

# House Amendment 4011

## Amendment Text

PAG LIN

1 1 Amend [Senate File 475](#), as passed by the Senate, as  
1 2 follows:  
1 3 #1. Page 1, line 26, by striking the words "

~~fifty~~

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1 4 ~~thirty~~" and inserting the following: "fifty".  
1 5 #2. Page 3, line 7, by striking the word  
1 6 "estimates" and inserting the following: "estimate".  
1 7 #3. Page 3, line 12, by striking the words "a.  
1 8 The" and inserting the following: "The".  
1 9 #4. Page 3, by striking lines 15 through 22.  
1 10 #5. Page 3, by inserting after line 24 the  
1 11 following:  
1 12 "Sec. \_\_\_\_ . Section 282.31, subsection 1, Code  
1 13 1995, is amended to read as follows:  
1 14 1. a. A child who lives in a facility pursuant to  
1 15 section 282.30, subsection 1, paragraph "a", and who  
1 16 is not enrolled in the educational program of the  
1 17 district of residence of the child, shall receive  
1 18 appropriate educational services. The area education  
1 19 agency shall submit a proposed program and budget to  
1 20 the department of education by January 1 for the next  
1 21 succeeding school year. The department of education  
1 22 shall review and approve or modify the program and  
1 23 proposed budget and shall notify the department of  
1 24 revenue and finance and the area education agency of  
1 25 its action by February 1.

~~Beginning with the fiscal~~

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1 26

~~year commencing July 1, 1990, and ending June 30,~~

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1 27

~~1991, and in succeeding years, the~~

- ~~The~~ department of  
1 28 revenue and finance shall pay the approved budget  
1 29 amount for an area education agency in monthly  
1 30 installments beginning September 15 and ending June 15  
1 31 of the next succeeding school year. The installments  
1 32 shall be as nearly equal as possible as determined by  
1 33 the department of management, taking into  
1 34 consideration the relative budget and cash position of  
1 35 the state's resources. The department of revenue and  
1 36 finance shall transfer the approved budget amount for  
1 37 an area education agency from the moneys appropriated  
1 38 under section 257.16 and make the payment to the area  
1 39 education agency. The area education agency shall  
1 40 submit an accounting for the actual cost of the  
1 41 program to the department of education by August 1 of  
1 42 the following school year. The department shall  
1 43 review and approve or modify all expenditures incurred  
1 44 in compliance with the guidelines pursuant to section  
1 45 256.7, subsection 10, and shall notify the department

1 46 of revenue and finance of the approved accounting  
1 47 amount. The approved accounting amount shall be  
1 48 compared with any amounts paid by the department of  
1 49 revenue and finance to the area education agency and  
1 50 any differences added to or subtracted from the  
2 1 October payment made under this paragraph for the next  
2 2 school year. Any amount paid by the department of  
2 3 revenue and finance shall be deducted monthly from the  
2 4 state foundation aid paid under section 257.16 to all  
2 5 school districts in the state during the

~~remainder of~~

2 6

~~that~~

~~subsequent fiscal year~~

~~to all school districts in~~

2 7

~~the state~~

-. The portion of the total amount of the  
2 8 approved budget that shall be deducted from the state  
2 9 aid of a school district shall be the same as the  
2 10 ratio that the budget enrollment for the budget year  
2 11 of the school district bears to the total budget  
2 12 enrollment in the state for that budget year in which  
2 13 the deduction is made.

2 14 b. A child who lives in a facility or home  
2 15 pursuant to section 282.19, and who does not require  
2 16 special education and who is not enrolled in the  
2 17 educational program of the district of residence of  
2 18 the child, shall be included in the basic enrollment  
2 19 of the school district in which the facility or home  
2 20 is located.

2 21 However, on June 30 of a school year, if the board  
2 22 of directors of a school district determines that the  
2 23 number of children under this paragraph who were  
2 24 counted in the basic enrollment of the school district  
2 25 on the third Friday of September of that school year  
2 26 is fewer than the sum of the number of months all  
2 27 children were enrolled in the school district under  
2 28 this paragraph during the school year divided by nine,  
2 29 the secretary of the school district may submit a  
2 30 claim to the department of education by August 1  
2 31 following the school year for an amount equal to the  
2 32 district cost per pupil of the district for the  
2 33 previous school year multiplied by the difference  
2 34 between the number of children counted and the number  
2 35 of children calculated by the number of months of  
2 36 enrollment. The amount of the claim shall be paid by  
2 37 the department of revenue and finance to the school  
2 38 district by October 1. The department of revenue and  
2 39 finance shall transfer the total amount of the  
2 40 approved claim of a school district from the moneys  
2 41 appropriated under section 257.16 and the amount paid  
2 42 shall be deducted monthly from the state foundation  
2 43 aid paid to all school districts in the state during  
2 44 the remainder of

~~that~~

~~the subsequent fiscal year~~

~~to~~

~~all school districts in the state~~

~~in the manner~~

2 46 provided in paragraph "a".

2 47 Sec. \_\_\_\_ Section 282.31, subsection 3, Code 1995,

2 48 is amended to read as follows:

2 49 3. The actual special education instructional  
 2 50 costs, including transportation, for a child who  
 3 1 requires special education shall be paid by the  
 3 2 department of revenue and finance to the school  
 3 3 district in which the facility or home is located,  
 3 4 only when a district of residence cannot be  
 3 5 determined, and the child was not included in the  
 3 6 weighted enrollment of any district pursuant to  
 3 7 section 256B.9, and the payment pursuant to subsection  
 3 8 2, paragraph "a" was not made by any district. The  
 3 9 district shall submit a proposed program and budget to  
 3 10 the department of education by January 1 for the next  
 3 11 succeeding school year. The department of education  
 3 12 shall review and approve or modify the program and  
 3 13 proposed budget and shall notify the district by  
 3 14 February 1. The district shall submit a claim by  
 3 15 August 1 following the school year for the actual cost  
 3 16 of the program. The department shall review and  
 3 17 approve or modify the claim and shall notify the  
 3 18 department of revenue and finance of the approved  
 3 19 claim amount by September 1. The total amount of the  
 3 20 approved claim shall be paid by the department of  
 3 21 revenue and finance to the school district by October  
 3 22 1. The total amount paid by the department of revenue  
 3 23 and finance shall be deducted monthly from the state  
 3 24 foundation aid paid under section 257.16 to all school  
 3 25 districts in the state during the

~~remainder of that~~

~~-~~

3 26 subsequent fiscal year

~~to all school districts in the~~

~~-~~

3 27

~~state~~

~~-.~~ The portion of the total amount of the  
 3 28 approved claims that shall be deducted from the state  
 3 29 aid of a school district shall be the same as the  
 3 30 ratio that the budget enrollment for the budget year  
 3 31 of the school district bears to the total budget  
 3 32 enrollment in the state for the budget year in which  
 3 33 the deduction is made. The department of revenue and  
 3 34 finance shall transfer the total amount of the  
 3 35 approved claims from moneys appropriated under section  
 3 36 257.16 for payment to the school district."

3 37 #6. Page 4, by inserting after line 28 the  
3 38 following:

3 39 "Sec. \_\_\_\_ 1994 Iowa Acts, chapter 1193, sections  
3 40 2, 4, and 35, are repealed.

3 41 Sec. \_\_\_\_ SPECIAL FUNDS &ndash; SPECIAL AUTHORIZATION  
 3 42 FOR GAAP SALARY ACCRUAL. The department of management  
 3 43 may authorize supplemental expenditures for the fiscal  
 3 44 year beginning July 1, 1994, in amounts necessary to  
 3 45 accrue salaries in accordance with generally accepted  
 3 46 accounting principles, for those departmental  
 3 47 revolving, trust, or special funds which are not part  
 3 48 of the general fund of the state and for which the  
 3 49 general assembly has established an operating budget."

3 50 #7. Page 4, by striking lines 29 through 31 and  
4 1 inserting the following:  
4 2 "Sec. \_\_\_\_ EFFECTIVE DATE. Section 6 of this  
4 3 division of this Act, amending section 260D.12, takes  
4 4 effect July 1, 1995, and the remainder of the  
4 5 division, being deemed of immediate importance, takes  
4 6 effect upon enactment."  
4 7 #8. By striking page 4, line 32 through page 6,  
4 8 line 18.  
4 9 #9. Page 6, by inserting after line 20 the  
4 10 following:  
4 11 "Sec. \_\_\_\_ Section 8.55, subsection 2, Code 1995,  
4 12 is amended to read as follows:  
4 13 2. The maximum balance of the fund is the amount  
4 14 equal to five percent of the adjusted revenue estimate  
4 15 for the fiscal year. If the amount of moneys in the  
4 16 Iowa economic emergency fund is equal to the maximum  
4 17 balance, moneys in excess of this amount shall be  
4 18 transferred to the

~~general~~

~~rebuild Iowa infrastructure~~

4 19 fund created in section 8.57."  
4 20 #10. Page 6, lines 26 and 27 by striking the words  
4 21 "or other nonrecurring".  
4 22 #11. Page 6, line 30, by inserting after the word  
4 23 "obligations." the following: "An appropriation shall  
4 24 not be made from the fund unless the appropriation is  
4 25 in a bill or joint resolution which is approved by  
4 26 vote of at least three-fifths of the members of both  
4 27 chambers of the general assembly and is signed by the  
4 28 governor."  
4 29 #12. Page 6, by inserting before line 31 the  
4 30 following:  
4 31 "Sec. \_\_\_\_ Section 8.55, subsection 4, Code 1995,  
4 32 is amended to read as follows:  
4 33 4. Notwithstanding section 12C.7, subsection 2,  
4 34 interest or earnings on moneys deposited in the Iowa  
4 35 economic emergency fund shall be credited to the  
4 36 rebuild Iowa

~~economic emergency~~

~~infrastructure fund.~~

4 37 #13. Page 7, by inserting after line 14 the  
4 38 following:  
4 39 "Sec. \_\_\_\_ Section 8.56, subsection 4, paragraph  
4 40 b, Code 1995, is amended to read as follows:  
4 41 b. In addition to the requirements of paragraph  
4 42 "a", an appropriation shall not be made from the cash  
4 43 reserve fund

~~which would cause the fund's balance to~~

4 44

~~be less than three percent of the adjusted revenue~~

4 45

~~estimate for the year for which the appropriation is~~

4 46

~~made~~

~~unless the bill or joint resolution making the~~

4 47 appropriation is approved by vote of at least three-  
4 48 fifths of the members of both chambers of the general

4 49 assembly and is signed by the governor.  
4 50 Sec. \_\_\_\_\_. Section [8.57](#), subsection 1, paragraph a,  
5 1 Code 1995, is amended by striking the paragraph and  
5 2 inserting in lieu thereof the following:  
5 3 a. The "cash reserve goal percentage" for fiscal  
5 4 years beginning on or after July 1, 1995, is five  
5 5 percent of the adjusted revenue estimate. For each  
5 6 fiscal year beginning on or after July 1, 1995, in  
5 7 which the appropriation of the surplus existing in the  
5 8 general fund of the state at the conclusion of the  
5 9 prior fiscal year pursuant to paragraph "b" was not  
5 10 sufficient for the cash reserve fund to reach the cash  
5 11 reserve goal percentage for the current fiscal year,  
5 12 there is appropriated from the general fund of the  
5 13 state an amount to be determined as follows:  
5 14 (1) If the balance of the cash reserve fund in the  
5 15 current fiscal year is not more than four percent of  
5 16 the adjusted revenue estimate for the current fiscal  
5 17 year, the amount of the appropriation under this  
5 18 lettered paragraph is one percent of the adjusted  
5 19 revenue estimate for the current fiscal year.  
5 20 (2) If the balance of the cash reserve fund in the  
5 21 current fiscal year is more than four percent but less  
5 22 than five percent of the adjusted revenue estimate for  
5 23 that fiscal year, the amount of the appropriation  
5 24 under this lettered paragraph is the amount necessary  
5 25 for the cash reserve fund to reach five percent of the  
5 26 adjusted revenue estimate for the current fiscal year.  
5 27 (3) The moneys appropriated under this lettered  
5 28 paragraph shall be credited in equal and proportionate  
5 29 amounts in each quarter of the current fiscal year.  
5 30 Sec. \_\_\_\_\_. Section [8.57](#), subsection 1, paragraph b,  
5 31 Code 1995, is amended to read as follows:  
5 32 b.

~~Commencing June 30, 1993, the~~

~~The surplus~~

5 33 existing in the general fund of the state at the  
5 34 conclusion of the fiscal year is appropriated for  
5 35 distribution in the succeeding fiscal year as provided  
5 36 in

~~this section~~

~~subsections 2 and 3. Moneys credited~~

5 37 to the cash reserve fund from the appropriation made  
5 38 in this paragraph shall not exceed the amount  
5 39 necessary for the cash reserve fund to reach the cash  
5 40 reserve goal percentage for the succeeding fiscal  
5 41 year. As used in this paragraph, "surplus" means the  
5 42 excess of revenues and other financing sources over  
5 43 expenditures and other financing uses for the general  
5 44 fund of the state in a fiscal year."

5 45 #14. Page 7, by striking line 15 and inserting the  
5 46 following:

5 47 "Sec. \_\_\_\_\_. Section 8.57, subsections 2 and 3, Code  
5 48 1995, are amended".

5 49 #15. Page 8, line 22, by striking the words  
5 50 "credited to" and inserting the following: "credited  
6 1 in equal amounts to the rebuild Iowa infrastructure  
6 2 fund and".

6 3 #16. Page 8, by inserting after line 23 the  
6 4 following:

6 5 "3. To the extent that moneys appropriated under  
6 6 subsection 1 exceed the amounts necessary for the cash  
6 7 reserve fund to reach its maximum balance and the  
6 8 amounts necessary to eliminate Iowa's GAAP deficit,  
6 9 including elimination of the making of any

6 10 appropriation in an incorrect fiscal year, the moneys  
6 11 shall be

~~appropriated~~

- credited in equal amounts to the

6 12 rebuild Iowa infrastructure fund and the Iowa economic  
6 13 emergency fund."

6 14 #17. Page 11, by inserting after line 3 the  
6 15 following:

6 16 "DIVISION \_\_\_\_

6 17 BUDGET SUBMISSIONS

6 18 Sec. \_\_\_\_ . Section [8.23](#), unnumbered paragraph 1,

6 19 Code 1995, is amended to read as follows:

6 20 On or before

~~September~~

- October 1, prior to each

6 21 legislative session, all departments and  
6 22 establishments of the government shall transmit to the  
6 23 director, on blanks to be furnished by the director,  
6 24 estimates of their expenditure requirements, including  
6 25 every proposed expenditure, for the ensuing fiscal  
6 26 year, classified so as to distinguish between  
6 27 expenditures estimated for administration, operation,  
6 28 and maintenance, and the cost of each project  
6 29 involving the purchase of land or the making of a  
6 30 public improvement or capital outlay of a permanent  
6 31 character, together with supporting data and  
6 32 explanations as called for by the director. The  
6 33 budget estimates shall include for those agencies  
6 34 which pay for energy directly a line item for energy  
6 35 expenses itemized by type of energy and location. The  
6 36 estimates of expenditure requirements shall be based  
6 37 upon seventy-five percent of the funding provided for  
6 38 the current fiscal year accounted for by program  
6 39 reduced by the historical employee vacancy factor in  
6 40 form specified by the director and the remainder of  
6 41 the estimate of expenditure requirements prioritized  
6 42 by program. The estimates shall be accompanied with  
6 43 performance measures for evaluating the effectiveness  
6 44 of the program. If a department or establishment  
6 45 fails to submit estimates within the time specified,  
6 46 the governor shall cause estimates to be prepared for  
6 47 that department or establishment as in the governor's  
6 48 opinion are reasonable and proper. The director shall  
6 49 furnish standard budget request forms to each  
6 50 department or agency of state government.

7 1 Sec. \_\_\_\_ . Section [8.35A](#), subsection 2, Code 1995,

7 2 is amended to read as follows:

7 3 2. Commencing

~~September~~

- October 1, the director

7 4 shall provide weekly budget tapes in the form and  
7 5 level of detail requested by the legislative fiscal  
7 6 bureau reflecting finalized agency budget requests for  
7 7 the following fiscal year as submitted to the  
7 8 governor. The director shall transmit all agency  
7 9 requests in final form to the legislative fiscal  
7 10 bureau by November 15. Final budget records  
7 11 containing the governor's recommendation and final  
7 12 agency requests shall be transmitted to the  
7 13 legislative fiscal bureau by January 1 or no later  
7 14 than the date the governor's budget document is  
7 15 delivered to the printer. The governor's  
7 16 recommendation included on this record shall be  
7 17 considered confidential by the legislative fiscal

7 18 bureau until it is made public by the governor. The  
7 19 legislative fiscal bureau shall use this data in the  
7 20 preparation of information for the legislative  
7 21 appropriation process.  
7 22 Sec. \_\_\_\_\_. Section [456A.19](#), unnumbered paragraph 2,  
7 23 Code 1995, is amended to read as follows:  
7 24 The department shall

~~annually on or before~~

7 25

~~September~~

- ~~by October~~ 1 of each year submit to the  
7 26 department of management for transmission to the  
7 27 general assembly a detailed estimate of the amount  
7 28 required by the department during the succeeding year  
7 29 for carrying on the activities embraced in the fish  
7 30 and wildlife division. The estimate shall be in the  
7 31 same general form and detail as required by law in  
7 32 estimates submitted by other state departments."  
7 33

7 34

7 35

7 36 COMMITTEE ON [APPROPRIATIONS](#)

7 37 MILLAGE of Scott, Chairperson

7 38 [SF 475](#).201 76

7 39 jp/jj