unnumbered paragraph 1, as amended by 1991 Iowa  
28 Acts, House File 173, section 403, is amended to read as  
29 follows:

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

33 .....	\$	2,541,046
34 .....		<u>2,524,946</u>
35 .....	FTEs	104.80

1 Sec. 304. 1990 Iowa Acts, chapter 1261, section 3,  
2 subsection 2, unnumbered paragraph 1, as amended by 1991 Iowa  
3 Acts, House File 173, section 404, is amended to read as  
4 follows:

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

8 .....	\$	1,859,336
9 .....		<u>1,818,661</u>
10 .....	FTEs	45.76

11 DEPARTMENT OF COMMERCE

12 Sec. 305. 1990 Iowa Acts, chapter 1261, section 14, as  
13 amended by 1991 Iowa Acts, House File 173, section 413, is  
14 amended to read as follows:

15 SEC. 14. Notwithstanding section 123.53, there is  
16 appropriated from the beer and liquor control fund to the  
17 alcoholic beverages division of the department of commerce for  
18 the fiscal year beginning July 1, 1990, and ending June 30,  
19 1991, the following amount, or so much thereof as is  
20 necessary, for the purposes designated:

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

24 .....	\$	4,455,167
25 .....		<u>4,406,431</u>
26 .....	FTEs	85.86

27 DIVISION IV

28 GOVERNOR

29 Sec. 401. 1990 Iowa Acts, chapter 1266, section 2, subsec-  
30 tion 1, as amended by 1991 Iowa Acts, House File 173, section  
31 602, is amended to read as follows:

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

35 .....	\$	858,000
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34187  
3422

1		<u>849,000</u>
2	..... FTEs	17.00
3	DEPARTMENT OF GENERAL SERVICES	
4	Sec. 402. 1990 Iowa Acts, chapter 1266, section 10,	
5	subsections 1, 2, 4, 7, and 8, as amended by 1991 Iowa Acts,	
6	House File 173, section 606, are amended to read as follows:	
7	1. ADMINISTRATION DIVISION	
8	For salaries, support, maintenance, miscellaneous purposes,	
9	and for not more than the following full-time equivalent posi-	
10	tions:	
11	..... \$	<u>480,000</u>
12		<u>465,000</u>
13	..... FTEs	16.00
14	2. COMMUNICATIONS DIVISION	
15	For salaries, support, maintenance, miscellaneous purposes,	
16	and for not more than the following full-time equivalent	
17	positions:	
18	..... \$	<u>153,000</u>
19		<u>118,000</u>
20	..... FTEs	19.00
21	4. MATERIALS MANAGEMENT DIVISION	
22	For salaries, support, maintenance, miscellaneous purposes,	
23	and for not more than the following full-time equivalent posi-	
24	tions:	
25	..... \$	<u>917,000</u>
26		<u>90,285</u>
27	..... FTEs	3.30
28	7. RECORDS MANAGEMENT DIVISION	
29	For salaries, support, maintenance, miscellaneous purposes,	
30	and for not more than the following full-time equivalent posi-	
31	tions:	
32	..... \$	<u>421,000</u>
33		<u>416,000</u>
34	..... FTEs	14.50
35	8. INFORMATION SERVICES DIVISION	

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

4 ..... \$ 67687804  
5 ..... 6,582,804  
6 ..... FTEs 158.00

7 Sec. 403. 1990 Iowa Acts, chapter 1266, section 10,  
8 subsections 3 and 5, are amended to read as follows:

9 3. DIRECTOR'S OFFICE

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

13 ..... \$ 1027000  
14 ..... 87,000  
15 ..... FTEs 2.00

16 5. PROPERTY MANAGEMENT DIVISION

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

20 ..... \$ 377447000  
21 ..... 3,734,000  
22 ..... FTEs 156.00

23 DEPARTMENT OF PERSONNEL

24 Sec. 404. 1990 Iowa Acts, chapter 1266, section 15,  
25 subsection 1, as amended by 1991 Iowa Acts, House File 173,  
26 section 609, is amended to read as follows:

27 1. ADMINISTRATION

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

32 ..... \$ 171967035  
33 ..... 1,178,458  
34 ..... FTEs 29.65

35 DEPARTMENT OF REVENUE AND FINANCE

1 Sec. 405. 1990 Iowa Acts, chapter 1266, section 17,  
2 subsections 1, 2, and 3, as amended by 1991 Iowa Acts, House  
3 File 173, section 610, are amended to read as follows:

4 1. AUDIT AND COMPLIANCE

5 For salaries, support, maintenance, and miscellaneous  
6 purposes:

7 ..... \$ 9,269,618  
8 9,096,168

9 2. FINANCIAL MANAGEMENT

10 For salaries, support, maintenance, and miscellaneous  
11 purposes:

12 ..... \$ 6,828,475  
13 5,928,475

14 3. INFORMATION AND MANAGEMENT SYSTEMS

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

17 ..... \$ 1,610,402  
18 1,535,402

19 DIVISION V

20 DEPARTMENT OF ECONOMIC DEVELOPMENT

21 Sec. 501. 1990 Iowa Acts, chapter 1262, section 1,  
22 subsections 2, 3, 5, 6, 10, as item vetoed by the governor,  
23 12, 13, 18, 19, 23, 26, 29, and 33, as amended by 1991 Iowa  
24 Acts, House File 173, section 502, are amended to read as  
25 follows:

26 2. TOURISM OPERATIONS

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

30 ..... \$ 706,835  
31 696,835  
32 ..... FTEs 15.97

33 As a condition, limitation, and qualification of the  
34 appropriation made in this subsection, the appropriation shall  
35 not be used for advertising placements for in-state and out-

1 of-state tourism marketing.

2 3. TOURISM ADVERTISING

3 For contracting exclusively for tourism advertising for in-  
4 state and out-of-state tourism marketing services, tourism  
5 promotion programs, electronic media, print media, and printed  
6 materials:

7 ..... \$ 3,230,500

8 3,210,500

9 As a condition, limitation, and qualification of the  
10 appropriation made in this subsection, the department shall  
11 develop public-private partnerships with Iowa businesses in  
12 the tourism industry, Iowa tour groups, Iowa tourism  
13 organizations, and political subdivisions in this state to  
14 assist in the development of advertising efforts. The  
15 department shall, to the fullest extent possible, develop  
16 cooperative efforts for advertising with contributions from  
17 other sources.

18 The department shall cooperate with the state historical  
19 society and department of natural resources to study, examine,  
20 and make recommendations on how best to develop, promote, and  
21 advertise state historical sites and on how best to utilize  
22 state historical sites in the state's tourism advertising and  
23 promotion. The department of cultural affairs shall report to  
24 the general assembly the findings of the study by February 1,  
25 1991.

26 Of the amount appropriated in this subsection, \$30,500  
27 shall go to the department of cultural affairs to be used for  
28 the promotion of state-owned and operated cultural and  
29 historical sites.

30 5. NATIONAL MARKETING ADVERTISING

31 For contracting exclusively for marketing and promotion  
32 programs and services and advertising contracts for out-of-  
33 state national marketing programs, for electronic media, print  
34 media, and printed materials:

35 ..... \$ 2,550,000

1 2,490,000

2 As a condition, limitation, and qualification of the  
3 appropriation made by this subsection, the department shall  
4 develop public-private partnerships with Iowa businesses, Iowa  
5 business organizations, Iowa chambers of commerce, and  
6 political subdivisions in this state, to assist in the  
7 development of the marketing efforts. The department shall,  
8 to the fullest extent possible, develop cooperative efforts  
9 for advertising with contributions from other sources.

10 6. FILM OFFICE

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

14 .....	\$	200,000
15 .....		<u>190,000</u>
16 .....	FTEs	2.00

17 10. EXPORT TRADE ACTIVITIES PROGRAM

18 For export trade activities, including a program to  
19 encourage and increase participation in trade shows and trade  
20 missions by providing financial assistance to businesses for a  
21 percentage of their costs of participating in trade shows and  
22 trade missions, by providing for the lease/sublease of  
23 showcase space in existing world trade centers, by providing  
24 temporary office space for foreign buyers, international  
25 prospects, and potential reverse investors, and by providing  
26 other promotional and assistance activities, including  
27 salaries and support for not more than the following full-time  
28 equivalent positions:

29 .....	\$	300,000
30 .....		<u>352,000</u>
31 .....	FTEs	0.25

32 12. DOMESTIC MARKETING PROGRAMS

33 For purposes of programs listed in this subsection,  
34 including salaries, support, maintenance, and miscellaneous  
35 purposes for not more than the following full-time positions:

1	a. Small business program:		
2	.....	\$	142,914
3			<u>132,914</u>
4	..... FTEs		2.00
5	b. Small business advisory council:		
6	.....	\$	5,000
7	c. Targeted small business program:		
8	.....	\$	47,692
9	..... FTEs		1.00
10	d. Existing industry program:		
11	.....	\$	125,594
12	..... FTEs		3.00

13 13. FEDERAL PROCUREMENT OFFICE

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

17	.....	\$	120,000
18			<u>110,000</u>
19	..... FTEs		3.50

20 Notwithstanding section 8.33, moneys appropriated in this  
21 subsection that remain unencumbered or unobligated on June 30,  
22 1991, shall not revert to the general fund of the state but  
23 shall remain available for expenditure for the purposes  
24 designated during the fiscal year beginning July 1, 1991.

25 18. COMMUNITY ECONOMIC BETTERMENT PROGRAM

26 For use of the fund established in this subsection:

27	.....	\$	4,457,000
28			<u>4,420,000</u>

29 Notwithstanding section 8.33, moneys appropriated from the  
30 community economic betterment account for the fiscal years  
31 beginning July 1, 1985, under section 99E.31, subsection 2,  
32 and July 1, 1986, July 1, 1987, July 1, 1988, and July 1,  
33 1989, under section 99E.32, subsection 2, that remain  
34 unencumbered or unobligated on June 30, 1990, all unexpended  
35 cash balances of obligated and encumbered funds remaining in

1 the community economic betterment account on June 30, 1990,  
2 and loan repayments or other moneys received from awards made  
3 from the community economic betterment account shall not  
4 revert to any fund but shall be deposited in a special  
5 community economic betterment program fund to be used by the  
6 department of economic development for the community economic  
7 betterment program and to supplement the funds appropriated in  
8 this subsection for that program. The conditions, criteria,  
9 and limitations referred to or specified in section 99E.32,  
10 subsection 2, paragraph "b", apply to the providing of moneys  
11 under the community economic betterment program from the fund  
12 established in this subsection.

13 For the fiscal year ending June 30, 1991, only, all  
14 unencumbered or unobligated funds remaining in the community  
15 economic betterment program fund established in this  
16 subsection are transferred from the fund and deposited in the  
17 general fund of the state.

18 Notwithstanding section 8.33, for fiscal years beginning on  
19 or after July 1, 1991, moneys in this special fund at the end  
20 of each fiscal year shall not revert to any other fund but  
21 shall remain in this community economic betterment program  
22 fund.

23 19. IOWA PRODUCT DEVELOPMENT CORPORATION

24 To the fund established under section 28.89:

25	.....	\$	1,286,000
x 26			<u>1,238,000</u>

27 23. MAIN STREET/RURAL MAIN STREET PROGRAM:

28	.....	\$	368,000
29			<u>353,000</u>

30 Moneys appropriated in this subsection may be used for  
31 salaries and support for not more than the following full-time  
32 equivalent positions:

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

34 Notwithstanding section 8.33, moneys committed to grantees  
35 under contract that remain unexpended on June 30 of any fiscal

1 year shall not revert to any fund but shall be available for  
2 expenditure for purposes of the contract during the succeeding  
3 fiscal year.

4 26. WELCOME CENTER PROGRAM:

5 ..... \$ 347,738  
6 245,238

7 Notwithstanding section 8.33, moneys committed to grantees  
8 under contract that remain unexpended on June 30 of any fiscal  
9 year shall not revert to any fund but shall be available for  
10 expenditure for purposes of the contract during the succeeding  
11 fiscal year.

12 As a condition, limitation, and qualification of the  
13 appropriations made in this subsection, moneys appropriated  
14 shall be used for implementation of the recommendations of the  
15 statewide long-range plan for developing and operating welcome  
16 centers throughout the state. In addition, the department  
17 shall evaluate the operation of the pilot project welcome  
18 centers established pursuant to sections 15.271 and 15.272 and  
19 report to the general assembly by January 15, 1991, its  
20 recommendations for long-term operation of the pilot project  
21 welcome centers.

22 29. JOB RETRAINING PROGRAM

23 To the Iowa employment retraining fund created in section  
24 15.298:

25 ..... \$ 1,913,200  
26 1,498,535

27 33. SMALL BUSINESS NEW JOBS TRAINING PROGRAM

28 To the revolving loan account of the area school job  
29 training fund established under section 280C.6 for the Iowa  
30 small business new jobs training program:

31 ..... \$ 800,000  
32 398,772

33 Sec. 502. 1990 Iowa Acts, chapter 1262, section 1,  
34 subsections 1, 8, 17, and 25, are amended to read as follows:

35 1. GENERAL ADMINISTRATION

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

4 .....	\$	815,706
5 .....		<u>748,706</u>
6 .....	FTEs	21.00

7 8. INTERNATIONAL TRADE OFFICES

8 a. For the operation and maintenance of the European  
9 office, including salaries, support, maintenance,  
10 miscellaneous purposes, and for not more than the following  
11 full-time equivalent positions:

12 .....	\$	227,357
13 .....	FTEs	1.50

14 b. For European community 1992 opportunities, including  
15 salary, support, maintenance, and miscellaneous purposes for  
16 not more than the following full-time equivalent positions:

17 .....	\$	60,000
18 .....	FTEs	1.00

19 The Iowa business council is requested to conduct a study  
20 to determine the best utilization of the funds appropriated by  
21 this paragraph. The council shall report its findings to the  
22 department of economic development in conjunction with this  
23 program.

24 c. To initiate trade activities with eastern Europe:

25 .....	\$	50,000
----------	----	--------

26 d. For the operation and maintenance of the Asian trade  
27 office, including salaries, support, maintenance,  
28 miscellaneous purposes, and for not more than the following  
29 full-time equivalent positions:

30 .....	\$	204,187
31 .....	FTEs	2.00

32 e. For targeted marketing in Pacific rim countries:

33 .....	\$	51,000
34 .....		<u>44,000</u>

35 f. For the operation and maintenance of the Japanese trade

1 office, including salary, support, maintenance, miscellaneous  
2 purposes, and for not more than the following full-time  
3 equivalent positions:

4 ..... \$ 299,191  
5 ..... 281,191  
6 ..... FTEs 2.00

7 17. IOWA WORK FORCE INVESTMENT PROGRAM:

8 ..... \$ 1,700,000  
9 ..... 913,000  
10 ..... FTEs 1.00

11 This program shall be administered through the department  
12 of economic development in consultation with the state job  
13 training coordinating council. The program shall be operated  
14 on a competitive grant basis and funds shall be available for  
15 projects that increase Iowa's pool of available labor via  
16 training and support services. \$300,000 of the amount  
17 appropriated in this subsection shall be available  
18 specifically for displaced homemaker programs.

19 25. RURAL ENTERPRISE FUND:

20 ..... \$ 400,000  
21 ..... 0

22 Notwithstanding section 8.33, moneys committed to grantees  
23 under contract that remain unexpended on June 30 of any fiscal  
24 year shall not revert to any fund but shall be available for  
25 expenditure for purposes of the contract during the succeeding  
26 fiscal year.

27 Sec. 503. 1990 Iowa Acts, chapter 1262, section 2,  
28 unnumbered paragraph 2, as amended by 1991 Iowa Acts, House  
29 File 173, section 503, is amended to read as follows:

30 For deposit in the Wallace technology transfer foundation  
31 fund created by the foundation board:

32 ..... \$ 2,766,988  
33 ..... 1,369,880

34 Sec. 504. 1990 Iowa Acts, chapter 1262, section 6,  
35 subsection 2, is amended to read as follows:



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

3 For the rural community 2000 program:  
4 ..... \$ 176007000  
5 ..... 0

6 Notwithstanding section 15.283, subsection 4, the amount  
7 appropriated in this section shall be allocated for  
8 traditional infrastructure under section 15.284 and for new  
9 infrastructure under section 15.285.

10 Sec. 508. 1991 Iowa Acts, Senate File 209, section 27, is  
11 amended to read as follows:

12 SEC. 27. Moneys remaining unencumbered or unobligated from  
13 the funds appropriated to the Iowa finance authority for the  
14 housing assistance program for the fiscal year beginning July  
15 1, 1989, in section 99E.32, subsection 3, paragraph "u", shall  
16 be used by the Iowa finance authority for the housing  
17 assistance program under the conditions and criteria set out  
18 in 1990 Iowa Acts, chapter 1262, section 3, as amended by  
19 section 26 of this Act, except that \$400,000 \$1,970,000 of  
20 such money shall be transferred to and deposited in the  
21 general fund of the state on the effective date of this Act.

22 ~~Notwithstanding section 8-337, section 99E.32, subsection 7,~~  
23 ~~and 1990 Iowa Acts, chapter 1255, section 37, subsection 2,~~  
24 ~~moneys for the housing assistance program remaining~~  
25 ~~unencumbered or unobligated on June 30, 1991, shall not revert~~  
26 ~~or be transferred to any fund but shall be available for~~  
27 ~~expenditure for purposes of the housing assistance program for~~  
28 ~~the fiscal year beginning July 1, 1991.~~

29 LOTTERY

30 Sec. 509. 1991 Iowa Acts, House File 173, section 1008,  
31 subsection 1, paragraph h, is amended to read as follows:

32 h. Welcome centers under paragraph "1" for the 1990 fiscal  
33 year:  
34 ..... \$ 277738  
35 ..... 42,738

1 Sec. 510. 1991 Iowa Acts, House File 173, section 1008,  
2 subsection 1, is amended by adding the following new  
3 paragraph:

4 NEW PARAGRAPH. k. Labor management councils under  
5 paragraph "k" for the 1990 fiscal year:

6 ..... \$ 40,830

7 Sec. 511. 1991 Iowa Acts, House File 173, section 1008,  
8 subsection 4, is amended by adding the following new  
9 paragraph:

10 NEW PARAGRAPH. c. The community-based recreational and  
11 educational grant program and corresponding fund under  
12 paragraph "v" for the 1990 fiscal year:

13 ..... \$ 17,822

14 Sec. 512. Section 28.120, subsection 7, Code 1991, is  
15 amended by striking the subsection.

16 DIVISION VI

17 DEPARTMENT OF CULTURAL AFFAIRS

18 Sec. 601. 1990 Iowa Acts, chapter 1272, section 1,  
19 subsections 1, 2, as item vetoed by the governor, 3, 4, 5, and  
20 7, as item vetoed by the governor, as amended by 1991 Iowa  
21 Acts, House File 173, section 901, are amended to read as  
22 follows:

23 1. ADMINISTRATION DIVISION

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

27 ..... \$ 426,562

28 ..... 422,149

29 ..... FTEs 10

30 2. ARTS DIVISION

31 For salaries, support, maintenance, miscellaneous purposes,  
32 including funds to match federal grants, and for not more than  
33 the following full-time equivalent positions:

34 ..... \$ 1,166,805

35 ..... 1,088,805

1 ..... FTEs 13

2 As a condition, limitation, and qualification of the  
3 appropriation in this subsection, not more than 10 percent of  
4 the difference between the moneys appropriated in this  
5 subsection and the moneys appropriated in 1989 Iowa Acts,  
6 chapter 319, section 1, subsection 2, shall be expended by the  
7 arts division for administrative costs.

8 In addition to the moneys appropriated in this subsection  
9 from the general fund of the state, the arts division may  
10 expend up to \$40,000 from the artist endowment fund for the  
11 purposes for which moneys from the general fund of the state  
12 were appropriated in this subsection.

13 3. HISTORICAL DIVISION

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

17 .....	\$	2,592,496
18 .....		<u>2,532,496</u>
19 .....	FTEs	76

20 4. LIBRARY DIVISION

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

24 .....	\$	2,183,629
25 .....		<u>2,111,976</u>
26 .....	FTEs	41

27 As a condition, limitation, and qualification of the funds  
28 appropriated in this subsection, the department of cultural  
29 affairs shall adopt, by January 1, 1991, rules relating to the  
30 copying of library material and the defraying of copying  
31 expenses, including, but not limited to, the charging of  
32 reasonable fees for the copying of library material for  
33 nonresident persons.

34 5. PUBLIC BROADCASTING DIVISION

35 For salaries, support, maintenance, capital expenditures,

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

3 .....	\$	6,576,287
4 .....		<u>6,363,914</u>
5 .....	FTEs	104

6 7. REGIONAL LIBRARY SYSTEM

7 For state aid:

8 .....	\$	1,530,655
9 .....		<u>1,485,655</u>

10 COLLEGE STUDENT AID COMMISSION

11 Sec. 602. 1990 Iowa Acts, chapter 1272, section 3,  
12 subsection 1, as amended by 1991 Iowa Acts, House File 173,  
13 section 903, is amended to read as follows:

14 1. GENERAL ADMINISTRATION

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

18 .....	\$	324,271
19 .....		<u>314,271</u>
20 .....	FTEs	8.05

21 As a condition, limitation, and qualification of the  
22 appropriation in this subsection, the college student aid  
23 commission shall conduct a study of the cosmetology and  
24 chiropractic programs available to Iowans at both private and  
25 public postsecondary institutions. The study shall include  
26 the number of students attending the programs, the type of  
27 financial aid that is available to the students, a description  
28 of the accreditation standards which are required to be met by  
29 each program, a listing of those areas in which programs have  
30 failed to meet accreditation standards, the number of students  
31 placed within 1 year of graduation in professions for which  
32 they have been trained, and the number of students who have  
33 continued in the professions for which they have been trained  
34 5 years after graduation from a professional program.

35 DEPARTMENT OF EDUCATION

1 Sec. 603. 1990 Iowa Acts, chapter 1264, section 1,  
2 unnumbered paragraph 2, as amended by 1991 Iowa Acts, House  
3 File 173, section 910, is amended to read as follows:

4 For the youth 2000 coordinating council for awarding  
5 community planning grants for collaborative efforts to  
6 establish local drug prevention and youth development programs  
7 as provided in section 256.42, subsection 5:

8 ..... \$ 57,000  
9 ..... 0

10 Sec. 604. 1990 Iowa Acts, chapter 1272, section 8,  
11 subsections 1, 3, 4, 6, and 10, as amended by 1991 Iowa Acts,  
12 House File 173, section 911, are amended to read as follows:

13 1. GENERAL ADMINISTRATION

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

17 ..... \$ 5,805,290  
18 ..... 5,708,798  
19 ..... FTEs 135.75

20 As a condition, limitation, and qualification of the  
21 appropriation in this subsection, the department of education  
22 shall expend moneys to contract with institutions of higher  
23 education to provide a summer residence program for gifted and  
24 talented elementary and secondary school students and to  
25 support existing law-related education centers for training  
26 seminars and workshops in law-related education, summer  
27 institutes relating to law-related education and methodology  
28 and substance, and mock trial competitions for junior and  
29 senior high school students. The law-related education  
30 program shall include the legislative lawmaking process.  
31 Educational materials for the legislative lawmaking process  
32 segment of the program shall be developed by the law-related  
33 education centers in consultation with the legislative  
34 council.

35 As a condition, limitation, and qualification of the

1 appropriation in this subsection, the department of education  
2 shall expend moneys to provide funds for the employment  
3 resources center administered by the fifth judicial district's  
4 department of correctional services to assist clients.

5 As a condition, limitation, and qualification of the  
6 appropriation in this subsection, the bureau of special  
7 education of the department of education shall study the  
8 impact of student weighting on the appropriateness of student  
9 placement in the least restrictive environment. Depending on  
10 the results of the study, alternatives to the assignment of  
11 student weightings that will encourage the placement of  
12 students in the least restrictive appropriate placement shall  
13 be developed accordingly. The bureau of special education  
14 shall report the findings of the study and any identified  
15 alternatives to the state special education advisory panel and  
16 the school budget review committee, and the department shall  
17 include the findings in a report to the legislative fiscal  
18 bureau and the general assembly by December 1, 1990.

19 3. BOARD OF EDUCATIONAL EXAMINERS

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

23 .....	\$	138,607
24 .....		<u>134,107</u>
25 .....	FTEs	2

26 4. VOCATIONAL EDUCATION ADMINISTRATION

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

30 .....	\$	809,793
31 .....		<u>795,895</u>
32 .....	FTEs	39.6

33 6. PENAL INSTITUTION EDUCATION PROGRAM

34 For educational programs at state penal institutions:

35 .....	\$	27,937,893
----------	----	------------

2,093,893

1  
2 Funds appropriated by this subsection shall be used by the  
3 department of education, in coordination with the department  
4 of corrections, to provide expanded educational programs to  
5 inmates of the Iowa penal institutions and develop education  
6 program plans for the offenders and ex-offenders in the  
7 community-based corrections system. Educational programs  
8 shall emphasize assessment, cognition, literacy, and social  
9 skills, and shall provide continuity of instruction as the  
10 inmate progresses through the penal system. Educational  
11 technology learning systems which would support the continuity  
12 of instruction shall be used in combination with an  
13 information management system to track student progress. The  
14 information tracking system shall be available throughout the  
15 state. An information management system shall be implemented  
16 to transmit education information, including the inmate's  
17 plan, programs provided, and program outcomes to institutions  
18 under whose control the inmate is placed. Evaluation of the  
19 results shall be made annually to determine needed changes and  
20 to assess results. The department of education, in  
21 coordination with the department of corrections, shall  
22 investigate, evaluate, and analyze educational technology  
23 systems which reflect inmate needs before selection of any  
24 system or systems. Funds appropriated in this subsection may  
25 be used for individualized, personal development, life  
26 management programs established by the general assembly in  
27 1990 Iowa Acts, chapter 1257, section 23, under the department  
28 of corrections, and to provide the results of the  
29 establishment of the individualized, personal development,  
30 life management programs to the cochairpersons and ranking  
31 members of the joint education appropriations subcommittee and  
32 the legislative fiscal bureau.

33 10. VOCATIONAL REHABILITATION DIVISION

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

1 equivalent positions:

2	.....	\$	3,584,746
3			<u>3,460,631</u>
4	.....	FTEs	319.50

5 b. For matching funds for programs to enable severely  
6 physically or mentally disabled persons to function more  
7 independently, including salaries and support, for not more  
8 than the following full-time equivalent positions:

9	.....	\$	19,367
10	.....	FTEs	1.50

11 Sec. 605. 1990 Iowa Acts, chapter 1272, section 8,  
12 subsection 8, is amended to read as follows:

13 8. SCHOOL FOOD SERVICE

14 For the purpose of providing assistance to students en-  
15 rolled in public school districts and nonpublic schools of the  
16 state for breakfasts, lunches and minimal equipment programs  
17 with the funds being used as state matching funds for federal  
18 programs, which shall be disbursed according to federal  
19 regulations and include salaries and support, for not more  
20 than the following full-time equivalent positions:

21	.....	\$	3,200,215
22			<u>3,056,215</u>
23	.....	FTEs	14

24 As a condition, limitation, and qualification of the funds  
25 appropriated in this subsection, of the ~~\$3,200,215~~ \$3,056,215  
26 available, \$25,000 shall be used to develop guidelines for  
27 school lunch and breakfast programs and to plan a nutrition  
28 pilot project, if a pilot project to establish model nutrition  
29 guidelines for school lunch and breakfast programs is  
30 established by the general assembly.

31 Sec. 606. 1989 Iowa Acts, chapter 319, section 18,  
32 unnumbered paragraph 1, is amended to read as follows:

33 There is appropriated from the general fund of the state to  
34 the department of education for the fiscal year beginning July  
35 1, 1989, and ending June 30, 1990, the following amount, or so

1 much thereof as may be necessary, to be used for child  
2 development grants under 1988 Iowa Acts, chapter 1130:  
3 ..... \$ 1,175,700  
4 ..... 1,045,700

5 STATE BOARD OF REGENTS

6 Sec. 607. 1990 Iowa Acts, chapter 1272, section 14,  
7 subsection 1, paragraph a, unnumbered paragraph 1, is amended  
8 to read as follows:

9 For salaries, support, maintenance, miscellaneous purposes,  
10 during the fiscal year beginning July 1, 1990, and ending June  
11 30, 1991, and for not more than the following full-time  
12 equivalent positions:

13 ..... \$ 1,136,134  
14 ..... 1,134,134  
15 ..... FTEs 19.63

16 Sec. 608. 1990 Iowa Acts, chapter 1272, section 14,  
17 subsection 5, as item vetoed by the governor, and subsection  
18 6, as amended by 1991 Iowa Acts, House File 173, section 916,  
19 are amended to read as follows:

20 5. STATE SCHOOL FOR THE DEAF

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

24 ..... \$ 5,751,541  
25 ..... 5,733,548  
26 ..... FTEs 133.24

27 6. IOWA BRAILLE AND SIGHT-SAVING SCHOOL

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

31 ..... \$ 3,186,439  
32 ..... 3,176,871  
33 ..... FTEs 92.45

34 Sec. 609. APPROPRIATIONS FURTHER REDUCED -- REGENTS'  
35 INSTITUTIONS.

1       1. The funds appropriated to the state university of Iowa  
2 for the fiscal year beginning July 1, 1990, and ending June  
3 30, 1991, by 1990 Iowa Acts, chapter 1272, section 14,  
4 subsection 2, as reduced by 1991 Iowa Acts, House File 173,  
5 section 919, subsection 1, shall be further reduced by the  
6 department of management in the additional amount of \$709,356.  
7 The state university shall notify the department of management  
8 of the amount of reduction established by the university for  
9 each budget unit in order to achieve the total reduction  
10 amount required by this subsection.

11       2. The funds appropriated to the Iowa state university of  
12 science and technology for the fiscal year beginning July 1,  
13 1990, and ending June 30, 1991, by 1990 Iowa Acts, chapter  
14 1272, section 14, subsection 3, as reduced by 1991 Iowa Acts,  
15 House File 173, section 919, subsection 2, shall be further  
16 reduced by the department of management in the additional  
17 amount of \$578,120. The state university shall notify the  
18 department of management of the amount of reduction  
19 established by the university for each budget unit in order to  
20 achieve the total reduction amount required by this  
21 subsection.

22       3. The funds appropriated to the university of northern  
23 Iowa for the fiscal year beginning July 1, 1990, and ending  
24 June 30, 1991, by 1990 Iowa Acts, chapter 1272, section 14,  
25 subsection 4, as reduced by 1991 Iowa Acts, House File 173,  
26 section 919, subsection 3, shall be further reduced by the  
27 department of management in the amount of \$182,963. The state  
28 university shall notify the department of management of the  
29 amount of reduction established by the university for each  
30 budget unit in order to achieve the total reduction amount  
31 required by this subsection.

32       Sec. 610. Section 18.137, unnumbered paragraph 1, Code  
33 1991, is amended to read as follows:

34       There is created in the office of the treasurer of state a  
35 temporary fund to be known as the state communications network

1 fund. There is appropriated to the state communications  
2 network fund for the fiscal year beginning July 1, 1989, and  
3 ending June 30, 1990, the sum of five two million one hundred  
4 forty-two thousand six hundred twenty-one dollars from the  
5 general fund of the state. There is appropriated from the  
6 general fund of the state to the state communications network  
7 fund for each fiscal year of the fiscal period beginning July  
8 1, 1991, and ending June 30, 1996, the sum of five million  
9 dollars. Notwithstanding section 8.33, unobligated and  
10 unencumbered moneys from the appropriation for a fiscal year  
11 remaining on June 30 of that fiscal year shall not revert to  
12 the general fund of the state but shall remain available for  
13 expenditure during the next following fiscal year. There  
14 shall also be deposited into the state communications network  
15 fund proceeds from bonds issued for purposes of projects  
16 authorized pursuant to section 18.136, matching funds received  
17 from the community colleges and the local school boards, funds  
18 received from leases pursuant to section 18.134, and other  
19 moneys by law credited to or designated by a person for  
20 deposit into the fund. Notwithstanding the requirements of  
21 section 18.136, subsection 1, for the fiscal year beginning  
22 July 1, 1990, and ending June 30, 1991, thirty-one thousand  
23 dollars of moneys in the state communications network fund may  
24 be expended for the state's share of the cost for the design  
25 of a disaster recovery facility to be built in conjunction  
26 with the Iowa communications network facility and emergency  
27 operation center. The department of general services may  
28 increase its fees for data processing in order to collect an  
29 additional amount not exceeding two hundred thousand dollars  
30 during the fiscal year beginning July 1, 1991, to pay for the  
31 state's share of the cost of construction of the disaster  
32 recovery facility.

33

DIVISION VII

34

LAW ENFORCEMENT ACADEMY

35

Sec. 701. 1990 Iowa Acts, chapter 1267, section 1,

1 subsection 1, as amended by 1991 Iowa Acts, House File 173,  
2 section 701, is amended to read as follows:

3 1. For salaries, support, maintenance, miscellaneous  
4 purposes, including jailer training and technical assistance,  
5 and for not more than the following full-time equivalent  
6 positions:

7 .....	\$	913,779
8 .....		<u>903,779</u>
9 .....	FTEs	29.7

10 DEPARTMENT OF PUBLIC DEFENSE

11 Sec. 702. 1990 Iowa Acts, chapter 1267, section 2,  
12 subsections 1, 2, and 3, as amended by 1991 Iowa Acts, House  
13 File 173, section 702, are amended to read as follows:

14 1. MILITARY DIVISION

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

18 .....	\$	3,431,957
19 .....		<u>3,398,957</u>
20 .....	FTEs	151.59

21 2. DISASTER SERVICES DIVISION

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

25 .....	\$	303,702
26 .....		<u>292,492</u>
27 .....	FTEs	12

28 3. VETERANS AFFAIRS DIVISION

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

32 .....	\$	140,934
33 .....		<u>133,304</u>
34 .....	FTEs	4.16

35 ~~As-a-condition,-limitation,-and-qualification-of-the~~

1 appropriation-in-this-paragraph, -\$10,000-shall-be-used-for-the  
2 purchase-of-POW/MIA-flags-

3 Sec. 703. 1990 Iowa Acts, chapter 1267, section 2,  
4 subsection 4, is amended to read as follows:

5 4. WAR ORPHANS

6 For the war orphans educational aid fund:

7 .....	\$	10,185
8		<u>8,185</u>

9 DEPARTMENT OF PUBLIC SAFETY

10 Sec. 704. 1990 Iowa Acts, chapter 1267, section 3, as item  
11 vetoed by the governor, as amended by 1991 Iowa Acts, House  
12 File 173, section 703, is amended to read as follows:

13 SEC. 3. There is appropriated from the general fund of the  
14 state to the department of public safety 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. For the department's administrative functions including  
19 the medical examiner's office and the criminal justice  
20 information system, and for not more than the following full-  
21 time equivalent positions:

22 .....	\$	2,421,952
23		<u>2,308,980</u>
24 .....	FTEs	51.50

25 2. a. For purposes relating to radio communications, and  
26 not more than the following full-time equivalent positions:

27 .....	\$	3,100,992
28		<u>3,130,992</u>
29 .....	FTEs	80

30 b. For purchase of service monitors and radio spare parts:  
31 .....

31 .....	\$	25,000
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32 3. a. For the division of criminal investigation and  
33 bureau of identification containing the bureaus of  
34 identification and liquor law enforcement, and for river boat  
35 gambling enforcement, including the state's contribution to

1 the peace officers' retirement, accident, and disability  
2 system provided in chapter 97A in the amount of 16 percent of  
3 the salaries for which the funds are appropriated, and for not  
4 more than the following full-time equivalent positions:

5 .....	\$	6,211,978
6 .....		<u>6,125,978</u>
7 .....	FTEs	133

8 b. For the law enforcement intelligence network program,  
9 to be used in consultation with the law enforcement  
10 intelligence network advisory committee:

11 .....	\$	10,000
----------	----	--------

12 As a condition, limitation, and qualification of this  
13 appropriation, the division of criminal investigation shall  
14 commit sufficient resources to conduct 4 undercover operations  
15 in cooperation with local law enforcement agencies to identify  
16 the extent of bootlegging or illegal liquor operations at  
17 state border counties and shall report on the undercover  
18 operations to the committee by January 1, 1991.

19 4. For the division of narcotics:

20 a. The state's contribution to the peace officers'  
21 retirement, accident, and disability system provided in  
22 chapter 97A in the amount of 16 percent of the salaries for  
23 which the funds are appropriated, and for not more than the  
24 following full-time equivalent positions:

25 .....	\$	2,056,599
26 .....		<u>2,012,599</u>
27 .....	FTEs	38

28 b. Undercover purchases:

29 .....	\$	150,000
----------	----	---------

30 5. a. For the fire marshal's office, including the  
31 state's contribution to the peace officers' retirement,  
32 accident, and disability system provided in chapter 97A in the  
33 amount of 16 percent of the salaries for which the funds are  
34 appropriated, and for not more than the following full-time  
35 equivalent positions:

1 ..... \$ 1,496,354  
 2 ..... 1,481,354  
 3 ..... FTEs 33  
 4 b. For a regional firefighters' training center in Black  
 5 Hawk county:  
 6 ..... \$ 25,000  
 7 6. For the capitol security division, and for not more  
 8 than the following full-time equivalent positions:  
 9 ..... \$ 1,190,781  
 10 ..... 1,178,781  
 11 ..... FTEs 36

DIVISION VIII  
BOARD OF PAROLE

14 Sec. 801. 1990 Iowa Acts, chapter 1268, section 3,  
 15 unnumbered paragraph 2, as amended by 1991 Iowa Acts, House  
 16 File 173, section 803, is amended to read as follows:  
 17 For salaries, support, maintenance, miscellaneous purposes,  
 18 and for not more than the following full-time equivalent  
 19 positions:  
 20 ..... \$ 789,513  
 21 ..... 763,381  
 22 ..... FTEs 19.00

DEPARTMENT OF CORRECTIONS

24 Sec. 802. 1990 Iowa Acts, chapter 1268, section 4, sub-  
 25 section 1, as item vetoed by the governor, as amended by 1991  
 26 Iowa Acts, House File 173, section 804, is amended to read as  
 27 follows:  
 28 1. For the operation of adult correctional institutions,  
 29 to be allocated as follows:  
 30 a. For the operation of the Fort Madison correctional  
 31 facility, including salaries, support, maintenance,  
 32 miscellaneous purposes, and for not more than the following  
 33 full-time equivalent positions:  
 34 ..... \$ 20,391,106  
 35 ..... 20,331,106

1 ..... FTEs 501.50

2 As a condition, limitation, and qualification of this  
3 appropriation, the facility shall employ 310 correctional  
4 officers, and an additional counselor.

5 b. For the operation of the Anamosa correctional facility,  
6 including salaries, support, maintenance, miscellaneous  
7 purposes, and for not more than the following full-time  
8 equivalent positions:

9 ..... \$ ~~15,162,330~~  
10 15,012,330  
11 ..... FTEs 355.00

12 (1) As a condition, limitation, and qualification of this  
13 appropriation, the facility shall employ 211 correctional  
14 officers, a part-time chaplain of a minority race, and 2  
15 additional nurses.

16 (2) Of the funds appropriated, the department's budget for  
17 Anamosa shall include funding for 2 full-time substance abuse  
18 counselors for the Luster Heights facility, for the purpose of  
19 certification of a substance abuse program at that facility.

20 c. For the operation of the Oakdale correctional facility,  
21 including salaries, support, maintenance, miscellaneous  
22 purposes, and for not more than the following full-time  
23 equivalent positions:

24 ..... \$ ~~10,547,236~~  
25 10,405,236  
26 ..... FTEs 258.50

27 As a condition, limitation, and qualification of this  
28 appropriation, the facility shall employ 132.40 correctional  
29 officers and shall employ 3 additional staff for the purposes  
30 of compliance with the joint commission on the accreditation  
31 of health care organization standards.

32 d. For the operation of the Newton correctional facility,  
33 including salaries, support, maintenance, miscellaneous  
34 purposes, and for not more than the following full-time  
35 equivalent positions:

1 .....	\$	3,107,068
2 .....		<u>3,102,068</u>
3 .....	FTEs	71.00

4 As a condition, limitation, and qualification of this  
5 appropriation, the facility shall employ 28 correctional  
6 officers and an additional nurse.

7 e. For the operation of the Mt. Pleasant correctional  
8 facility, including salaries, support, maintenance,  
9 miscellaneous purposes, and for not more than the following  
10 full-time equivalent positions:

11 .....	\$	10,783,046
12 .....		<u>10,778,046</u>
13 .....	FTEs	267.15

14 As a condition, limitation, and qualification of this  
15 appropriation, the facility shall employ 141 correctional  
16 officers, and a full-time chaplain to provide religious  
17 counseling at the Oakdale and Mt. Pleasant correctional  
18 facilities, an additional nurse, and additional positions to  
19 maintain a licensed substance abuse program.

20 f. For the operation of the Rockwell City correctional  
21 facility, including salaries, support, maintenance,  
22 miscellaneous purposes, and for not more than the following  
23 full-time equivalent positions:

24 .....	\$	2,901,277
25 .....	FTEs	73.00

26 As a condition, limitation, and qualification of this  
27 appropriation, the facility shall employ 39 correctional  
28 officers and an additional 4 positions to establish a  
29 substance abuse treatment program and a sex offender program.

30 g. For the operation of the Clarinda correctional  
31 facility, including salaries, support, maintenance,  
32 miscellaneous purposes, and for not more than the following  
33 full-time equivalent positions:

34 .....	\$	4,387,981
35 .....		<u>4,360,321</u>

1 ..... FTEs 118.30

2 As a condition, limitation, and qualification of this  
3 appropriation, the facility shall employ 68 correctional  
4 officers.

5 h. For the operation of the Mitchellville correctional  
6 facility, including salaries, support, maintenance,  
7 miscellaneous purposes, and for not more than the following  
8 full-time equivalent positions:

9 ..... \$ 3,761,379.61  
10 ..... 3,586,606

11 ..... FTEs 97.00

12 As a condition, limitation, and qualification of this  
13 appropriation, the facility shall employ 54 correctional  
14 officers and additional positions for a substance abuse  
15 treatment program.

16 Sec. 803. 1990 Iowa Acts, chapter 1268, section 5,  
17 subsection 1, unnumbered paragraph 1, as amended by 1991 Iowa  
18 Acts, House File 173, section 805, is amended to read as  
19 follows:

20 For general administration, including salaries, support,  
21 maintenance, miscellaneous purposes, and for not more than the  
22 following full-time equivalent positions:

23 ..... \$ 2,710,378.04  
24 ..... 2,081,552

25 ..... FTEs 42.52

26 Sec. 804. 1990 Iowa Acts, chapter 1268, section 5,  
27 subsection 4, unnumbered paragraph 1, as amended by 1991 Iowa  
28 Acts, House File 173, section 806, is amended to read as  
29 follows:

30 For salaries, support, maintenance, miscellaneous purposes,  
31 and for not more than the following full-time equivalent  
32 positions at the correctional training center at Mt. Pleasant:

33 ..... \$ 365,876  
34 ..... 357,876

35 ..... FTEs 8.22

1 Sec. 805. 1991 Iowa Acts, Senate File 209, section 24,  
2 subsection 1, is amended to read as follows:

3 1. To supplement other funds appropriated by the general  
4 assembly in 1990 Iowa Acts, chapter 1268, section 6,  
5 subsection 1, as amended by 1991 Iowa Acts, House File 173,  
6 section 807, for the first judicial district department of  
7 correctional services:

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

10 ..... \$ 133,000  
11 45,000

12 Sec. 806. 1990 Iowa Acts, chapter 1268, section 6, subsec-  
13 tion 2, unnumbered paragraph 1 and paragraph a, are amended to  
14 read as follows:

15 For the second judicial district department of correctional  
16 services, the following amount, or so much thereof as is  
17 necessary:

18 a. For salaries, support, maintenance, and miscellaneous  
19 purposes:

20 ..... \$ 3,208,365  
21 3,181,365

22 Sec. 807. 1990 Iowa Acts, chapter 1268, section 6, subsec-  
23 tion 3, unnumbered paragraph 1 and paragraph a, are amended to  
24 read as follows:

25 For the third judicial district department of correctional  
26 services, the following amount, or so much thereof as is  
27 necessary:

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

30 ..... \$ 1,932,014  
31 1,867,014

32 Sec. 808. 1990 Iowa Acts, chapter 1268, section 6, subsec-  
33 tion 4, unnumbered paragraph 1 and paragraph a, are amended to  
34 read as follows:

35 For the fourth judicial district department of correctional

1 services, the following amount, or so much thereof as is  
2 necessary:

3 a. For salaries, support, maintenance, and miscellaneous  
4 purposes:

5 ..... \$ 1,781,672.47  
6 1,796,747

7 Sec. 809. 1990 Iowa Acts, chapter 1268, section 6,  
8 subsection 5, unnumbered paragraph 1 and paragraph a, are  
9 amended to read as follows:

10 For the fifth judicial district department of correctional  
11 services, the following amount, or so much thereof as is  
12 necessary:

13 a. For salaries, support, maintenance, and miscellaneous  
14 purposes:

15 ..... \$ 5,468,203  
16 5,418,203

17 Sec. 810. 1990 Iowa Acts, chapter 1268, section 6, subsec-  
18 tion 6, unnumbered paragraph 1 and paragraph a, are amended to  
19 read as follows:

20 For the sixth judicial district department of correctional  
21 services, the following amount, or so much thereof as is  
22 necessary:

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

25 ..... \$ 3,982,335  
26 3,857,335

27 Sec. 811. 1990 Iowa Acts, chapter 1268, section 6, subsec-  
28 tion 7, unnumbered paragraph 1 and paragraph a, are amended to  
29 read as follows:

30 For the seventh judicial district department of  
31 correctional services, the following amount, or so much  
32 thereof as is necessary:

33 a. For salaries, support, maintenance, and miscellaneous  
34 purposes:

35 ..... \$ 3,227,824

3,191,824

DIVISION IX  
TRANSFERS

1  
2  
3  
4 Sec. 901. 1991 Iowa Acts, House File 173, section 1101,  
5 unnumbered paragraph 4, following the governor's item veto, is  
6 amended to read as follows:

7 Notwithstanding the provisions relating to the setting of  
8 fees by the utility division under chapter 476, insurance  
9 division under chapter 505, banking division under chapter  
10 524, credit union division under chapter 533, savings and loan  
11 division under chapter 534, and the professional licensing  
12 division under chapter 546, each division shall maintain  
13 billings for the remainder of the fiscal year so that the  
14 amount of unobligated and unencumbered moneys that will be  
15 transferred to the general fund from each of the revolving  
16 funds ~~designated in subsections 21 through 26 shall equal the~~  
17 ~~sum of the amount of reduction in the appropriation to the~~  
18 ~~division from the appropriate revolving fund under section~~  
19 ~~4117, 4147, 4157, 4167, or 417 of this Act plus the amount~~  
20 ~~estimated to be transferred to the general fund under this~~  
21 ~~section from each revolving fund as included in the governor's~~  
22 ~~fiscal year 1991 budget documents will equal at least the~~  
23 following designated amount: utilities trust fund, \$741,900;  
24 banking revolving fund, \$616,000; credit union revolving fund,  
25 \$166,000; savings and loan revolving fund, \$0; insurance  
26 revolving fund, \$260,800; professional licensing revolving  
27 fund, \$546,600.

28 Sec. 902. Notwithstanding any provision in section 99E.34  
29 or other provision of law, the unobligated and unencumbered  
30 moneys on June 30, 1991, in the soil conservation account of  
31 the CLEAN fund, created in section 99E.10, shall be  
32 transferred to the general fund of the state on or before June  
33 30, 1991. Transfers of moneys from the soil conservation  
34 account in the CLEAN fund shall not affect the formula for the  
35 distribution of moneys in the account.

1     Sec. 903. Notwithstanding any provision in section 99E.34,  
2 455A.18, or other provision of law, the unobligated and  
3 unencumbered moneys on June 30, 1991, in the Iowa resources  
4 enhancement and protection fund, created in section 455A.18,  
5 or any of the accounts in the Iowa resources enhancement and  
6 protection fund shall be transferred to the general fund of  
7 the state. Moneys distributed from those accounts to other  
8 agencies which are unobligated or unencumbered on June 30,  
9 1991, shall also be transferred to the general fund of the  
10 state. Such transfers may be made prior to June 30, 1991.  
11 Transfers of moneys from the accounts in the Iowa resources  
12 enhancement and protection fund shall not affect the formula  
13 for the distribution of moneys in each of those accounts as  
14 provided in section 455A.19.

15     Sec. 904. Notwithstanding any provision in section 455E.11  
16 or other provision of law, the unobligated and unencumbered  
17 moneys on June 30, 1991, in the groundwater protection fund,  
18 created in section 455E.11, or any of the accounts, except the  
19 oil overcharge account, in the groundwater protection fund  
20 shall be transferred to the general fund of the state. Such  
21 transfers may be made prior to June 30, 1991. Transfers of  
22 moneys from the accounts in the groundwater protection fund  
23 shall not affect the formula for the distribution of moneys in  
24 each of those accounts.

25     Sec. 905.

26     1. Notwithstanding the restrictions relating to the  
27 transfer and use of moneys in the utilities trust fund in  
28 section 476.10, the insurance revolving fund in section 505.7,  
29 the banking revolving fund in section 524.207, the credit  
30 union revolving fund in section 533.67, and the professional  
31 licensing revolving fund in section 546.10, the cash balances  
32 in those five funds resulting from covered charges to  
33 regulated industries for purposes of cash flow and the build-  
34 up of surplus balances remaining on June 30, 1991, shall be  
35 transferred to the general fund of the state. However, state

1 general fund cash balances shall be available from the general  
2 fund of the state to the utilities division, insurance  
3 division, banking division, credit union division, and the  
4 professional licensing and regulation division for cash flow  
5 purposes to enable the timely payment of expenses without  
6 regard to seasonal cash flow for the fiscal years ending June  
7 30, 1992, and June 30, 1993. Upon completion of the fiscal  
8 year ending June 30, 1993, any amount transferred to the  
9 general fund of the state from each of those five funds shall  
10 be returned to the fund from which the amount was transferred.

11 2. Notwithstanding the restrictions relating to the use of  
12 the moneys in the fertilizer fund in section 200.9, and the  
13 pesticide fund in section 206.12, subsection 3, cash balances  
14 remaining on June 30, 1991, that are not needed to pay  
15 expenses of the fiscal year ending June 30, 1991, are  
16 transferred to the general fund of the state. However, state  
17 general fund cash balances shall be available from the general  
18 fund of the state to the department of agriculture and land  
19 stewardship for cash flow purposes to enable the timely  
20 payment of expenses incurred for purposes for which moneys in  
21 the fertilizer and pesticide funds are to be used for the  
22 fiscal years ending June 30, 1992, and June 30, 1993. Upon  
23 completion of the fiscal year ending June 30, 1993, any amount  
24 transferred to the general fund of the state from each of  
25 those two funds shall be returned to the fund from which the  
26 amount was transferred.

27 Sec. 906. Section 312.2, subsection 13, Code 1991, is  
28 amended to read as follows:

29 13. The treasurer of state, before making the allotments  
30 provided for in this section, shall credit annually to the  
31 department of justice from revenues credited to the road use  
32 tax fund under section 423.24, subsection 1, paragraph "b", an  
33 amount equal to twenty-five cents on each title issuance for  
34 motor vehicle fraud law enforcement and prosecution purposes  
35 including, but not limited to, the enforcement of state and

1 federal odometer laws.

2

DIVISION X

3

SUPPLEMENTAL APPROPRIATIONS

4

DEPARTMENT OF HUMAN SERVICES

5 Sec. 1001. 1991 Iowa Acts, Senate File 209, sections 1, 2,  
6 5, 6, 7, and 8, are amended to read as follows:

7 SECTION 1. There is appropriated from the general fund of  
8 the state to the department of human services for the fiscal  
9 year 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 To supplement funds appropriated in 1990 Iowa Acts, chapter  
13 1270, section 1, as amended by 1991 Iowa Acts, House File 173,  
14 for aid to families with dependent children:

15 ..... \$ 2,800,236  
16 3,119,456

17 SEC. 2. There is appropriated from the general fund of the  
18 state to the department of human services for the fiscal year  
19 beginning July 1, 1990, and ending June 30, 1991, the  
20 following amount, or so much thereof as is necessary, to be  
21 used for the purpose designated:

22 To supplement funds appropriated in 1990 Iowa Acts, chapter  
23 1270, section 2, as amended by 1991 Iowa Acts, House File 173,  
24 for medical assistance, including reimbursement for abortion  
25 services, which shall be available under the medical  
26 assistance program only for those abortions which are  
27 medically necessary:

28 ..... \$ 4,382,328  
29 10,365,385

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

35 To supplement funds appropriated in 1990 Iowa Acts, chapter

1 1270, section 13, as amended by 1991 Iowa Acts, House File  
2 173, for foster care:

3 ..... \$ 7,873,597  
4 10,183,571

5 SEC. 6. 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  
18 557,902

19 SEC. 7. There is appropriated from the general fund of the  
20 state to the department of human services for the fiscal year  
21 beginning July 1, 1990, and ending June 30, 1991, the  
22 following amount, or so much thereof as is necessary, to be  
23 used for the purpose designated:

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

28 ..... \$ 348,914  
29 730,914

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

35 To supplement funds appropriated in 1990 Iowa Acts, chapter

1 1270, section 18, for court-ordered evaluations and treatment  
2 pursuant to section 232.141, subsection 4:

3 ..... \$ 6,250,100  
4 ..... 7,815,100

3:119  
4  
5

DIVISION XI

6 Sec. 1101. EFFECTIVE DATE. This Act, being deemed of  
7 immediate importance, takes effect upon enactment.

8 EXPLANATION

9 The bill makes reductions in appropriations made for the  
10 fiscal year ending June 30, 1991, to state departments and  
11 agencies relating to economic development, education and  
12 cultural affairs, justice and the correctional institutions,  
13 transportation and public safety, human services, public  
14 health and human rights, and regulation of commerce and  
15 industry and transfers unobligated moneys in the soil  
16 conservation account of the CLEAN fund, the Iowa resources  
17 enhancement and protection fund, and the groundwater  
18 protection fund. The bill also supplements appropriations  
19 made for human services purposes for the fiscal year ending  
20 June 30, 1991.

21 The bill takes effect upon enactment.

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## SENATE FILE 532

S-3418

1 Amend Senate File 532 as follows:

2 1. Page 11, by inserting after line 26 the  
3 following:

4 "Sec. 306. Section 13B.1, subsection 1, Code 1991,  
5 is amended to read as follows:

6 1. "Appointed Assigned attorney" means an attorney  
7 appointed assigned by the local public defender or the  
8 court and compensated by the state to represent an  
9 indigent defendant.

10 Sec. 307. Section 13B.4, Code 1991, is amended by  
11 striking the section and inserting in lieu thereof the  
12 following:

13 13B.4 DUTIES AND POWERS OF STATE PUBLIC DEFENDER.

14 1. The state public defender shall coordinate the  
15 provision of legal representation of all indigents  
16 under arrest or charged with a crime, on appeal in  
17 criminal cases, and on appeal in proceedings to obtain  
18 postconviction relief when ordered to do so by the  
19 district court in which the judgment or order was  
20 issued, and may provide for the representation of  
21 indigents in proceedings instituted pursuant to  
22 chapter 908. In indigency matters, all cases, whether  
23 criminal or juvenile in nature, shall be assigned by  
24 the court to the state public defender or its  
25 designee. The state public defender shall not engage  
26 in the private practice of law.

27 2. The state public defender shall file with the  
28 court in each county a designation of which local  
29 public defender office shall receive notice of  
30 assignment of cases.

31 Sec. 308. Section 13B.8, subsection 1, unnumbered  
32 paragraph 2, Code 1991, is amended to read as follows:

33 Before establishing or abolishing a local public  
34 defender office, the state public defender shall  
35 provide a written report detailing the reasons for the  
36 action to be taken to the justice-systems regulation  
37 appropriations subcommittee, the chairperson, vice  
38 chairperson, and ranking member of the senate  
39 committee on judiciary, and the chairperson, vice  
40 chairperson, and ranking member of the house of  
41 representatives committee on judiciary and law  
42 enforcement. The report shall contain a statement of  
43 the estimated fiscal impact of the action taken. Any  
44 action taken in establishing or abolishing a local  
45 public defender office shall only take effect upon the  
46 approval of the general assembly. If the state public  
47 defender proposes to abolish a local public defender  
48 office prior to the beginning of any regular session  
49 of the general assembly and the general assembly takes  
50 no action regarding that proposal during the first

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Page 2

1 ninety days of the first regular session occurring  
2 after the proposal is made, the office shall be  
3 abolished.

4 Sec. 309. Section 13B.9, Code 1991, is amended to  
5 read as follows:

6 13B.9 POWERS AND DUTIES OF LOCAL PUBLIC DEFENDERS.

7 1. The local public defender shall do all of the  
8 following:

9 a. Represent without fee an indigent person who is  
10 under arrest or charged with a crime if the indigent  
11 person requests ~~it~~ representation or the court orders  
12 ~~it~~ representation. The local public defender shall  
13 counsel and defend an indigent defendant at every  
14 stage of the criminal proceedings and prosecute before  
15 or after conviction any appeals or other remedies  
16 which the local public defender considers to be in the  
17 interest of justice unless the ~~court appoints~~ case is  
18 assigned to other counsel.

19 b. Represent an indigent party, without fee and  
20 upon an order of the court, in child in need of  
21 assistance, family in need of assistance, delinquency,  
22 and termination of parental rights proceedings  
23 pursuant to chapter 232. The local public defender  
24 shall counsel and represent an indigent party in all  
25 proceedings pursuant to chapter 232 and prosecute  
26 before or after judgment any appeals or other remedies  
27 which the local public defender considers to be in the  
28 interest of justice unless the ~~court appoints~~ case is  
29 assigned to other counsel. The state public defender  
30 shall be reimbursed by the counties for services  
31 rendered by employees of the local public defenders'  
32 offices under this subsection, pursuant to section  
33 232.141.

34 c. Make an initial determination of indigence as  
35 required under section 815.9 prior to the initial  
36 arraignment or other initial court appearance.

37 d. Make an annual report to the state public  
38 defender. The report shall include all cases handled  
39 by the local public defender during the preceding  
40 calendar year.

41 2. An appointed assigned attorney under this  
42 section is not liable to a person represented by the  
43 attorney pursuant to this chapter for damages as a  
44 result of a conviction unless the court determines in  
45 a postconviction appeal that the person's conviction  
46 resulted from ineffective assistance of counsel.

47 3. The local public defender may appoint the  
48 number of assistant public defenders, clerks,  
49 investigators, stenographers, and other employees as  
50 approved by the state public defender. An assistant

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Page 3

1 local public defender must be an attorney licensed to  
2 practice before the Iowa supreme court. Appointments  
3 shall be made in the manner prescribed by the state  
4 public defender.

5 4. The state public defender or the state public  
6 defender's designee may contract with private  
7 attorneys in the judicial election district to handle  
8 assignments of indigent cases. The local public  
9 defender shall handle every case assigned to the local  
10 public defender that the local public defender can  
11 reasonably handle.

12 5. If a conflict of interest arises or if the  
13 local public defender is unable to handle a case  
14 because of a temporary overload of cases, the local  
15 public defender shall assign the case to a contract  
16 attorney in the county where the case is pending if  
17 one exists. The assignment shall be on a rotational  
18 or equalizational basis, also considering the  
19 experience of the contract attorneys available and the  
20 difficulty of the case.

21 6. If no contract attorney exists or if a conflict  
22 of interest or overload prevents the contract  
23 attorneys from handling a case, the local public  
24 defender shall return the case to the court for  
25 assignment to a private noncontracting attorney, who  
26 has agreed to take such case, on a rotational or  
27 equalizational basis, also considering the experience  
28 of the attorney and the difficulty of the case.

29 Sec. 310. Section 815.10, Code 1991, is amended to  
30 read as follows:

31 815.10 APPOINTMENT OF COUNSEL BY COURT.

32 1. The court, for cause and upon its own motion or  
33 upon application by an indigent person or a public  
34 defender, ~~may shall appoint a public defender or any~~  
35 ~~attorney who is admitted to the practice of law in~~  
36 this state the state public defender, the state public  
37 defender's designee, or an attorney who is admitted to  
38 the practice of law in this state in accordance with  
39 section 13B.9 to represent an indigent person at any  
40 state stage of the criminal or juvenile proceedings or  
41 on appeal of any criminal or juvenile action in which  
42 the indigent person is entitled to legal assistance at  
43 public expense. However, in juvenile cases the court  
44 may directly appoint an existing nonprofit corporation  
45 established for and engaged in the provision of legal  
46 services for juveniles. An appointment shall not be  
47 made unless the person is determined to be indigent  
48 under section 815.9.

49 2. If a court finds that a person desires legal  
50 assistance and is not indigent, but refuses to employ

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Page 4

1 An attorney, the court shall appoint a ~~public defender~~  
 2 ~~or another attorney~~ the state public defender or the  
 3 state public defender's designee to represent the  
 4 person at public expense. If an attorney other than a  
 5 public defender is ~~appointed~~ assigned by the court in  
 6 accordance with section 13B.9, the fee paid to the  
 7 attorney shall be taxed as a court cost against the  
 8 person.

9 3. An attorney other than a public defender who is  
 10 ~~appointed by the court~~ assigned by the court under  
 11 ~~subsection 1 or 2~~ this section shall apply to the  
 12 district court for compensation and for reimbursement  
 13 of costs incurred. The amount of compensation due  
 14 shall be determined in accordance with section 815.7.

15 Sec. 311. Sections 306 through 310 of this  
 16 division are repealed effective July 1, 1993, and the  
 17 Code editor shall return the language in the Code  
 18 sections amended in this Act to the language appearing  
 19 in the 1991 Code."

By LEONARD L. BOSWELL  
 DALE L. TIEDEN

S-3418 FILED APRIL 15, 1991

*Added 4/16 (p. 1251)*

SENATE FILE 532

S-3419

1 Amend Senate File 532 as follows:

2 1. Page 18, line 26, by striking the figure  
 3 "1,238,000" and inserting the following: "1,130,170".

4 2. Page 22, line 22, by striking the figure  
 5 "306,500" and inserting the following: "371,500".

6 3. Page 24, by striking lines 1 through 6.

7 4. Page 48, by inserting after line 4 the  
 8 following:

9 "Sec. \_\_\_\_ . IOWA INTERNATIONAL DEVELOPMENT  
 10 FOUNDATION. There is appropriated from the general  
 11 fund of the state to the Iowa international  
 12 development foundation for the fiscal year beginning  
 13 July 1, 1990, and ending June 30, 1991, the following  
 14 amount, or so much thereof as is necessary, to be used  
 15 for the purpose designated:

16 To provide funding to the Iowa international  
 17 development foundation for the purposes for which the  
 18 foundation was created:

19 ..... \$ 50,000".

By JIM RIORDAN

S-3419 FILED APRIL 15, 1991

*Added 4/16 (p. 1251) as amended by 3429*

SENATE FILE 532

S-3416

1 Amend Senate File 532 as follows:

2 1. Page 45, line 32, by striking the letter "b"  
 3 and inserting the following: "c".

By LEONARD L. BOSWELL  
 DALE L. TIEDEN

S-3416 FILED APRIL 15, 1991

*Added 4/16/91*

## SENATE FILE 532

S-3428

1 Amend Senate File 532 as follows:

2 1. Page 11, by inserting after line 26 the  
3 following:

4 "Sec. 306. Section 13B.1, subsection 1, Code 1991,  
5 is amended to read as follows:

6 1. "Appointed attorney" means an attorney  
7 appointed by the court and compensated by the state to  
8 represent an indigent defendant.

9 Sec. 307. Section 13B.4, Code 1991, is amended by  
10 striking the section and inserting in lieu thereof the  
11 following:

12 13B.4 DUTIES AND POWERS OF STATE PUBLIC DEFENDER.

13 1. The state public defender shall coordinate the  
14 provision of legal representation of all indigents  
15 under arrest or charged with a crime, on appeal in  
16 criminal cases, and on appeal in proceedings to obtain  
17 postconviction relief when ordered to do so by the  
18 district court in which the judgment or order was  
19 issued, and may provide for the representation of  
20 indigents in proceedings instituted pursuant to  
21 chapter 908. In indigency matters, all cases, whether  
22 criminal or juvenile in nature, shall be appointed by  
23 the court to the state public defender or its  
24 designee. The state public defender shall not engage  
25 in the private practice of law.

26 2. The state public defender shall file with the  
27 court in each county a designation of which local  
28 public defender office shall receive notice of  
29 appointment of cases.

30 Sec. 308. Section 13B.8, subsection 1, unnumbered  
31 paragraph 2, Code 1991, is amended to read as follows:

32 Before establishing or abolishing a local public  
33 defender office, the state public defender shall  
34 provide a written report detailing the reasons for the  
35 action to be taken to the justice-systems regulation  
36 appropriations subcommittee, the chairperson, vice  
37 chairperson, and ranking member of the senate  
38 committee on judiciary, and the chairperson, vice  
39 chairperson, and ranking member of the house of  
40 representatives committee on judiciary and law  
41 enforcement. The report shall contain a statement of  
42 the estimated fiscal impact of the action taken. Any  
43 action taken in establishing or abolishing a local  
44 public defender office shall only take effect upon the  
45 approval of the general assembly. If the state public  
46 defender proposes to abolish a local public defender  
47 office prior to the beginning of any regular session  
48 of the general assembly and the general assembly takes  
49 no action regarding that proposal during the first  
50 ninety days of the first regular session occurring

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1 after the proposal is made, the office shall be  
2 abolished.

3 Sec. 309. Section 13B.9, Code 1991, is amended to  
4 read as follows:

5 13B.9 POWERS AND DUTIES OF LOCAL PUBLIC DEFENDERS.

6 1. The local public defender shall do all of the  
7 following:

8 a. Represent without fee an indigent person who is  
9 under arrest or charged with a crime if the indigent  
10 person requests it representation or the court orders  
11 it representation. The local public defender shall  
12 counsel and defend an indigent defendant at every  
13 stage of the criminal proceedings and prosecute before  
14 or after conviction any appeals or other remedies  
15 which the local public defender considers to be in the  
16 interest of justice unless the court-appoints case is  
17 appointed to other counsel.

18 b. Represent an indigent party, without fee and  
19 upon an order of the court, in child in need of  
20 assistance, family in need of assistance, delinquency,  
21 and termination of parental rights proceedings  
22 pursuant to chapter 232. The local public defender  
23 shall counsel and represent an indigent party in all  
24 proceedings pursuant to chapter 232 and prosecute  
25 before or after judgment any appeals or other remedies  
26 which the local public defender considers to be in the  
27 interest of justice unless the court-appoints case is  
28 appointed to other counsel. The state public defender  
29 shall be reimbursed by the counties for services  
30 rendered by employees of the local public defenders'  
31 offices under this subsection, pursuant to section  
32 232.141.

33 c. Make an initial determination of indigence as  
34 required under section 815.9 prior to the initial  
35 arraignment or other initial court appearance.

36 d. Make an annual report to the state public  
37 defender. The report shall include all cases handled  
38 by the local public defender during the preceding  
39 calendar year.

40 2. An appointed attorney under this section is not  
41 liable to a person represented by the attorney  
42 pursuant to this chapter for damages as a result of a  
43 conviction unless the court determines in a  
44 postconviction appeal that the person's conviction  
45 resulted from ineffective assistance of counsel.

46 3. The local public defender may appoint the  
47 number of assistant public defenders, clerks,  
48 investigators, stenographers, and other employees as  
49 approved by the state public defender. An assistant  
50 local public defender must be an attorney licensed to

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Page 3

1 practice before the Iowa supreme court. Appointments  
2 shall be made in the manner prescribed by the state  
3 public defender.

4 4. The state public defender or the state public  
5 defender's designee may contract with private  
6 attorneys in the judicial election district to handle  
7 appointments of indigent cases. The local public  
8 defender shall handle every case appointed to the  
9 local public defender that the local public defender  
10 can reasonably handle.

11 5. If a conflict of interest arises or if the  
12 local public defender is unable to handle a case  
13 because of a temporary overload of cases, the local  
14 public defender shall return the case to the court.  
15 If a contract attorney exists in the county where the  
16 case is pending, the court shall first appoint a  
17 contract attorney. The appointment shall be on a  
18 rotational or equalizational basis, also considering  
19 the experience of the contract attorneys available and  
20 the difficulty of the case.

21 6. If no contract attorney exists or if a conflict  
22 of interest or overload prevents the contract  
23 attorneys handling a case, the court shall appoint a  
24 private noncontracting attorney, who has agreed to  
25 take such case, on a rotational or equalizational  
26 basis, also considering the experience of the attorney  
27 and the difficulty of the case.

28 Sec. 310. Section 815.10, Code 1991, is amended to  
29 read as follows:

30 815.10 APPOINTMENT OF COUNSEL BY COURT.

31 1. The court, for cause and upon its own motion or  
32 upon application by an indigent person or a public  
33 defender, ~~may shall~~ appoint a public defender or any  
34 attorney who is admitted to the practice of law in  
35 this state the state public defender or the state  
36 public defender's designee, or an attorney in  
37 accordance with section 13B.9 to represent an indigent  
38 person at any state stage of the criminal or juvenile  
39 proceedings or on appeal of any criminal or juvenile  
40 action in which the indigent person is entitled to  
41 legal assistance at public expense. However, in  
42 juvenile cases the court may directly appoint an  
43 existing nonprofit corporation established for and  
44 engaged in the provision of legal services for  
45 juveniles. An appointment shall not be made unless  
46 the person is determined to be indigent under section  
47 815.9.

48 2. If a court finds that a person desires legal  
49 assistance and is not indigent, but refuses to employ  
50 an attorney, the court shall appoint ~~a public defender~~

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Page 4

1 ~~or another attorney~~ the state public defender or the  
 2 state public defender's designee to represent the  
 3 person at public expense. If an attorney other than a  
 4 public defender is appointed by the court in  
 5 accordance with section 13B.9, the fee paid to the  
 6 attorney shall be taxed as a court cost against the  
 7 person.

8 3. An attorney other than a public defender or a  
 9 contract attorney who is appointed by the court under  
 10 ~~subsection 1 or 2~~ this section shall apply to the  
 11 district court for compensation and for reimbursement  
 12 of costs incurred. The amount of compensation due  
 13 shall be determined in accordance with section 815.7.  
 14 Sec. 311. Sections 306 through 310 of this  
 15 division are repealed effective July 1, 1993, and the  
 16 Code editor shall return the language in the Code  
 17 sections amended in this Act to the language appearing  
 18 in the 1991 Code."

By LEONARD L. BOSWELL  
 DALE TIEDEN

S-3428 FILED APRIL 15, 1991

*Adopted 4/16/91 (p. 125)*

SENATE FILE 532

S-3429

1 Amend the amendment, S-3419, to Senate File 532 as  
 2 follows:

3 1. Page 1, line 3, by striking the figure  
 4 "1,130,170" and inserting the following: "1,083,670".

By JAMES R. RIORDAN

S-3429 FILED APRIL 15, 1991

*Adopted 4/16/91 (p. 125)*

SENATE FILE 532

S-3422

1 Amend the amendment, S-3419, to Senate File 532 as  
 2 follows:

3 1. Page 1, line 3, by striking the figure  
 4 "1,130,170" and inserting the following: "1,082,170".

By JAMES R. RIORDAN

S-3422 FILED APRIL 15, 1991

*with 4/16*

SENATE FILE 532

S-3423

1 Amend Senate File 532 as follows:

2 1. Page 3, line 26, by striking the figure  
 3 "37,915" and inserting the following: "30,580".

4 2. Page 4, line 23, by striking the figure  
 5 "1,436,646" and inserting the following: "1,443,981".

By FLORENCE BUHR  
 MAGGIE TINSMAN

S-3423 FILED APRIL 15, 1991

*Adopted 4/16/91 (p. 125)*

SENATE FILE 532

S-3430

1 Amend Senate file 532 as follows:

DIV. A

- 2 1. Page 24, lines 19 and 20, by striking the
- 3 words and figure: "and 7, as item vetoed by the
- 4 governor" and inserting the following: "6, and 9".
- 5 2. Page 24, line 28, by striking the figure
- 6 "422,149" and inserting the following: "424,535".
- 7 3. Page 24, line 35, by striking the figure
- 8 "1,088,805" and inserting the following: "1,141,387".
- 9 4. Page 25, by striking lines 8 through 12.
- 10 5. Page 25, line 18, by striking the figure
- 11 "2,532,496" and inserting the following: "2,580,676".
- 12 6. Page 25, line 25, by striking the figure
- 13 "2,111,976" and inserting the following: "2,148,750".
- 14 7. Page 26, line 4, by striking the figure
- 15 "6,363,914" and inserting the following: "6,451,414".
- 16 8. Page 26, by striking lines 6 through 9 and
- 17 inserting the following:

18 "6. TERRACE HILL COMMISSION

19 For salaries, support, maintenance, miscellaneous  
20 purposes, for the operation of Terrace Hill and for  
21 not more than the following full-time equivalent  
22 positions:

23 .....	\$	204,240
24 .....		203,321
25 .....	FTEs	5.25

26 9. For planning and programming for the community  
27 cultural grants program established under section  
28 303.89:

29 .....	\$	805,000
30 .....		801,522

31 9. Page 26, line 19, by striking the figure  
32 "314,271" and inserting the following: "290,271".

33 10. Page 29, line 1, by striking the figure  
34 "2,093,893" and inserting the following: "2,184,390".

35 11. Page 30, line 3, by striking the figure  
36 "3,460,631" and inserting the following: "3,568,742".

37 12. Page 30, by inserting after line 30 the  
38 following:

39 "Sec. \_\_\_\_ . 1990 Iowa Acts, chapter 1272, section  
40 8, subsection 12, unnumbered paragraph 1 and  
41 paragraphs a through o, as amended by 1991 Iowa Acts,  
42 House File 173, section 912, are amended to read as  
43 follows:

44 For general state financial aid to merged areas as  
45 defined in section 280A.2, for vocational education  
46 programs in accordance with chapters 258 and 280A, to  
47 purchase instructional equipment for vocational and  
48 technical courses of instruction in such schools, and  
49 for salary increases, the amount of \$84,679,234  
50 84,352,875 to be allocated as follows:

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Page 2

IV.  
A

1	a.	Merged Area I.....	\$	<u>3,861,450</u>
2				3,846,568
3	b.	Merged Area II.....	\$	<u>4,781,569</u>
4				4,797,806
5	c.	Merged Area III.....	\$	<u>4,556,783</u>
6				4,539,221
7	d.	Merged Area IV.....	\$	<u>2,258,078</u>
8				2,249,375
9	e.	Merged Area V.....	\$	<u>4,620,516</u>
10				4,602,308
11	f.	Merged Area VI.....	\$	<u>4,644,442</u>
12				4,626,244
13	g.	Merged Area VII.....	\$	<u>6,531,833</u>
14				6,506,460
15	h.	Merged Area IX.....	\$	<u>7,198,011</u>
16				7,170,269
17	i.	Merged Area X.....	\$	<u>11,229,974</u>
18				11,186,693
19	j.	Merged Area XI.....	\$	<u>12,121,021</u>
20				12,074,306
21	k.	Merged Area XII.....	\$	<u>5,044,871</u>
22				5,025,428
23	l.	Merged Area XIII.....	\$	<u>4,981,908</u>
24				4,962,707
25	m.	Merged Area XIV.....	\$	<u>2,209,640</u>
26				2,201,124
27	n.	Merged Area XV.....	\$	<u>6,739,065</u>
28				6,713,092
29	o.	Merged Area XVI.....	\$	<u>3,865,672</u>
30				3,850,773".

31 13. Page 31, line 14, by striking the figure  
32 "1,134,134" and inserting the following: "1,096,134".

33 14. Page 31, line 25, by striking the figure  
34 "5,733,548" and inserting the following: "5,731,438".

35 15. Page 31, line 32, by striking the figure  
36 "3,176,871" and inserting the following: "3,175,253".

37 16. Page 32, line 6, by striking the figure  
38 "\$709,356" and inserting the following: "\$754,601".

39 17. Page 32, line 17, by striking the figure  
40 "\$578,120" and inserting the following: "\$596,692".

41 18. Page 32, line 27, by striking the figure  
42 "\$182,963" and inserting the following: "\$193,678".

IV.  
B

43 10. Page 33, by inserting after line 32 the  
44 following:

45 "Sec. \_\_\_\_ . Section 303.79, subsection 11, Code  
46 1991, is amended to read as follows:

47 11. ~~If the narrowcast system advisory committee~~  
48 ~~determines that an expansion of the number of sites~~  
49 ~~utilizing distance learning would benefit the~~  
50 ~~implementation of the state educational~~

S-3430

Page 3

~~1 telecommunications system by demonstration~~  
~~2 capabilities to a greater number of facilities~~  
~~3 advisory committee may recommend that the board~~  
~~4 establish a demonstration program. Notwithstanding~~  
5 section 18.136, the board may allocate not more than  
6 one hundred thousand dollars funds from the state  
7 communications network fund for each of the fiscal  
8 years beginning July 1, 1990, and July 1, 1991, to be  
9 used to equip additional classrooms activate existing  
10 distance learning television facilities."

By RICHARD VARN  
JIM LIND

S-3430 FILED APRIL 16, 1991

DIVISION A-LOST, DIVISION B-ADOPTED *as amended by S431 & S432 (p. 1263)*  
*(p. 1260)*

SENATE FILE 532

S-3431

1 Amend the amendment, S-3430, to Senate File 532 as  
2 follows:  
3 1. Page 3, by striking line 10 and inserting the  
4 following: "ITFS narrowcast towers."

By MIKE CONNOLLY

S-3431 FILED APRIL 16, 1991

ADOPTED *(p. 1260)*

SENATE FILE 532

S-3432

1 Amend the amendment, S-3430, to Senate File 532 as  
2 follows:  
3 1. Page 3, by striking lines 5 and 6 and  
4 inserting the following: "section 18.136, the board  
5 may allocate not more than one two hundred fifty  
6 thousand dollars from the state".

By MAGGIE TINSMAN  
RICHARD J. VARN

S-3432 FILED APRIL 16, 1991

ADOPTED *(p. 1263)*

SENATE FILE 532  
BY COMMITTEE ON APPROPRIATIONS

(AS AMENDED AND PASSED BY THE SENATE APRIL 16, 1991)

~~\_\_\_\_\_~~ - New Language by the Senate

\* - Language Stricken by the Senate

*as amended  
by S-3624*

Re Passed Senate, Date 4/30/91 (p. 1540) Passed House, Date 4/25/91 (p. 1541)

Vote: Ayes 49 Nays 0 Vote: Ayes 88 Nays 1

Approved May 9, 1991 - Iowa Vote (Senate 1001)

A BILL FOR

37731 An Act relating to reductions and increases in appropriations  
2 made for the fiscal year ending June 30, 1991, to departments  
3 and agencies of state government and to other public purposes,  
4 transferring moneys to the general fund of the state, and  
5 providing an effective date.

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

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S.F. 532

DIVISION I

DEPARTMENT OF HUMAN SERVICES

1  
2  
3 Sec. 101. 1990 Iowa Acts, chapter 1270, section 21,  
4 subsection 1, unnumbered paragraph 1, as amended by 1991 Iowa  
5 Acts, House File 173, section 117, is amended to read as  
6 follows:

7 State mental health institute at Cherokee:

8 .....	\$ 14,186,485
9 .....	<u>14,137,569</u>
10 .....	FTEs 409.33

DIVISION II

CIVIL RIGHTS COMMISSION

13 Sec. 201. 1990 Iowa Acts, chapter 1259, section 1,  
14 unnumbered paragraph 2, as amended by 1991 Iowa Acts, House  
15 File 173, section 201, is amended to read as follows:

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

19 .....	\$ 977,155
20 .....	<u>977,155</u>
21 .....	FTEs 37.00

DEPARTMENT OF HUMAN RIGHTS

23 Sec. 202. 1990 Iowa Acts, chapter 1259, section 2,  
24 subsection 1, and subsections 3, 4, 5, 6, and 7, as amended by  
25 1991 Iowa Acts, House File 173, section 202, are amended to  
26 read as follows:

27 1. CENTRAL ADMINISTRATION DIVISION

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

31 .....	\$ 242,000
32 .....	<u>237,000</u>
33 .....	FTEs 9.00

34 3. PERSONS WITH DISABILITIES DIVISION

35 For salaries, support, maintenance, miscellaneous purposes,

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

3 .....	\$	169,000
4 .....		<u>184,100</u>
5 .....	FTEs	4.00

6 Of the funds appropriated to the division, there is  
7 allocated an amount necessary to fund the central registry for  
8 brain injuries established pursuant to section 135.22.

9 4. STATUS OF WOMEN DIVISION

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

13 .....	\$	207,500
14 .....		<u>199,480</u>
15 .....	FTEs	4.10

16 b. For the displaced homemaker program:

17 .....	\$	140,000
----------	----	---------

18 5. CHILDREN, YOUTH AND FAMILIES DIVISION

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

22 .....	\$	<del>163,121</del>
23 .....		<u>149,605</u>
24 .....	FTEs	8.00

25 Of the funds appropriated in this subsection, no less than  
26 \$36,300 shall be spent for expenses relating to the  
27 administration of federal funds for juvenile assistance. It  
28 is the intent of the general assembly that the department of  
29 human rights employ sufficient staff to meet the federal  
30 funding match requirements established by the federal office  
31 for juvenile justice delinquency prevention. The governor's  
32 advisory council on juvenile justice shall determine the  
33 staffing level necessary to carry out federal and state  
34 mandates for juvenile justice.

35 6. DEAF SERVICES DIVISION

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

4 .....	\$	285,277
5 .....		<u>280,877</u>
6 .....	FTEs	10.00

7 The fees collected by the division for provision of  
8 interpretation services by the division to obligated agencies  
9 shall be dispersed pursuant to the provisions of section 8.32,  
10 and shall be dedicated and used by the division for the  
11 provision of continued and expanded interpretation services.

12 7. STATUS OF BLACKS DIVISION

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

16 .....	\$	68,735
17 .....		<u>66,631</u>
18 .....	FTEs	1.50

19 Sec. 203. 1990 Iowa Acts, chapter 1268, section 9,  
20 unnumbered paragraph 2, as amended by 1991 Iowa Acts, House  
21 File 173, section 204, is amended to read as follows:

22 For the division of criminal and juvenile justice planning  
23 established pursuant to section 601K.1, and for not more than  
24 the following full-time equivalent positions:

25 .....	\$	48,869
26 .....		<u>38,580</u>
27 .....	FTEs	2.00

28 DEPARTMENT FOR THE BLIND

29 Sec. 204. 1990 Iowa Acts, chapter 1259, section 4,  
30 unnumbered paragraph 2, as amended by 1991 Iowa Acts, House  
31 File 173, section 203, is amended to read as follows:

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

35 .....	\$	173,457,887
----------	----	-------------

1 1,324,087  
 2 ..... FTEs 103.50

3 DEPARTMENT OF ELDER AFFAIRS

4 Sec. 205. 1990 Iowa Acts, chapter 1259, section 5,  
 5 subsection 1, and subsection 7, unnumbered paragraph 1, as  
 6 amended by 1991 Iowa Acts, House File 173, section 205, are  
 7 amended to read as follows:

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

11 ..... \$ 464,989  
 12 ..... 437,970  
 13 ..... FTEs 32.00

14 It is the intent of the general assembly that the  
 15 department employ an alternative housing coordinator and a  
 16 long-term care coordinator as 2 of the full-time equivalent  
 17 positions.

18 Of the funds appropriated under this subsection, \$50,000  
 19 shall be allocated to fund the representative payee project  
 20 established within the department of elder affairs.

21 For elderly services programs:

22 ..... \$ 1,471,000  
 23 ..... 1,443,981

24 Sec. 206. 1990 Iowa Acts, chapter 1272, section 19, as  
 25 amended by 1991 Iowa Acts, House File 173, section 206, is  
 26 amended to read as follows:

27 SEC. 19. There is appropriated from the general fund of  
 28 the state to the department of elder affairs for the fiscal  
 29 year beginning July 1, 1990, and ending June 30, 1991, the  
 30 following amount, or so much thereof as may be necessary, to  
 31 conduct the elderlaw education program under section 249D.54:

32 ..... \$ 48,691  
 33 ..... 29,207

34 IOWA DEPARTMENT OF PUBLIC HEALTH

35 Sec. 207. 1990 Iowa Acts, chapter 1259, section 6,

1 subsection 1, as amended by 1991 Iowa Acts, House File 173,  
2 section 207, is amended to read as follows:

3 1. CENTRAL ADMINISTRATION DIVISION

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

7 .....	\$	775,696
8 .....		<u>767,696</u>
9 .....	FTEs	57.00

10 As a condition, limitation, and qualification of the  
11 appropriation made in this subsection, the director of the  
12 Iowa department of public health or the director's designee  
13 shall participate in an interagency working committee convened  
14 by the governor's planning council for developmental  
15 disabilities to examine the feasibility of establishing an  
16 office of disability prevention within state government.

17 Sec. 208. 1990 Iowa Acts, chapter 1259, section 6,  
18 subsection 2, paragraph a, as amended by 1991 Iowa Acts, House  
19 File 173, section 208, is amended to read as follows:

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

23 .....	\$	<del>1,153,766</del>
× 24 .....		<u>1,052,766</u>
25 .....	FTEs	15.75

26 The department shall allocate from the funds appropriated  
× 27 under this subsection ~~\$754,500~~ \$653,500 for the fiscal year  
28 beginning July 1, 1990, and ending June 30, 1991, for the  
29 chronic renal disease program. The types of assistance to  
30 eligible recipients under the program may include hospital and  
31 medical expenses, home dialysis supplies, insurance premiums,  
32 travel expenses, prescription and nonprescription drugs, and  
33 lodging expenses for persons in training. The program  
34 expenditures shall not exceed these allocations. If projected  
35 expenditures will exceed the allocations, the department shall

1 establish by administrative rule a mechanism to reduce  
2 financial assistance under the renal disease program in order  
3 to keep expenditures within the allocations.

4 Sec. 209. 1990 Iowa Acts, chapter 1259, section 6,  
5 subsection 3, paragraph a, unnumbered paragraph 1, as amended  
6 by 1991 Iowa Acts, House File 173, section 210, is amended to  
7 read as follows:

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

11 .....	\$	2,401,059
12 .....		<u>2,273,559</u>
13 .....	FTEs	78.50

14 Sec. 210. 1990 Iowa Acts, chapter 1259, section 6,  
15 subsection 3, paragraph b, unnumbered paragraph 1, as amended  
16 by 1991 Iowa Acts, House File 173, section 211, is amended to  
17 read as follows:

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

21 .....	\$	975,583
22 .....		<u>935,583</u>
23 .....	FTEs	5.00

24 Sec. 211. 1990 Iowa Acts, chapter 1259, section 6,  
25 subsections 5 and 10, as amended by 1991 Iowa Acts, House File  
26 173, section 212, are amended to read as follows:

27 5. STATE BOARD OF DENTAL EXAMINERS

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

31 .....	\$	222,328
32 .....		<u>215,628</u>
33 .....	FTEs	4.00

34 10. SUBSTANCE ABUSE DIVISION

35 a. For salaries, support, maintenance, miscellaneous

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

3 .....	\$	489,571
4 .....		<u>484,571</u>
5 .....	FTEs	15.00

6 b. For program grants:

7 .....	\$	7,382,000
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8 Sec. 212. 1990 Iowa Acts, chapter 1259, section 6,  
 37929 subsection 11, paragraphs a and e, unnumbered paragraph 1, as  
 10 amended by 1991 Iowa Acts, House File 173, section 213, are  
 11 amended to read as follows:

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

15 .....	\$	3,558,864
16 .....		<u>3,458,864</u>
17 .....	FTEs	87.60

18 The department shall allocate from the funds appropriated  
 19 under this paragraph at least ~~\$631,000~~ \$571,285 for the fiscal  
 20 year beginning July 1, 1990, and ending June 30, 1991, for the  
 21 birth defects and genetics counseling program and of these  
 22 funds, ~~\$39,000~~ \$37,934 shall be allocated for a central birth  
 23 defects registry program, and ~~\$296,000~~ \$288,147 shall be  
 24 allocated for regional genetic counseling services contracted  
 25 from the university of Iowa hospitals and clinics under the  
 26 control of the state board of regents.

27 Of the funds appropriated under this paragraph, ~~\$124,000~~  
 28 \$104,000 shall be used for a lead abatement program.

29 Of the funds appropriated in this paragraph, the following  
 30 amounts shall be allocated to the university of Iowa hospitals  
 31 and clinics under the control of the state board of regents  
 32 for the following programs under the Iowa specialized child  
 33 health care services:

34 (1) Mobile and regional child health specialty clinics:		
35 .....	\$	<del>341,500</del>

1 330,556

2 The regional clinic located in Sioux City shall maintain a  
3 social worker component to assist the families of children  
4 participating in the clinic program.

5 (2) Muscular dystrophy and related genetic disease  
6 programs:

7 ..... \$ 125,000

8 121,671

9 (3) Statewide perinatal program:

10 ..... \$ 67,000

11 65,192

12 The birth defects and genetic counseling service shall  
13 apply a sliding fee scale to determine the amount a person re-  
14 ceiving the services is required to pay for the services.  
15 These fees shall be considered repayment receipts and used for  
16 the program.

17 Of the funds allocated to the mobile and regional child  
18 health specialty clinics under subparagraph (1), \$101,500  
19 \$98,922 shall be used for a specialized medical home care  
20 program providing care planning and coordination of community  
21 support services for children who require technical medical  
22 care in the home.

23 The university of Iowa hospitals and clinics shall not  
24 receive indirect costs from the funds for each program.

25 Of the funds appropriated under this paragraph, \$1,750,000  
26 shall be used for maternal and child health services, and  
27 shall be allocated for the following purposes:

28 (1) For outreach services and the hiring of 4 half-time  
29 paraprofessionals to be located in and surrounding the areas  
30 of Black Hawk, Tama, Woodbury, and Scott counties:

31 ..... \$ 50,000

32 (2) Of the funds appropriated under this paragraph  
33 for prevention services for women to decrease problems of  
34 pregnancy and to reduce the incidences of low birth weights,  
35 priorities shall be given to communities with a high

1 concentration of minorities.

2 The Iowa department of public health shall administer the  
3 statewide maternal and child health program and the crippled  
4 children's program by conducting mobile and regional child  
5 health specialty clinics and conducting other activities to  
6 improve the health of low-income women and children and to  
7 promote the welfare of children with actual or potential  
8 handicapping conditions and chronic illnesses in accordance  
9 with the requirements of Title V of the Social Security Act.

10 For the development and maintenance of well-elderly clinics  
11 in the state:

12 ..... \$ 645,000  
13 625,000

14 Sec. 213. 1989 Iowa Acts, chapter 304, section 1106,  
15 unnumbered paragraph 2, is amended to read as follows:

16 To support agricultural health and safety programs:

17 ..... \$ 45,000  
18 39,883

19 Sec. 214. 1989 Iowa Acts, chapter 304, section 1108,  
20 unnumbered paragraph 1, as amended by 1990 Iowa acts, chapter  
21 1259, section 9, is amended to read as follows:

22 If division II and section 1101 of this Act are enacted,  
23 there is appropriated from the general fund of the state to  
24 the Iowa department of public health for the fiscal period  
25 beginning October 1, 1989, and ending June 30, 1990, \$300,000  
26 \$290,000 to be used for the purposes designated:

27 Sec. 215. 1990 Iowa Acts, chapter 1259, section 6,  
28 subsection 2, paragraph c, is amended to read as follows:

29 c. For the health data clearinghouse of the health data  
30 commission:

31 ..... \$ 375,000  
32 355,000

33 Sec. 216. 1990 Iowa Acts, chapter 1252, section 14,  
34 unnumbered paragraph 2, is amended to read as follows:

35 For the acquisition of emergency medical services

1 equipment:  
 2 ..... \$ 750,000  
 3 ..... 600,000

4 DIVISION III

5 AUDITOR OF STATE

6 Sec. 301. 1990 Iowa Acts, chapter 1261, section 1,  
 7 unnumbered paragraph 2, as amended by 1991 Iowa Acts, House  
 8 File 173, section 401, is amended to read as follows:

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

12 ..... \$ 2,003,602  
 13 ..... 1,983,602  
 14 ..... FTEs 154.50

15 CAMPAIGN FINANCE DISCLOSURE COMMISSION

16 Sec. 302. 1990 Iowa Acts, chapter 1261, section 2,  
 17 unnumbered paragraph 2, as amended by 1991 Iowa Acts, House  
 18 File 173, section 402, is amended to read as follows:

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

22 ..... \$ 258,533  
 23 ..... 253,057  
 24 ..... FTEs 6.75

25 DEPARTMENT OF EMPLOYMENT SERVICES

26 Sec. 303. 1990 Iowa Acts, chapter 1261, section 3,  
 27 subsection 1, unnumbered paragraph 1, as amended by 1991 Iowa  
 28 Acts, House File 173, section 403, is amended to read as  
 29 follows:

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

33 ..... \$ 2,542,046  
 34 ..... 2,524,946  
 35 ..... FTEs 104.80

1 Sec. 304. 1990 Iowa Acts, chapter 1261, section 3,  
2 subsection 2, unnumbered paragraph 1, as amended by 1991 Iowa  
3 Acts, House File 173, section 404, is amended to read as  
4 follows:

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

8 .....	\$	1,785,336
9 .....		<u>1,818,661</u>
10 .....	FTEs	45.76

11 DEPARTMENT OF COMMERCE

12 Sec. 305. 1990 Iowa Acts, chapter 1261, section 14, as  
13 amended by 1991 Iowa Acts, House File 173, section 413, is  
14 amended to read as follows:

15 SEC. 14. Notwithstanding section 123.53, there is  
16 appropriated from the beer and liquor control fund to the  
17 alcoholic beverages division of the department of commerce for  
18 the fiscal year beginning July 1, 1990, and ending June 30,  
19 1991, the following amount, or so much thereof as is  
20 necessary, for the purposes designated:

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

24 .....	\$	4,455,167
25 .....		<u>4,406,431</u>
26 .....	FTEs	85.86

27 Sec. 306. Section 13B.1, subsection 1, Code 1991, is  
28 amended to read as follows:

29 1. "Appointed attorney" means an attorney appointed by the  
30 court and compensated by the state to represent an indigent  
31 defendant.

32 Sec. 307. Section 13B.4, Code 1991, is amended by striking  
33 the section and inserting in lieu thereof the following:

34 13B.4 DUTIES AND POWERS OF STATE PUBLIC DEFENDER.

35 1. The state public defender shall coordinate the

1 provision of legal representation of all indigents under  
2 arrest or charged with a crime, or appeal in criminal cases,  
3 and on appeal in proceedings to obtain postconviction relief  
4 when ordered to do so by the district court in which the  
5 judgment or order was issued, and may provide for the  
6 representation of indigents in proceedings instituted pursuant  
7 to chapter 908. In indigency matters, all cases, whether  
8 criminal or juvenile in nature, shall be appointed by the  
9 court to the state public defender or its designee. The state  
10 public defender shall not engage in the private practice of  
11 law.

12 2. The state public defender shall file with the court in  
13 each county a designation of which local public defender  
14 office shall receive notice of appointment of cases.

15 Sec. 308. Section 13B.8, subsection 1, unnumbered  
16 paragraph 2, Code 1991, is amended to read as follows:

17 Before establishing or abolishing a local public defender  
18 office, the state public defender shall provide a written  
19 report detailing the reasons for the action to be taken to the  
20 justice-systems regulation appropriations subcommittee, the  
21 chairperson, vice chairperson, and ranking member of the  
22 senate committee on judiciary, and the chairperson, vice  
23 chairperson, and ranking member of the house of  
24 representatives committee on judiciary and law enforcement.

25 The report shall contain a statement of the estimated fiscal  
26 impact of the action taken. Any action taken in establishing  
27 or abolishing a local public defender office shall only take  
28 effect upon the approval of the general assembly. If the  
29 state public defender proposes to abolish a local public  
30 defender office prior to the beginning of any regular session  
31 of the general assembly and the general assembly takes no  
32 action regarding that proposal during the first ninety days of  
33 the first regular session occurring after the proposal is  
34 made, the office shall be abolished.

35 Sec. 309. Section 13B.9, Code 1991, is amended to read as

1 follows:

2 13B.9 POWERS AND DUTIES OF LOCAL PUBLIC DEFENDERS.

3 1. The local public defender shall do all of the

4 following:

5 a. Represent without fee an indigent person who is under  
6 arrest or charged with a crime if the indigent person requests  
7 it representation or the court orders it representation. The  
8 local public defender shall counsel and defend an indigent  
9 defendant at every stage of the criminal proceedings and  
10 prosecute before or after conviction any appeals or other  
11 remedies which the local public defender considers to be in  
12 the interest of justice unless the court appoints case is  
13 appointed to other counsel.

14 b. Represent an indigent party, without fee and upon an  
15 order of the court, in child in need of assistance, family in  
16 need of assistance, delinquency, and termination of parental  
17 rights proceedings pursuant to chapter 232. The local public  
18 defender shall counsel and represent an indigent party in all  
19 proceedings pursuant to chapter 232 and prosecute before or  
20 after judgment any appeals or other remedies which the local  
21 public defender considers to be in the interest of justice  
22 unless the court appoints case is appointed to other counsel.  
23 The state public defender shall be reimbursed by the counties  
24 for services rendered by employees of the local public  
25 defenders' offices under this subsection, pursuant to section  
26 232.141.

27 c. Make an initial determination of indigence as required  
28 under section 815.9 prior to the initial arraignment or other  
29 initial court appearance.

30 d. Make an annual report to the state public defender.  
31 The report shall include all cases handled by the local public  
32 defender during the preceding calendar year.

33 2. An appointed attorney under this section is not liable  
34 to a person represented by the attorney pursuant to this  
35 chapter for damages as a result of a conviction unless the

1 court determines in a postconviction appeal that the person's  
2 conviction resulted from ineffective assistance of counsel.

3     3. The local public defender may appoint the number of  
4 assistant public defenders, clerks, investigators,  
5 stenographers, and other employees as approved by the state  
6 public defender. An assistant local public defender must be  
7 an attorney licensed to practice before the Iowa supreme  
8 court. Appointments shall be made in the manner prescribed by  
9 the state public defender.

10    4. The state public defender or the state public  
11 defender's designee may contract with private attorneys in the  
12 judicial election district to handle appointments of indigent  
13 cases. The local public defender shall handle every case  
14 appointed to the local public defender that the local public  
15 defender can reasonably handle.

16    5. If a conflict of interest arises or if the local public  
17 defender is unable to handle a case because of a temporary  
18 overload of cases, the local public defender shall return the  
19 case to the court. If a contract attorney exists in the  
20 county where the case is pending, the court shall first  
21 appoint a contract attorney. The appointment shall be on a  
22 rotational or equalizational basis, also considering the  
23 experience of the contract attorneys available and the  
24 difficulty of the case.

25    6. If no contract attorney exists or if a conflict of  
26 interest or overload prevents the contract attorneys handling  
27 a case, the court shall appoint a private noncontracting  
28 attorney, who has agreed to take such case, on a rotational or  
29 equalizational basis, also considering the experience of the  
30 attorney and the difficulty of the case.

31    Sec. 310. Section 815.10, Code 1991, is amended to read as  
32 follows:

33    815.10 APPOINTMENT OF COUNSEL BY COURT.

34    1. The court, for cause and upon its own motion or upon  
35 application by an indigent person or a public defender, may

1 ~~shall appoint a public defender or any attorney who is~~  
2 ~~admitted to the practice of law in this state~~ the state public  
3 defender or the state public defender's designee, or an  
4 attorney in accordance with section 13B.9 to represent an  
5 indigent person at any state stage of the criminal or juvenile  
6 proceedings or on appeal of any criminal or juvenile action in  
7 which the indigent person is entitled to legal assistance at  
8 public expense. However, in juvenile cases the court may  
9 directly appoint an existing nonprofit corporation established  
10 for and engaged in the provision of legal services for  
11 juveniles. An appointment shall not be made unless the person  
12 is determined to be indigent under section 815.9.

13 2. If a court finds that a person desires legal assistance  
14 and is not indigent, but refuses to employ an attorney, the  
15 court shall appoint ~~a public defender or another attorney~~ the  
16 state public defender or the state public defender's designee  
17 to represent the person at public expense. If an attorney  
18 other than a public defender is appointed by the court in  
19 accordance with section 13B.9, the fee paid to the attorney  
20 shall be taxed as a court cost against the person.

21 3. An attorney other than a public defender or a contract  
22 attorney who is appointed by the court under ~~subsection 1 or 2~~  
23 ~~this section~~ shall apply to the district court for  
24 compensation and for reimbursement of costs incurred. The  
25 amount of compensation due shall be determined in accordance  
26 with section 815.7.

27 Sec. 311. Sections 306 through 310 of this division are  
28 repealed effective July 1, 1993, and the Code editor shall  
29 return the language in the Code sections amended in this Act  
30 to the language appearing in the 1991 Code.

31 DIVISION IV

32 GOVERNOR

33 Sec. 401. 1990 Iowa Acts, chapter 1266, section 2, subsec-  
34 tion 1, as amended by 1991 Iowa Acts, House File 173, section  
35 602, is amended to read as follows:

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

4	.....	\$	858,000
5			<u>849,000</u>
6	.....	FTEs	17.00

7 DEPARTMENT OF GENERAL SERVICES

8 Sec. 402. 1990 Iowa Acts, chapter 1266, section 10,  
9 subsections 1, 2, 4, 7, and 8, as amended by 1991 Iowa Acts,  
10 House File 173, section 606, are amended to read as follows:

11 1. ADMINISTRATION DIVISION

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

15	.....	\$	480,000
16			<u>465,000</u>
17	.....	FTEs	16.00

18 2. COMMUNICATIONS DIVISION

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

22	.....	\$	153,000
23			<u>118,000</u>
24	.....	FTEs	19.00

25 4. MATERIALS MANAGEMENT DIVISION

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

29	.....	\$	91,000
30			<u>90,235</u>
31	.....	FTEs	3.30

32 7. RECORDS MANAGEMENT DIVISION

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

1	.....	\$	421,000
2			<u>416,000</u>
3	.....	FTEs	14.50

4 8. INFORMATION SERVICES DIVISION

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

8	.....	\$	6,687,804
9			<u>6,582,804</u>
10	.....	FTEs	158.00

11 Sec. 403. 1990 Iowa Acts, chapter 1266, section 10,  
12 subsections 3 and 5, are amended to read as follows:

13 3. DIRECTOR'S OFFICE

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

17	.....	\$	102,000
18			<u>87,000</u>
19	.....	FTEs	2.00

20 5. PROPERTY MANAGEMENT DIVISION

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

24	.....	\$	3,744,000
25			<u>3,734,000</u>
26	.....	FTEs	156.00

27 DEPARTMENT OF PERSONNEL

28 Sec. 404. 1990 Iowa Acts, chapter 1266, section 15,  
29 subsection 1, as amended by 1991 Iowa Acts, House File 173,  
30 section 509, is amended to read as follows:

31 1. ADMINISTRATION

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

1 ..... \$ 1,196,035  
 2 ..... 1,178,458  
 3 ..... FTEs 29.65  
 4 DEPARTMENT OF REVENUE AND FINANCE  
 5 Sec. 405. 1990 Iowa Acts, chapter 1266, section 17,  
 6 subsections 1, 2, and 3, as amended by 1991 Iowa Acts, House  
 7 File 173, section 610, are amended to read as follows:  
 8 1. AUDIT AND COMPLIANCE  
 9 For salaries, support, maintenance, and miscellaneous  
 10 purposes:  
 11 ..... \$ 9,269,618  
 12 ..... 9,096,168  
 13 2. FINANCIAL MANAGEMENT  
 14 For salaries, support, maintenance, and miscellaneous  
 15 purposes:  
 16 ..... \$ 6,020,475  
 17 ..... 5,928,475  
 18 3. INFORMATION AND MANAGEMENT SYSTEMS  
 19 For salaries, support, maintenance, and miscellaneous  
 20 purposes:  
 21 ..... \$ 1,610,402  
 22 ..... 1,535,402  
 23 DIVISION V  
 24 DEPARTMENT OF ECONOMIC DEVELOPMENT  
 25 Sec. 501. 1990 Iowa Acts, chapter 1262, section 1,  
 26 subsections 2, 3, 5, 6, 10, as item vetoed by the governor,  
 27 12, 13, 18, 19, 23, 26, 29, and 33, as amended by 1991 Iowa  
 28 Acts, House File 173, section 502, are amended to read as  
 29 follows:  
 30 2. TOURISM OPERATIONS  
 31 For salaries, support, maintenance, miscellaneous purposes,  
 32 and for not more than the following full-time equivalent  
 33 positions:  
 34 ..... \$ 706,035  
 35 ..... 696,835

1 ..... FTEs 15.97

2 As a condition, limitation, and qualification of the  
3 appropriation made in this subsection, the appropriation shall  
4 not be used for advertising placements for in-state and out-  
5 of-state tourism marketing.

6 3. TOURISM ADVERTISING

7 For contracting exclusively for tourism advertising for in-  
8 state and out-of-state tourism marketing services, tourism  
9 promotion programs, electronic media, print media, and printed  
10 materials:

11 ..... \$ 3,230,500  
12 3,210,500

13 As a condition, limitation, and qualification of the  
14 appropriation made in this subsection, the department shall  
15 develop public-private partnerships with Iowa businesses in  
16 the tourism industry, Iowa tour groups, Iowa tourism  
17 organizations, and political subdivisions in this state to  
18 assist in the development of advertising efforts. The  
19 department shall, to the fullest extent possible, develop  
20 cooperative efforts for advertising with contributions from  
21 other sources.

22 The department shall cooperate with the state historical  
23 society and department of natural resources to study, examine,  
24 and make recommendations on how best to develop, promote, and  
25 advertise state historical sites and on how best to utilize  
26 state historical sites in the state's tourism advertising and  
27 promotion. The department of cultural affairs shall report to  
28 the general assembly the findings of the study by February 1,  
29 1991.

30 Of the amount appropriated in this subsection, \$30,500  
31 shall go to the department of cultural affairs to be used for  
32 the promotion of state-owned and operated cultural and  
33 historical sites.

34 5. NATIONAL MARKETING ADVERTISING

35 For contracting exclusively for marketing and promotion

1 programs and services and advertising contracts for out-of-  
2 state national marketing programs, for electronic media, print  
3 media, and printed materials:

4 ..... \$ 2,550,000  
5 ..... 2,490,000

6 As a condition, limitation, and qualification of the  
7 appropriation made by this subsection, the department shall  
8 develop public-private partnerships with Iowa businesses, Iowa  
9 business organizations, Iowa chambers of commerce, and  
10 political subdivisions in this state, to assist in the  
11 development of the marketing efforts. The department shall,  
12 to the fullest extent possible, develop cooperative efforts  
13 for advertising with contributions from other sources.

14 6. FILM OFFICE

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

18 ..... \$ 200,000  
19 ..... 190,000  
20 ..... FTEs 2.00

21 10. EXPORT TRADE ACTIVITIES PROGRAM

22 For export trade activities, including a program to  
23 encourage and increase participation in trade shows and trade  
24 missions by providing financial assistance to businesses for a  
25 percentage of their costs of participating in trade shows and  
26 trade missions, by providing for the lease/sublease of  
27 showcase space in existing world trade centers, by providing  
28 temporary office space for foreign buyers, international  
29 prospects, and potential reverse investors, and by providing  
30 other promotional and assistance activities, including  
31 salaries and support for not more than the following full-time  
32 equivalent positions:

33 ..... \$ 300,000  
34 ..... 352,000  
35 ..... FTEs 0.25

1 12. DOMESTIC MARKETING PROGRAMS

2 For purposes of programs listed in this subsection,  
 3 including salaries, support, maintenance, and miscellaneous  
 4 purposes for not more than the following full-time positions:

5 a. Small business program:

6 .....	\$	±427,914
7 .....		<u>132,914</u>
8 .....	FTEs	2.00

9 b. Small business advisory council:

10 .....	\$	5,000
----------	----	-------

11 c. Targeted small business program:

12 .....	\$	47,692
13 .....	FTEs	1.00

14 d. Existing industry program:

15 .....	\$	125,594
16 .....	FTEs	3.00

17 13. FEDERAL PROCUREMENT OFFICE

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

21 .....	\$	±207,000
22 .....		<u>110,000</u>
23 .....	FTEs	3.50

24 Notwithstanding section 8.33, moneys appropriated in this  
 25 subsection that remain unencumbered or unobligated on June 30,  
 26 1991, shall not revert to the general fund of the state but  
 27 shall remain available for expenditure for the purposes  
 28 designated during the fiscal year beginning July 1, 1991.

29 18. COMMUNITY ECONOMIC BETTERMENT PROGRAM

30 For use of the fund established in this subsection:

31 .....	\$	4,457,000
32 .....		<u>4,420,000</u>

33 Notwithstanding section 8.33, moneys appropriated from the  
 34 community economic betterment account for the fiscal years  
 35 beginning July 1, 1985, under section 99E.31, subsection 2,

1 and July 1, 1986, July 1, 1987, July 1, 1988, and July 1,  
2 1989, under section 99E.32, subsection 2, that remain  
3 unencumbered or unobligated on June 30, 1990, all unexpended  
4 cash balances of obligated and encumbered funds remaining in  
5 the community economic betterment account on June 30, 1990,  
6 and loan repayments or other moneys received from awards made  
7 from the community economic betterment account shall not  
8 revert to any fund but shall be deposited in a special  
9 community economic betterment program fund to be used by the  
10 department of economic development for the community economic  
11 betterment program and to supplement the funds appropriated in  
12 this subsection for that program. The conditions, criteria,  
13 and limitations referred to or specified in section 99E.32,  
14 subsection 2, paragraph "b", apply to the providing of moneys  
15 under the community economic betterment program from the fund  
16 established in this subsection.

17 For the fiscal year ending June 30, 1991, only, all  
18 unencumbered or unobligated funds remaining in the community  
19 economic betterment program fund established in this  
20 subsection are transferred from the fund and deposited in the  
21 general fund of the state.

22 Notwithstanding section 8.33, for fiscal years beginning on  
23 or after July 1, 1991, moneys in this special fund at the end  
24 of each fiscal year shall not revert to any other fund but  
25 shall remain in this community economic betterment program  
26 fund.

27 19. IOWA PRODUCT DEVELOPMENT CORPORATION

28 To the fund established under section 28.89:

29 ..... \$ 1,286,700  
30 ..... 1,083,670

31 23. MAIN STREET/RURAL MAIN STREET PROGRAM:

32 ..... \$ 368,000  
33 ..... 353,000

34 Moneys appropriated in this subsection may be used for  
35 salaries and support for not more than the following full-time

1 equivalent positions:

2 ..... FTEs 3.00

3 Notwithstanding section 8.33, moneys committed to grantees  
4 under contract that remain unexpended on June 30 of any fiscal  
5 year shall not revert to any fund but shall be available for  
6 expenditure for purposes of the contract during the succeeding  
7 fiscal year.

8 26. WELCOME CENTER PROGRAM:

9 ..... \$ 347,728

10 ..... 245,238

11 Notwithstanding section 8.33, moneys committed to grantees  
12 under contract that remain unexpended on June 30 of any fiscal  
13 year shall not revert to any fund but shall be available for  
14 expenditure for purposes of the contract during the succeeding  
15 fiscal year.

16 As a condition, limitation, and qualification of the  
17 appropriations made in this subsection, moneys appropriated  
18 shall be used for implementation of the recommendations of the  
19 statewide long-range plan for developing and operating welcome  
20 centers throughout the state. In addition, the department  
21 shall evaluate the operation of the pilot project welcome  
22 centers established pursuant to sections 15.271 and 15.272 and  
23 report to the general assembly by January 15, 1991, its  
24 recommendations for long-term operation of the pilot project  
25 welcome centers.

26 29. JOB RETRAINING PROGRAM

27 To the Iowa employment retraining fund created in section  
28 15.298:

29 ..... \$ 2,792,200

30 ..... 1,498,535

31 33. SMALL BUSINESS NEW JOBS TRAINING PROGRAM

32 To the revolving loan account of the area school job  
33 training fund established under section 280C.6 for the Iowa  
34 small business new jobs training program:

35 ..... \$ 800,000

1 398,772

2 Sec. 502. 1990 Iowa Acts, chapter 1262, section 1,  
3 subsections 1, 8, 17, and 25, are amended to read as follows:

4 1. GENERAL ADMINISTRATION

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

8 .....	\$	815,706
9 .....		<u>748,706</u>
10 .....	FTEs	21.00

11 8. INTERNATIONAL TRADE OFFICES

12 a. For the operation and maintenance of the European  
13 office, including salaries, support, maintenance,  
14 miscellaneous purposes, and for not more than the following  
15 full-time equivalent positions:

16 .....	\$	227,357
17 .....	FTEs	1.50

18 b. For European community 1992 opportunities, including  
19 salary, support, maintenance, and miscellaneous purposes for  
20 not more than the following full-time equivalent positions:

21 .....	\$	60,000
22 .....	FTEs	1.00

23 The Iowa business council is requested to conduct a study  
24 to determine the best utilization of the funds appropriated by  
25 this paragraph. The council shall report its findings to the  
26 department of economic development in conjunction with this  
27 program.

28 c. To initiate trade activities with eastern Europe:

29 .....	\$	50,000
----------	----	--------

30 d. For the operation and maintenance of the Asian trade  
31 office, including salaries, support, maintenance,  
32 miscellaneous purposes, and for not more than the following  
33 full-time equivalent positions:

34 .....	\$	204,187
35 .....	FTEs	2.00

1 e. For targeted marketing in Pacific rim countries:  
 2 ..... \$ 517,000  
 3 ..... 44,000

4 f. For the operation and maintenance of the Japanese trade  
 5 office, including salary, support, maintenance, miscellaneous  
 6 purposes, and for not more than the following full-time  
 7 equivalent positions:  
 8 ..... \$ 299,191  
 9 ..... 281,191  
 10 ..... FTEs 2.00

11 17. IOWA WORK FORCE INVESTMENT PROGRAM:

12 ..... \$ 1,000,000  
 13 ..... 913,000  
 14 ..... FTEs 1.00

15 This program shall be administered through the department  
 16 of economic development in consultation with the state job  
 17 training coordinating council. The program shall be operated  
 \* 18 on a competitive grant basis and funds shall be available for  
 19 projects that increase Iowa's pool of available labor via  
 20 training and support services. \$300,000 of the amount  
 21 appropriated in this subsection shall be available  
 22 specifically for displaced homemaker programs.

23 25. RURAL ENTERPRISE FUND:

24 ..... \$ 400,000  
 \* 25 ..... 0

26 Notwithstanding section 8.33, moneys committed to grantees  
 27 under contract that remain unexpended on June 30 of any fiscal  
 28 year shall not revert to any fund but shall be available for  
 29 expenditure for purposes of the contract during the succeeding  
 30 fiscal year.

31 Sec. 503. 1990 Iowa Acts, chapter 1262, section 2,  
 32 unnumbered paragraph 2, as amended by 1991 Iowa Acts, House  
 33 File 173, section 503, is amended to read as follows:

34 For deposit in the Wallace technology transfer foundation  
 35 fund created by the foundation board:

1 ..... \$ 2,669,880  
2 ..... 1,369,880

3 Sec. 504. 1990 Iowa Acts, chapter 1262, section 6,  
\* 4 subsection 2, is amended to read as follows:

5 2. RURAL COMMUNITY 2000

\* 6 For deposit in the revolving fund created under section  
7 15.287:

8 ..... \$ 500,000  
9 ..... 0

10 Notwithstanding section 15.283, subsection 4, for the  
11 fiscal year beginning July 1, 1990, all funds allocated under  
12 this program for traditional and new infrastructure shall be  
13 applied to programs under sections 15.284 and 15.285.

14 INTERNET

15 Sec. 505. 1990 Iowa Acts, chapter 1262, section 4, as  
16 amended by 1991 Iowa Acts, House File 173, section 504, is  
17 amended to read as follows:

18 SEC. 4. INTERNET.

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

23 For deposit in the international network on trade fund  
24 created by the INTERNET board:

25 ..... \$ 385,000  
26 ..... 371,500

27 IOWA FINANCE AUTHORITY

28 Sec. 506. 1990 Iowa Acts, chapter 1262, section 3,  
29 subsection 1, paragraph a, as amended by 1991 Iowa Acts, House  
30 File 173, section 512, is amended to read as follows:

31 a. To provide mortgage and finance assistance to  
32 individuals for the purchase or acquisition of homes:

33 ..... \$ 500,000  
34 ..... 0

35 Sec. 507. 1990 Iowa Acts, chapter 1262, section 15, is

1 amended to read as follows:

2 SEC. 15. There is appropriated from the general fund of  
3 the state to the Iowa finance authority for the fiscal year  
4 beginning July 1, 1990, and ending June 30, 1991, the  
5 following amount, or so much thereof as is necessary, to be  
6 used for the purposes designated:

7 For the rural community 2000 program:

8 ..... \$ 176007000  
9 0

10 Notwithstanding section 15.283, subsection 4, the amount  
11 appropriated in this section shall be allocated for  
12 traditional infrastructure under section 15.284 and for new  
13 infrastructure under section 15.285.

14 Sec. 508. 1991 Iowa Acts, Senate File 209, section 27, is  
15 amended to read as follows:

16 SEC. 27. Moneys remaining unencumbered or unobligated from  
17 the funds appropriated to the Iowa finance authority for the  
18 housing assistance program for the fiscal year beginning July  
19 1, 1989, in section 99E.32, subsection 3, paragraph "u", shall  
20 be used by the Iowa finance authority for the housing  
21 assistance program under the conditions and criteria set out  
22 in 1990 Iowa Acts, chapter 1262, section 3, as amended by  
23 section 26 of this Act, except that ~~\$400,000~~ \$1,970,000 of  
24 such money shall be transferred to and deposited in the  
25 general fund of the state on the effective date of this Act.

26 ~~Notwithstanding section 8-337-section-99E-327-subsection-77~~  
27 ~~and-1990-Iowa-Acts7-chapter-12557-section-377-subsection-27~~  
28 ~~moneys-for-the-housing-assistance-program-remaining~~  
29 ~~unencumbered-or-unobligated-on-June-307-19917-shall-not-revert~~  
30 ~~or-be-transferred-to-any-fund-but-shall-be-available-for~~  
31 ~~expenditure-for-purposes-of-the-housing-assistance-program-for~~  
32 ~~the-fiscal-year-beginning-July-17-19917~~

33 LOTTERY

34 Sec. 509. 1991 Iowa Acts, House File 173, section 1008,  
35 subsection 1, paragraph h, is amended to read as follows:

1 h. Welcome centers under paragraph "1" for the 1990 fiscal  
2 year:

3 ..... \$ 277,738  
4 ..... 42,738

\* 5 Sec. 510. 1991 Iowa Acts, House File 173, section 1008,  
6 subsection 4, is amended by adding the following new  
7 paragraph:

8 NEW PARAGRAPH. c. The community-based recreational and  
9 educational grant program and corresponding fund under  
10 paragraph "v" for the 1990 fiscal year:

11 ..... \$ 17,822

12 Sec. 511. Section 28.120, subsection 7, Code 1991, is  
13 amended by striking the subsection.

14 DIVISION VI

15 DEPARTMENT OF CULTURAL AFFAIRS

16 Sec. 601. 1990 Iowa Acts, chapter 1272, section 1,  
17 subsections 1, 2, as item vetoed by the governor, 3, 4, 5, and  
18 7, as item vetoed by the governor, as amended by 1991 Iowa  
19 Acts, House File 173, section 901, are amended to read as  
20 follows:

21 1. ADMINISTRATION DIVISION

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

25 ..... \$ 426,562  
26 ..... 422,149  
27 ..... FTEs 10

28 2. ARTS DIVISION

29 For salaries, support, maintenance, miscellaneous purposes,  
30 including funds to match federal grants, and for not more than  
31 the following full-time equivalent positions:

32 ..... \$ 1,166,805  
33 ..... 1,088,805  
34 ..... FTEs 13

35 As a condition, limitation, and qualification of the

1 appropriation in this subsection, not more than 10 percent of  
2 the difference between the moneys appropriated in this  
3 subsection and the moneys appropriated in 1989 Iowa Acts,  
4 chapter 319, section 1, subsection 2, shall be expended by the  
5 arts division for administrative costs.

6 In addition to the moneys appropriated in this subsection  
7 from the general fund of the state, the arts division may  
8 expend up to \$40,000 from the artist endowment fund for the  
9 purposes for which moneys from the general fund of the state  
10 were appropriated in this subsection.

11 3. HISTORICAL DIVISION

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

15 .....	\$	2,592,496
16 .....		<u>2,532,496</u>
17 .....	FTEs	76

18 4. LIBRARY DIVISION

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

22 .....	\$	2,183,629
23 .....		<u>2,111,976</u>
24 .....	FTEs	41

25 As a condition, limitation, and qualification of the funds  
26 appropriated in this subsection, the department of cultural  
27 affairs shall adopt, by January 1, 1991, rules relating to the  
28 copying of library material and the defraying of copying  
29 expenses, including, but not limited to, the charging of  
30 reasonable fees for the copying of library material for  
31 nonresident persons.

32 5. PUBLIC BROADCASTING DIVISION

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

1	.....	\$	6,576,287
2			<u>6,363,914</u>
x 3	..... FTEs		104

4 7. REGIONAL LIBRARY SYSTEM

5 For state aid:

6	.....	\$	1,530,655
7			<u>1,485,655</u>

8 COLLEGE STUDENT AID COMMISSION

9 Sec. 602. 1990 Iowa Acts, chapter 1272, section 3,  
10 subsection 1, as amended by 1991 Iowa Acts, House File 173,  
11 section 903, is amended to read as follows:

12 1. GENERAL ADMINISTRATION

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

16	.....	\$	324,271
17			<u>314,271</u>
18	..... FTEs		8.05

19 As a condition, limitation, and qualification of the  
20 appropriation in this subsection, the college student aid  
21 commission shall conduct a study of the cosmetology and  
22 chiropractic programs available to Iowans at both private and  
23 public postsecondary institutions. The study shall include  
24 the number of students attending the programs, the type of  
25 financial aid that is available to the students, a description  
26 of the accreditation standards which are required to be met by  
27 each program, a listing of those areas in which programs have  
28 failed to meet accreditation standards, the number of students  
29 placed within 1 year of graduation in professions for which  
x 30 they have been trained, and the number of students who have  
31 continued in the professions for which they have been trained  
32 5 years after graduation from a professional program.

33 DEPARTMENT OF EDUCATION

34 Sec. 603. 1990 Iowa Acts, chapter 1264, section 1,  
35 unnumbered paragraph 2, as amended by 1991 Iowa Acts, House

1 File 173, section 910, is amended to read as follows:

2 For the youth 2000 coordinating council for awarding  
3 community planning grants for collaborative efforts to  
4 establish local drug prevention and youth development programs  
5 as provided in section 256.42, subsection 5:

6 ..... \$ 57090  
7 0

8 Sec. 604. 1990 Iowa Acts, chapter 1272, section 8,  
9 subsections 1, 3, 4, 6, and 10, as amended by 1991 Iowa Acts,  
10 House File 173, section 911, are amended to read as follows:

11 1. GENERAL ADMINISTRATION

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

15 ..... \$ 5,805,290  
16 5,708,798  
17 ..... FTES 135.75

18 As a condition, limitation, and qualification of the  
19 appropriation in this subsection, the department of education  
20 shall expend moneys to contract with institutions of higher  
21 education to provide a summer residence program for gifted and  
22 talented elementary and secondary school students and to  
23 support existing law-related education centers for training  
24 seminars and workshops in law-related education, summer  
25 institutes relating to law-related education and methodology  
26 and substance, and mock trial competitions for junior and  
27 senior high school students. The law-related education  
28 program shall include the legislative lawmaking process.  
29 Educational materials for the legislative lawmaking process  
30 segment of the program shall be developed by the law-related  
31 education centers in consultation with the legislative  
32 council.

33 As a condition, limitation, and qualification of the  
34 appropriation in this subsection, the department of education  
35 shall expend moneys to provide funds for the employment

1 resources center administered by the fifth judicial district's  
2 department of correctional services to assist clients.

3 As a condition, limitation, and qualification of the  
4 appropriation in this subsection, the bureau of special  
5 education of the department of education shall study the  
6 impact of student weighting on the appropriateness of student  
7 placement in the least restrictive environment. Depending on  
8 the results of the study, alternatives to the assignment of  
9 student weightings that will encourage the placement of  
10 students in the least restrictive appropriate placement shall  
11 be developed accordingly. The bureau of special education  
12 shall report the findings of the study and any identified  
13 alternatives to the state special education advisory panel and  
14 the school budget review committee, and the department shall  
15 include the findings in a report to the legislative fiscal  
16 bureau and the general assembly by December 1, 1990.

17 3. BOARD OF EDUCATIONAL EXAMINERS

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

21 .....	\$	138,607
22 .....		<u>134,107</u>
23 .....	FTEs	2

24 4. VOCATIONAL EDUCATION ADMINISTRATION

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

28 .....	\$	809,793
29 .....		<u>795,895</u>
30 .....	FTEs	39.6

31 6. PENAL INSTITUTION EDUCATION PROGRAM

32 For educational programs at state penal institutions:

33 .....	\$	2,193,893
34 .....		<u>2,093,893</u>

35 Funds appropriated by this subsection shall be used by the

1 department of education, in coordination with the department  
2 of corrections, to provide expanded educational programs to  
3 inmates of the Iowa penal institutions and develop education  
4 program plans for the offenders and ex-offenders in the  
5 community-based corrections system. Educational programs  
6 shall emphasize assessment, cognition, literacy, and social  
7 skills, and shall provide continuity of instruction as the  
8 inmate progresses through the penal system. Educational  
9 technology learning systems which would support the continuity  
10 of instruction shall be used in combination with an  
11 information management system to track student progress. The  
12 information tracking system shall be available throughout the  
13 state. An information management system shall be implemented  
14 to transmit education information, including the inmate's  
15 plan, programs provided, and program outcomes to institutions  
16 under whose control the inmate is placed. Evaluation of the  
17 results shall be made annually to determine needed changes and  
18 to assess results. The department of education, in  
19 coordination with the department of corrections, shall  
20 investigate, evaluate, and analyze educational technology  
21 systems which reflect inmate needs before selection of any  
22 system or systems. Funds appropriated in this subsection may  
23 be used for individualized, personal development, life  
24 management programs established by the general assembly in  
25 1990 Iowa Acts, chapter 1257, section 23, under the department  
26 of corrections, and to provide the results of the  
27 establishment of the individualized, personal development,  
28 life management programs to the cochairpersons and ranking  
29 members of the joint education appropriations subcommittee and  
30 the legislative fiscal bureau.

31 10. VOCATIONAL REHABILITATION DIVISION

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

35 ..... \$ 3,758,474.6

1 3,460,631  
2 ..... FTES 319.50

3 b. For matching funds for programs to enable severely  
4 physically or mentally disabled persons to function more  
5 independently, including salaries and support, for not more  
6 than the following full-time equivalent positions:

7 ..... \$ 19,367  
8 ..... FTES 1.50

9 Sec. 605. 1990 Iowa Acts, chapter 1272, section 8,  
10 subsection 8, is amended to read as follows:

11 8. SCHOOL FOOD SERVICE

12 For the purpose of providing assistance to students en-  
13 rolled in public school districts and nonpublic schools of the  
14 state for breakfasts, lunches and minimal equipment programs  
15 with the funds being used as state matching funds for federal  
16 programs, which shall be disbursed according to federal  
17 regulations and include salaries and support, for not more  
18 than the following full-time equivalent positions:

19 ..... \$ 3,200,215  
20 3,056,215  
21 ..... FTES 14

22 As a condition, limitation, and qualification of the funds  
23 appropriated in this subsection, of the ~~\$3,200,215~~ \$3,056,215  
24 available, \$25,000 shall be used to develop guidelines for  
25 school lunch and breakfast programs and to plan a nutrition  
26 pilot project, if a pilot project to establish model nutrition  
27 guidelines for school lunch and breakfast programs is  
28 established by the general assembly.

29 Sec. 606. 1989 Iowa Acts, chapter 319, section 18,  
30 unnumbered paragraph 1, is amended to read as follows:

31 There is appropriated from the general fund of the state to  
32 the department of education for the fiscal year beginning July  
33 1, 1989, and ending June 30, 1990, the following amount, or so  
34 much thereof as may be necessary, to be used for child  
35 development grants under 1988 Iowa Acts, chapter 1130:

1 ..... \$ 171757700  
2 ..... 1,045,700

3 STATE BOARD OF REGENTS

4 Sec. 607. 1990 Iowa Acts, chapter 1272, section 14,  
5 subsection 1, paragraph a, unnumbered paragraph 1, is amended  
6 to read as follows:

7 For salaries, support, maintenance, miscellaneous purposes,  
8 during the fiscal year beginning July 1, 1990, and ending June  
9 30, 1991, and for not more than the following full-time  
10 equivalent positions:

11 ..... \$ 171361134  
12 ..... 1,134,134  
13 ..... FTEs 19.63

14 Sec. 608. 1990 Iowa Acts, chapter 1272, section 14,  
15 subsection 5, as item vetoed by the governor, and subsection  
16 6, as amended by 1991 Iowa Acts, House File 173, section 916,  
17 are amended to read as follows:

18 5. STATE SCHOOL FOR THE DEAF

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

22 ..... \$ 577517541  
23 ..... 5,733,548  
24 ..... FTEs 133.24

25 6. IOWA BRAILLE AND SIGHT-SAVING SCHOOL

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

29 ..... \$ 371867439  
30 ..... 3,176,871  
31 ..... FTEs 92.45

32 Sec. 609. APPROPRIATIONS FURTHER REDUCED -- REGENTS'  
33 INSTITUTIONS.

34 1. The funds appropriated to the state university of Iowa  
35 for the fiscal year beginning July 1, 1990, and ending June

1 30, 1991, by 1990 Iowa Acts, chapter 1272, section 14,  
2 subsection 2, as reduced by 1991 Iowa Acts, House File 173,  
3 section 919, subsection 1, shall be further reduced by the  
4 department of management in the additional amount of \$709,356.  
5 The state university shall notify the department of management  
6 of the amount of reduction established by the university for  
7 each budget unit in order to achieve the total reduction  
8 amount required by this subsection.

9 2. The funds appropriated to the Iowa state university of  
10 science and technology for the fiscal year beginning July 1,  
11 1990, and ending June 30, 1991, by 1990 Iowa Acts, chapter  
12 1272, section 14, subsection 3, as reduced by 1991 Iowa Acts,  
13 House File 173, section 919, subsection 2, shall be further  
14 reduced by the department of management in the additional  
15 amount of \$578,120. The state university shall notify the  
16 department of management of the amount of reduction  
17 established by the university for each budget unit in order to  
18 achieve the total reduction amount required by this  
19 subsection.

20 3. The funds appropriated to the university of northern  
21 Iowa for the fiscal year beginning July 1, 1990, and ending  
22 June 30, 1991, by 1990 Iowa Acts, chapter 1272, section 14,  
23 subsection 4, as reduced by 1991 Iowa Acts, House File 173,  
24 section 919, subsection 3, shall be further reduced by the  
25 department of management in the amount of \$182,963. The state  
26 university shall notify the department of management of the  
27 amount of reduction established by the university for each  
28 budget unit in order to achieve the total reduction amount  
29 required by this subsection.

30 Sec. 610. Section 18.137, unnumbered paragraph 1, Code  
31 1991, is amended to read as follows:

32 There is created in the office of the treasurer of state a  
33 temporary fund to be known as the state communications network  
34 fund. There is appropriated to the state communications  
35 network fund for the fiscal year beginning July 1, 1989, and

1 ending June 30, 1990, the sum of five two million one hundred  
2 forty-two thousand six hundred twenty-one dollars from the  
3 general fund of the state. There is appropriated from the  
4 general fund of the state to the state communications network  
5 fund for each fiscal year of the fiscal period beginning July  
6 1, 1991, and ending June 30, 1996, the sum of five million  
7 dollars. Notwithstanding section 8.33, unobligated and  
8 unencumbered moneys from the appropriation for a fiscal year  
9 remaining on June 30 of that fiscal year shall not revert to  
10 the general fund of the state but shall remain available for  
11 expenditure during the next following fiscal year. There  
12 shall also be deposited into the state communications network  
13 fund proceeds from bonds issued for purposes of projects  
14 authorized pursuant to section 18.136, matching funds received  
15 from the community colleges and the local school boards, funds  
16 received from leases pursuant to section 18.134, and other  
17 moneys by law credited to or designated by a person for  
18 deposit into the fund. Notwithstanding the requirements of  
19 section 18.136, subsection 1, for the fiscal year beginning  
20 July 1, 1990, and ending June 30, 1991, thirty-one thousand  
21 dollars of moneys in the state communications network fund may  
22 be expended for the state's share of the cost for the design  
23 of a disaster recovery facility to be built in conjunction  
24 with the Iowa communications network facility and emergency  
25 operation center. The department of general services may  
26 increase its fees for data processing in order to collect an  
27 additional amount not exceeding two hundred thousand dollars  
28 during the fiscal year beginning July 1, 1991, to pay for the  
29 state's share of the cost of construction of the disaster  
30 recovery facility.

31 Sec. 611. Section 303.79, subsection 11, Code 1991, is  
32 amended to read as follows:

33 11. If the narrowcast system advisory committee determines  
34 that an expansion of the number of sites utilizing distance  
35 learning would benefit the implementation of the state

1 ~~educational-telecommunications-system-by-demonstrating-its~~  
2 ~~capabilities-to-a-greater-number-of-individuals,-the-advisory~~  
3 ~~committee-may-recommend-that-the-board-establish-a~~  
4 ~~demonstration-program.~~ Notwithstanding section 18.136, the  
5 board may allocate not more than one two hundred fifty  
6 thousand dollars from the state communications network fund  
7 for each of the fiscal years beginning July 1, 1990, and July  
8 1, 1991, to be used to equip-additional-classrooms activate  
9 existing ITFS narrowcast towers.

10 DIVISION VII

11 LAW ENFORCEMENT ACADEMY

12 Sec. 701. 1990 Iowa Acts, chapter 1267, section 1,  
13 subsection 1, as amended by 1991 Iowa Acts, House File 173,  
14 section 701, is amended to read as follows:

15 1. For salaries, support, maintenance, miscellaneous  
16 purposes, including jailer training and technical assistance,  
17 and for not more than the following full-time equivalent  
18 positions:

19 .....	\$	913,779
20 .....		<u>903,779</u>
21 .....	FTEs	29.7

22 DEPARTMENT OF PUBLIC DEFENSE

23 Sec. 702. 1990 Iowa Acts, chapter 1267, section 2,  
24 subsections 1, 2, and 3, as amended by 1991 Iowa Acts, House  
25 File 173, section 702, are amended to read as follows:

26 1. MILITARY DIVISION

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

30 .....	\$	3,431,957
31 .....		<u>3,398,957</u>
32 .....	FTEs	151.59

33 2. DISASTER SERVICES DIVISION

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

1 positions:

2	.....	\$	303,702
3			<u>292,492</u>
4	.....	FTEs	12

5 3. VETERANS AFFAIRS DIVISION

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

9	.....	\$	140,934
10			<u>133,304</u>
11	.....	FTEs	4.16

12 ~~As-a-condition,-limitation,-and-qualification-of-the~~  
13 ~~appropriation-in-this-paragraph,-\$10,000-shall-be-used-for-the~~  
14 ~~purchase-of-POW/MIA-flags.~~

15 Sec. 703. 1990 Iowa Acts, chapter 1267, section 2,  
16 subsection 4, is amended to read as follows:

17 4. WAR ORPHANS

18 For the war orphans educational aid fund:

19	.....	\$	10,185
20			<u>8,185</u>

21 DEPARTMENT OF PUBLIC SAFETY

22 Sec. 704. 1990 Iowa Acts, chapter 1267, section 3, as item  
23 vetoed by the governor, as amended by 1991 Iowa Acts, House  
24 File 173, section 703, is amended to read as follows:

25 SEC. 3. There is appropriated from the general fund of the  
26 state to the department of public safety for the fiscal year  
27 beginning July 1, 1990, and ending June 30, 1991, the  
28 following amounts, or so much thereof as is necessary, to be  
29 used for the purposes designated:

30 1. For the department's administrative functions including  
31 the medical examiner's office and the criminal justice  
32 information system, and for not more than the following full-  
33 time equivalent positions:

34	.....	\$	2,421,952
35			<u>2,308,980</u>

1 ..... FTEs 51.50

2 2. a. For purposes relating to radio communications, and

3 not more than the following full-time equivalent positions:

4 ..... \$ 3,100,992

5 ..... 3,130,992

6 ..... FTEs 80

7 b. For purchase of service monitors and radio spare parts:

8 ..... \$ 25,000

9 3. a. For the division of criminal investigation and

10 bureau of identification containing the bureaus of

11 identification and liquor law enforcement, and for river boat

12 gambling enforcement, including the state's contribution to

13 the peace officers' retirement, accident, and disability

14 system provided in chapter 97A in the amount of 16 percent of

15 the salaries for which the funds are appropriated, and for not

16 more than the following full-time equivalent positions:

17 ..... \$ ~~6,211,978~~

18 ..... 6,125,978

19 ..... FTEs 133

20 b. For the law enforcement intelligence network program,

21 to be used in consultation with the law enforcement

22 intelligence network advisory committee:

23 ..... \$ 10,000

24 As a condition, limitation, and qualification of this

25 appropriation, the division of criminal investigation shall

26 commit sufficient resources to conduct 4 undercover operations

27 in cooperation with local law enforcement agencies to identify

28 the extent of bootlegging or illegal liquor operations at

29 state border counties and shall report on the undercover

30 operations to the committee by January 1, 1991.

31 4. For the division of narcotics:

32 a. The state's contribution to the peace officers'

33 retirement, accident, and disability system provided in

34 chapter 97A in the amount of 16 percent of the salaries for

35 which the funds are appropriated, and for not more than the

1 following full-time equivalent positions:

2	.....	\$	2,056,599
3			<u>2,012,599</u>
4	.....	FTEs	38

5 b. Undercover purchases:

6	.....	\$	150,000
---	-------	----	---------

7 5. a. For the fire marshal's office, including the  
8 state's contribution to the peace officers' retirement,  
9 accident, and disability system provided in chapter 97A in the  
10 amount of 16 percent of the salaries for which the funds are  
11 appropriated, and for not more than the following full-time  
12 equivalent positions:

13	.....	\$	1,496,354
14			<u>1,481,354</u>
15	.....	FTEs	33

16 b. For a regional firefighters' training center in Black  
17 Hawk county:

18	.....	\$	25,000
----	-------	----	--------

19 6. For the capitol security division, and for not more  
20 than the following full-time equivalent positions:

21	.....	\$	1,190,781
22			<u>1,178,781</u>
23	.....	FTEs	36

24 DIVISION VIII

25 BOARD OF PAROLE

26 Sec. 801. 1990 Iowa Acts, chapter 1268, section 3,  
27 unnumbered paragraph 2, as amended by 1991 Iowa Acts, House  
28 File 173, section 803, is amended to read as follows:

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

32	.....	\$	789,513
33			<u>763,381</u>
34	.....	FTEs	19.00

35 DEPARTMENT OF CORRECTIONS

1 Sec. 802. 1990 Iowa Acts, chapter 1268, section 4, sub-  
2 section 1, as item vetoed by the governor, as amended by 1991  
3 Iowa Acts, House File 173, section 804, is amended to read as  
4 follows:

5 1. For the operation of adult correctional institutions,  
6 to be allocated as follows:

7 a. For the operation of the Fort Madison correctional  
8 facility, including salaries, support, maintenance,  
9 miscellaneous purposes, and for not more than the following  
10 full-time equivalent positions:

11 .....	\$ 20,391,106
12 .....	<u>20,331,106</u>
13 .....	FTEs 501.50

14 As a condition, limitation, and qualification of this  
15 appropriation, the facility shall employ 310 correctional  
16 officers, and an additional counselor.

17 b. For the operation of the Anamosa correctional facility,  
18 including salaries, support, maintenance, miscellaneous  
19 purposes, and for not more than the following full-time  
20 equivalent positions:

21 .....	\$ 15,162,330
22 .....	<u>15,012,330</u>
23 .....	FTEs 355.00

24 (1) As a condition, limitation, and qualification of this  
25 appropriation, the facility shall employ 211 correctional  
26 officers, a part-time chaplain of a minority race, and 2  
27 additional nurses.

28 (2) Of the funds appropriated, the department's budget for  
29 Anamosa shall include funding for 2 full-time substance abuse  
30 counselors for the Luster Heights facility, for the purpose of  
31 certification of a substance abuse program at that facility.

32 c. For the operation of the Oakdale correctional facility,  
33 including salaries, support, maintenance, miscellaneous  
34 purposes, and for not more than the following full-time  
35 equivalent positions:

1 .....	\$ 10,547,236
2 .....	<u>10,405,236</u>
3 .....	FTEs 258.50

4 As a condition, limitation, and qualification of this  
 5 appropriation, the facility shall employ 132.40 correctional  
 6 officers and shall employ 3 additional staff for the purposes  
 7 of compliance with the joint commission on the accreditation  
 8 of health care organization standards.

9 d. For the operation of the Newton correctional facility,  
 10 including salaries, support, maintenance, miscellaneous  
 11 purposes, and for not more than the following full-time  
 12 equivalent positions:

13 .....	\$ 3,107,068
14 .....	<u>3,102,068</u>
15 .....	FTEs 71.00

16 As a condition, limitation, and qualification of this  
 17 appropriation, the facility shall employ 28 correctional  
 18 officers and an additional nurse.

19 e. For the operation of the Mt. Pleasant correctional  
 20 facility, including salaries, support, maintenance,  
 21 miscellaneous purposes, and for not more than the following  
 22 full-time equivalent positions:

23 .....	\$ 10,783,046
24 .....	<u>10,778,046</u>
25 .....	FTEs 267.15

26 As a condition, limitation, and qualification of this  
 27 appropriation, the facility shall employ 141 correctional  
 28 officers, and a full-time chaplain to provide religious  
 29 counseling at the Oakdale and Mt. Pleasant correctional  
 30 facilities, an additional nurse, and additional positions to  
 31 maintain a licensed substance abuse program.

32 f. For the operation of the Rockwell City correctional  
 33 facility, including salaries, support, maintenance,  
 34 miscellaneous purposes, and for not more than the following  
 35 full-time equivalent positions:

1 ..... \$ 2,901,277  
2 ..... FTEs 73.00

3 As a condition, limitation, and qualification of this  
4 appropriation, the facility shall employ 39 correctional  
5 officers and an additional 4 positions to establish a  
6 substance abuse treatment program and a sex offender program.

7 g. For the operation of the Clarinda correctional  
8 facility, including salaries, support, maintenance,  
9 miscellaneous purposes, and for not more than the following  
10 full-time equivalent positions:

11 ..... \$ 4,387,981  
12 ..... 4,360,321  
13 ..... FTEs 118.30

14 As a condition, limitation, and qualification of this  
15 appropriation, the facility shall employ 68 correctional  
16 officers.

17 h. For the operation of the Mitchellville correctional  
18 facility, including salaries, support, maintenance,  
19 miscellaneous purposes, and for not more than the following  
20 full-time equivalent positions:

21 ..... \$ 3,613,861  
22 ..... 3,586,606  
23 ..... FTEs 97.00

24 As a condition, limitation, and qualification of this  
25 appropriation, the facility shall employ 54 correctional  
26 officers and additional positions for a substance abuse  
27 treatment program.

28 Sec. 803. 1990 Iowa Acts, chapter 1268, section 5,  
29 subsection 1, unnumbered paragraph 1, as amended by 1991 Iowa  
30 Acts, House File 173, section 805, is amended to read as  
31 follows:

32 For general administration, including salaries, support,  
33 maintenance, miscellaneous purposes, and for not more than the  
34 following full-time equivalent positions:

35 ..... \$ 27,037,804

2,081,552

3773

..... FTEs 42.52

3 Sec. 804. 1990 Iowa Acts, chapter 1268, section 5,  
4 subsection 4, unnumbered paragraph 1, as amended by 1991 Iowa  
5 Acts, House File 173, section 806, is amended to read as  
6 follows:

7 For salaries, support, maintenance, miscellaneous purposes,  
8 and for not more than the following full-time equivalent  
9 positions at the correctional training center at Mt. Pleasant:

10 ..... \$ 365,876

11 ..... 357,876

12 ..... FTEs 8.22

13 Sec. 805. 1991 Iowa Acts, Senate File 209, section 24,  
14 subsection 1, is amended to read as follows:

15 1. To supplement other funds appropriated by the general  
16 assembly in 1990 Iowa Acts, chapter 1268, section 6,  
17 subsection 1, as amended by 1991 Iowa Acts, House File 173,  
18 section 807, for the first judicial district department of  
19 correctional services:

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

22 ..... \$ 433,000

23 ..... 45,000

24 Sec. 806. 1990 Iowa Acts, chapter 1268, section 6, subsec-  
25 tion 2, unnumbered paragraph 1 and paragraph a, are amended to  
26 read as follows:

27 For the second judicial district department of correctional  
28 services, the following amount, or so much thereof as is  
29 necessary:

30 a. For salaries, support, maintenance, and miscellaneous  
31 purposes:

32 ..... \$ 3,208,365

33 ..... 3,181,365

34 Sec. 807. 1990 Iowa Acts, chapter 1268, section 6, subsec-  
35 tion 3, unnumbered paragraph 1 and paragraph a, are amended to

1 read as follows:

2 For the third judicial district department of correctional  
3 services, the following amount, or so much thereof as is  
4 necessary:

5 a. For salaries, support, maintenance, and miscellaneous  
6 purposes:

7 ..... \$ 1,932,014  
8 1,867,014

9 Sec. 808. 1990 Iowa Acts, chapter 1268, section 6, subsec-  
10 tion 4, unnumbered paragraph 1 and paragraph a, are amended to  
11 read as follows:

12 For the fourth judicial district department of correctional  
13 services, the following amount, or so much thereof as is  
14 necessary:

15 a. For salaries, support, maintenance, and miscellaneous  
16 purposes:

17 ..... \$ 1,816,247  
18 1,796,747

19 Sec. 809. 1990 Iowa Acts, chapter 1268, section 6,  
20 subsection 5, unnumbered paragraph 1 and paragraph a, are  
21 amended to read as follows:

22 For the fifth judicial district department of correctional  
23 services, the following amount, or so much thereof as is  
24 necessary:

25 a. For salaries, support, maintenance, and miscellaneous  
26 purposes:

27 ..... \$ 5,468,203  
28 5,418,203

29 Sec. 810. 1990 Iowa Acts, chapter 1268, section 6, subsec-  
30 tion 6, unnumbered paragraph 1 and paragraph a, are amended to  
31 read as follows:

32 For the sixth judicial district department of correctional  
33 services, the following amount, or so much thereof as is  
34 necessary:

35 a. For salaries, support, maintenance, and miscellaneous

1 purposes:

2 ..... \$ 3,982,335  
3 3,857,335

4 Sec. 811. 1990 Iowa Acts, chapter 1268, section 6, subsec-  
5 tion 7, unnumbered paragraph 1 and paragraph a, are amended to  
6 read as follows:

7 For the seventh judicial district department of  
8 correctional services, the following amount, or so much  
9 thereof as is necessary:

10 a. For salaries, support, maintenance, and miscellaneous  
11 purposes:

12 ..... \$ 3,227,824  
13 3,191,824

14 DIVISION IX  
15 TRANSFERS

16 Sec. 901. 1991 Iowa Acts, House File 173, section 1101,  
17 unnumbered paragraph 4, following the governor's item veto, is  
18 amended to read as follows:

19 Notwithstanding the provisions relating to the setting of  
20 fees by the utility division under chapter 476, insurance  
21 division under chapter 505, banking division under chapter  
22 524, credit union division under chapter 533, savings and loan  
23 division under chapter 534, and the professional licensing  
24 division under chapter 546, each division shall maintain  
25 billings for the remainder of the fiscal year so that the  
26 amount of unobligated and unencumbered moneys that will be  
27 transferred to the general fund from each of the revolving  
28 ~~funds designated in subsections 22 through 26 shall equal the~~  
29 ~~sum of the amount of reduction in the appropriation to the~~  
30 ~~division from the appropriate revolving fund under section~~  
31 ~~4117-4147-4157-4167, or 417 of this Act plus the amount~~  
32 ~~estimated to be transferred to the general fund under this~~  
33 ~~section from each revolving fund as included in the governor's~~  
34 ~~fiscal year 1991 budget documents will equal at least the~~  
35 following designated amount: utilities trust fund, \$741,900;

1 banking revolving fund, \$616,000; credit union revolving fund,  
2 \$166,000; savings and loan revolving fund, \$0; insurance  
3 revolving fund, \$260,800; professional licensing revolving  
4 fund, \$546,600.

5 Sec. 902. Notwithstanding any provision in section 99E.34  
6 or other provision of law, the unobligated and unencumbered  
7 moneys on June 30, 1991, in the soil conservation account of  
8 the CLEAN fund, created in section 99E.10, shall be  
9 transferred to the general fund of the state on or before June  
10 30, 1991. Transfers of moneys from the soil conservation  
11 account in the CLEAN fund shall not affect the formula for the  
12 distribution of moneys in the account.

13 Sec. 903. Notwithstanding any provision in section 99E.34,  
14 455A.18, or other provision of law, the unobligated and  
15 unencumbered moneys on June 30, 1991, in the Iowa resources  
16 enhancement and protection fund, created in section 455A.18,  
17 or any of the accounts in the Iowa resources enhancement and  
18 protection fund shall be transferred to the general fund of  
19 the state. Moneys distributed from those accounts to other  
20 agencies which are unobligated or unencumbered on June 30,  
21 1991, shall also be transferred to the general fund of the  
22 state. Such transfers may be made prior to June 30, 1991.  
23 Transfers of moneys from the accounts in the Iowa resources  
24 enhancement and protection fund shall not affect the formula  
25 for the distribution of moneys in each of those accounts as  
26 provided in section 455A.19.

27 Sec. 904. Notwithstanding any provision in section 455E.11  
28 or other provision of law, the unobligated and unencumbered  
29 moneys on June 30, 1991, in the groundwater protection fund,  
30 created in section 455E.11, or any of the accounts, except the  
31 oil overcharge account, in the groundwater protection fund  
32 shall be transferred to the general fund of the state. Such  
33 transfers may be made prior to June 30, 1991. Transfers of  
34 moneys from the accounts in the groundwater protection fund  
35 shall not affect the formula for the distribution of moneys in

3179  
1 each of those accounts.  
2 Sec. 905.

3 1. Notwithstanding the restrictions relating to the  
4 transfer and use of moneys in the utilities trust fund in  
5 section 476.10, the insurance revolving fund in section 505.7,  
6 the banking revolving fund in section 524.207, the credit  
7 union revolving fund in section 533.67, and the professional  
8 licensing revolving fund in section 546.10, the cash balances  
9 in those five funds resulting from covered charges to  
10 regulated industries for purposes of cash flow and the build-  
11 up of surplus balances remaining on June 30, 1991, shall be  
12 transferred to the general fund of the state. However, state  
13 general fund cash balances shall be available from the general  
14 fund of the state to the utilities division, insurance  
15 division, banking division, credit union division, and the  
16 professional licensing and regulation division for cash flow  
17 purposes to enable the timely payment of expenses without  
18 regard to seasonal cash flow for the fiscal years ending June  
19 30, 1992, and June 30, 1993. Upon completion of the fiscal  
20 year ending June 30, 1993, any amount transferred to the  
21 general fund of the state from each of those five funds shall  
22 be returned to the fund from which the amount was transferred.

23 2. Notwithstanding the restrictions relating to the use of  
24 the moneys in the fertilizer fund in section 200.9, and the  
25 pesticide fund in section 206.12, subsection 3, cash balances  
26 remaining on June 30, 1991, that are not needed to pay  
27 expenses of the fiscal year ending June 30, 1991, are  
28 transferred to the general fund of the state. However, state  
29 general fund cash balances shall be available from the general  
30 fund of the state to the department of agriculture and land  
31 stewardship for cash flow purposes to enable the timely  
32 payment of expenses incurred for purposes for which moneys in  
33 the fertilizer and pesticide funds are to be used for the  
34 fiscal years ending June 30, 1992, and June 30, 1993. Upon  
35 completion of the fiscal year ending June 30, 1993, any amount

1 transferred to the general fund of the state from each of  
2 those two funds shall be returned to the fund from which the  
3 amount was transferred.

4 Sec. 906. Section 312.2, subsection 13, Code 1991, is  
5 amended to read as follows:

6 13. The treasurer of state, before making the allotments  
7 provided for in this section, shall credit annually to the  
8 department of justice from revenues credited to the road use  
9 tax fund under section 423.24, subsection 1, paragraph "c", an  
10 amount equal to twenty-five cents on each title issuance for  
11 motor vehicle fraud law enforcement and prosecution purposes  
12 including, but not limited to, the enforcement of state and  
13 federal odometer laws.

14 DIVISION X

15 SUPPLEMENTAL APPROPRIATIONS

16 DEPARTMENT OF HUMAN SERVICES

17 Sec. 1001. 1991 Iowa Acts, Senate File 209, sections 1, 2,  
18 5, 6, 7, and 8, are amended to read as follows:

19 SECTION 1. There is appropriated from the general fund of  
20 the state to the department of human services for the fiscal  
21 year beginning July 1, 1990, and ending June 30, 1991, the  
22 following amount, or so much thereof as is necessary, to be  
23 used for the purpose designated:

24 To supplement funds appropriated in 1990 Iowa Acts, chapter  
25 1270, section 1, as amended by 1991 Iowa Acts, House File 173,  
26 for aid to families with dependent children:

27 ..... \$ 2,800,236  
28 3,119,456

29 SEC. 2. There is appropriated from the general fund of the  
30 state to the department of human services for the fiscal year  
31 beginning July 1, 1990, and ending June 30, 1991, the  
32 following amount, or so much thereof as is necessary, to be  
33 used for the purpose designated:

34 To supplement funds appropriated in 1990 Iowa Acts, chapter  
35 1270, section 2, as amended by 1991 Iowa Acts, House File 173,

1 for medical assistance, including reimbursement for abortion  
2 services, which shall be available under the medical  
3 assistance program only for those abortions which are  
4 medically necessary:

5 ..... \$ 47382,328  
6 10,365,385

7 SEC. 5. There is appropriated from the general fund of the  
8 state to the department of human services 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 To supplement funds appropriated in 1990 Iowa Acts, chapter  
13 1270, section 13, as amended by 1991 Iowa Acts, House File  
14 173, for foster care:

15 ..... \$ 7,873,597  
16 10,183,571

17 SEC. 6. There is appropriated from the general fund of the  
18 state to the department of human services for the fiscal year  
19 beginning July 1, 1990, and ending June 30, 1991, the  
20 following amount, or so much thereof as is necessary, to be  
21 used for the purpose designated:

22 To supplement funds appropriated in 1990 Iowa Acts, chapter  
23 1270, section 15, as amended by 1991 Iowa Acts, House File  
24 173, for home-based services on the condition that family  
25 planning services are funded, provided that if the department  
26 amends the allocation to a program funded under this section,  
27 then the department shall promptly notify the legislative  
28 fiscal bureau of the change:

29 ..... \$ 389,956  
30 557,902

31 SEC. 7. 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 16, for community-based programs on the  
3 condition that the prevention grants relating to adolescent  
4 pregnancy are funded:

5 ..... \$ 348,914  
6 730,914

7 SEC. 8. There is appropriated from the general fund of the  
8 state to the department of human services 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 To supplement funds appropriated in 1990 Iowa Acts, chapter  
13 1270, section 18, for court-ordered evaluations and treatment  
14 pursuant to section 232.141, subsection 4:

15 ..... \$ 6,250,100  
16 7,815,100

17 Sec. 1002. IOWA INTERNATIONAL DEVELOPMENT FOUNDATION.  
18 There is appropriated from the general fund of the state to  
19 the Iowa international development foundation 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 purpose designated:

23 To provide funding to the Iowa international development  
24 foundation for the purposes for which the foundation was  
25 created:

26 ..... \$ 50,000

3775

27 DIVISION XI

28 Sec. 1101. EFFECTIVE DATE. This Act, being deemed of  
29 immediate importance, takes effect upon enactment.

30  
31  
32  
33  
34  
35

## SENATE FILE 532

H-3773

1 Amend Senate File 532, as amended, passed, and  
2 reprinted by the Senate, as follows:

3 1. Page 45, by inserting after line 2 the  
4 following:

5 "Sec. \_\_\_\_ . 1990 Iowa Acts, chapter 1268, section  
6 5, subsection 1, is amended by adding the following  
7 new unnumbered paragraph:

8 NEW UNNUMBERED PARAGRAPH. As a condition,  
9 limitation, and qualification of this appropriation,  
10 the department shall adopt rules as required pursuant  
11 to section 246.105 pertaining to executions of persons  
12 convicted of capital murder."

13 2. Page 52, by inserting after line 26 the  
14 following:

15 "DIVISION C

16 Sec. \_\_\_\_ . Section 246.105, Code 1991, is amended  
17 by adding the following new subsection:

18 NEW SUBSECTION. 9A. Adopt rules pursuant to  
19 chapter 17A pertaining to executions of persons  
20 convicted of capital murder.

21 Sec. \_\_\_\_ . Section 701.7, Code 1991, is amended to  
22 read as follows:

23 701.7 FELONY DEFINED AND CLASSIFIED.

24 A public offense is a felony of a particular class  
25 when the statute defining the crime declares it to be  
26 a felony. Felonies are capital felonies, class "A"  
27 felonies, class "B" felonies, class "C" felonies, and  
28 class "D" felonies. ~~Where~~ If the statute defining the  
29 offense declares it to be a felony but does not state  
30 what class of felony it is or provide for a specific  
31 penalty, that felony ~~shall be~~ is a class "D" felony.

32 Sec. \_\_\_\_ . NEW SECTION. 707.1A CAPITAL MURDER.

33 1. a. A person commits capital murder if the  
34 person commits murder in the first degree pursuant to  
35 section 707.2, and the person previously has been  
36 convicted of capital murder or a class "A" felony  
37 pursuant to section 707.2, 709.2, or 710.2.

38 b. A person commits capital murder if the person  
39 commits murder in the first degree pursuant to section  
40 707.2, and the person, in the course of that murder,  
41 commits another capital murder or another class "A"  
42 felony pursuant to section 707.2, 709.2, or 710.2.

43 2. Capital murder is a felony punishable either by  
44 death or by life imprisonment, as determined pursuant  
45 to sections 10115 through 10118 of this Act. However,  
46 if a person is convicted of capital murder who was  
47 under the age of sixteen years at the time the offense  
48 was committed, the person shall be sentenced to life  
49 imprisonment.

50 3. If a defendant is sentenced to death pursuant

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Page 2

1 to sections 10115 through 10118 of this Act, the  
2 sentence shall be executed by the administration of a  
3 lethal injection pursuant to rules adopted by the  
4 board of corrections. For the purposes of this  
5 section, "lethal injection" means a continuous  
6 intravenous injection of a lethal quantity of sodium  
7 thiopental or other equally or more effective  
8 substance sufficient to cause death.

9 Sec. \_\_\_\_\_. Section 707.2, unnumbered paragraph 1,  
10 Code 1991, is amended to read as follows:

11 A person commits murder in the first degree when  
12 the person commits murder which is not capital murder  
13 and which is committed under any of the following  
14 circumstances:

15 Sec. \_\_\_\_\_. Section 707.3, unnumbered paragraph 1,  
16 Code 1991, is amended to read as follows:

17 A person commits murder in the second degree when  
18 the person commits murder which is not capital murder  
19 or murder in the first degree.

20 Sec. \_\_\_\_\_. Section 707.4, unnumbered paragraph 2,  
21 Code 1991, is amended to read as follows:

22 Voluntary manslaughter is an included offense under  
23 an indictment for capital murder or murder in the  
24 first or second degree.

25 Sec. \_\_\_\_\_. Section 707.5, unnumbered paragraph 1,  
26 Code 1991, is amended to read as follows:

27 Involuntary manslaughter as defined in this section  
28 is an included offense under an indictment for capital  
29 murder or murder in the first or second degree or  
30 voluntary manslaughter.

31 Sec. \_\_\_\_\_. Section 802.1, Code 1991, is amended to  
32 read as follows:

33 802.1 MURDER.

34 A prosecution for capital murder or murder in the  
35 first or second degree may be commenced at any time  
36 after the death of the victim.

37 Sec. \_\_\_\_\_. Section 811.1, subsections 1 and 2, Code  
38 1991, are amended to read as follows:

39 1. A defendant awaiting judgment of conviction and  
40 sentencing following either a plea or verdict of  
41 guilty of a class "A" felony, capital murder, murder,  
42 felonious assault, sexual abuse in the second degree,  
43 sexual abuse in the third degree, kidnapping, robbery  
44 in the first degree, arson in the first degree, or  
45 burglary in the first degree, or any felony included  
46 in section 204.401, subsection 1, paragraph "a".

47 2. A defendant appealing a conviction of a class  
48 "A" felony, capital murder, murder, felonious assault,  
49 sexual abuse in the second degree, sexual abuse in the  
50 third degree, kidnapping, robbery in the first degree,

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1 arson in the first degree, or burglary in the first  
2 degree, or any felony included in section 204.40i,  
3 subsection 1, paragraph "a".

4 Sec. \_\_\_\_\_. Section 811.1, Code 1991, is amended by  
5 adding the following new subsection:

6 NEW SUBSECTION. 4. A defendant charged with  
7 capital murder, if upon hearing held under the  
8 conditions required by section 812.2, the prosecuting  
9 attorney establishes by clear and convincing evidence  
10 that the release of the defendant from custody is  
11 likely to pose a danger of physical harm to another  
12 person. The court shall consider all lawfully  
13 obtained evidence relevant to the required  
14 determination, whether or not the evidence would be  
15 admissible at trial, but testimony of the person  
16 charged is not admissible at a subsequent trial on the  
17 issue of guilt of the offense charged or of any other  
18 offense.

19 Sec. \_\_\_\_\_. NEW SECTION. 814.28 REVIEW OF DEATH  
20 SENTENCE.

21 1. In a case in which a sentence of death is  
22 imposed, the supreme court shall automatically review  
23 the judgment and sentence. The case shall not be  
24 transferred to the court of appeals.

25 2. A review by the supreme court of a judgment and  
26 sentence imposing the punishment of death has priority  
27 over all other criminal and other actions pending  
28 before the supreme court.

29 3. The supreme court shall review the trial and  
30 judgment, and separately shall review the sentencing  
31 proceeding. Upon determining that errors did not  
32 occur at the trial requiring reversal or modification  
33 of the judgment, the supreme court shall proceed to  
34 determine if the sentence of death is lawfully  
35 imposed. In its review of the sentencing proceeding  
36 the supreme court shall determine all of the  
37 following:

38 a. Whether the sentence of death was imposed  
39 capriciously or under the influence of prejudice or  
40 other arbitrary factor.

41 b. Whether the special verdicts returned under  
42 section 10115, subsection 2 of this Act, are supported  
43 by the evidence.

44 c. Whether the sentence of death is excessive or  
45 disproportionate to the penalty imposed in similar  
46 cases, considering both the crime and the defendant.

47 4. If the supreme court determines that the  
48 sentence of death was not lawfully imposed the court  
49 shall set aside the sentence and shall remand the case  
50 to the trial court for imposition of a sentence of

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1 life imprisonment.

2 5. If the supreme court affirms the judgment and  
3 sentence of death, the clerk of the supreme court  
4 shall certify the judgment of the supreme court under  
5 the seal of the court to the clerk of the trial court.

6 Sec. \_\_\_\_ . NEW SECTION. 901.11 CAPITAL MURDER  
7 PROCEEDINGS.

8 1. If a charge of capital murder is submitted to  
9 the jury or court, but the prosecuting attorney waives  
10 the death penalty, upon a verdict of guilty, the court  
11 shall sentence the defendant to life imprisonment. If  
12 the prosecuting attorney waives the death penalty, the  
13 court shall follow the sentencing procedures set forth  
14 in rule of criminal procedure 22, Iowa court rules,  
15 third edition, and need not follow the special  
16 sentencing procedures provided for capital murder  
17 cases.

18 2. If capital murder is charged, but the charge is  
19 not submitted to the court or jury, or the court or  
20 jury finds the defendant guilty of another offense,  
21 upon conviction of the other charge, the court shall  
22 follow the sentencing procedures set forth in rule of  
23 criminal procedure 22, Iowa court rules, third  
24 edition, concerning sentencing for the offense, rather  
25 than the sentencing procedures provided for capital  
26 murder cases.

27 3. Capital murder proceedings shall be conducted  
28 in bifurcated proceedings before the same trier of  
29 fact. During the initial proceeding, the jury, or the  
30 court, if the defendant waives the right to a jury  
31 trial, shall decide only whether the defendant is  
32 guilty or not guilty of any submitted offense. The  
33 issue of punishment shall not be submitted during the  
34 initial proceeding.

35 Upon a verdict of guilty to a capital murder  
36 charge, a separate sentencing proceeding shall be  
37 conducted as provided in sections 10115 through 10118  
38 of this Act. If a defendant enters a plea of guilty  
39 to a capital murder charge, the court shall conduct a  
40 separate sentencing proceeding as provided in sections  
41 10115 through 10118 of this Act.

42 Sec. \_\_\_\_ . NEW SECTION. 902.12 CAPITAL MURDER.

43 If a person is to be sentenced to life imprisonment  
44 under section 10115, subsection 5 of this Act, nothing  
45 in chapters 901 through 909, pertaining to deferred  
46 judgment, deferred sentence, suspended sentence, or  
47 reconsideration of sentence, applies, and the person  
48 shall not be released on parole unless the governor  
49 commutes the person's sentence to a term of years and  
50 shall not otherwise be released from confinement

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1 unless the governor pardons the person.

2 Sec. \_\_\_\_ . Rules of criminal procedure, Iowa court  
3 rules, third edition, are amended by adding sections  
4 10115 through 10118 of this Act.

5 Sec. 10115. NEW RULE. CAPITAL MURDER --  
6 PROCEDURE.

7 1. Upon a finding or plea that a defendant is  
8 guilty of capital murder, the court shall conduct a  
9 separate sentencing proceeding to determine whether  
10 the defendant shall be sentenced to death or to life  
11 imprisonment. The proceeding shall be conducted in  
12 the trial court before the trial jury, or the court if  
13 there is no jury, as soon as practicable. In the  
14 proceeding, additional evidence may be presented as to  
15 any matter which is relevant to the sentence. The  
16 court shall receive when offered any evidence that is  
17 required by the rules of criminal procedure. This  
18 subsection does not authorize the introduction of any  
19 evidence secured in violation of the Constitution of  
20 the United States or of the Constitution of the State  
21 of Iowa. The state and the defendant or the  
22 defendant's counsel shall be permitted to cross-  
23 examine witnesses and to present argument for or  
24 against a sentence of death.

25 2. On conclusion of the presentation of the  
26 evidence, the court shall submit each of the following  
27 issues to the jury:

28 a. Whether the conduct of the defendant that  
29 caused the death of the deceased was committed  
30 willfully, deliberately, and with the reasonable  
31 expectation that the death of the deceased or another  
32 would result.

33 b. Whether a probability exists that in the future  
34 the defendant would commit criminal acts of violence  
35 that would constitute a continuing threat to society.

36 c. Whether aggravating circumstances exist that  
37 are sufficient to outweigh any mitigating  
38 circumstances that may exist.

39 If the case is not tried to a jury, the court shall  
40 determine the issues.

41 3. The state must prove each issue in subsection 2  
42 beyond a reasonable doubt, and the jury, or the court  
43 if there is no jury, shall return a special verdict of  
44 "yes" or "no" on each issue.

45 4. If the case is tried to a jury, the court shall  
46 charge the jury that:

47 a. It shall answer any issue "yes" if it agrees  
48 unanimously.

49 b. It shall answer any issue "no" if the jurors  
50 unanimously agree that the answer is "no" or if the

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1 jurors do not unanimously agree that the answer is  
2 "yes".

3 5. If the jury, or the court if there is no jury,  
4 returns an affirmative finding on all applicable  
5 issues, the court shall sentence the defendant to  
6 death. If the jury or the court returns a negative  
7 finding on any applicable issue, the court shall  
8 sentence the defendant to the custody of the director  
9 of the department of corrections for confinement for  
10 the rest of the defendant's life.

11 6. Iowa Code chapters 901 through 909 do not apply  
12 to a conviction of capital murder if the defendant is  
13 sentenced to death.

14 Sec. 10116. NEW RULE. AUTOMATIC REVIEW -- STAY OF  
15 JUDGMENT.

16 1. A judgment of conviction and sentence of death  
17 shall be reviewed automatically in the manner provided  
18 in Iowa Code section 814.28, and the Iowa supreme  
19 court has exclusive jurisdiction of the review.

20 2. Upon entry of judgment and sentence of death,  
21 the trial court shall prepare a complete record and  
22 transcript of the action in the manner provided in the  
23 rules of criminal procedure and shall docket the  
24 record and transcript with the clerk of the supreme  
25 court.

26 3. The judgment and sentence of the trial court is  
27 stayed as a matter of law from the time of its entry  
28 until the judgment of the supreme court is certified  
29 to and entered by the trial court. Upon entry of a  
30 judgment of the supreme court which affirms the  
31 conviction and sentence, the stay of the judgment and  
32 sentence terminates as a matter of law.

33 4. All court costs required due to the automatic  
34 preparation of the record and transcript, docketing  
35 with the supreme court, and stay of judgment and  
36 sentence shall be assessed to the state.

37 Sec. 10117. NEW RULE. ISSUANCE OF WARRANT.

38 1. Upon entry by the trial court of the judgment  
39 of the supreme court affirming a judgment and sentence  
40 of death, a district judge shall within five days of  
41 the entry issue a warrant under the seal of the court  
42 for the execution of the sentence of death. The  
43 warrant shall specifically set forth the offense and  
44 the fact of conviction, shall state the judgment and  
45 sentence of the court, shall state that the judgment  
46 and sentence were affirmed by the supreme court and  
47 the date of entry of judgment of the supreme court in  
48 the trial court, and shall specify the date fixed for  
49 execution of the defendant which shall be not less  
50 than fifty nor more than sixty days after the date of

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1 entry in the trial court of the judgment of the  
2 supreme court affirming the judgment and sentence of  
3 death. The warrant shall be directed to the director  
4 of the department of corrections commanding the  
5 director to cause the warrant to be executed on the  
6 date specified. The trial court shall deliver the  
7 warrant to the sheriff of the county in which judgment  
8 of conviction was entered and the sheriff shall  
9 deliver the warrant and the defendant to the custody  
10 of the department of corrections for confinement in  
11 the state penitentiary. The director of the  
12 department of corrections shall acknowledge receipt of  
13 the warrant and the defendant, and the sheriff shall  
14 return the acknowledgment to the office of the clerk  
15 of the trial court from which the warrant was issued.

16 2. Immediately after issuance of a warrant  
17 ordering a sentence of death, the clerk of the trial  
18 court issuing the warrant shall transmit by mail to  
19 the governor a copy of the indictment, the plea, the  
20 verdict and special findings, the affirmation of  
21 judgment and sentence by the supreme court, and the  
22 complete transcript of the trial court.

23 Sec. 10118. NEW RULE. EVIDENCE AT SENTENCING IN  
24 CAPITAL MURDER CASES -- REQUIRED INFORMATION.

25 1. At a reasonable time before the commencement of  
26 sentencing proceedings in a capital murder case, each  
27 party shall file and serve upon the other party the  
28 following:

29 a. A list of all aggravating or mitigating  
30 circumstances which the party intends to prove during  
31 the sentencing proceedings.

32 b. The names of all persons whom the party intends  
33 to call as witnesses during the sentencing  
34 proceedings.

35 c. Notwithstanding rule 13, copies, or for  
36 inspection purposes, the location, of all documents,  
37 including books, papers, writings, drawings, graphs,  
38 charts, photographs, phonorecords, and other data  
39 compilations from which information can be obtained,  
40 or other objects which the party intends to offer into  
41 evidence during the sentencing proceedings. If copies  
42 are not supplied to opposing counsel, the party shall  
43 make the items available for inspection and copying  
44 without order of the court.

45 2. In proceedings to determine whether the  
46 sentence shall be death or life imprisonment, evidence  
47 may be presented as to any matter which the trial  
48 court deems relevant to sentence, including but not  
49 limited to the nature, circumstances, and manner of  
50 completion of the murder, and the defendant's

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1 character, background, history, and mental and  
 2 physical condition. The trial court shall admit any  
 3 relevant evidence respecting any aggravating or  
 4 mitigating circumstances, if the party has included  
 5 the circumstance on a list provided pursuant to this  
 6 rule, or good cause is shown for the failure to do so.  
 7 Sec. \_\_\_\_ . APPLICABILITY. This division of this  
 8 Act applies to offenses committed on or after the  
 9 effective date of this Act."

10 3. Title page, line 4, by inserting after the  
 11 word "state," the following: "requiring the adoption  
 12 of rules concerning the death penalty as a condition  
 13 of certain appropriations, establishing the offense of  
 14 capital murder, providing a minimum age for imposition  
 15 of the death sentence,".

16 4. Title page, line 5, by inserting after the  
 17 word "date" the following: "and applicability  
 18 provision".

19 5. By renumbering and correcting internal  
 20 references as necessary.

By KREBSBACH of Mitchell	IVERSON of Wright
BANKS of Plymouth	CORBETT of Linn
GRUBBS of Scott	MILLAGE of Scott
JOHNSON of Clinton	BRANSTAD of Winnebago
McKEAN of Jones	BARTZ of Worth
RENKEN of Grundy	MILLER of Cherokee
HAHN of Muscatine	

H-3773 FILED APRIL 22, 1991

*Referred to committee, matter to original rules failed 4/25/91 (p. 1558)*

SENATE FILE 532

H-3764

1 Amend Senate File 532, as amended, passed, and  
 2 reprinted by the Senate, as follows:

3 1. Page 52, line 16, by striking the figure  
 4 "7,815,100" and inserting the following: "7,890,100"

5 As a condition, limitation, and qualification of  
 6 the funds appropriated in this section, not more than  
 7 \$75,000 of the funds appropriated in this section  
 8 shall be used to pay interest in an amount calculated  
 9 in accordance with section 421.7 to service providers  
 10 on their billings to the state payable pursuant to  
 11 section 232.141, subsection 4, which during the period  
 12 of January 1, 1991, through April 30, 1991, became  
 13 more than 60 days past due."

By COMMITTEE ON APPROPRIATIONS  
 JOCHUM of Dubuque, Chairperson

H-3764 FILED APRIL 22, 1991

*Adopted 4/25/91 (p. 1648)*

## SENATE FILE 532

H-3856

1 Amend Senate File 532, as amended, passed, and  
2 reprinted by the Senate, as follows:

3 1. Page 51, by inserting after line 6, the  
4 following:

5 "As a condition, limitation, and qualification of  
6 the supplemental funds appropriated in this section,  
7 notwithstanding the adoption of an administrative rule  
8 limiting coverage of organ transplants under the  
9 medical assistance program, the department shall  
10 continue through the fiscal year ending June 30, 1992,  
11 to provide medical assistance coverage for organ  
12 transplants of the pancreas and the liver until the  
13 department establishes criteria for the coverage of  
14 these transplants. The criteria shall include but are  
15 not limited to health status and anticipated outcomes,  
16 including expected quality of life. The department  
17 may adopt emergency rules to implement the provisions  
18 of this subsection."

By MURPHY of Dubuque  
BROWN of Lucas

H-3856 FILED APRIL 25, 1991  
ADOPTED (p. 1561)

## SENATE FILE 532

H-3837

1 Amend Senate File 532, as amended, passed, and  
2 reprinted by the Senate, as follows:

3 1. By striking page 11, line 27 through page 15,  
4 line 30.

By MILLAGE of Scott  
SVOBODA of Tama

H-3837 FILED APRIL 25, 1991  
ADOPTED (p. 1550)

## SENATE FILE 532

H-3855

1 Amend Senate File 532, as amended, passed, and re-  
2 printed by the Senate, as follows:

3 1. Page 51, by inserting after line 6 the  
4 following:

5 "As a condition, limitation, and qualification of  
6 the supplemental funds appropriated in this section,  
7 notwithstanding the adoption of an administrative rule  
8 limiting coverage of organ transplants under the  
9 medical assistance program, the department shall  
10 continue through the fiscal year ending June 30, 1992,  
11 to provide medical assistance coverage for organ  
12 transplants to individuals who applied for and  
13 received approval from the department on or before  
14 January 1, 1991, for medical assistance coverage of an  
15 organ transplant."

By MURPHY of Dubuque

H-3855 FILED APRIL 25, 1991  
ADOPTED (p. 1541)

## SENATE FILE 532

H-3807

1 Amend Senate File 532, as amended, passed, and  
2 reprinted by the Senate, as follows:  
3 1. Page 27, by inserting after line 13 the  
4 following:  
5 "Sec. \_\_\_\_\_. Notwithstanding any other provision of  
6 law, all entities which applied for and were awarded  
7 funds, based upon the availability of the  
8 appropriation originally made in 1990 Iowa Acts,  
9 chapter 1262, section 15, which did not receive such  
10 funds as a result of the reduction in the amount  
11 appropriated under section 507 of this division, shall  
12 be provided such funds during the fiscal year  
13 beginning July 1, 1991, immediately upon the  
14 availability of moneys for the rural community 2000  
15 program."

By SCHRADER of Marion

H-3807 FILED APRIL 24, 1991

*Adopted 4/25/91 (p. 1550)*

## SENATE FILE 532

H-3810

1 Amend Senate File 532, as amended, passed, and  
2 reprinted by the Senate, as follows:  
3 1. Page 30, line 17, by striking the figure  
4 "314,271" and inserting the following: "290,271".  
5 2. Page 34, line 1, by striking the figure  
6 "3,460,631" and inserting the following: "3,522,631".  
7 3. Page 35, line 12, by striking the figure  
8 "1,134,134" and inserting the following: "1,096,134".

By CORBETT of Linn  
CHAPMAN of Linn

H-3810 FILED APRIL 24, 1991

*Adopted 4/25/91 (p. 1550)*

## SENATE FILE 532

H-3805

1 Amend the amendment, H-3773, to Senate File 532, as  
2 amended, passed, and reprinted by the Senate, as  
3 follows:  
4 1. Page 2, by inserting after line 8 the  
5 following:  
6 "When the electrocution of a convicted murderer is  
7 broadcast on television, an equal amount of time shall  
8 be given to coverage of the victim. Coverage of the  
9 victim includes, but is not limited to, photos of the  
10 crime scene, photos or film of the victim while alive,  
11 photos, film, or statements from the victim's family  
12 and friends, and statements from crime victims'  
13 groups."

By MILLAGE of Scott  
KREBSBACH of Mitchell

H-3805 FILED APRIL 24, 1991

*Adopted 4/25/91*

SENATE FILE 532

H-3779

1 Amend Senate File 532, as amended, passed and  
2 reprinted by the Senate, as follows:

3 1. Page 49, by inserting after line 1, the  
4 following:

5 "For purposes of this section, moneys collected and  
6 deposited into the groundwater protection fund during  
7 the fiscal year ending June 30, 1991, which were  
8 designated by formula for specific centers at any  
9 state board of regents institutions shall be  
10 considered encumbered and obligated funds."

By SHOULTZ of Blaw Hawk                      BERNAU of Story  
DIEMER of Black Hawk                      BLACK of Jasper  
OSTERBERG of Linn

H-3779 FILED APRIL 23, 1991

*Adopted 4/25/91 (p. 1559)*

SENATE FILE 532

H-3781

1 Amend the amendment, H-3773, to Senate File 532, as  
2 amended, passed, and reprinted by the Senate, as  
3 follows:

4 1. Page 2, by striking lines 2 through 8 and  
5 inserting the following: "sentence shall be carried  
6 out by means of the electrocution of the individual.  
7 The electrocution shall be broadcast on television  
8 stations in the state of Iowa at prime time as a  
9 public service announcement."

By BLANSHAN of Greene  
TEAFORD of Black Hawk

H-3781 FILED APRIL 23, 1991

*w/r 4/25*

SENATE FILE 532

H-3792

1 Amend Senate File 532, as amended, passed, and  
2 reprinted by the Senate, as follows:

3 1. Page 5, line 24, by striking the figure  
4 "1,052,766" and inserting the following: "1,108,308".

5 2. Page 5, line 27, by striking the figure  
6 "653,500" and inserting the following: "709,042".

7 3. Page 7, line 9, by striking the words  
8 "paragraphs a and" and inserting the following:  
9 "paragraph a, paragraph d, unnumbered paragraph i, and  
10 paragraph".

11 4. Page 9, by inserting after line 9, the  
12 following:

13 "For grants to county boards of supervisors for the  
14 homemaker-home health aide program:

15 ..... \$ 6,754,000  
16 ..... 6,398,458".

By TEAFORD of Black Hawk                      BAKER of Polk  
MURPHY of Dubuque                              HATCH of Polk  
HALVORSON of Webster

H-3792 FILED APRIL 23, 1991

*Adopted 4/25/91 (p. 1549)*

HOUSE AMENDMENT TO  
SENATE FILE 532

S-3624

1 Amend Senate File 532, as amended, passed, and  
2 reprinted by the Senate, as follows:

3 1. Page 5, line 24, by striking the figure  
4 "1,052,766" and inserting the following: "1,108,308".

5 2. Page 5, line 27, by striking the figure  
6 "653,500" and inserting the following: "709,042".

7 3. Page 7, line 9, by striking the words  
8 "paragraphs a and" and inserting the following:  
9 "paragraph a, paragraph d, unnumbered paragraph 1, and  
10 paragraph".

11 4. Page 9, by inserting after line 9, the  
12 following:

13 "For grants to county boards of supervisors for the  
14 homemaker-home health aide program:

15 ..... \$ 874547600  
16 8,398,458".

17 5. By striking page 11, line 27 through page 15,  
18 line 30.

19 6. Page 27, by inserting after line 13 the  
20 following:

21 "Sec. \_\_\_\_\_. Notwithstanding any other provision of  
22 law, all entities which applied for and were awarded  
23 funds, based upon the availability of the  
24 appropriation originally made in 1990 Iowa Acts,  
25 chapter 1262, section 15, which did not receive such  
26 funds as a result of the reduction in the amount  
27 appropriated under section 507 of this division, shall  
28 be provided such funds during the fiscal year  
29 beginning July 1, 1991, immediately upon the  
30 availability of moneys for the rural community 2000  
31 program."

32 7. Page 30, line 17, by striking the figure  
33 "314,271" and inserting the following: "290,271".

34 8. Page 34, line 1, by striking the figure  
35 "3,460,631" and inserting the following: "3,522,631".

36 9. Page 35, line 12, by striking the figure  
37 "1,134,134" and inserting the following: "1,096,134".

38 10. Page 49, by inserting after line 1, the  
39 following:

40 "For purposes of this section, moneys collected and  
41 deposited into the groundwater protection fund during  
42 the fiscal year ending June 30, 1991, which were  
43 designated by formula for specific centers at any  
44 state board of regents institutions shall be  
45 considered encumbered and obligated funds."

46 11. Page 51, by inserting after line 6 the  
47 following:

48 "As a condition, limitation, and qualification of  
49 the supplemental funds appropriated in this section,  
50 notwithstanding the adoption of an administrative rule

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1 limiting coverage of organ transplants under the  
2 medical assistance program, the department shall  
3 continue through the fiscal year ending June 30, 1992,  
4 to provide medical assistance coverage for organ  
5 transplants to individuals who applied for and  
6 received approval from the department on or before  
7 January 1, 1991, for medical assistance coverage of an  
8 organ transplant."

9 12. Page 51, by inserting after line 6, the  
10 following:

11 "As a condition, limitation, and qualification of  
12 the supplemental funds appropriated in this section,  
13 notwithstanding the adoption of an administrative rule  
14 limiting coverage of organ transplants under the  
15 medical assistance program, the department shall  
16 continue through the fiscal year ending June 30, 1992,  
17 to provide medical assistance coverage for organ  
18 transplants of the pancreas and the liver until the  
19 department establishes criteria for the coverage of  
20 these transplants. The criteria shall include but are  
21 not limited to health status and anticipated outcomes,  
22 including expected quality of life. The department  
23 may adopt emergency rules to implement the provisions  
24 of this subsection."

25 13. Page 52, line 16, by striking the figure  
26 "7,815,100" and inserting the following: "7,890,100

27 As a condition, limitation, and qualification of  
28 the funds appropriated in this section, not more than  
29 \$75,000 of the funds appropriated in this section  
30 shall be used to pay interest in an amount calculated  
31 in accordance with section 421.7 to service providers  
32 on their billings to the state payable pursuant to  
33 section 232.141, subsection 4, which during the period  
34 of January 1, 1991, through April 30, 1991, became  
35 more than 60 days past due."

36 14. By renumbering, relettering, or redesignating  
37 and correcting internal references as necessary.

RECEIVED FROM THE HOUSE

S-3624 FILED APRIL 29, 1991

*Senate Concurred 4/30/91 (p 1539)*



TERRY E. BRANSTAD  
GOVERNOR

## OFFICE OF THE GOVERNOR

STATE CAPITOL  
DES MOINES, IOWA 50319

515 281-5211

May 9, 1991

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

Dear Mr. President:

I hereby transmit Senate File 532, an act relating to reductions and increases in appropriations made for the fiscal year ending June 30, 1991, to departments and agencies of state government and to other public purposes, transferring moneys to the general fund of the state, and providing an effective date.

Senate File 532 is, therefore, approved on this date with the following exceptions which I hereby disapprove.

I am unable to approve the designated portion of Section 1001, which amends 1991 Iowa Acts, Senate File 209, Section 2. This provision attempts to condition supplemental funding for medical assistance in fiscal year 1991 by providing medical assistance coverage for adult liver and pancreas transplants through fiscal year 1992. While I believe it is appropriate to provide coverage under the Medicaid program for adult liver transplants, I do not believe it is appropriate to extend coverage to pancreas transplants at this time.

The Medicare program provides coverage of adult liver transplants but currently makes no provision for adult pancreas transplants. The safety, effectiveness, and reasonableness of adult liver transplants is clearly established while pancreas transplants are still considered investigational. As some Medicaid recipients are also Medicare recipients, the total amount of Medicaid funds needed to pay for the costs of liver transplants will be reduced by the amount covered by Medicare.

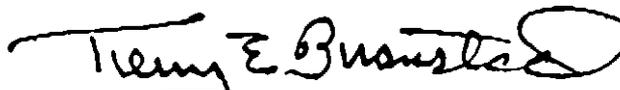
The Honorable Joseph Welsh  
May 9, 1991  
Page 2

I am aware of the joint resolution under consideration by the General Assembly to require coverage of adult liver transplants. With the passage of the resolution, the effect of this item veto is to only disallow coverage of adult pancreas transplants. I will be directing the Department of Human Services to develop criteria for coverage of adult liver transplants.

I am unable to approve the designated portion of Section 1001, which amends 1991 Iowa Acts, Senate File 209, Section 8. This provision would direct the payment of interest on claims paid under Juvenile Justice which became more than 60 days past due during the period of January 1, 1991, through April 30, 1991. Under current law, a procedure exists for persons who wish to challenge untimely payments by the state. These claimants like all other claimants should be required to use the existing procedure.

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 532 are hereby approved as of this date.

Sincerely,



Terry E. Branstad  
Governor

TEB/ps

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

*Item Vetoed*

SENATE FILE 532

AN ACT  
RELATING TO REDUCTIONS AND INCREASES IN APPROPRIATIONS MADE  
FOR THE FISCAL YEAR ENDING JUNE 30, 1991, TO DEPARTMENTS  
AND AGENCIES OF STATE GOVERNMENT AND TO OTHER PUBLIC PUR-  
POSES, TRANSFERRING MONIES TO THE GENERAL FUND OF THE  
STATE, AND PROVIDING AN EFFECTIVE DATE.

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

DIVISION I  
DEPARTMENT OF HUMAN SERVICES

Sec. 101. 1990 Iowa Acts, chapter 1270, section 21,  
subsection 1, unnumbered paragraph 1, as amended by 1991 Iowa  
Acts, House File 173, section 117, is amended to read as  
follows:

State mental health institute at Cherokee:  
..... \$ 14,137,569  
..... FTEs 409.33

DIVISION II  
CIVIL RIGHTS COMMISSION

Sec. 201. 1990 Iowa Acts, chapter 1259, section 1,  
unnumbered paragraph 2, as amended by 1991 Iowa Acts, House  
File 173, section 201, is amended to read as follows:

For salaries, support, maintenance, miscellaneous purposes,  
and for not more than the following full-time equivalent posi-  
tions:  
..... \$ 977,155  
..... PTEs 37.00  
DEPARTMENT OF HUMAN RIGHTS

Sec. 202. 1990 Iowa Acts, chapter 1259, section 2,  
subsection 1, and subsections 3, 4, 5, 6, and 7, as amended by  
1991 Iowa Acts, House File 173, section 202, are amended to  
read as follows:

1. CENTRAL ADMINISTRATION DIVISION

For salaries, support, maintenance, miscellaneous purposes,  
and for not more than the following full-time equivalent posi-  
tions:  
..... \$ 242,000  
..... 237,000  
..... FTEs 9.00

3. PERSONS WITH DISABILITIES DIVISION

For salaries, support, maintenance, miscellaneous purposes,  
and for not more than the following full-time equivalent posi-  
tions:  
..... \$ 189,800  
..... 184,100  
..... FTEs 4.00

Of the funds appropriated to the division, there is  
allocated an amount necessary to fund the central registry for  
brain injuries established pursuant to section 135.22.

4. STATUS OF WOMEN DIVISION

a. For salaries, support, maintenance, miscellaneous  
purposes, and for not more than the following full-time  
equivalent positions:  
..... \$ 207,500  
..... 199,480  
..... FTEs 4.10

b. For the displaced homemaker program:

..... \$ 140,000

5. CHILDREN, YOUTH AND FAMILIES DIVISION

For salaries, support, maintenance, miscellaneous purposes,  
and for not more than the following full-time equivalent posi-  
tions:  
..... \$ 163,121  
..... 149,605

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..... FTEs 8.00

Of the funds appropriated in this subsection, no less than \$36,300 shall be spent for expenses relating to the administration of federal funds for juvenile assistance. It is the intent of the general assembly that the department of human rights employ sufficient staff to meet the federal funding match requirements established by the federal office for juvenile justice delinquency prevention. The governor's advisory council on juvenile justice shall determine the staffing level necessary to carry out federal and state mandates for juvenile justice.

6. DEAF SERVICES DIVISION

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

..... \$ 285,277  
280,877  
 ..... FTEs 10.00

The fees collected by the division for provision of interpretation services by the division to obligated agencies shall be dispersed pursuant to the provisions of section 8.32, and shall be dedicated and used by the division for the provision of continued and expanded interpretation services.

7. STATUS OF BLACKS DIVISION

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

..... \$ 607,735  
56,631  
 ..... FTEs 1.50

Sec. 203. 1990 Iowa Acts, chapter 1268, section 9, unnumbered paragraph 2, as amended by 1991 Iowa Acts, House File 173, section 204, is amended to read as follows:

For the division of criminal and juvenile justice planning established pursuant to section 601K.1, and for not more than the following full-time equivalent positions:

..... \$ 48,063  
30,580  
 ..... FTEs 2.00

DEPARTMENT FOR THE BLIND

Sec. 204. 1990 Iowa Acts, chapter 1259, section 4, unnumbered paragraph 2, as amended by 1991 Iowa Acts, House File 173, section 203, is amended to read as follows:

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

..... \$ 1,345,087  
1,324,087  
 ..... FTEs 103.50

DEPARTMENT OF ELDER AFFAIRS

Sec. 205. 1990 Iowa Acts, chapter 1259, section 5, subsection 1, and subsection 7, unnumbered paragraph 1, as amended by 1991 Iowa Acts, House File 173, section 205, are amended to read as follows:

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

..... \$ 464,989  
437,970  
 ..... FTEs 32.00

It is the intent of the general assembly that the department employ an alternative housing coordinator and a long-term care coordinator as 2 of the full-time equivalent positions.

Of the funds appropriated under this subsection, \$50,000 shall be allocated to fund the representative payee project established within the department of elder affairs.

For elderly services programs:

..... \$ 1,471,000  
1,443,981

Sec. 206. 1990 Iowa Acts, chapter 1272, section 19, as amended by 1991 Iowa Acts, House File 173, section 206, is amended to read as follows:

SEC. 19. There is appropriated from the general fund of the state to the department of elder affairs 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 conduct the elderlaw education program under section 2490.54:

..... \$ 48,891  
..... 29,207

IOWA DEPARTMENT OF PUBLIC HEALTH

Sec. 207. 1990 Iowa Acts, chapter 1259, section 6, subsection 1, as amended by 1991 Iowa Acts, House File 173, section 207, is amended to read as follows:

1. CENTRAL ADMINISTRATION DIVISION

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

..... \$ 775,696  
..... 767,696  
..... PTEs 57.00

As a condition, limitation, and qualification of the appropriation made in this subsection, the director of the Iowa department of public health or the director's designee shall participate in an interagency working committee convened by the governor's planning council for developmental disabilities to examine the feasibility of establishing an office of disability prevention within state government.

Sec. 208. 1990 Iowa Acts, chapter 1259, section 6, subsection 2, paragraph a, as amended by 1991 Iowa Acts, House File 173, section 208, is amended to read as follows:

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

..... \$ 1,153,766  
..... 1,087,308  
..... PTEs 15.75

The department shall allocate from the funds appropriated under this subsection 9754,500 \$709,042 for the fiscal year

beginning July 1, 1990, and ending June 30, 1991, for the chronic renal disease program. The types of assistance to eligible recipients under the program may include hospital and medical expenses, home dialysis supplies, insurance premiums, travel expenses, prescription and nonprescription drugs, and lodging expenses for persons in training. The program expenditures shall not exceed these allocations. If projected expenditures will exceed the allocations, the department shall establish by administrative rule a mechanism to reduce financial assistance under the renal disease program in order to keep expenditures within the allocations.

Sec. 209. 1990 Iowa Acts, chapter 1259, section 6, subsection 3, paragraph a, unnumbered paragraph 1, as amended by 1991 Iowa Acts, House File 173, section 210, is amended to read as follows:

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

..... \$ 2,401,059  
..... 2,273,559  
..... PTEs 78.50

Sec. 210. 1990 Iowa Acts, chapter 1259, section 6, subsection 3, paragraph b, unnumbered paragraph 1, as amended by 1991 Iowa Acts, House File 173, section 211, is amended to read as follows:

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

..... \$ 935,583  
..... 935,583  
..... PTEs 5.00

Sec. 211. 1990 Iowa Acts, chapter 1259, section 6, subsections 5 and 10, as amended by 1991 Iowa Acts, House File 173, section 212, are amended to read as follows:

5. STATE BOARD OF DENTAL EXAMINERS

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

.....	\$	222,328
		<u>215,628</u>
.....	FTEs	4.00

10. SUBSTANCE ABUSE DIVISION

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

.....	\$	489,571
		<u>484,571</u>
.....	FTEs	15.00

b. For program grants:

.....	\$	7,382,000
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Sec. 212, 1990 Iowa Acts, chapter 1259, section 6, subsection 11, paragraph a, paragraph d, unnumbered paragraph 1, and paragraph e, unnumbered paragraph 1, as amended by 1991 Iowa Acts, House File 173, section 213, are amended to read as follows:

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

.....	\$	3,558,864
		<u>3,458,864</u>
.....	FTEs	87.60

The department shall allocate from the funds appropriated under this paragraph at least \$631,800 \$571,285 for the fiscal year beginning July 1, 1990, and ending June 30, 1991, for the birth defects and genetics counseling program and of these funds, \$39,800 \$37,934 shall be allocated for a central birth defects registry program, and \$296,800 \$288,147 shall be allocated for regional genetic counseling services contracted from the university of Iowa hospitals and clinics under the control of the state board of regents.

Of the funds appropriated under this paragraph, \$124,800 \$104,000 shall be used for a lead abatement program.

Of the funds appropriated in this paragraph, the following amounts shall be allocated to the university of Iowa hospitals and clinics under the control of the state board of regents for the following programs under the Iowa specialized child health care services:

(1) Mobile and regional child health specialty clinics:

.....	\$	341,500
		<u>330,556</u>

The regional clinic located in Sioux City shall maintain a social worker component to assist the families of children participating in the clinic program.

(2) Muscular dystrophy and related genetic disease programs:

.....	\$	125,800
		<u>121,671</u>

(3) Statewide perinatal program:

.....	\$	67,800
		<u>65,192</u>

The birth defects and genetic counseling service shall apply a sliding fee scale to determine the amount a person receiving the services is required to pay for the services. These fees shall be considered repayment receipts and used for the program.

Of the funds allocated to the mobile and regional child health specialty clinics under subparagraph (1), \$101,500 \$98,922 shall be used for a specialized medical home care program providing care planning and coordination of community support services for children who require technical medical care in the home.

The university of Iowa hospitals and clinics shall not receive indirect costs from the funds for each program.

Of the funds appropriated under this paragraph, \$1,750,000 shall be used for maternal and child health services, and shall be allocated for the following purposes:

(1) For outreach services and the hiring of 4 half-time paraprofessionals to be located in and surrounding the areas of Black Hawk, Tama, Woodbury, and Scott counties:

..... \$ 50,000

{3} (2) Of the funds appropriated under this paragraph for prevention services for women to decrease problems of pregnancy and to reduce the incidences of low birth weights, priorities shall be given to communities with a high concentration of minorities.

The Iowa department of public health shall administer the statewide maternal and child health program and the crippled children's program by conducting mobile and regional child health specialty clinics and conducting other activities to improve the health of low-income women and children and to promote the welfare of children with actual or potential handicapping conditions and chronic illnesses in accordance with the requirements of Title V of the Social Security Act.

For grants to county boards of supervisors for the homemaker-home health aide program:

..... \$ 8,454,000
0,398,458

For the development and maintenance of well-elderly clinics in the state:

..... \$ 645,000
625,000

Sec. 213. 1989 Iowa Acts, chapter 304, section 1106, unnumbered paragraph 2, is amended to read as follows:

To support agricultural health and safety programs:
..... \$ 457,000
39,883

Sec. 214. 1989 Iowa Acts, chapter 304, section 1108, unnumbered paragraph 1, as amended by 1990 Iowa Acts, chapter 1259, section 9, is amended to read as follows:

If division II and section 1101 of this Act are enacted, there is appropriated from the general fund of the state to the Iowa department of public health for the fiscal period

beginning October 1, 1989, and ending June 30, 1990, 93807000 \$290,000 to be used for the purposes designated:

Sec. 215. 1990 Iowa Acts, chapter 1259, section 6, subsection 2, paragraph c, is amended to read as follows:

c. For the health data clearinghouse of the health data commission:
..... \$ 375,000
355,000

Sec. 216. 1990 Iowa Acts, chapter 1262, section 14, unnumbered paragraph 2, is amended to read as follows:

For the acquisition of emergency medical services equipment:
..... \$ 750,000
600,000

DIVISION III
AUDITOR OF STATE

Sec. 301. 1990 Iowa Acts, chapter 1261, section 1, unnumbered paragraph 2, as amended by 1991 Iowa Acts, House File 173, section 401, is amended to read as follows:

For salaries, support, maintenance, miscellaneous purposes, and for not more than the following full-time equivalent positions:
..... \$ 2,803,602
1,983,602
..... FTEs 154.50

CAMPAIGN FINANCE DISCLOSURE COMMISSION

Sec. 302. 1990 Iowa Acts, chapter 1261, section 2, unnumbered paragraph 2, as amended by 1991 Iowa Acts, House File 173, section 402, is amended to read as follows:

For salaries, support, maintenance, miscellaneous purposes, and for not more than the following full-time equivalent positions:
..... \$ 250,533
253,057
..... FTEs 6.75

DEPARTMENT OF EMPLOYMENT SERVICES

Sec. 303. 1990 Iowa Acts, chapter 1261, section 3, subsection 1, unnumbered paragraph 1, as amended by 1991 Iowa Acts, House File 173, section 403, is amended to read as follows:

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

.....	\$ 2,541,046
	<u>2,524,946</u>
..... FTEs	104.80

Sec. 304. 1990 Iowa Acts, chapter 1261, section 3, subsection 2, unnumbered paragraph 1, as amended by 1991 Iowa Acts, House File 173, section 404, is amended to read as follows:

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

.....	\$ 1,859,336
	<u>1,818,661</u>
..... FTEs	45.76

DEPARTMENT OF COMMERCE

Sec. 305. 1990 Iowa Acts, chapter 1261, section 14, as amended by 1991 Iowa Acts, House File 173, section 413, is amended to read as follows:

SEC. 14. Notwithstanding section 123.53, there is appropriated from the beer and liquor control fund to the alcoholic beverages division of the department of commerce for the fiscal year beginning July 1, 1990, and ending June 30, 1991, the following amount, or so much thereof as is necessary, for the purposes designated:

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

.....	\$ 4,455,167
	<u>4,406,431</u>
..... FTEs	85.86

DIVISION IV  
GOVERNOR

Sec. 401. 1990 Iowa Acts, chapter 1266, section 2, subsection 1, as amended by 1991 Iowa Acts, House File 173, section 602, is amended to read as follows:

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

.....	\$ 858,000
	<u>849,000</u>
..... FTEs	17.00

DEPARTMENT OF GENERAL SERVICES

Sec. 402. 1990 Iowa Acts, chapter 1266, section 10, subsections 1, 2, 4, 7, and 8, as amended by 1991 Iowa Acts, House File 173, section 606, are amended to read as follows:

1. ADMINISTRATION DIVISION

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

.....	\$ 488,000
	<u>465,000</u>
..... FTEs	16.00

2. COMMUNICATIONS DIVISION

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

.....	\$ 159,000
	<u>118,000</u>
..... FTEs	19.00

4. MATERIALS MANAGEMENT DIVISION

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

.....	\$ 91,000
	<u>90,285</u>
..... FTEs	3.30

7. RECORDS MANAGEMENT DIVISION

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

..... \$ 421,000
..... 416,000
..... FTEs 14.50

8. INFORMATION SERVICES DIVISION

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

..... \$ 6,687,894
..... 6,582,804
..... FTEs 158.00

Sec. 403. 1990 Iowa Acts, chapter 1266, section 10, subsections 3 and 5, are amended to read as follows:

3. DIRECTOR'S OFFICE

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

..... \$ 102,000
..... 87,000
..... FTEs 2.00

5. PROPERTY MANAGEMENT DIVISION

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

..... \$ 3,744,800
..... 3,734,000
..... FTEs 156.00

DEPARTMENT OF PERSONNEL

Sec. 404. 1990 Iowa Acts, chapter 1266, section 15, subsection 1, as amended by 1991 Iowa Acts, House File 173, section 609, is amended to read as follows:

1. ADMINISTRATION

For salaries, support, maintenance, and miscellaneous purposes for the director's staff, office services, data/word

processing, and insurance cost management, and for not more than the following full-time equivalent positions:

..... \$ 1,196,835
..... 1,178,458
..... FTEs 29.65

DEPARTMENT OF REVENUE AND FINANCE

Sec. 405. 1990 Iowa Acts, chapter 1266, section 17, subsections 1, 2, and 3, as amended by 1991 Iowa Acts, House File 173, section 610, are amended to read as follows:

1. AUDIT AND COMPLIANCE

For salaries, support, maintenance, and miscellaneous purposes:

..... \$ 9,769,618
..... 9,096,168

2. FINANCIAL MANAGEMENT

For salaries, support, maintenance, and miscellaneous purposes:

..... \$ 6,828,475
..... 5,928,475

3. INFORMATION AND MANAGEMENT SYSTEMS

For salaries, support, maintenance, and miscellaneous purposes:

..... \$ 1,618,402
..... 1,535,402

DIVISION V

DEPARTMENT OF ECONOMIC DEVELOPMENT

Sec. 501. 1990 Iowa Acts, chapter 1262, section 1, subsections 2, 3, 5, 6, 10, as item vetoed by the governor, 12, 13, 18, 19, 23, 26, 29, and 33, as amended by 1991 Iowa Acts, House File 173, section 502, are amended to read as follows:

2. TOURISM OPERATIONS

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

..... \$ 786,835

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..... 696,835  
..... FTEs 15.97

As a condition, limitation, and qualification of the appropriation made in this subsection, the appropriation shall not be used for advertising placements for in-state and out-of-state tourism marketing.

3. TOURISM ADVERTISING

For contracting exclusively for tourism advertising for in-state and out-of-state tourism marketing services, tourism promotion programs, electronic media, print media, and printed materials:

..... \$ 3,238,500  
..... 2,210,500

As a condition, limitation, and qualification of the appropriation made in this subsection, the department shall develop public-private partnerships with Iowa businesses in the tourism industry, Iowa tour groups, Iowa tourism organizations, and political subdivisions in this state to assist in the development of advertising efforts. The department shall, to the fullest extent possible, develop cooperative efforts for advertising with contributions from other sources.

The department shall cooperate with the state historical society and department of natural resources to study, examine, and make recommendations on how best to develop, promote, and advertise state historical sites and on how best to utilize state historical sites in the state's tourism advertising and promotion. The department of cultural affairs shall report to the general assembly the findings of the study by February 1, 1991.

Of the amount appropriated in this subsection, \$30,500 shall go to the department of cultural affairs to be used for the promotion of state-owned and operated cultural and historical sites.

5. NATIONAL MARKETING ADVERTISING

For contracting exclusively for marketing and promotion programs and services and advertising contracts for out-of-state national marketing programs, for electronic media, print media, and printed materials:

..... \$ 2,550,000  
..... 2,490,000

As a condition, limitation, and qualification of the appropriation made by this subsection, the department shall develop public-private partnerships with Iowa businesses, Iowa business organizations, Iowa chambers of commerce, and political subdivisions in this state, to assist in the development of the marketing efforts. The department shall, to the fullest extent possible, develop cooperative efforts for advertising with contributions from other sources.

6. FILM OFFICE

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

..... \$ 200,000  
..... 190,000  
..... FTEs 2.00

10. EXPORT TRADE ACTIVITIES PROGRAM

For export trade activities, including a program to encourage and increase participation in trade shows and trade missions by providing financial assistance to businesses for a percentage of their costs of participating in trade shows and trade missions, by providing for the lease/sublease of showcase space in existing world trade centers, by providing temporary office space for foreign buyers, international prospects, and potential reverse investors, and by providing other promotional and assistance activities, including salaries and support for not more than the following full-time equivalent positions:

..... \$ 300,000  
..... 352,000  
..... FTEs 0.25

12. DOMESTIC MARKETING PROGRAMS

For purposes of programs listed in this subsection, including salaries, support, maintenance, and miscellaneous purposes for not more than the following full-time positions:

a. Small business program:	
.....	\$ 142,914
.....	<u>132,914</u>
..... FTEs	2.00
b. Small business advisory council:	
.....	\$ 5,000
c. Targeted small business program:	
.....	\$ 47,692
..... FTEs	1.00
d. Existing industry program:	
.....	\$ 125,594
..... FTEs	3.00

13. FEDERAL PROCUREMENT OFFICE

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

.....	\$ 120,000
.....	<u>110,000</u>
..... FTEs	3.50

Notwithstanding section 8.33, moneys appropriated in this subsection that remain unencumbered or unobligated on June 30, 1991, shall not revert to the general fund of the state but shall remain available for expenditure for the purposes designated during the fiscal year beginning July 1, 1991.

18. COMMUNITY ECONOMIC BETTERMENT PROGRAM

For use of the fund established in this subsection:

.....	\$ 4,457,000
.....	<u>4,420,000</u>

Notwithstanding section 8.33, moneys appropriated from the community economic betterment account for the fiscal years beginning July 1, 1985, under section 99E.31, subsection 2, and July 1, 1986, July 1, 1987, July 1, 1988, and July 1, 1989, under section 99E.32, subsection 2, that remain

unencumbered or unobligated on June 30, 1990, all unexpended cash balances of obligated and encumbered funds remaining in the community economic betterment account on June 30, 1990, and loan repayments or other moneys received from awards made from the community economic betterment account shall not revert to any fund but shall be deposited in a special community economic betterment program fund to be used by the department of economic development for the community economic betterment program and to supplement the funds appropriated in this subsection for that program. The conditions, criteria, and limitations referred to or specified in section 99E.32, subsection 2, paragraph "b", apply to the providing of moneys under the community economic betterment program from the fund established in this subsection.

For the fiscal year ending June 30, 1991, only, all unencumbered or unobligated funds remaining in the community economic betterment program fund established in this subsection are transferred from the fund and deposited in the general fund of the state.

Notwithstanding section 8.33, for fiscal years beginning on or after July 1, 1991, moneys in this special fund at the end of each fiscal year shall not revert to any other fund but shall remain in this community economic betterment program fund.

19. IOWA PRODUCT DEVELOPMENT CORPORATION

To the fund established under section 28.89:

.....	\$ 1,286,000
.....	<u>1,083,670</u>

23. MAIN STREET/RURAL MAIN STREET PROGRAM:

.....	\$ 368,000
.....	<u>353,000</u>

Moneys appropriated in this subsection may be used for salaries and support for not more than the following full-time equivalent positions:

.....	PTEs	3.00
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purposes, and for not more than the following full-time equivalent positions:

.....	\$	299,191
.....		<u>281,191</u>
.....	FTEs	2.00
17. IOWA WORK FORCE INVESTMENT PROGRAM:		
.....	\$	4,000,000
.....		<u>913,000</u>
.....	FTEs	1.00

This program shall be administered through the department of economic development in consultation with the state job training coordinating council. The program shall be operated on a competitive grant basis and funds shall be available for projects that increase Iowa's pool of available labor via training and support services. \$300,000 of the amount appropriated in this subsection shall be available specifically for displaced homemaker programs.

25. RURAL ENTERPRISE FUND:		
.....	\$	400,000
.....		0

Notwithstanding section 8.33, moneys committed to grantees under contract that remain unexpended on June 30 of any fiscal year shall not revert to any fund but shall be available for expenditure for purposes of the contract during the succeeding fiscal year.

Sec. 503. 1990 Iowa Acts, chapter 1262, section 2, unnumbered paragraph 2, as amended by 1991 Iowa Acts, House File 173, section 503, is amended to read as follows:

For deposit in the Wallace technology transfer foundation fund created by the foundation board:

.....	\$	2,669,800
.....		<u>1,369,800</u>

Sec. 504. 1990 Iowa Acts, chapter 1262, section 6, subsection 2, is amended to read as follows:

2. RURAL COMMUNITY 2000

For deposit in the revolving fund created under section 15.287:

.....	\$	500,000
.....		0

Notwithstanding section 15.283, subsection 4, for the fiscal year beginning July 1, 1990, all funds allocated under this program for traditional and new infrastructure shall be applied to programs under sections 15.284 and 15.285.

INTERNET

Sec. 505. 1990 Iowa Acts, chapter 1262, section 4, as amended by 1991 Iowa Acts, House File 173, section 504, is amended to read as follows:

SEC. 4. INTERNET.

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

For deposit in the international network on trade fund created by the INTERNET board:		
.....	\$	305,000
.....		<u>371,500</u>

IOWA FINANCE AUTHORITY

Sec. 506. 1990 Iowa Acts, chapter 1262, section 3, subsection 1, paragraph a, as amended by 1991 Iowa Acts, House File 173, section 512, is amended to read as follows:

a. To provide mortgage and finance assistance to individuals for the purchase or acquisition of homes:		
.....	\$	500,000
.....		0

Sec. 507. 1990 Iowa Acts, chapter 1262, section 15, is amended to read as follows:

SEC. 15. There is appropriated from the general fund of the state to the Iowa finance authority for the fiscal year beginning July 1, 1990, and ending June 30, 1991, the following amount, or so much thereof as is necessary, to be used for the purposes designated:

For the rural community 2000 program:

..... \$ 1,600,000  
0

Notwithstanding section 15.283, subsection 4, the amount appropriated in this section shall be allocated for traditional infrastructure under section 15.284 and for new infrastructure under section 15.285.

Sec. 508. Notwithstanding any other provision of law, all entities which applied for and were awarded funds, based upon the availability of the appropriation originally made in 1990 Iowa Acts, chapter 1262, section 15, which did not receive such funds as a result of the reduction in the amount appropriated under section 507 of this division, shall be provided such funds during the fiscal year beginning July 1, 1991, immediately upon the availability of moneys for the rural community 2000 program.

Sec. 509. 1991 Iowa Acts, Senate File 209, section 27, is amended to read as follows:

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 \$1,970,000 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 99B.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.~~

LOTTERY

Sec. 510. 1991 Iowa Acts, House File 173, section 1008, subsection 1, paragraph h, is amended to read as follows:

h. Welcome centers under paragraph "l" for the 1990 fiscal year:  
..... \$ 27,798  
42,738

Sec. 511. 1991 Iowa Acts, House File 173, section 1008, subsection 4, is amended by adding the following new paragraph:

NEW PARAGRAPH. c. The community-based recreational and educational grant program and corresponding fund under paragraph "v" for the 1990 fiscal year:  
..... \$ 17,822

Sec. 512. Section 28.120, subsection 7, Code 1991, is amended by striking the subsection.

DIVISION VI  
DEPARTMENT OF CULTURAL AFFAIRS

Sec. 601. 1990 Iowa Acts, chapter 1272, section 1, subsections 1, 2, as item vetoed by the governor, 3, 4, 5, and 7, as item vetoed by the governor, as amended by 1991 Iowa Acts, House File 173, section 901, are amended to read as follows:

1. ADMINISTRATION DIVISION

For salaries, support, maintenance, miscellaneous purposes, and for not more than the following full-time equivalent positions:  
..... \$ 426,562  
422,149  
..... FTEs 10

2. ARTS DIVISION

For salaries, support, maintenance, miscellaneous purposes, including funds to match federal grants, and for not more than the following full-time equivalent positions:  
..... \$ 1,667,805  
1,088,805  
..... FTEs 13

As a condition, limitation, and qualification of the appropriation in this subsection, not more than 10 percent of the difference between the moneys appropriated in this subsection and the moneys appropriated in 1989 Iowa Acts, chapter 319, section 1, subsection 2, shall be expended by the arts division for administrative costs.

In addition to the moneys appropriated in this subsection from the general fund of the state, the arts division may expend up to \$40,000 from the artist endowment fund for the purposes for which moneys from the general fund of the state were appropriated in this subsection.

3. HISTORICAL DIVISION

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

.....	\$	2,592,496	
		<u>2,532,496</u>	
.....	FTEs		76

4. LIBRARY DIVISION

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

.....	\$	2,183,629	
		<u>2,111,976</u>	
.....	FTEs		41

As a condition, limitation, and qualification of the funds appropriated in this subsection, the department of cultural affairs shall adopt, by January 1, 1991, rules relating to the copying of library material and the defraying of copying expenses, including, but not limited to, the charging of reasonable fees for the copying of library material for nonresident persons.

5. PUBLIC BROADCASTING DIVISION

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

.....	\$	6,576,287	
		<u>6,363,914</u>	
.....	FTEs		104

7. REGIONAL LIBRARY SYSTEM

For state aid:

.....	\$	1,530,655	
		<u>1,485,655</u>	

COLLEGE STUDENT AID COMMISSION

Sec. 602. 1990 Iowa Acts, chapter 1272, section 3, subsection 1, as amended by 1991 Iowa Acts, House File 173, section 903, is amended to read as follows:

1. GENERAL ADMINISTRATION

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

.....	\$	324,271	
		<u>290,271</u>	
.....	FTEs		8.05

As a condition, limitation, and qualification of the appropriation in this subsection, the college student aid commission shall conduct a study of the cosmetology and chiropractic programs available to Iowans at both private and public postsecondary institutions. The study shall include the number of students attending the programs, the type of financial aid that is available to the students, a description of the accreditation standards which are required to be met by each program, a listing of those areas in which programs have failed to meet accreditation standards, the number of students placed within 1 year of graduation in professions for which they have been trained, and the number of students who have continued in the professions for which they have been trained 5 years after graduation from a professional program.

DEPARTMENT OF EDUCATION

Sec. 603. 1990 Iowa Acts, chapter 1264, section 1, unnumbered paragraph 2, as amended by 1991 Iowa Acts, House File 173, section 910, is amended to read as follows:

For the youth 2000 coordinating council for awarding community planning grants for collaborative efforts to establish local drug prevention and youth development programs as provided in section 256.42, subsection 5:

..... \$ 5,000  
0

Sec. 604. 1990 Iowa Acts, chapter 1272, section 8, subsections 1, 3, 4, 6, and 10, as amended by 1991 Iowa Acts, House File 173, section 911, are amended to read as follows:

1. GENERAL ADMINISTRATION

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

..... \$ 5,885,290  
5,708,798  
..... FTEs 135.75

As a condition, limitation, and qualification of the appropriation in this subsection, the department of education shall expend moneys to contract with institutions of higher education to provide a summer residence program for gifted and talented elementary and secondary school students and to support existing law-related education centers for training seminars and workshops in law-related education, summer institutes relating to law-related education and methodology and substance, and mock trial competitions for junior and senior high school students. The law-related education program shall include the legislative lawmaking process. Educational materials for the legislative lawmaking process segment of the program shall be developed by the law-related education centers in consultation with the legislative council.

As a condition, limitation, and qualification of the appropriation in this subsection, the department of education shall expend moneys to provide funds for the employment resources center administered by the fifth judicial district's department of correctional services to assist clients.

As a condition, limitation, and qualification of the appropriation in this subsection, the bureau of special education of the department of education shall study the impact of student weighting on the appropriateness of student placement in the least restrictive environment. Depending on the results of the study, alternatives to the assignment of student weightings that will encourage the placement of students in the least restrictive appropriate placement shall be developed accordingly. The bureau of special education shall report the findings of the study and any identified alternatives to the state special education advisory panel and the school budget review committee, and the department shall include the findings in a report to the legislative fiscal bureau and the general assembly by December 1, 1990.

3. BOARD OF EDUCATIONAL EXAMINERS

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

..... \$ 138,607  
134,107  
..... FTEs 2

4. VOCATIONAL EDUCATION ADMINISTRATION

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

..... \$ 889,793  
795,895  
..... FTEs 39.6

6. PENAL INSTITUTION EDUCATION PROGRAM

For educational programs at state penal institutions:

..... \$ 2,193,893  
2,093,893

Funds appropriated by this subsection shall be used by the department of education, in coordination with the department of corrections, to provide expanded educational programs to inmates of the Iowa penal institutions and develop education

program plans for the offenders and ex-offenders in the community-based corrections system. Educational programs shall emphasize assessment, cognition, literacy, and social skills, and shall provide continuity of instruction as the inmate progresses through the penal system. Educational technology learning systems which would support the continuity of instruction shall be used in combination with an information management system to track student progress. The information tracking system shall be available throughout the state. An information management system shall be implemented to transmit education information, including the inmate's plan, programs provided, and program outcomes to institutions under whose control the inmate is placed. Evaluation of the results shall be made annually to determine needed changes and to assess results. The department of education, in coordination with the department of corrections, shall investigate, evaluate, and analyze educational technology systems which reflect inmate needs before selection of any system or systems. Funds appropriated in this subsection may be used for individualized, personal development, life management programs established by the general assembly in 1990 Iowa Acts, chapter 1257, section 23, under the department of corrections, and to provide the results of the establishment of the individualized, personal development, life management programs to the cochairpersons and ranking members of the joint education appropriations subcommittee and the legislative fiscal bureau.

10. VOCATIONAL REHABILITATION DIVISION

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

.....	\$	3,584,746
.....		<u>3,542,631</u>
.....	FTEs	319.50

b. For matching funds for programs to enable severely physically or mentally disabled persons to function more

independently, including salaries and support, for not more than the following full-time equivalent positions:

.....	\$	19,367
.....	FTEs	1.50

Sec. 605. 1990 Iowa Acts, chapter 1272, section 8, subsection 8, is amended to read as follows:

8. SCHOOL FOOD SERVICE

For the purpose of providing assistance to students enrolled in public school districts and nonpublic schools of the state for breakfasts, lunches and minimal equipment programs with the funds being used as state matching funds for federal programs, which shall be disbursed according to federal regulations and include salaries and support, for not more than the following full-time equivalent positions:

.....	\$	3,200,215
.....		<u>3,056,215</u>
.....	PTEs	14

As a condition, limitation, and qualification of the funds appropriated in this subsection, of the \$3,200,215 \$3,056,215 available, \$25,000 shall be used to develop guidelines for school lunch and breakfast programs and to plan a nutrition pilot project, if a pilot project to establish model nutrition guidelines for school lunch and breakfast programs is established by the general assembly.

Sec. 606. 1989 Iowa Acts, chapter 319, section 18, unnumbered paragraph 1, is amended to read as follows:

There is appropriated from the general fund of the state to the department of education for the fiscal year beginning July 1, 1989, and ending June 30, 1990, the following amount, or so much thereof as may be necessary, to be used for child development grants under 1988 Iowa Acts, chapter 1130:

.....	\$	1,175,780
.....		<u>1,045,700</u>

STATE BOARD OF REGENTS

Sec. 607. 1990 Iowa Acts, chapter 1272, section 14, subsection 1, paragraph a, unnumbered paragraph 1, is amended to read as follows:

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For salaries, support, maintenance, miscellaneous purposes, during the fiscal year beginning July 1, 1990, and ending June 30, 1991, and for not more than the following full-time equivalent positions:

..... \$ ~~4,736,134~~  
1,096,134  
..... FTEs 19.63

Sec. 608. 1990 Iowa Acts, chapter 1272, section 14, subsection 5, as item vetoed by the governor, and subsection 6, as amended by 1991 Iowa Acts, House File 173, section 916, are amended to read as follows:

5. STATE SCHOOL FOR THE DEAF

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

..... \$ 5,751,541  
5,733,548  
..... FTEs 133.24

6. IOWA BRAILLE AND SIGHT-SAVING SCHOOL

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

..... \$ 3,186,439  
3,176,871  
..... FTEs 92.45

Sec. 609. APPROPRIATIONS FURTHER REDUCED -- REGENTS' INSTITUTIONS.

1. The funds appropriated to the state university of Iowa for the fiscal year beginning July 1, 1990, and ending June 30, 1991, by 1990 Iowa Acts, chapter 1272, section 14, subsection 2, as reduced by 1991 Iowa Acts, House File 173, section 919, subsection 1, shall be further reduced by the department of management in the additional amount of \$709,356. The state university shall notify the department of management of the amount of reduction established by the university for each budget unit in order to achieve the total reduction amount required by this subsection.

2. The funds appropriated to the Iowa state university of science and technology for the fiscal year beginning July 1, 1990, and ending June 30, 1991, by 1990 Iowa Acts, chapter 1272, section 14, subsection 3, as reduced by 1991 Iowa Acts, House File 173, section 919, subsection 2, shall be further reduced by the department of management in the additional amount of \$578,120. The state university shall notify the department of management of the amount of reduction established by the university for each budget unit in order to achieve the total reduction amount required by this subsection.

3. The funds appropriated to the university of northern Iowa for the fiscal year beginning July 1, 1990, and ending June 30, 1991, by 1990 Iowa Acts, chapter 1272, section 14, subsection 4, as reduced by 1991 Iowa Acts, House File 173, section 919, subsection 3, shall be further reduced by the department of management in the amount of \$182,963. The state university shall notify the department of management of the amount of reduction established by the university for each budget unit in order to achieve the total reduction amount required by this subsection.

Sec. 610. Section 18.137, unnumbered paragraph 1, Code 1991, is amended to read as follows:

There is created in the office of the treasurer of state a temporary fund to be known as the state communications network fund. There is appropriated to the state communications network fund for the fiscal year beginning July 1, 1989, and ending June 30, 1990, the sum of five two million one hundred forty-two thousand six hundred twenty-one dollars from the general fund of the state. There is appropriated from the general fund of the state to the state communications network fund for each fiscal year of the fiscal period beginning July 1, 1991, and ending June 30, 1996, the sum of five million dollars. Notwithstanding section 8.33, unobligated and unencumbered moneys from the appropriation for a fiscal year remaining on June 30 of that fiscal year shall not revert to

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

Sec. 611. Section 303.79, subsection 11, Code 1991, is amended to read as follows:

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

DIVISION VII  
LAW ENFORCEMENT ACADEMY

Sec. 701. 1990 Iowa Acts, chapter 1267, section 1, subsection 1, as amended by 1991 Iowa Acts, House File 173, section 701, is amended to read as follows:

1. For salaries, support, maintenance, miscellaneous purposes, including jailer training and technical assistance, and for not more than the following full-time equivalent positions:

.....	\$	913,779
		<u>903,779</u>
.....	FTEs	29.7

DEPARTMENT OF PUBLIC DEFENSE

Sec. 702. 1990 Iowa Acts, chapter 1267, section 2, subsections 1, 2, and 3, as amended by 1991 Iowa Acts, House File 173, section 702, are amended to read as follows:

1. MILITARY DIVISION

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

.....	\$	3,431,957
		<u>3,398,957</u>
.....	FTEs	151.59

2. DISASTER SERVICES DIVISION

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

.....	\$	303,782
		<u>292,492</u>
.....	FTEs	12

3. VETERANS AFFAIRS DIVISION

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

.....	\$	148,934
		<u>133,304</u>
.....	FTEs	4.16

~~As a condition, limitation, and qualification of the appropriation in this paragraph, \$10,000 shall be used for the purchase of POW/MIA flags:~~

Sec. 703. 1990 Iowa Acts, chapter 1267, section 2, subsection 4, is amended to read as follows:

4. WAR ORPHANS

For the war orphans educational aid fund:

..... \$ 107185  
..... 8,185

DEPARTMENT OF PUBLIC SAFETY

Sec. 704. 1990 Iowa Acts, chapter 1267, section 3, as item vetoed by the governor, as amended by 1991 Iowa Acts, House File 173, section 703, is amended to read as follows:

SEC. 3. There is appropriated from the general fund of the state to the department of public safety for the fiscal year beginning July 1, 1990, and ending June 30, 1991, the following amounts, or so much thereof as is necessary, to be used for the purposes designated:

1. For the department's administrative functions including the medical examiner's office and the criminal justice information system, and for not more than the following full-time equivalent positions:

..... \$ 27421952  
..... 2,308,980  
..... FTEs 51.50

2. a. For purposes relating to radio communications, and not more than the following full-time equivalent positions:

..... \$ 371887992  
..... 3,130,992  
..... FTEs 80

b. For purchase of service monitors and radio spare parts:  
..... \$ 25,000

3. a. For the division of criminal investigation and bureau of identification containing the bureaus of identification and liquor law enforcement, and for river boat gambling enforcement, including the state's contribution to

the peace officers' retirement, accident, and disability system provided in chapter 97A in the amount of 16 percent of the salaries for which the funds are appropriated, and for not more than the following full-time equivalent positions:

..... \$ 67217978  
..... 6,125,978  
..... FTEs 133

b. For the law enforcement intelligence network program, to be used in consultation with the law enforcement intelligence network advisory committee:

..... \$ 10,000

As a condition, limitation, and qualification of this appropriation, the division of criminal investigation shall commit sufficient resources to conduct 4 undercover operations in cooperation with local law enforcement agencies to identify the extent of bootlegging or illegal liquor operations at state border counties and shall report on the undercover operations to the committee by January 1, 1991.

4. For the division of narcotics:

a. The state's contribution to the peace officers' retirement, accident, and disability system provided in chapter 97A in the amount of 16 percent of the salaries for which the funds are appropriated, and for not more than the following full-time equivalent positions:

..... \$ 270567599  
..... 2,012,599  
..... FTEs 38

b. Undercover purchases:

..... \$ 150,000

5. a. For the fire marshal's office, including the state's contribution to the peace officers' retirement, accident, and disability system provided in chapter 97A in the amount of 16 percent of the salaries for which the funds are appropriated, and for not more than the following full-time equivalent positions:

..... \$ 174967354

..... 1,481,354  
 ..... FTEs 33

b. For a regional firefighters' training center in Black Hawk county:  
 ..... \$ 25,000

6. For the capitol security division, and for not more than the following full-time equivalent positions:  
 ..... \$ 1,198,781  
 ..... 1,178,781  
 ..... FTEs 36

DIVISION VIII  
 BOARD OF PAROLE

Sec. 801. 1990 Iowa Acts, chapter 1268, section 3, unnumbered paragraph 2, as amended by 1991 Iowa Acts, House File 173, section 803, is amended to read as follows:  
 For salaries, support, maintenance, miscellaneous purposes, and for not more than the following full-time equivalent positions:  
 ..... \$ 789,513  
 ..... 763,381  
 ..... FTEs 19.00

DEPARTMENT OF CORRECTIONS

Sec. 802. 1990 Iowa Acts, chapter 1268, section 4, subsection 1, as item vetoed by the governor, as amended by 1991 Iowa Acts, House File 173, section 804, is amended to read as follows:  
 1. For the operation of adult correctional institutions, to be allocated as follows:  
 a. For the operation of the Fort Madison correctional facility, including salaries, support, maintenance, miscellaneous purposes, and for not more than the following full-time equivalent positions:  
 ..... \$ 20,391,186  
 ..... 20,331,106  
 ..... FTEs 501.50

As a condition, limitation, and qualification of this appropriation, the facility shall employ 310 correctional officers, and an additional counselor.  
 b. For the operation of the Anamosa correctional facility, including salaries, support, maintenance, miscellaneous purposes, and for not more than the following full-time equivalent positions:  
 ..... \$ 15,162,338  
 ..... 15,012,330  
 ..... FTEs 355.00

(1) As a condition, limitation, and qualification of this appropriation, the facility shall employ 211 correctional officers, a part-time chaplain of a minority race, and 2 additional nurses.  
 (2) Of the funds appropriated, the department's budget for Anamosa shall include funding for 2 full-time substance abuse counselors for the Luster Heights facility, for the purpose of certification of a substance abuse program at that facility.  
 c. For the operation of the Oakdale correctional facility, including salaries, support, maintenance, miscellaneous purposes, and for not more than the following full-time equivalent positions:  
 ..... \$ 18,547,236  
 ..... 10,405,236  
 ..... FTEs 258.50

As a condition, limitation, and qualification of this appropriation, the facility shall employ 132.40 correctional officers and shall employ 3 additional staff for the purposes of compliance with the joint commission on the accreditation of health care organization standards.  
 d. For the operation of the Newton correctional facility, including salaries, support, maintenance, miscellaneous purposes, and for not more than the following full-time equivalent positions:  
 ..... \$ 3,187,068  
 ..... 3,102,068

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..... FTEs 71.00

As a condition, limitation, and qualification of this appropriation, the facility shall employ 28 correctional officers and an additional nurse.

e. For the operation of the Mt. Pleasant correctional facility, including salaries, support, maintenance, miscellaneous purposes, and for not more than the following full-time equivalent positions:

..... \$ 10,783,846  
10,778,046  
 ..... FTEs 267.15

As a condition, limitation, and qualification of this appropriation, the facility shall employ 141 correctional officers, and a full-time chaplain to provide religious counseling at the Oakdale and Mt. Pleasant correctional facilities, an additional nurse, and additional positions to maintain a licensed substance abuse program.

f. For the operation of the Rockwell City correctional facility, including salaries, support, maintenance, miscellaneous purposes, and for not more than the following full-time equivalent positions:

..... \$ 2,901,277  
 ..... FTEs 73.00

As a condition, limitation, and qualification of this appropriation, the facility shall employ 39 correctional officers and an additional 4 positions to establish a substance abuse treatment program and a sex offender program.

g. For the operation of the Clarinda correctional facility, including salaries, support, maintenance, miscellaneous purposes, and for not more than the following full-time equivalent positions:

..... \$ 4,387,983  
4,360,321  
 ..... FTEs 118.30

As a condition, limitation, and qualification of this appropriation, the facility shall employ 68 correctional officers.

h. For the operation of the Mitchellville correctional facility, including salaries, support, maintenance, miscellaneous purposes, and for not more than the following full-time equivalent positions:

..... \$ 3,763,861  
3,586,606  
 ..... FTEs 97.00

As a condition, limitation, and qualification of this appropriation, the facility shall employ 54 correctional officers and additional positions for a substance abuse treatment program.

Sec. 803. 1990 Iowa Acts, chapter 1268, section 5, subsection 1, unnumbered paragraph 1, as amended by 1991 Iowa Acts, House File 173, section 805, is amended to read as follows:

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

..... \$ 2,183,884  
2,081,552  
 ..... FTEs 42.52

Sec. 804. 1990 Iowa Acts, chapter 1268, section 5, subsection 4, unnumbered paragraph 1, as amended by 1991 Iowa Acts, House File 173, section 806, is amended to read as follows:

For salaries, support, maintenance, miscellaneous purposes, and for not more than the following full-time equivalent positions at the correctional training center at Mt. Pleasant:

..... \$ 365,876  
357,876  
 ..... FTEs 8.22

Sec. 805. 1991 Iowa Acts, Senate File 209, section 24, subsection 1, is amended to read as follows:

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,

section 807, for the first judicial district department of correctional services:

For salaries, support, maintenance, and miscellaneous purposes:

..... \$ 133,808  
45,000

Sec. 806. 1990 Iowa Acts, chapter 1268, section 6, subsection 2, unnumbered paragraph 1 and paragraph a, are amended to read as follows:

For the second judicial district department of correctional services, the following amount, or so much thereof as is necessary:

a. For salaries, support, maintenance, and miscellaneous purposes:

..... \$ 3,200,365  
3,181,365

Sec. 807. 1990 Iowa Acts, chapter 1268, section 6, subsection 3, unnumbered paragraph 1 and paragraph a, are amended to read as follows:

For the third judicial district department of correctional services, the following amount, or so much thereof as is necessary:

a. For salaries, support, maintenance, and miscellaneous purposes:

..... \$ 1,932,014  
1,867,014

Sec. 808. 1990 Iowa Acts, chapter 1268, section 6, subsection 4, unnumbered paragraph 1 and paragraph a, are amended to read as follows:

For the fourth judicial district department of correctional services, the following amount, or so much thereof as is necessary:

a. For salaries, support, maintenance, and miscellaneous purposes:

..... \$ 1,816,247  
1,796,747

Sec. 809. 1990 Iowa Acts, chapter 1268, section 6, subsection 5, unnumbered paragraph 1 and paragraph a, are amended to read as follows:

For the fifth judicial district department of correctional services, the following amount, or so much thereof as is necessary:

a. For salaries, support, maintenance, and miscellaneous purposes:

..... \$ 5,460,203  
5,418,203

Sec. 810. 1990 Iowa Acts, chapter 1268, section 6, subsection 6, unnumbered paragraph 1 and paragraph a, are amended to read as follows:

For the sixth judicial district department of correctional services, the following amount, or so much thereof as is necessary:

a. For salaries, support, maintenance, and miscellaneous purposes:

..... \$ 3,902,335  
3,857,335

Sec. 811. 1990 Iowa Acts, chapter 1268, section 6, subsection 7, unnumbered paragraph 1 and paragraph a, are amended to read as follows:

For the seventh judicial district department of correctional services, the following amount, or so much thereof as is necessary:

a. For salaries, support, maintenance, and miscellaneous purposes:

..... \$ 3,227,024  
3,191,824

DIVISION IX  
TRANSFERS

Sec. 901. 1991 Iowa Acts, House File 173, section 1101, unnumbered paragraph 4, following the governor's item veto, is amended to read as follows:

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Notwithstanding the provisions relating to the setting of fees by the utility division under chapter 476, insurance division under chapter 505, banking division under chapter 524, credit union division under chapter 533, savings and loan division under chapter 534, and the professional licensing division under chapter 546, each division shall maintain billings for the remainder of the fiscal year so that the amount of unobligated and unencumbered moneys that will be transferred to the general fund from each of the revolving funds ~~designated in subsections 21 through 26 shall equal the sum of the amount of reduction in the appropriation to the division from the appropriate revolving fund under section 411, 414, 415, 416, or 417 of this Act plus the amount estimated to be transferred to the general fund under this section from each revolving fund as included in the governor's fiscal year 1991 budget documents will equal at least the following designated amount: utilities trust fund, \$741,900; banking revolving fund, \$616,000; credit union revolving fund, \$166,000; savings and loan revolving fund, \$0; insurance revolving fund, \$260,800; professional licensing revolving fund, \$546,600.~~

Sec. 902. Notwithstanding any provision in section 99E.34 or other provision of law, the unobligated and unencumbered moneys on June 30, 1991, in the soil conservation account of the CLEAN fund, created in section 99E.10, shall be transferred to the general fund of the state on or before June 30, 1991. Transfers of moneys from the soil conservation account in the CLEAN fund shall not affect the formula for the distribution of moneys in the account.

Sec. 903. Notwithstanding any provision in section 99E.34, 455A.18, or other provision of law, the unobligated and unencumbered moneys on June 30, 1991, in the Iowa resources enhancement and protection fund, created in section 455A.18, or any of the accounts in the Iowa resources enhancement and protection fund shall be transferred to the general fund of the state. Moneys distributed from those accounts to other

agencies which are unobligated or unencumbered on June 30, 1991, shall also be transferred to the general fund of the state. Such transfers may be made prior to June 30, 1991. Transfers of moneys from the accounts in the Iowa resources enhancement and protection fund shall not affect the formula for the distribution of moneys in each of those accounts as provided in section 455A.19.

Sec. 904. Notwithstanding any provision in section 455E.11 or other provision of law, the unobligated and unencumbered moneys on June 30, 1991, in the groundwater protection fund, created in section 455E.11, or any of the accounts, except the oil overcharge account, in the groundwater protection fund shall be transferred to the general fund of the state. Such transfers may be made prior to June 30, 1991. Transfers of moneys from the accounts in the groundwater protection fund shall not affect the formula for the distribution of moneys in each of those accounts.

For purposes of this section, moneys collected and deposited into the groundwater protection fund during the fiscal year ending June 30, 1991, which were designated by formula for specific centers at any state board of regents institutions shall be considered encumbered and obligated funds.

Sec. 905.

1. Notwithstanding the restrictions relating to the transfer and use of moneys in the utilities trust fund in section 476.10, the insurance revolving fund in section 505.7, the banking revolving fund in section 524.207, the credit union revolving fund in section 533.67, and the professional licensing revolving fund in section 546.10, the cash balances in those five funds resulting from covered charges to regulated industries for purposes of cash flow and the build-up of surplus balances remaining on June 30, 1991, shall be transferred to the general fund of the state. However, state general fund cash balances shall be available from the general fund of the state to the utilities division, insurance

division, banking division, credit union division, and the professional licensing and regulation division for cash flow purposes to enable the timely payment of expenses without regard to seasonal cash flow for the fiscal years ending June 30, 1992, and June 30, 1993. Upon completion of the fiscal year ending June 30, 1993, any amount transferred to the general fund of the state from each of those five funds shall be returned to the fund from which the amount was transferred.

2. Notwithstanding the restrictions relating to the use of the moneys in the fertilizer fund in section 200.9, and the pesticide fund in section 206.12, subsection 3, cash balances remaining on June 30, 1991, that are not needed to pay expenses of the fiscal year ending June 30, 1991, are transferred to the general fund of the state. However, state general fund cash balances shall be available from the general fund of the state to the department of agriculture and land stewardship for cash flow purposes to enable the timely payment of expenses incurred for purposes for which moneys in the fertilizer and pesticide funds are to be used for the fiscal years ending June 30, 1992, and June 30, 1993. Upon completion of the fiscal year ending June 30, 1993, any amount transferred to the general fund of the state from each of those two funds shall be returned to the fund from which the amount was transferred.

Sec. 906. Section 312.2, subsection 13, Code 1991, is amended to read as follows:

13. The treasurer of state, before making the allotments provided for in this section, shall credit annually to the department of justice from revenues credited to the road use tax fund under section 423.24, subsection 1, paragraph "c", an amount equal to twenty-five cents on each title issuance for motor vehicle fraud law enforcement and prosecution purposes including, but not limited to, the enforcement of state and federal odometer laws.

DIVISION X  
SUPPLEMENTAL APPROPRIATIONS  
DEPARTMENT OF HUMAN SERVICES

Sec. 1001. 1991 Iowa Acts, Senate File 209, sections 1, 2, 5, 6, 7, and 8, are amended to read as follows:

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 dependent children:

..... \$ 2,808,236  
3,119,456

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  
10,365,385

As a condition, limitation, and qualification of the supplemental funds appropriated in this section, notwithstanding the adoption of an administrative rule limiting coverage of organ transplants under the medical assistance program, the department shall continue through the fiscal year ending June 30, 1992, to provide medical assistance coverage for organ transplants to individuals who applied for and received approval from the department on or before January 1, 1991, for medical assistance coverage of an organ transplant.

As a condition, limitation, and qualification of the supplemental funds appropriated in this section, notwithstanding the adoption of an administrative rule limiting coverage of organ transplants under the medical assistance program, the department shall continue through the fiscal year ending June 30, 1992, to provide medical assistance coverage for organ transplants of the pancreas and the liver until the department establishes criteria for the coverage of these transplants. The criteria shall include but are not limited to health status and anticipated outcomes, including expected quality of life. The department may adopt emergency rules to implement the provisions of this subsection.

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  
10,183,571

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:

..... \$ 389,956

557,902

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  
730,914

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  
7,890,100

As a condition, limitation, and qualification of the funds appropriated in this section, not more than \$75,000 of the funds appropriated in this section shall be used to pay interest in an amount calculated in accordance with section 421.7 to service providers on their billings to the state payable pursuant to section 232.141, subsection 4, which during the period of January 1, 1991, through April 30, 1991, became more than 60 days past due.

Sec. 1002. IOWA INTERNATIONAL DEVELOPMENT FOUNDATION. There is appropriated from the general fund of the state to the Iowa international development foundation 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 provide funding to the Iowa international development foundation for the purposes for which the foundation was created:

..... \$ 50,000

DIVISION XI

Sec. 1101. EFFECTIVE DATE. This Act, being deemed of immediate importance, takes effect 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 532, Seventy-fourth General Assembly.

\_\_\_\_\_  
JOHN F. DWYER  
Secretary of the Senate

*Item Veto*  
Approved 5/9/91, 1991

\_\_\_\_\_  
TERRY E. BRANSTAD  
Governor

**SF 532**