

The Appropriation 4/15 Amend (6002) & S. Pass 4/22

FILED APR 14 1992

SENATE FILE 2367

BY COMMITTEE ON APPROPRIATIONS

Approved (p. 1389)

Passed Senate, Date 4/14/92 (p. 1396) Passed House, Date 4/22/92 (p. 1731)

Vote: Ayes 49 Nays 0 Vote: Ayes 69 Nays 30

Approved May 15, 1992 - effective date

Approved Senate 4/27/92 (p. 1666)

Referred to House Nov. 28 (p. 1841)

Referred from committee 4/27, Page 2
Repassed Senate 4/30 (p. 1753)
(copy 21, 7/25/88)

Ayes 46 - Nays 51
Motion to reconsider prevailed (p. 1753)
Referred to committee in Senate amendment

A BILL FOR

1 An Act relating to and making appropriations for the fiscal year
2 ending June 30, 1992, to various departments and agencies of
3 state government and providing an effective date.

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

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SF 2367

1 DIVISION I
2 REDUCTIONS
3 DEPARTMENT OF ECONOMIC DEVELOPMENT

4 Section 101. The appropriations from the general fund of
5 the state to the department of economic development for the
6 fiscal year beginning July 1, 1991, and ending June 30, 1992,
7 in 1991 Iowa Acts, chapter 267, section 301, are reduced by
8 the following amounts for the purposes designated:

- 9 1. Business development division:
- 10 a. Community economic betterment program:
- 11 \$ 220,000
- 12 b. Microenterprise development revolving fund:
- 13 \$ 55,000
- 14 2. Work force development division:
- 15 Job retraining program:
- 16 \$ 5,000

17 Sec. 102. BUSINESS DEVELOPMENT FINANCE CORPORATION
18 ASSISTANCE FUND. Notwithstanding the provisions of section
19 28.148, of the funds appropriated to the business development
20 finance corporation assistance fund for the fiscal year
21 beginning July 1, 1990, for purposes of the capital access
22 program, \$575,000, or so much thereof as is remaining and is
23 unencumbered and unobligated, shall revert and be deposited in
24 the general fund of the state.

25 Sec. 103. RURAL COMMUNITY 2000 REVOLVING FUND.
26 Notwithstanding any provisions in section 15.287 or other
27 provisions of law, up to \$1,266,000 of moneys in the rural
28 community 2000 revolving fund, including repayments allocated
29 under section 28.120, subsection 7, which are unencumbered or
30 unobligated on June 30, 1992, shall be transferred and
31 credited to the general fund of the state. Transfers under
32 this section shall be made during the period beginning April
33 15, 1992, and ending June 30, 1992.

34 Sec. 104. SMALL BUSINESS NEW JOBS TRAINING FUND.
35 Notwithstanding section 280C.6, the unobligated and

1 unencumbered balance in the community college job training
2 fund, except for the amount appropriated in 1991 Iowa Acts,
3 chapter 267, section 308, for the fiscal year ending June 30,
4 1992, shall be transferred and credited to the general fund of
5 the state.

6 STATE DEPARTMENT OF TRANSPORTATION

7 Sec. 105. The appropriations from the general fund of the
8 state to the state department of transportation for the fiscal
9 year beginning July 1, 1991, and ending June 30, 1992, in 1991
10 Iowa Acts, chapter 268, section 508, are reduced by the
11 following amounts for the purposes designated:

12 For providing assistance for the restoration, conservation,
13 improvement, and construction of railroad mainlines,
14 branchlines, switching yards, and sidings as required in
15 section 327H.18; for use by the railway finance authority as
16 provided in chapter 307B; and for airport engineering studies
17 and improvement projects as provided in chapter 328:
18 \$ 565,000

19 DEPARTMENT OF HUMAN SERVICES

20 Sec. 106. The appropriations from the general fund of the
21 state to the department of human services for the fiscal year
22 beginning July 1, 1991, and ending June 30, 1992, in 1991 Iowa
23 Acts, chapter 267, division I, and in 1992 Iowa Acts, Senate
24 File 2116, section 101, are reduced by the following amounts
25 for the purposes designated:

- 26 1. Emergency assistance to families with dependent
27 children to match federal funding for homeless prevention
28 programs:
29 \$ 260,000
30 2. Jobs program:
31 \$ 80,000

32 The reduction in this subsection is intended to reduce the
33 family development and self-sufficiency grant program
34 allocation.

35 3. Community-based programs:

1 \$ 140,000

2 The reduction in this subsection is intended to reduce the
3 funds allocated for adolescent pregnancy prevention grants by
4 \$15,000 and child abuse prevention grants by \$125,000.

5 DEPARTMENT OF NATURAL RESOURCES

6 Sec. 107. Notwithstanding any provision in section 99E.34,
7 455A.18, or other provisions of law, the unobligated and
8 unencumbered moneys on June 30, 1992, in the Iowa resources
9 enhancement and protection fund, created in section 455A.18,
10 or any of the accounts in the Iowa resources enhancement and
11 protection fund shall be transferred and credited to the
12 general fund of the state. Moneys distributed from those
13 accounts to other agencies which are unobligated or
14 unencumbered on June 30, 1992, shall also be transferred and
15 credited to the general fund of the state. Such transfers may
16 be made prior to June 30, 1992. Transfers of moneys from the
17 accounts in the Iowa resources enhancement and protection fund
18 shall not affect the formula for the distribution of moneys in
19 each of those accounts as provided in section 455A.19.

20 EFFECT OF APPROPRIATION REDUCTIONS

21 Sec. 108. The reductions in appropriations for the fiscal
22 year beginning July 1, 1991, and ending June 30, 1992, made in
23 this division are in addition to the allotment reductions of
24 3.25 percent and .62 percent pursuant to executive orders
25 number 42 and number 43, respectively.

26 DIVISION II

27 SUPPLEMENTALS

28 DEPARTMENT OF HUMAN SERVICES

29 Sec. 201. There is appropriated from the general fund of
30 the state to the department of human services for the fiscal
31 year beginning July 1, 1991, and ending June 30, 1992, to
32 supplement the appropriations made in 1991 Iowa Acts, chapter
33 267, division I, and in 1992 Iowa Acts, Senate File 2116,
34 section 101, the following amounts, or so much thereof as is
35 necessary, to be used for the purposes designated:

1	1. Aid to families with dependent children:	
2	.....	\$ 284,768
3	2. Medical assistance:	
4	.....	\$ 7,595,735
5	3. Medical contracts:	
6	.....	\$ 26,940
7	4. State supplementary assistance:	
8	.....	\$ 122,283
9	5. Child day care assistance:	
10	.....	\$ 45,477
11	6. Transitional child care assistance:	
12	.....	\$ 2,070
13	7. Foster care:	
14	.....	\$ 404,241

DEPARTMENT OF CORRECTIONS

16 Sec. 202. There is appropriated from the general fund of
 17 the state to the department of corrections for the fiscal year
 18 beginning July 1, 1991, and ending June 30, 1992, to
 19 supplement the appropriations made in 1991 Iowa Acts, chapter
 20 267, divisions IV and V, and in 1992 Iowa Acts, Senate File
 21 2116, section 102, the following amounts, or so much thereof
 22 as is necessary, to be used for the purposes designated:

23	1. Fort Madison correctional facility:	
24	.....	\$ 135,342
25	2. Anamosa correctional facility:	
26	.....	\$ 100,153
27	3. Oakdale correctional facility:	
28	.....	\$ 85,175
29	4. Newton correctional facility:	
30	.....	\$ 25,724
31	5. Mt. Pleasant correctional facility:	
32	.....	\$ 71,958
33	6. Rockwell City correctional facility:	
34	.....	\$ 24,732
35	7. Clarinda correctional facility:	

1	.....	\$	32,977
2	8. Mitchellville correctional facility:		
3	.....	\$	29,514
4	9. Reimbursement of counties for temporary confinement of		
5	work release and parole violators:		
6	.....	\$	1,546
7	10. Federal prison reimbursement and miscellaneous		
8	contracts:		
9	.....	\$	2,227
10	11. For annual payment relating to prison expansion:		
11	.....	\$	4,006
12	12. For annual payment relating to prison expansion:		
13	.....	\$	20,122
14	13. First judicial district department of correctional		
15	services:		
16	.....	\$	34,896
17	14. Second judicial district department of correctional		
18	services:		
19	.....	\$	24,724
20	15. Third judicial district department of correctional		
21	services:		
22	.....	\$	15,322
23	16. Fourth judicial district department of correctional		
24	services:		
25	.....	\$	12,426
26	17. Fifth judicial district department of correctional		
27	services:		
28	.....	\$	44,414
29	18. Sixth judicial district department of correctional		
30	services:		
31	.....	\$	34,688
32	19. Seventh judicial district department of correctional		
33	services:		
34	.....	\$	24,234
35	20. Eighth judicial district department of correctional		

1 services:

2 \$ 19,658

3 21. Assistance and support of each judicial district
4 department of correctional services:

5 \$ 565

6 22. Cost of postconviction relief proceedings pursuant to
7 section 663A.5 and costs and fees of parole revocation
8 proceedings and criminal cases brought against an inmate under
9 section 815.1:

10 \$ 433

11 DEPARTMENT OF INSPECTIONS AND APPEALS

12 Sec. 203. There is appropriated from the general fund of
13 the state to the office of the state public defender for the
14 fiscal year beginning July 1, 1991, and ending June 30, 1992,
15 to supplement the appropriations made in 1991 Iowa Acts,
16 chapter 258, section 407, the following amounts, or so much
17 thereof as is necessary, for the purposes designated:

18 1. For salaries, support, maintenance, and miscellaneous
19 purposes, in subsection 1, paragraph "a":

20 \$ 39,488

21 2. For indigent court-appointed attorney fees for adults
22 and juveniles in subsection 1, paragraph "b":

23 \$ 2,758,286

24 Sec. 204. EFFECT OF APPROPRIATION REDUCTIONS. The moneys
25 appropriated to supplement the appropriations for the fiscal
26 year beginning July 1, 1991, and ending June 30, 1992, made in
27 this division are not subject to the allotment reductions of
28 3.25 percent and .62 percent pursuant to executive orders
29 number 42 and number 43, respectively.

30 DIVISION III

31 SALARIES 1991-1992 FISCAL YEAR

32 Sec. 301. There is appropriated from the general fund of
33 the state to the salary adjustment fund for distribution by
34 the department of management to the various state departments,
35 boards, commissions, councils, and agencies for the fiscal

1 year beginning July 1, 1991, and ending June 30, 1992, the
2 following amount, \$3,100,000, or so much thereof as may be
3 necessary, to fund the following annual pay adjustments,
4 expense reimbursements, and related benefits:

5 1. The collective bargaining agreement negotiated pursuant
6 to chapter 20 for employees in the blue collar bargaining
7 unit.

8 2. The collective bargaining agreement negotiated pursuant
9 to chapter 20 for employees in the state police officers
10 council bargaining unit.

11 3. The collective bargaining agreement negotiated pursuant
12 to chapter 20 for employees in the security bargaining unit.

13 4. The collective bargaining agreement negotiated pursuant
14 to chapter 20 for employees in the technical bargaining unit.

15 5. The collective bargaining agreement negotiated pursuant
16 to chapter 20 for employees in the professional fiscal and
17 staff bargaining unit.

18 6. The collective bargaining agreement negotiated pursuant
19 to chapter 20 for employees in the clerical bargaining unit.

20 7. The collective bargaining agreement negotiated pursuant
21 to chapter 20 for employees in the Iowa united professionals
22 bargaining unit.

23 8. The collective bargaining agreement negotiated pursuant
24 to chapter 20 for employees in the community-based corrections
25 bargaining unit.

26 9. If an agreement is negotiated pursuant to chapter 20
27 for employees of the judicial branch of government bargaining
28 unit, notwithstanding section 8.43, the salary and benefit ex-
29 penditures shall be paid from funds otherwise appropriated to
30 the judicial branch.

31 Sec. 302.

32 1. There is appropriated from the road use tax fund to the
33 salary adjustment fund for the fiscal year beginning July 1,
34 1991, and ending June 30, 1992, the following amount, or so

much thereof as may be necessary, to be paid for the following

1 designated:

2 To supplement other funds appropriated by the general
3 assembly:

4 \$ 231,736

5 2. There is appropriated from the primary road fund to the
6 salary adjustment fund, for the fiscal year beginning July 1,
7 1991, and ending June 30, 1992, the following amount, or so
8 much thereof as may be necessary, to be used for the purposes
9 designated:

10 To supplement other funds appropriated by the general
11 assembly:

12 \$ 598,062

13 3. Except as otherwise provided in this division, the
14 amounts appropriated in subsections 1 and 2 shall be used to
15 fund the annual pay adjustments, expense reimbursement, and
16 related benefits for public officials and employees as
17 provided for in this division.

18 Sec. 303. To departmental revolving, trust, or special
19 funds, except for the primary road fund or the road use tax
20 fund, for which the general assembly has established an
21 operating budget, a supplemental expenditure authorization is
22 provided, unless otherwise provided, in an amount necessary to
23 fund salary adjustments as otherwise provided in this
24 division.

25 Sec. 304. All funds appropriated to the salary adjustment
26 fund shall be used to fund salary and fringe benefit
27 expenditures for employees covered by the agreements specified
28 in section 301, commencing April 24, 1992, and ending with the
29 pay period ending June 18, 1992, except for employees under
30 the state board of regents merit system which commences April
31 24, 1992, or the pay period commencing nearest that date, and
32 ends June 30, 1992, or the pay period ending nearest to but
33 before that date.

34 Sec. 305. EFFECT OF APPROPRIATION REDUCTIONS. The moneys
35 appropriated to supplement the appropriations for the fiscal

1 year beginning July 1, 1991, and ending June 30, 1992, made in
2 this division are not subject to the allotment reductions of
3 3.25 percent and .62 percent pursuant to executive orders
4 number 42 and number 43, respectively.

5 Sec. 306. Funds appropriated from the general fund of the
6 state in this division relate only to salaries supported from
7 general fund appropriations of the state.

8 Sec. 307. All federal grants to and the federal receipts
9 of the agencies affected by this division which are received
10 and may be expended for purposes of this division are
11 appropriated for those purposes and as set forth in the
12 federal grants or receipts.

13 DIVISION IV

14 Sec. 401. EFFECTIVE DATE. This Act, being deemed of
15 immediate importance, takes effect upon enactment.

16 EXPLANATION

17 This bill makes reductions in appropriations for the 1991-
18 1992 fiscal year to the departments of economic development,
19 transportation, human services, and natural resources, and
20 transfers moneys in the business development finance
21 corporation assistance fund, rural community 2000 revolving
22 fund, and the small business new jobs training fund to the
23 state general fund.

24 The bill makes supplemental appropriations for the 1991-
25 1992 fiscal year to the departments of human services,
26 corrections, and inspections and appeals.

27 The bill also appropriates moneys to pay for wage
28 adjustments for the 1991-1992 fiscal year for contract
29 employees beginning with the pay period beginning on or about
30 April 24, 1992.

31 The bill takes effect upon enactment.

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SENATE FILE 2367

H-5999

1 Amend Senate File 2367, as passed by the Senate, as
2 follows:

3 1. Page 9, by striking lines 13 through 15 and
4 inserting the following:

5 "DIVISION IV

6 Sec. 401. Section 602.9107A, subsection 3, as
7 enacted by 1992 Iowa Acts, House File 2450, section
8 72, if enacted by the 1992 Session of the Seventy-
9 fourth General Assembly, is amended to read as
10 follows:

11 3. The decreased annuity provided in this section
12 shall be in lieu of the annuities ~~and-refunds~~ provided
13 for in sections 602.9107, ~~602.9108, 602.9115,~~
14 602.9204, 602.9208, and 602.9209.

15 Sec. 402. Section 602.9115A, unnumbered paragraph
16 1, Code 1991, is amended to read as follows:

17 In lieu of the annuities and refunds provided for
18 judges and judges' survivors under sections 602.9107,
19 602.9107A, 602.9108, 602.9115, 602.9204, 602.9208, and
20 602.9209, judges may elect to receive an optional
21 retirement annuity during the judge's lifetime and
22 have the optional retirement annuity, or a designated
23 fraction of the optional retirement annuity, continued
24 and paid to the judge's survivor after the judge's
25 death and during the lifetime of the survivor.

26 Sec. 403. Section 602.9115A, unnumbered paragraph
27 3, Code 1991, is amended to read as follows:

28 The optional retirement annuity shall be the
29 actuarial equivalent of the amounts of the annuities
30 payable to judges and survivors under sections
31 602.9107, 602.9107A, 602.9115, 602.9204, 602.9208, and
32 602.9209. The actuarial equivalent shall be based on
33 the mortality and interest assumptions set out in
34 section 602.9107, subsection 3.

35 DIVISION V

36 Sec. 501. EFFECTIVE DATE. Divisions I, II, III,
37 and this division of this Act, being deemed of
38 immediate importance, take effect upon enactment."

39 2. By renumbering as necessary.

By HALVORSON of Clayton
JOCHUM of Dubuque

H-5999 FILED APRIL 22, 1992

ADOPTED (j 1731)

SENATE FILE 2367

H-6002

1 Amend Senate File 2367, as passed by the Senate, as
2 follows:

3 1. By striking page 2, line 19 through page 3,
4 line 4.

5 2. Page 3, by striking lines 7 and 8 and
6 inserting the following: "455A.18, or other
7 provisions of law, up to \$200,000 of the unobligated
8 and unencumbered moneys on June 30, 1992, allocated to
9 the conservation education board, up to \$68,000 of the
10 unobligated and unencumbered moneys on June 30, 1992,
11 allocated to the historical resource grant and loan
12 fund, and up to \$20,000 of the unobligated and
13 unencumbered moneys on June 30, 1992, allocated to the
A 14 living roadway trust fund from moneys in the Iowa
15 resources".

16 3. Page 3, by striking lines 12 through 15 and
17 inserting the following: "general fund of the state.
18 Such transfers may".

19 4. Page 3, by inserting after line 19 the
20 following:

21 "Sec. ____ . Notwithstanding the standing
22 appropriation in section 19.10 to the executive
23 council to pay court costs of state agencies, the
24 amount appropriated from the general fund of the state
25 under section 19.10 for the fiscal year beginning July
26 1, 1991, for payment of court costs shall not exceed
27 \$192,826."

28 5. Page 4, line 14, by striking the figure
29 "404,241" and inserting the following: "302,453".

30 6. Page 4, by inserting after line 14 the
31 following:

B 32 "If the moneys appropriated in subsection 2, for
33 medical assistance or subsection 7, for foster care,
34 are insufficient to fund the state obligations for
35 those purposes in the fiscal year for which the moneys
36 are appropriated, the governor may utilize use tax
37 revenues collected in the fiscal year beginning July
38 1, 1991, pursuant to section 423.7 to pay the
39 insufficient amount. If the governor elects to take
40 this action, there is appropriated from the use tax
41 revenues collected pursuant to section 423.7, prior to
42 deposit in accordance with section 423.24, to the
43 department of human services for the fiscal year
44 beginning July 1, 1991, and ending June 30, 1992, the
45 amount necessary to fund the insufficient amount of
46 the state obligations for medical assistance or foster
47 care."

48 7. Page 6, by inserting after line 23 the
49 following:

A 50 "STATE BOARD OF REGENTS

H-6002

H-6002

Page 2

A

1 Sec. ____ . There is appropriated from the general
 2 fund of the state to the state board of regents for
 3 the fiscal year beginning July 1, 1991, and ending
 4 June 30, 1992, to supplement the appropriations made
 5 in 1991 Iowa Acts, chapter 267, section 210,
 6 subsections 5 and 6, the following amount, or so much
 7 thereof as is necessary, for the purposes designated:
 8 For the state school for the deaf and the Iowa
 9 Braille and sight-saving school:
 10 \$ 11,199".

By COMMITTEE ON APPROPRIATIONS
 JOCHUM of Dubuque, Chairperson

H-6002 FILED APRIL 22, 1992
 DIVISIONS A & B ADOPTED *as amended by 6009 (p. 17.30)*

SENATE FILE 2367

H-6008

1 Amend the Committee amendment, H-6002, to Senate
 2 File 2367, as passed by the Senate, as follows:
 3 1. Page 1, line 9, by striking the figure
 4 "68,000" and inserting the following: "20,000".
 5 2. Page 1, line 12, by striking the figure
 6 "20,000" and inserting the following: "68,000".

By BRAND of Benton

H-6008 FILED APRIL 22, 1992
 ADOPTED *(p. 17.24)*

HOUSE AMENDMENT TO
SENATE FILE 2367

S-5854

1 Amend Senate File 2367, as passed by the Senate, as
2 follows:

3 1. By striking page 2, line 19 through page 3,
4 line 4.

5 2. Page 3, by striking lines 7 and 8 and
6 inserting the following: "455A.18, or other
7 provisions of law, up to \$200,000 of the unobligated
8 and unencumbered moneys on June 30, 1992, allocated to
9 the conservation education board, up to \$20,000 of the
10 unobligated and unencumbered moneys on June 30, 1992,
11 allocated to the historical resource grant and loan
12 fund, and up to \$68,000 of the unobligated and
13 unencumbered moneys on June 30, 1992, allocated to the
14 living roadway trust fund from moneys in the Iowa
15 resources".

16 3. Page 3, by striking lines 12 through 15 and
17 inserting the following: "general fund of the state.
18 Such transfers may".

19 4. Page 3, by inserting after line 19 the
20 following:

21 "Sec. _____. Notwithstanding the standing
22 appropriation in section 19.10 to the executive
23 council to pay court costs of state agencies, the
24 amount appropriated from the general fund of the state
25 under section 19.10 for the fiscal year beginning July
26 1, 1991, for payment of court costs shall not exceed
27 \$192,826."

28 5. Page 4, line 14, by striking the figure
29 "404,241" and inserting the following: "302,453".

30 6. Page 4, by inserting after line 14 the
31 following:

32 "If the moneys appropriated in subsection 2, for
33 medical assistance or subsection 7, for foster care,
34 are insufficient to fund the state obligations for
35 those purposes in the fiscal year for which the moneys
36 are appropriated, the governor may utilize use tax
37 revenues collected in the fiscal year beginning July
38 1, 1991, pursuant to section 423.7 to pay the
39 insufficient amount. If the governor elects to take
40 this action, there is appropriated from the use tax
41 revenues collected pursuant to section 423.7, prior to
42 deposit in accordance with section 423.24, to the
43 department of human services for the fiscal year
44 beginning July 1, 1991, and ending June 30, 1992, the
45 amount necessary to fund the insufficient amount of
46 the state obligations for medical assistance or foster
47 care."

48 7. Page 6, by inserting after line 23 the
49 following:

50 "STATE BOARD OF REGENTS

S-5854

S-5854

Page 2

1 Sec. ____ . There is appropriated from the general
 2 fund of the state to the state board of regents for
 3 the fiscal year beginning July 1, 1991, and ending
 4 June 30, 1992, to supplement the appropriations made
 5 in 1991 Iowa Acts, chapter 267, section 210,
 6 subsections 5 and 6, the following amount, or so much
 7 thereof as is necessary, for the purposes designated:
 8 For the state school for the deaf and the Iowa
 9 Braille and sight-saving school:

10 \$ 11,199".

11 8. Page 9, by striking lines 13 through 15 and
 12 inserting the following:

13 "DIVISION IV

14 Sec. 401. Section 602.9107A, subsection 3, as
 15 enacted by 1992 Iowa Acts, House File 2450, section
 16 72, if enacted by the 1992 Session of the Seventy-
 17 fourth General Assembly, is amended to read as
 18 follows:

19 3. The decreased annuity provided in this section
 20 shall be in lieu of the annuities and-refunds provided
 21 for in sections 602.9107, ~~602.9108, 602.9115,~~
 22 602.9204, 602.9208, and 602.9209.

23 Sec. 402. Section 602.9115A, unnumbered paragraph
 24 1, Code 1991, is amended to read as follows:

25 In lieu of the annuities and refunds provided for
 26 judges and judges' survivors under sections 602.9107,
 27 602.9107A, 602.9108, 602.9115, 602.9204, 602.9208, and
 28 602.9209, judges may elect to receive an optional
 29 retirement annuity during the judge's lifetime and
 30 have the optional retirement annuity, or a designated
 31 fraction of the optional retirement annuity, continued
 32 and paid to the judge's survivor after the judge's
 33 death and during the lifetime of the survivor.

34 Sec. 403. Section 602.9115A, unnumbered paragraph
 35 3, Code 1991, is amended to read as follows:

36 The optional retirement annuity shall be the
 37 actuarial equivalent of the amounts of the annuities
 38 payable to judges and survivors under sections
 39 602.9107, 602.9107A, 602.9115, 602.9204, 602.9208, and
 40 602.9209. The actuarial equivalent shall be based on
 41 the mortality and interest assumptions set out in
 42 section 602.9107, subsection 3.

43 DIVISION V

44 Sec. 501. EFFECTIVE DATE. Divisions I, II, III,
 45 and this division of this Act, being deemed of
 46 immediate importance, take effect upon enactment."

47 9. By renumbering, relettering, or redesignating
 48 and correcting internal references as necessary.

RECEIVED FROM THE HOUSE

S-5854 FILED APRIL 23, 1992

Senate amended (5792), concurred (41665), 4/27/92

SENATE FILE 2367

S-5857

1 Amend the House amendment, S-5854, to Senate File
2 2367, as passed by the Senate as follows:
3 1. Page 1, by striking lines 30 through 47.

By RICHARD F. DRAKE
JIM LIND
JOHN W. JENSEN

RICHARD VANDE HOEF
RAY TAYLOR
MAGGIE TINSMAN

S-5857 FILED APRIL 23, 1992
Placed on 4/27/92 (p. 1665)

SENATE FILE 2367

S-5892

1 Amend the House amendment, S-5854, to Senate File
2 2367, as passed by the Senate, as follows:
3 1. Page 1, line 27, by striking the figure
4 "192,826" and inserting the following: "419,746".

5 2. Page 1, by inserting after line 27 the
6 following:
7 "____. Page 3, by inserting after line 19 the
8 following:

9 "Sec. ____ 1991 Iowa Acts, chapter 267, section
10 407, subsection 1, unnumbered paragraph 1, is amended
11 to read as follows:

12 For salaries of supreme court justices, appellate
13 court judges, district court judges, district
14 associate judges, judicial magistrates and staff,
15 state court administrator, clerk of the supreme court,
16 district court administrators, clerks of the district
17 court, including fully compensating clerks of court,
18 trial court supervisors, trial court technicians II,
19 and financial supervisors I and II for the full 40-
20 hour workweek, juvenile court officers, board of law
21 examiners and board of examiners of shorthand
22 reporters and judicial qualifications commission,
23 receipt and disbursement of child support payments,
24 and maintenance, equipment, and miscellaneous
25 purposes:

26 \$ 737,000
27 72,000

28 3. Page 1, by striking lines 30 through 47.
29 4. Page 2, line 6, by striking the word and
30 figures "subsections 5 and 6" and inserting the
31 following: "subsection 7".

By LEONARD BOSWELL

S-5892 FILED APRIL 27, 1992
ADOPTED (p. 1665)

SENATE AMENDMENT TO HOUSE AMENDMENT TO SENATE FILE 2367

H-6037

1 Amend the House amendment, S-5854, to Senate File
2 2367, as passed by the Senate, as follows:

3 1. Page 1, line 27, by striking the figure
4 "192,826" and inserting the following: "419,746".

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

7 "_____. Page 3, by inserting after line 19 the
8 following:

9 "Sec. _____. 1991 Iowa Acts, chapter 267, section
10 407, subsection 1, unnumbered paragraph 1, is amended
11 to read as follows:

12 For salaries of supreme court justices, appellate
13 court judges, district court judges, district
14 associate judges, judicial magistrates and staff,
15 state court administrator, clerk of the supreme court,
16 district court administrators, clerks of the district
17 court, including fully compensating clerks of court,
18 trial court supervisors, trial court technicians II,
19 and financial supervisors I and II for the full 40-
20 hour workweek, juvenile court officers, board of law
21 examiners and board of examiners of shorthand
22 reporters and judicial qualifications commission,
23 receipt and disbursement of child support payments,
24 and maintenance, equipment, and miscellaneous
25 purposes:

26 \$ 73,200,000
27 72,973,080."

28 3. Page 1, by striking lines 30 through 47.

29 4. Page 2, line 6, by striking the word and
30 figures "subsections 5 and 6" and inserting the
31 following: "subsection 7".

RECEIVED FROM THE SENATE

H-6037 FILED APRIL 27, 1992

House concurred 4/28 (p. 1841)
Motion to reconsider provided 4/29 (p. 1918)
House refused to concur 4/29 (p. 1918)
Senate receded 4/30 (p. 1732)



TERRY E. BRANSTAD
GOVERNOR

OFFICE OF THE GOVERNOR

STATE CAPITOL
DES MOINES, IOWA 50319
515 281-5211

May 15, 1992

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

Dear Madam Secretary:

I hereby transmit Senate File 2367, an act relating to and making appropriations for the fiscal year ending June 30, 1992, to various departments and agencies of state government and providing an effective date.

Senate File 2367 is, therefore, approved on this date with the following exceptions which I hereby disapprove.

I am unable to approve the item designated as Section 107, in its entirety. This provision would cap the funding available to the Executive Council to pay for court costs of state agencies at \$192,826 for fiscal year 1992. To date, \$250,375.86 has been approved and/or expended by the Executive Council to pay for the services provided by outside counsel in this fiscal year. Additional claims totaling in excess of \$200,000 are expected to be submitted this year, including requests from the attorney general's office. Given that the proposed cap has already been exceeded and additional demands for payment are expected, this provision cannot be approved.

I am unable to approve the item designated as the second unnumbered and unlettered paragraph of Section 201, in its entirety. This provision would authorize an unlimited expenditure of use tax revenues for purposes unrelated to the construction and maintenance of the state's highways. Subsequent to the passage of this bill, the legislature approved Senate File 2347 which includes language repealing this provision.

The Honorable Elaine Baxter
May 15, 1992
Page 2

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 2367 are hereby approved as of this date.

Sincerely,

A handwritten signature in black ink that reads "Terry E. Branstad". The signature is written in a cursive style with a large, sweeping flourish at the end.

Terry E. Branstad
Governor

TEB/ps

cc: Secretary of the Senate
Chief Clerk of the House

Item Vetted

SENATE FILE 2367

AN ACT

RELATING TO AND MAKING APPROPRIATIONS FOR THE FISCAL YEAR
ENDING JUNE 30, 1992, TO VARIOUS DEPARTMENTS AND AGENCIES
OF STATE GOVERNMENT AND PROVIDING AN EFFECTIVE DATE.

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

DIVISION I
REDUCTIONS

DEPARTMENT OF ECONOMIC DEVELOPMENT

Section 101. The appropriations from the general fund of
the state to the department of economic development for the
fiscal year beginning July 1, 1991, and ending June 30, 1992,
in 1991 Iowa Acts, chapter 267, section 301, are reduced by
the following amounts for the purposes designated:

- 1. Business development division:
 - a. Community economic betterment program:
 - \$ 220,000
 - b. Microenterprise development revolving fund:
 - \$ 55,000
- 2. Work force development division:
 - Job retraining program:
 - \$ 5,000

Sec. 102. BUSINESS DEVELOPMENT FINANCE CORPORATION
ASSISTANCE FUND. Notwithstanding the provisions of section
28.148, of the funds appropriated to the business development
finance corporation assistance fund for the fiscal year
beginning July 1, 1990, for purposes of the capital access
program, \$575,000, or so much thereof as is remaining and is
unencumbered and unobligated, shall revert and be deposited in
the general fund of the state.

Sec. 103. RURAL COMMUNITY 2000 REVOLVING FUND.
Notwithstanding any provisions in section 15.287 or other
provisions of law, up to \$1,266,000 of moneys in the rural
community 2000 revolving fund, including repayments allocated
under section 28.120, subsection 7, which are unencumbered or
unobligated on June 30, 1992, shall be transferred and
credited to the general fund of the state. Transfers under
this section shall be made during the period beginning April
15, 1992, and ending June 30, 1992.

Sec. 104. SMALL BUSINESS NEW JOBS TRAINING FUND.
Notwithstanding section 280C.6, the unobligated and
unencumbered balance in the community college job training
fund, except for the amount appropriated in 1991 Iowa Acts,
chapter 267, section 308, for the fiscal year ending June 30,
1992, shall be transferred and credited to the general fund of
the state.

STATE DEPARTMENT OF TRANSPORTATION

Sec. 105. The appropriations from the general fund of the
state to the state department of transportation for the fiscal
year beginning July 1, 1991, and ending June 30, 1992, in 1991
Iowa Acts, chapter 268, section 508, are reduced by the
following amounts for the purposes designated:

For providing assistance for the restoration, conservation,
improvement, and construction of railroad mainlines,
branchlines, switching yards, and sidings as required in
section 327H.18; for use by the railway finance authority as
provided in chapter 307B; and for airport engineering studies
and improvement projects as provided in chapter 328:

..... \$ 585,000

DEPARTMENT OF NATURAL RESOURCES

Sec. 106. Notwithstanding any provision in section 99E.34, 455A.18, or other provisions of law, up to \$200,000 of the unobligated and unencumbered moneys on June 30, 1992, allocated to the conservation education board, up to \$20,000 of the unobligated and unencumbered moneys on June 30, 1992, allocated to the historical resource grant and loan fund, and up to \$68,000 of the unobligated and unencumbered moneys on June 30, 1992, allocated to the living roadway trust fund from moneys 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 and credited to the general fund of the state. Such transfers may be made prior to June 30, 1992. 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. 107. Notwithstanding the standing appropriation in section 19.10 to the executive council to pay court costs of state agencies, the amount appropriated from the general fund of the state under section 19.10 for the fiscal year beginning July 1, 1991, for payment of court costs shall not exceed \$192,826.

EFFECT OF APPROPRIATION REDUCTIONS

Sec. 108. The reductions in appropriations for the fiscal year beginning July 1, 1991, and ending June 30, 1992, made in this division are in addition to the allotment reductions of 3.25 percent and .62 percent pursuant to executive orders number 42 and number 43, respectively.

DIVISION II
SUPPLEMENTALS
DEPARTMENT OF HUMAN SERVICES

Sec. 201. There is appropriated from the general fund of the state to the department of human services for the fiscal year beginning July 1, 1991, and ending June 30, 1992, to supplement the appropriations made in 1991 Iowa Acts, chapter 267, division I, and in 1992 Iowa Acts, Senate File 2116, section 101, the following amounts, or so much thereof as is necessary, to be used for the purposes designated:

1. Aid to families with dependent children: \$ 284,768
2. Medical assistance: \$ 7,595,735
3. Medical contracts: \$ 26,940
4. State supplementary assistance: \$ 122,283
5. Child day care assistance: \$ 45,477
6. Transitional child care assistance: \$ 2,070
7. Foster care: \$ 302,453

If the moneys appropriated in subsection 2, for medical assistance or subsection 7, for foster care, are insufficient to fund the state obligations for those purposes in the fiscal year for which the moneys are appropriated, the governor may utilize use tax revenues collected in the fiscal year beginning July 1, 1991, pursuant to section 423.7 to pay the insufficient amount. If the governor elects to take this action, there is appropriated from the use tax revenues collected pursuant to section 423.7, prior to deposit in accordance with section 423.24, to the department of human services for the fiscal year beginning July 1, 1991, and ending June 30, 1992, the amount necessary to fund the insufficient amount of the state obligations for medical assistance or foster care.

DEPARTMENT OF CORRECTIONS

Sec. 202. There is appropriated from the general fund of the state to the department of corrections for the fiscal year beginning July 1, 1991, and ending June 30, 1992, to supplement the appropriations made in 1991 Iowa Acts, chapter 267, divisions IV and V, and in 1992 Iowa Acts, Senate File 2116, section 102, the following amounts, or so much thereof as is necessary, to be used for the purposes designated:

1. Fort Madison correctional facility:
..... \$ 135,342
2. Anamosa correctional facility:
..... \$ 100,153
3. Oakdale correctional facility:
..... \$ 85,175
4. Newton correctional facility:
..... \$ 25,724
5. Mt. Pleasant correctional facility:
..... \$ 71,958
6. Rockwell City correctional facility:
..... \$ 24,732
7. Clarinda correctional facility:
..... \$ 32,977
8. Mitchellville correctional facility:
..... \$ 29,514
9. Reimbursement of counties for temporary confinement of work release and parole violators:
..... \$ 1,546
10. Federal prison reimbursement and miscellaneous contracts:
..... \$ 2,227
11. For annual payment relating to prison expansion:
..... \$ 4,006
12. For annual payment relating to prison expansion:
..... \$ 20,122
13. First judicial district department of correctional services:

- \$ 34,896
14. Second judicial district department of correctional services:
..... \$ 24,724
15. Third judicial district department of correctional services:
..... \$ 15,322
16. Fourth judicial district department of correctional services:
..... \$ 12,426
17. Fifth judicial district department of correctional services:
..... \$ 44,414
18. Sixth judicial district department of correctional services:
..... \$ 34,688
19. Seventh judicial district department of correctional services:
..... \$ 24,234
20. Eighth judicial district department of correctional services:
..... \$ 19,658
21. Assistance and support of each judicial district department of correctional services:
..... \$ 565
22. Cost of postconviction relief proceedings pursuant to section 663A.5 and costs and fees of parole revocation proceedings and criminal cases brought against an inmate under section 815.1:
..... \$ 433

DEPARTMENT OF INSPECTIONS AND APPEALS

Sec. 203. There is appropriated from the general fund of the state to the office of the state public defender for the fiscal year beginning July 1, 1991, and ending June 30, 1992, to supplement the appropriations made in 1991 Iowa Acts,

chapter 268, section 407, the following amounts, or so much thereof as is necessary, for the purposes designated:

- 1. For salaries, support, maintenance, and miscellaneous purposes, in subsection 1, paragraph "a":
..... \$ 39,488
- 2. For indigent court-appointed attorney fees for adults and juveniles in subsection 1, paragraph "b":
..... \$ 2,758,286

STATE BOARD OF REGENTS

Sec. 204. There is appropriated from the general fund of the state to the state board of regents for the fiscal year beginning July 1, 1991, and ending June 30, 1992, to supplement the appropriations made in 1991 Iowa Acts, chapter 267, section 210, subsections 5 and 6, the following amount, or so much thereof as is necessary, for the purposes designated:

For the state school for the deaf and the Iowa Braille and sight-saving school:
..... \$ 11,199

Sec. 205. EFFECT OF APPROPRIATION REDUCTIONS. The moneys appropriated to supplement the appropriations for the fiscal year beginning July 1, 1991, and ending June 30, 1992, made in this division are not subject to the allotment reductions of 3.25 percent and .62 percent pursuant to executive orders number 42 and number 43, respectively.

DIVISION III

SALARIES 1991-1992 FISCAL YEAR

Sec. 301. There is appropriated from the general fund of the state to the salary adjustment fund for distribution by the department of management to the various state departments, boards, commissions, councils, and agencies for the fiscal year beginning July 1, 1991, and ending June 30, 1992, the following amount, \$3,100,000, or so much thereof as may be necessary, to fund the following annual pay adjustments, expense reimbursements, and related benefits:

- 1. The collective bargaining agreement negotiated pursuant to chapter 20 for employees in the blue collar bargaining unit.
- 2. The collective bargaining agreement negotiated pursuant to chapter 20 for employees in the state police officers council bargaining unit.
- 3. The collective bargaining agreement negotiated pursuant to chapter 20 for employees in the security bargaining unit.
- 4. The collective bargaining agreement negotiated pursuant to chapter 20 for employees in the technical bargaining unit.
- 5. The collective bargaining agreement negotiated pursuant to chapter 20 for employees in the professional fiscal and staff bargaining unit.
- 6. The collective bargaining agreement negotiated pursuant to chapter 20 for employees in the clerical bargaining unit.
- 7. The collective bargaining agreement negotiated pursuant to chapter 20 for employees in the Iowa united professionals bargaining unit.
- 8. The collective bargaining agreement negotiated pursuant to chapter 20 for employees in the community-based corrections bargaining unit.
- 9. If an agreement is negotiated pursuant to chapter 20 for employees of the judicial branch of government bargaining unit, notwithstanding section 8.43, the salary and benefit expenditures shall be paid from funds otherwise appropriated to the judicial branch.

Sec. 302.

1. There is appropriated from the road use tax fund to the salary adjustment fund for the fiscal year beginning July 1, 1991, and ending June 30, 1992, the following amount, or so much thereof as may be necessary, to be used for the purposes designated:

To supplement other funds appropriated by the general assembly:
..... \$ 231,736

2. There is appropriated from the primary road fund to the salary adjustment fund, for the fiscal year beginning July 1, 1991, and ending June 30, 1992, the following amount, or so much thereof as may be necessary, to be used for the purposes designated:

To supplement other funds appropriated by the general assembly:
..... \$ 598,062

3. Except as otherwise provided in this division, the amounts appropriated in subsections 1 and 2 shall be used to fund the annual pay adjustments, expense reimbursement, and related benefits for public officials and employees as provided for in this division.

Sec. 303. To departmental revolving, trust, or special funds, except for the primary road fund or the road use tax fund, for which the general assembly has established an operating budget, a supplemental expenditure authorization is provided, unless otherwise provided, in an amount necessary to fund salary adjustments as otherwise provided in this division.

Sec. 304. All funds appropriated to the salary adjustment fund shall be used to fund salary and fringe benefit expenditures for employees covered by the agreements specified in section 301, commencing April 24, 1992, and ending with the pay period ending June 18, 1992, except for employees under the state board of regents merit system which commences April 24, 1992, or the pay period commencing nearest that date, and ends June 30, 1992, or the pay period ending nearest to but before that date.

Sec. 305. EFFECT OF APPROPRIATION REDUCTIONS. The moneys appropriated to supplement the appropriations for the fiscal year beginning July 1, 1991, and ending June 30, 1992, made in this division are not subject to the allotment reductions of 3.25 percent and .62 percent pursuant to executive orders number 42 and number 43, respectively.

Sec. 306. Funds appropriated from the general fund of the state in this division relate only to salaries supported from general fund appropriations of the state.

Sec. 307. All federal grants to and the federal receipts of the agencies affected by this division which are received and may be expended for purposes of this division are appropriated for those purposes and as set forth in the federal grants or receipts.

DIVISION IV

Sec. 401. Section 602.9107A, subsection 3, as enacted by 1992 Iowa Acts, House File 2450, section 72, if enacted by the 1992 Session of the Seventy-fourth General Assembly, is amended to read as follows:

3. The decreased annuity provided in this section shall be in lieu of the annuities and refunds provided for in sections 602.9107, ~~602-9108, -602-9115,~~ 602.9204, 602.9208, and 602.9209.

Sec. 402. Section 602.9115A, unnumbered paragraph 1, Code 1991, is amended to read as follows:

In lieu of the annuities and refunds provided for judges and judges' survivors under sections 602.9107, 602.9107A, 602.9108, 602.9115, 602.9204, 602.9208, and 602.9209, judges may elect to receive an optional retirement annuity during the judge's lifetime and have the optional retirement annuity, or a designated fraction of the optional retirement annuity, continued and paid to the judge's survivor after the judge's death and during the lifetime of the survivor.

Sec. 403. Section 602.9115A, unnumbered paragraph 3, Code 1991, is amended to read as follows:

The optional retirement annuity shall be the actuarial equivalent of the amounts of the annuities payable to judges and survivors under sections 602.9107, 602.9107A, 602.9115, 602.9204, 602.9208, and 602.9209. The actuarial equivalent shall be based on the mortality and interest assumptions set out in section 602.9107, subsection 3.

DIVISION V

Sec. 501. EFFECTIVE DATE. Divisions I, II, III, and this division of this Act, being deemed of immediate importance, take effect upon enactment.

MICHAEL E. GRONSTAL
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 2367, Seventy-fourth General Assembly.

Approved

John F. Dwyer
5/15, 1992

JOHN F. DWYER
Secretary of the Senate

TERRY E. BRANSTAD
Governor