



CHESTER J. CULVER
GOVERNOR

OFFICE OF THE GOVERNOR

PATTY JUDGE
LT. GOVERNOR

April 10, 2007

The Honorable Michael Mauro
Secretary of State
State Capitol Building
LOCAL

Dear Mr. Secretary:

I hereby transmit:

Senate File 169, an Act providing for county eligibility for state payment of certain mental health, mental retardation, and developmental disabilities services funding and providing an effective and retroactive applicability dates.

The above Senate File is hereby approved this date.

Sincerely,

A handwritten signature in black ink, appearing to read "Chester Culver".

Chester J. Culver
Governor

CJC:bdj

cc: Secretary of the Senate
Chief Clerk of the House





SENATE FILE 169

AN ACT

PROVIDING FOR COUNTY ELIGIBILITY FOR STATE PAYMENT OF CERTAIN MENTAL HEALTH, MENTAL RETARDATION, AND DEVELOPMENTAL DISABILITIES SERVICES FUNDING AND PROVIDING EFFECTIVE AND RETROACTIVE APPLICABILITY DATES.

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

Section 1. SERVICES FUND TRANSFER -- ALLOWED GROWTH PAYMENT.

1. For the purposes of this section, "services fund" means a county's mental health, mental retardation, and developmental disabilities services fund created under section 331.424A.

2. If a county failed to levy the maximum dollar amount allowed for the county's services fund for the fiscal year beginning July 1, 2006, the county shall qualify for the per capita expenditure target pool allowed growth payment under section 426B.5, subsection 1, made in that fiscal year provided all of the following conditions are met:

a. The county has a population of more than 10,600 but less than 10,700, according to the 2005 population estimate issued by the federal government.

b. On the enactment date of this Act, the county has an unobligated or unencumbered balance in the undesignated portion of the general fund of the county under section 331.427 in an amount at least equal to the difference between the actual dollar amount the county levied for the county's services fund for the fiscal year and the maximum dollar amount allowed to be levied for the county's services fund for the fiscal year.


c. The county makes a one-time permanent transfer from the general fund of the county to the county's services fund in the amount identified under paragraph "a". The county is authorized to make the transfer described in this paragraph notwithstanding section 331.424A or any other provision of law to the contrary.

d. The county auditor certifies to the department of human services that the one-time permanent transfer from the general fund of the county has been made in the specified amount to the county's services fund and that the conditions of this subsection have been met.

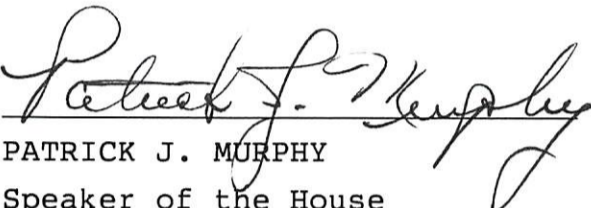
3. Upon receiving the certification required under subsection 2, the county shall be deemed to have met the requirement under section 426B.5, subsection 1, paragraph "c", subparagraph (1), to be levying the maximum amount allowed for the county's services fund for the fiscal year beginning July 1, 2006, and the department of human services shall authorize adjustment of the allowed growth payment to the county accordingly, subject to any other adjustments required under 2005 Iowa Acts, chapter 179, section 1, as amended by 2006 Iowa Acts, chapter 1184, section 73.

Sec. 2. STATE PAYMENT TO ELIGIBLE COUNTIES. Notwithstanding section 331.439, subsection 1, paragraph "a", a county that accurately reported the county's expenditures for mental health, mental retardation, and developmental disabilities services for the previous fiscal year on the forms prescribed by the department of human services, and the report was received after December 1, 2006, and on or before March 15, 2007, shall be eligible for state payment, as defined in section 331.438, in accordance with section 331.439 and other law providing for the state payment in the fiscal year beginning July 1, 2006.

Sec. 3. EFFECTIVE DATE. This Act, being deemed of immediate importance, takes effect upon enactment and applies retroactively to July 1, 2006.




JOHN P. KIBBIE
President of the Senate



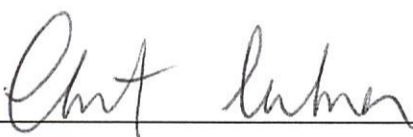
PATRICK J. MURPHY
Speaker of the House

I hereby certify that this bill originated in the Senate and is known as Senate File 169, Eighty-second General Assembly.



MICHAEL E. MARSHALL
Secretary of the Senate

Approved April 10th, 2007



CHESTER J. CULVER
Governor