

SENATE FILE 232

BY COMMITTEE ON APPROPRIATIONS

FILED FEB 21 1973

Appropriations 2/23, Same per H. 291 4/11

Crabb, Chairman
Fischer, H. O.
Griffie
Horn
Millen
Oakley
Small

Passed Senate, Date 2-26-73 (418) Passed House, Date 4-16-73(888)

Vote: Ayes 38 Nays 0 Vote: Ayes 86 Nays 4

Passed Senate - Approved 5-7-73
4-19-73(952)
46-0

A BILL FOR

1 An Act to appropriate from moneys received by certain
2 commissions, boards, and departments.

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

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1 Section 1. For the following commissions, boards, and
 2 departments, there is appropriated all funds received under
 3 authority of the designated chapters or sections of the Code
 4 for each fiscal year of the biennium beginning July 1, 1973
 5 and ending June 30, 1975. The following amounts, or so much
 6 thereof as may be necessary, are authorized to be expended
 7 from said receipts to be used for the following purposes:

	1973-74	1974-75
	<u>Fiscal Year</u>	<u>Fiscal Year</u>
10 1. BOARD OF ACCOUNTANCY--		
11 chapter one hundred sixteen		
12 (116) of the Code:		
13 For salaries, support,		
14 maintenance, equipment and		
15 miscellaneous purposes.....	\$ 53,900	\$ 56,840
16 2. BOARD OF ARCHITECTURAL		
17 EXAMINERS--chapter one hundred		
18 eighteen (118) of the Code:		
19 For salaries, support,		
20 maintenance, equipment and		
21 miscellaneous purposes.....	\$ 20,060	\$ 20,530
22 3. DEPARTMENT OF BANKING--		
23 chapter five hundred twenty-		
24 four (524) of the Code:		
25 For salaries, support,		
26 maintenance, equipment and		
27 miscellaneous purposes.....	\$1,391,760	\$1,484,030
28 4. STATE BOARD OF ENGINEER-		
29 ING EXAMINERS--chapter one		
30 hundred fourteen (114) of the		
31 Code:		
32 For salaries, support,		
33 maintenance, equipment and		
34 miscellaneous purposes.....	\$ 54,910	\$ 56,680
35 5. BOARD OF EXAMINERS IN		

1 WATCHMAKING--chapter one hun-
2 dred twenty (120) of the Code:

3 For salaries, support,
4 maintenance, equipment and
5 miscellaneous purposes..... \$ 6,900 \$ 7,000

6 Sec. 2. The remainder of each of the various funds re-
7 ferred to in section one (1) of this Act is appropriated for
8 contingencies arising during the biennium which are legally
9 payable from the various funds.

10 Sec. 3. A contingency shall exclude any purpose or project
11 which was presented to the general assembly by way of a bill
12 and which failed to become enacted into law, however, for
13 the purpose of this Act an unforeseen necessity of additional
14 operating funds may be construed as a contingency.

15 Sec. 4. Before any of the funds appropriated by this Act
16 shall be allocated for contingencies it shall be determined
17 by the executive council that a contingency exists and that
18 the proposed allocation shall be for the best interest of
19 the state.

20 Sec. 5. Notwithstanding the provisions of section eight
21 point thirty-three (8.33) of the Code, all unencumbered or
22 unobligated balances of appropriations made by this Act for
23 the first fiscal year of the biennium commencing July 1, 1973
24 shall, on August 31, 1974 revert to the state treasury and
25 to the credit of the fund from which appropriated. The com-
26 missions, boards and departments to which this appropriation
27 is made may make application to the appropriation committee
28 for the reappropriation of any funds that do revert, or
29 probably will revert upon the dates herein set and the
30 respective appropriation committee or a subcommittee thereof
31 shall hold a hearing upon such application while the general
32 assembly is in regular session. In all other respects the
33 provisions of section eight point thirty-three (8.33) of the
34 Code shall apply to appropriations made for the first fiscal
35 year of the biennium. Unencumbered or unobligated balances

1 of appropriations made for the second fiscal year of such
2 biennium shall be subject to section eight point thirty-three
3 (8.33) of the Code.

4 Sec. 6. Where any laws of this state are in conflict with
5 this Act, the provisions of this Act shall govern for the
6 biennium.

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H-291

1 Amend Senate File 232 as passed by the Senate, page
2 striking all of lines 10 through 19 and inserting in lieu
3 thereof

4 the following:

5 "Sec. 3. A contingency shall not include any purpose
6 or project
7 which was presented to the general assembly or any
8 standing
9 committee or subcommittee of a standing committee by any
10 person
11 by way of a bill, proposed bill, amendment to a bill,
12 written
13 document, or a proposal which is documented by the
14 minutes,
15 records, or reports of a committee or subcommittee, and
16 which
17 failed to be enacted into law; however, for the purpose
18 of this
19 Act, a necessity of additional operating funds may be
20 construed as
21 a contingency.

22 Before any of the funds authorized to be expended by
23 this
24 Act shall be allocated for contingencies, it shall be
25 determined
26 by the executive council that a contingency exists and
27 that the
28 contingency was neither existent while the general
29 assembly was
30 in session nor reasonably foreseeable at that time, and
31 that the
32 proposed allocation shall be for the best interest of the
33 state.

34 If a contingency arises or could reasonably be
35 foreseen
36 during the time the general assembly is in session,
37 expenditures
38 for the contingency must be authorized by the general
39 assembly."

40 Further amend by renumbering the remaining sections
41 as necessary.

H-291 Filed
April 11, 1973

accepted 4/11

By COMMITTEE ON APPROPRIATIONS
GRASSLEY of Butler, Chairman

HOUSE AMENDMENT TO SENATE FILE 232

1 Amend Senate File 232 as follows:

2 1. Page 3, by striking all of lines 10 through 19
3 and inserting in lieu thereof the following:

4 Sec. 3. A contingency shall not include any pur-
5 pose or project which was presented to the general
6 assembly or any standing committee or subcommittee of
7 a standing committee by any person by way of a bill, pro-
8 posed bill, amendment to a bill, written document, or a
9 proposal which is documented by the minutes, records,
10 or reports of a committee or subcommittee, and which
11 failed to be enacted into law; however, for the purpose
12 of this Act, a necessity of additional operating funds
13 may be construed as a contingency.

14 Before any of the funds authorized to be expended
15 by this Act shall be allocated for contingencies, it
16 shall be determined by the executive council that a
17 contingency exists and that the contingency was neither
18 existent while the general assembly was in session nor
19 reasonably foreseeable at that time, and that the pro-
20 posed allocation shall be for the best interest of the
21 state.

22 If a contingency arises or could reasonably be fore-
23 seen during the time the general assembly is in session,
24 expenditures for the contingency must be authorized by
25 the general assembly.

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1 2. Further amend by renumbering the remaining
2 sections as necessary.

Senate Concurred 4/19

Received from the House
April 18, 1973