

CHAPTER 1301**VARIOUS STATE GOVERNMENT AGENCIES APPROPRIATIONS***H.F. 2518*

AN ACT relating to and making appropriations to various executive, legislative and judicial departments and agencies.

Be It Enacted by the General Assembly of the State of Iowa:

Section 1. There is appropriated from the general fund of the state for the fiscal year beginning July 1, 1984, and ending June 30, 1985, to the following named agencies, the following amounts, or so much thereof as necessary, to be used for the purposes designated:

	1984-1985 <u>Fiscal Year</u>
1. OFFICE OF ADMINISTRATIVE RULES COORDINATOR	
For salaries, support, maintenance, and miscellaneous purposes	\$ 59,216
2. IOWA STATE ARTS COUNCIL	
For salaries, support, maintenance, and miscellaneous purposes including funds to match federal grants	\$ 473,473
3. DEPARTMENT OF JUSTICE	
a. For the general office of attorney general for salaries, support, maintenance, and miscellaneous purposes	\$ 2,732,074
b. Prosecuting attorney training program	
(1) For salaries, support, maintenance, and miscellaneous purposes which funds shall be used to attract federal and county funding	\$ 81,408
(2) For the payment of grants to dispute resolution programs	\$ 75,000

The funds appropriated under subparagraph (2) shall be used for grants to dispute resolution programs funded pursuant to 1983 Iowa Acts, chapter 204, section 1, paragraph h. A program administrator awarded funding for a dispute resolution program by the court administrator of the judicial department for the fiscal year beginning July 1, 1983, may submit an application to the executive director for funding for the fiscal year beginning July 1, 1984, on forms prescribed and furnished by the executive director. The executive director with the advice of the prosecuting attorneys training coordinator council shall allocate the funds to the dispute resolution programs that provide nonjudicial resolution of disputes at the community or county level. At least twenty-five percent of the amount budgeted for the annual operation of an existing dispute resolution program or that portion of a dispute resolution program which is improved or expanded shall be obtained from sources other than the grant provided under this subparagraph.

c. Prosecuting intern program; however, counties participating in the prosecuting intern program shall match funds appropriated by this paragraph \$ 52,500

4. CAPITOL PLANNING COMMISSION

For per diem of forty dollars per day and expenses of the members in carrying out their duties under chapter 18A \$ 3,062

5. OFFICE OF CITIZENS' AIDE

For salaries, support, maintenance, and miscellaneous purposes \$ 228,770

6. COUNCIL ON STATE GOVERNMENTS

For support of the membership assessment \$ 44,600

7. EXECUTIVE COUNCIL

For salaries, support, maintenance, and miscellaneous purposes \$ 28,985

Sec. 2. DEPARTMENT OF JUSTICE—CONTINGENT APPROPRIATION.

1. In addition to the funds appropriated under section 1, subsection 3 of this Act, there is appropriated from the general fund of the state to the department of justice for the fiscal year beginning July 1, 1984, and ending June 30, 1985, an amount not exceeding ninety-five thousand (95,000) dollars to be used for the enforcement of the Iowa competition law under chapter 553. The expenditure of the funds appropriated under this subsection is contingent upon receipt by the general fund of the state of an amount at least equal to either the expenditures from damages awarded to the state or a political subdivision of the state by a civil judgment under chapter 553, if the judgment authorizes the use of the award for enforcement purposes or costs or attorney fees awarded the state in state or federal antitrust actions.

2. In addition to the funds appropriated under section 1, subsection 3 of this Act, there is appropriated from the general fund of the state to the department of justice for the fiscal year beginning July 1, 1984, and ending June 30, 1985, an amount not exceeding thirty thousand (30,000) dollars to be used for public education relating to consumer fraud. The expenditure of the funds appropriated under this subsection is contingent upon receipt by the general fund of the state of an amount at least equal to the expenditures from damages awarded to the state or a political subdivision of the state by a civil consumer fraud judgment, if the judgment authorizes the use of the award for public education on consumer fraud. Funds received in a previous fiscal year which have not been expended shall be credited to this fiscal year.

Sec. 3. There is appropriated from the general fund of the state to the department of general services for the fiscal year beginning July 1, 1984, and ending June 30, 1985, the following amounts, or so much thereof as is necessary, to be used for the purposes designated:

1984-1985
Fiscal Year

1. GENERAL OPERATIONS

For salaries, support, maintenance, and miscellaneous purposes \$ 4,264,482

The state comptroller, through the office of the inspector general, shall assist state agencies in identifying and implementing efficiency and cost-effectiveness measures, as recommended by the governor's task force on efficiencies and cost-effectiveness. Notwithstanding any conflicting provisions of chapter 8, the state comptroller may make the first two quarterly allocations to the department of general services as if the amount appropriated in this subsection

contained seven hundred thousand dollars more than actually specified, and the state comptroller may reduce the last two quarterly allocations in order to offset the first two quarterly allocations. The state comptroller may reduce quarterly allocations of funds appropriated to other agencies to reflect savings made as a result of implementing recommendations of the governor's task force on efficiencies and cost-effectiveness. Not more than seven hundred thousand dollars of the savings resulting from implementing the recommendations may be transferred by the state comptroller to the department of general services to be used for the purposes provided in this subsection.

2. FORMS MANAGEMENT

For a forms management program \$ 75,000

3. UTILITY COSTS

For payment of utility costs \$ 2,140,000

The department of general services may use funds appropriated under this subsection to fund energy conservation projects in the capitol complex which will have a one hundred percent payback within the fiscal year in which the funds are appropriated.

4. RENTAL SPACE

For payment of lease or rental costs of buildings and office space at the seat of government as provided in section 18.12, subsection 9, notwithstanding section 18.16 \$ 968,082

Sec. 4. There is appropriated from the revolving funds designated to the department of general services for the fiscal year beginning July 1, 1984, and ending June 30, 1985, the following amounts, or so much thereof as necessary, to be used for the purposes designated:

1984-1985
Fiscal Year

DEPARTMENT OF GENERAL SERVICES—REVOLVING FUNDS

1. From the centralized printing permanent revolving fund established by section 18.57 for salaries, support, maintenance, and miscellaneous purposes \$ 720,052

2. The remainder of the centralized printing permanent revolving fund is appropriated for the expense incurred in supplying paper stock, offset printing, copy preparation, binding, distribution costs, original payment of printing and binding claims and contingencies arising during the fiscal year beginning July 1, 1984 which are legally payable from this fund.

3. From the general service revolving fund established by section 18.9 for salaries, support, maintenance, and miscellaneous purposes \$ 467,647

4. The remainder of the general service revolving fund is appropriated for the payment of expenses incurred through purchases by various state departments and for contingencies arising during the fiscal year beginning July 1, 1984 which are legally payable from this fund.

5. From the vehicle dispatcher revolving fund established by section 18.119 for salaries, support, maintenance, and miscellaneous purposes \$ 457,017

6. The remainder of the vehicle dispatcher revolving fund is appropriated for the purchase of gasoline, oil, tires, repairs and all other maintenance expenses incurred in the operation of state-owned motor vehicles and for contingencies arising during the fiscal year beginning July 1, 1984 which are legally payable from this fund.

7. A contingency shall not include any purpose or project which was presented to the general assembly or any standing committee or subcommittee of a standing committee by any person by way of a bill, proposed bill, amendment to a bill, written document, or a proposal which is documented by the minutes, records, or reports of a committee or subcommittee, and which failed to be enacted into law. For the purpose of this Act a necessity of additional operating funds may be construed as a contingency.

Before any of the funds authorized to be expended by this Act shall be allocated for contingencies, it shall be determined by the executive council that a contingency exists and that the contingency was neither existent while the general assembly was in session nor reasonably foreseeable at that time, and that the proposed allocation shall be for the best interest of the state.

If a contingency arises or could reasonably be foreseen during the time the general assembly is in session, expenditures for the contingency must be authorized by the general assembly.

Sec. 5. There is appropriated from the general fund of the state to the office of the governor for the fiscal year commencing July 1, 1984, and ending June 30, 1985, the following amounts or so much thereof as is necessary, to be used for the purposes designated:

	1984-1985
	<u>Fiscal Year</u>
1. For salaries, support, maintenance, and miscellaneous purposes of the general office of the governor	\$ 648,000
2. For the governor's expenses connected with office	\$ 5,832
3. For salaries, support, and miscellaneous purposes of the governor's quarters at Terrace Hill	\$ 56,396
4. For the payment of expenses of ad hoc committees, councils and task forces appointed by the governor to research and analyze a particular subject area relevant to the problems and responsibilities of state and local government, including the employment of professional, technical and administrative staff and the payment of per diem, not exceeding forty dollars, and actual expenses of committee, council or task force members	\$ 24,300

Sec. 6. There is appropriated from the general fund of the state to the office of the lieutenant governor for the fiscal year beginning July 1, 1984, and ending June 30, 1985, the following amount, or so much thereof as necessary, to be used for the purposes designated:

	1984-1985
	<u>Fiscal Year</u>
For salaries, support, maintenance, and miscellaneous purposes including the lieutenant governor's compensation and expenses as provided in subsection 2 of section 2.10 including service as a member of the legislative council and for per diem and expenses incurred while performing duties of the lieutenant governor when the general assembly is not in session	\$ 97,700

Sec. 7. There is appropriated from the general fund of the state to the Iowa state historical department for the fiscal year beginning July 1, 1984, and ending June 30, 1985, the following amounts, or so much thereof as necessary, to be used for the purposes designated:

	<u>1984-1985</u> <u>Fiscal Year</u>
1. For salaries, support, maintenance, and miscellaneous purposes	\$ 1,309,886
2. For the state historical board for per diem and expenses	\$ 7,691

Sec. 8. There is appropriated from the general fund of the state for the fiscal year beginning July 1, 1984, and ending June 30, 1985, to the following named judicial department agencies, the following amounts, or so much thereof as is necessary, to be used for the purposes designated:

	<u>1984-1985</u> <u>Fiscal Year</u>
1. COURTS	
For salaries of supreme court justices, appellate court judges, district court judges, district associate judges, judicial magistrates, and staff, maintenance, equipment, and miscellaneous purposes	\$ 11,741,199
2. BOARDS AND COMMISSION— JUDICIAL DEPARTMENT	
For salaries, support, maintenance, and miscellaneous purposes of the board of law examiners and board of examiners of shorthand reporters and judicial qualifications commission	\$ 56,124
3. DISTRICT COURT ADMINISTRATORS	
For salaries, support, maintenance, and miscellaneous purposes	\$ 1,489,555
4. JUDICIAL REORGANIZATION	
For the payment of costs related to the court reorganization as provided in section 602.11101, Code Supplement 1983, and as provided in sections 14, 15 and 16 of this Act	\$ 8,310,000
It is the intent of the general assembly that the counties be aware that the state may delay the schedule of state assumption of responsibility for the fiscal year beginning July 1, 1985. If the state is unable to fully assume the 1985-1986 fiscal year component of the court system, the chairpersons of the house and senate committees on appropriations shall notify the supreme court and the counties of this possible delay by no later than February 15, 1985.	
5. JUDICIAL REORGANIZATION— ADMINISTRATIVE IMPLEMENTATION	
For salaries and support within the state and district court administrator's offices for the implementation of court reorganization	\$ 101,495

6. ADMINISTRATION

For salaries, support, maintenance, equipment, and miscellaneous purposes of the court administrator, and clerk of the supreme court

..... \$ 765,182

Sec. 9. Notwithstanding section 8.33, the unencumbered and unobligated funds appropriated by 1983 Iowa Acts, chapter 204, section 1, paragraph "e", shall not revert to the general fund of the state until June 30, 1985 and shall continue to be available for the purposes appropriated until that date.

Sec. 10. There is appropriated from the general fund of the state for the fiscal year beginning July 1, 1984, an ending June 30, 1985, except as otherwise provided, to the following named agencies, the following amounts, or so much thereof as is necessary, to be used for the purposes designated:

	1984-1985 Fiscal Year
1. BUREAU OF LABOR	
For salaries, support, maintenance, and miscellaneous purposes	\$ 1,484,482
2. LEGISLATIVE FISCAL BUREAU	
For salaries, support, maintenance, and miscellaneous purposes	\$ 548,545
3. LEGISLATIVE SERVICE BUREAU	
a. For salaries, support, maintenance, and miscellaneous purposes	\$ 1,008,784
b. For drafting, research, and Code data processing programs and services	\$ 14,580
4. NATIONAL CONFERENCE OF STATE LEGISLATURES	
For support of the membership assessment	\$ 48,085
5. IOWA LIBRARY DEPARTMENT	
a. For the state library for salaries, support, maintenance, and miscellaneous purposes	\$ 1,005,076
b. For state aid for the regional library system	\$ 1,338,635
6. IOWA MERIT EMPLOYMENT DEPARTMENT	
For the general office for salaries, maintenance, and miscellaneous purposes	\$ 1,428,460
7. PIONEER LAWMAKERS	\$ 729
8. OFFICE FOR PLANNING AND PROGRAMMING	
a. Iowa highway safety program	
For salaries, support, maintenance, and miscellaneous purposes to provide a cost-effective traffic safety program through the administration of federal highway safety contracts to state and local governmental agencies	\$ 78,312

b. Youth services administration		
For salaries, support, maintenance, and miscellaneous purposes to develop and administer employment opportunity programs for the youth	\$	78,759
c. General operating account		
For salaries, support, maintenance, and miscellaneous purposes to provide overall direction, planning, and administrative support to local, state, and federal programs	\$	542,195
d. Economic analysis and planning assistance		
For salaries, support, maintenance, and miscellaneous purposes	\$	162,670
e. Iowa council for children		
For salaries, support, maintenance, and miscellaneous purposes of only the Iowa council for children notwithstanding section 8.39	\$	64,147
f. Statistical analysis center		
For salaries, support, maintenance, and miscellaneous purposes	\$	175,478
It is a condition of this appropriation that the center have a respected criminal justice authority independently validate the center's risk assessment model.		
g. Iowa youth corps		
For salaries, support, maintenance, and miscellaneous purposes	\$	874,800
h. Community development block grant administration and related federal housing and urban development community development grant administration		
For salaries, support, maintenance, and miscellaneous purposes	\$	101,424
i. Community development loan fund		
For deposit into the community development loan fund	\$	1,500,000
j. Cultural community grants		
For the purposes of the cultural community grants program established under 1983 Iowa Acts, chapter 207, section 92	\$	300,000

Notwithstanding section 8.33, the unencumbered or unobligated balance remaining as of June 30, 1984, of the appropriation made under 1983 Iowa Acts, chapter 207, section 92 may be used to fund grants to cities and community groups for the development of community programs that would provide local jobs for Iowa residents and promote a city's historical, ethnic, and cultural heritages as provided in 1983 Iowa Acts, chapter 207, section 92 through December 31, 1984. The unencumbered or unobligated balance of the funds appropriated under 1983 Iowa Acts, chapter 207, section 92 which remain after December 31, 1984, shall revert to the general fund of the state on January 1, 1985.

However, if Senate File 2225 becomes law, this appropriation is void.

k. Job training partnership act: dislocated worker

For salaries, support, maintenance, and miscellaneous purposes to develop and administer the job training partnership act \$ 1,063,600

1. If House File 2189 becomes law, the funds appropriated or allocated under this subsection to the Iowa council for children and families and the Iowa youth council shall be transferred to the commission on children, youth and families, notwithstanding any contrary provision in the appropriation.

9. IOWA ACADEMY OF SCIENCE

For support and maintenance \$ 60,400

10. COMMISSION ON UNIFORM STATE LAWS

For support of the commission and expenses of members \$ 10,498

11. TERRACE HILL AUTHORITY

For salaries, support, maintenance, and miscellaneous purposes for the operation of Terrace Hill and for conducting public tours \$ 146,278

12. CRIMINAL AND JUVENILE JUSTICE PLANNING AGENCY

For salaries, support, maintenance, and miscellaneous purposes related to the operations of the criminal and juvenile justice planning agency which is a separate independent agency within the office of the governor, under the direct supervision of the governor, and responsible only to the governor or the general assembly as provided in chapter 80C:

- a. Criminal justice planning \$ 186,911
- b. Juvenile justice planning \$ 52,793
- c. Juvenile victim restitution program \$ 121,500
- d. Jailer training and technical assistance \$ 34,000

Sec. 11. All federal grants to and the federal receipts of the agencies appropriated funds under this Act, not otherwise appropriated, are appropriated for the purposes set forth in the federal grants or receipts unless otherwise provided by the general assembly.

Sec. 12. Section 18.6, subsection 1, Code 1983, is amended to read as follows:

1. All items purchased equipment, supplies, or services procured by the department shall be purchased by a competitive bidding procedure. However, the director may exempt by regulation purchases of noncompetitive items and purchases in lots or quantities too small to be effectively purchased by competitive bidding. Preference shall be given to purchasing Iowa products and purchases from Iowa based businesses if the bids submitted therefor are comparable in price to bids submitted by out-of-state businesses and otherwise meet the required specifications. If the laws of another state mandate a percentage preference for businesses or products from that state and the effect of the preference is that bids of Iowa businesses or products that are otherwise low and responsive are not selected in the other state, the same percentage preference shall be applied to Iowa businesses and products when businesses or products from that other state are bid to supply Iowa requirements.

Sec. 13. Section 18.97, Code Supplement 1983, is amended to read as follows:

18.97 CODE, SESSION LAWS, COURT RULES, ADMINISTRATIVE RULES AND STATE ROSTER. The superintendent of printing shall make free distribution of the Code, supplements to the Code, rules of civil procedure, rules of appellate procedure, rules of criminal procedure, supreme court rules, the Acts of each general assembly, and, upon request, the Iowa administrative code, its supplements, the Iowa administrative bulletin and the state roster pamphlet as follows:

1. To state law library for exchange purposes 100 65 copies
2. To law library of state University of Iowa for exchange purposes 75 60 copies
3. To state historical department 5 2 copies
4. To state historical society 5 2 copies
5. To each judge of the supreme court, the court of appeals and the district court, two copies; and to each district associate judge and each judicial magistrate 1 copy
6. To each judge of the federal courts in Iowa 1 copy
7. To the clerk of the supreme court of Iowa 1 copy
8. To the clerk of each federal court in Iowa 1 copy
9. To each state institution under the control of the department of corrections, the state board of regents or the state department of human services 1 copy
10. To each elective state officer 2 copies
11. To the separate departments of principal state offices and each major subdivision thereof 1 copy
12. To each member of the present and subsequent general assemblies 1 copy
13. To chief clerk of the house 1 copy
14. To secretary of the senate 1 copy
15. To the chief clerk of the house and secretary of the senate such number as may be required by the house and senate.
- 15 16. To the following offices such number of copies as will enable them to perform the duties of their respective offices.
 - a. Code editor.
 - b. Attorney general.
 - c. Legislative service bureau.
 - d. Legislative fiscal bureau.
 - e. State court administrator.
 - f. Each district court administrator.
- 16 17. To the clerk of the district court and each separate office of the clerk, the county attorney, the county auditor, the county recorder, county and city assessor, the county treasurer, the sheriff and each separate office of a sheriff, the public defender's office, and the administrator of each area education agency in the state and also for use in each courtroom of the district court 1 copy
- 17 18. To the library of the United States supreme court 1 copy
- 18 19. To the depository library center established pursuant to section 303A.22 75 copies 1 copy for each depository library
19. To library of the United States department of justice 1 copy
20. To library of the judge advocate general, United States department of defense 1 copy
21. To library of the United States department of agriculture 1 copy
22. To library of the United States department of labor 1 copy
23. To legal staff, office of public debt, United States treasury department 1 copy

24. To library of the United States department of state	1 copy
25. To law library of the United States department of the interior	1 copy
26. To library of the United States department of internal revenue	1 copy
27 20. To each member of the Iowa congressional delegation	1 copy
28 21. To each board of supervisors for each county	1 copy
29 22. To each juvenile referee	1 copy

In the case of copies of the free documents provided in this section to libraries, the superintendent of printing may provide microfiche copies in lieu of bound copies and may provide more copies than indicated in this section if the additional copies are microfiche copies.

Each office, agency, or person receiving a free copy of a document under this section shall receive only the number of copies indicated free at the time of initial distribution and if a replacement document is necessary, it shall be provided only after payment of the normal subscription charge for such document.

Sec. 14. Section 602.1303, subsection 7, Code Supplement 1983, is amended to read as follows:

7. A county or city shall pay the costs of its witnesses, depositions, and transcripts and the court fees and costs provided by law in criminal actions prosecuted by that county or city. A county or city shall pay witness fees and mileage in trials of criminal actions prosecuted by the county or city under county or city ordinance.

Sec. 15. Section 602.11101, subsection 1, Code Supplement 1983, is amended to read as follows:

1. On October 1, 1983 the state shall assume the responsibility for and the costs of jury and witness fees and mileage as provided in section 607.5 and on July 1, 1984 the state shall assume the responsibility for and the costs of prosecution witness fees and mileage and other witness fees and mileage assessed against the prosecution in criminal actions prosecuted under state law as provided in sections 607.5, 622.69, and 622.72, except as provided in section 331.506, subsection 2.

Sec. 16. Section 815.13, Code Supplement 1983, is amended to read as follows:

815.13 PAYMENT OF PROSECUTION COSTS. The county or city that prosecutes which has the duty to prosecute a criminal action shall pay the required fees and mileage to witnesses called on behalf of the prosecution, the costs of depositions taken on behalf of the prosecution, the costs of transcripts requested by the prosecution, the fees that are payable to the clerk of the district court for services rendered, and court costs taxed in connection with the trial of the action or appeals from the judgment. The county or city shall pay witness fees and mileage in trials of criminal actions prosecuted by the county or city under county or city ordinance. These fees and costs are recoverable by the county or city from the defendant unless the defendant is found not guilty or the action is dismissed, in which case the state shall pay the witness fees and mileage in cases prosecuted under state law. Expenditures of a county under this section may be paid out of the court expense fund in lieu of the county general fund.

Sec. 17. Section 602.11104, Code Supplement 1983, is repealed.

Sec. 18. An election made by a county employee under section 602.11104, Code Supplement 1983, during the thirty days prior to the effective date of this Act is void.

Approved May 18, 1984