

JAN 1978

HOUSE FILE 2033

Place on Calendar

By COMMITTEE ON STATE GOVERNMENT

Passed House, Date 1-25-78 (p. 168) Passed Senate, Date 2-10-78 (p. 226)

Vote: Ayes 81 Nays 0 Vote: Ayes 45 Nays 0

Approved April 17, 1978

*Repassed House for Senate amendment 3403  
3-21-78 (p. 1078)  
85-0*

*Substituted for # 7, 2059 2/10  
Motion to reconsider filed (p. 287) w & 2/21 (352)*

# A BILL FOR

1 An Act relating to obsolete or inconsistent provisions of the  
2 Code.

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

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1 Section 1. Section two hundred eighty-six A point five  
2 (286A.5), Code 1977, is amended to read as follows:

3 286A.5 INFORMATION FURNISHED BY SCHOOL DISTRICT. At the  
4 close of each school year, but not later than July 5 fifth,  
5 the local district or merged area school shall supply to the  
6 state department of public instruction the information required  
7 for calculation of the amount reimbursable to the district  
8 for elementary and secondary school. For any day student  
9 who has been enrolled on a less than a full school-day basis,  
10 the reimbursement shall be calculated proportionately to the  
11 portion for which he or she is enrolled as shall be determined  
12 by the state department of public instruction. ~~For school~~  
13 ~~districts operating a junior college or community college,~~  
14 ~~the aid to the district for such college shall be separately~~  
15 ~~appropriated, calculated, prorated when necessary, and paid~~  
16 ~~as hereinafter provided in sections 286A.8 to 286A.10.~~ Forms  
17 for reporting information to calculate aid for elementary  
18 and secondary school purposes shall be supplied by the state  
19 department of public instruction to each school district not  
20 later than June 4 first. On or before August 4 first, the  
21 state department of public instruction shall furnish to the  
22 state comptroller estimates of the amount reimbursable for  
23 the year to each school district for general aid for elementary  
24 and secondary school purposes and upon said estimates the  
25 state comptroller shall, on or about August 4 first, make  
26 payment of the first half of the annual amount appropriated  
27 for such general aid. After all such claims have been  
28 calculated for the year and validated for accuracy, the state  
29 department of public instruction shall certify the same to  
30 the state comptroller prior to February 4 first. On or about  
31 February 4 first, the state comptroller shall make payment  
32 to the school districts, of the balance of the amount  
33 appropriated for such general aid, which, when taken with  
34 the first half payment, conforms to the amount of full year  
35 reimbursement due each school district as then validated and

1 certified by the state department of public instruction.  
2 In the event that the amount appropriated for reimbursement  
3 of the school districts for such purposes is insufficient  
4 to pay in full the amounts to each of the school districts  
5 or merged areas, then the amount of each payment shall be  
6 reduced by the state comptroller in the ratio that the total  
7 respective funds appropriated and available for such aid bears  
8 to the respective total amounts certified for reimbursement.  
9 All funds received or to be received under the provisions  
10 of this chapter shall be taken into account and considered  
11 by each school district or merged area when estimating the  
12 amount required for the general fund.

13 Sec. 2. Section two hundred eighty-six A point ten  
14 (286A.10), unnumbered paragraph one (1), and subsections one  
15 (1) and two (2), Code 1977, are amended to read as follows:

16 Payment of the aid provided in ~~sections-286A-8-and~~ section  
17 286A.9 shall be made to each merged area, ~~and to each school~~  
18 ~~district-operating-a-junior-or-community-college-on-a-quarterly~~  
19 ~~basis,~~ at the end of each quarter of the school year, which  
20 commences on July 4 first and ends on the following June 30  
21 thirtieth in the following manner:

22 1. At the close of each school year but not later than  
23 July 5 fifth, the board of directors of each such ~~school~~  
24 ~~district-or~~ merged area shall certify to the state department  
25 of public instruction the information necessary to compute  
26 the aid entitlement, as hereinabove provided, for the school  
27 year ending on June 30 thirtieth immediately preceding the  
28 said July 4 first. In addition thereto, each said board shall  
29 certify to the state department, its best bona fide estimate  
30 of what the same data and information will be for the school  
31 year that commences upon the said July 4 first, and ends on  
32 the following June 30 thirtieth.

33 2. On the basis of estimates certified, as provided in  
34 subsection 1 hereof, thirty percent of the anticipated aid  
35 entitlement for each such ~~school-district-or~~ merged area shall

1 be paid to the ~~district-or~~ merged area at the end of each  
2 of the first three quarters of the school year for which said  
3 estimates have been certified. The aid payment for the fourth  
4 quarter shall be equal to the difference between the aggregate  
5 aid payments for the first three quarters and the total amount  
6 of aid entitlement computed on the basis of the actual  
7 information required for calculation, as certified in the  
8 following July, plus or minus such pro rata amount as may  
9 be necessary to make the aggregate total of general school  
10 aid paid to all such ~~school-districts-or~~ merged areas ~~as~~  
11 ~~the-case-may-be,~~ for the said year equal to the respective  
12 amounts of aid funds appropriated for payment to such ~~districts~~  
13 ~~or~~ areas in the said year.

14 Sec. 3. Chapters twenty-two (22), twenty-eight C (28C),  
15 thirty (30), one hundred eighty-two (182), two hundred seven  
16 (207), two hundred nine (209) and two hundred eighty-seven  
17 (287); and sections twenty-nine A point thirty (29A.30),  
18 twenty-nine A point fifty-six (29A.56), one hundred thirty-  
19 five point sixteen (135.16), one hundred thirty-five point  
20 seventeen (135.17), two hundred eighteen point six (218.6)  
21 through two hundred eighteen point eight (218.8), two hundred  
22 eighteen point thirty-four (218.34) through two hundred  
23 eighteen point thirty-nine (218.39), two hundred thirty-four  
24 point two (234.2), two hundred thirty-four point six (234.6),  
25 subsection two (2), two hundred thirty-four point eight  
26 (234.8), two hundred thirty-five point four (235.4), two  
27 hundred forty-five point sixteen (245.16) and two hundred  
28 eighty-six A point eight (286A.8), Code 1977, are repealed.

29 EXPLANATION

30 This bill repeals several sections and chapters some of  
31 which are no longer in use and makes other coordinating  
32 changes.

33 Sections 1 and 2 are coordinating changes for the repeal  
34 of section 286A.8 of the Code which provides a formula for  
35 aid to public junior and community colleges. These insti-

1 tutions have been replaced by the merged area schools.  
2 Section 3 repeals several sections of the Code. Section  
3 29A.30 authorizes an inactive national guard. Federal law  
4 also provides such authorization. Section 29A.56 provides  
5 for the separate processing of claims under one thousand  
6 dollars against the national guard. Such claims would then  
7 be subject to the process of the Iowa Tort Claims Act. Sec-  
8 tions 135.16 and 135.17 pertain to the regulation of mining  
9 camps by the department of health. Sections 218.6 through  
10 218.8 and 218.34 through 218.39 pertain to the duties of the  
11 business manager at institutions of the department of social  
12 services. Sections 234.2, 234.6, subsection 2, and 234.8  
13 pertain to the division of child and family services of the  
14 department of social services. Section 245.16 pertains to  
15 the cost of returning an inmate to the women's reformatory.  
16 Section 3 also repeals seven chapters. Chapter 22 creates  
17 a separate state appeals board for certain construction con-  
18 tracts. Chapter 28C establishes the interagency liaison  
19 committee. Chapter 30 prohibits government surplus stores  
20 from advertising in such a way as to give the impression that  
21 they are owned by the government. Chapter 182 recognizes  
22 the Iowa horse and mule breeders association. Chapter 207  
23 provides for the regulation of lead based paints and of oils  
24 by the department of agriculture. Chapter 209 provides for  
25 the regulation of mattresses and comforts by the department  
26 of agriculture. Chapter 287 prohibits high school fraternities  
27 and sororities.

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LSB 3202H  
dsb/rh/8A

HOUSE FILE 2033

H-5052

- 1 Amend House File 2033 as follows:
- 2 1. Page 3, line 14, by striking the following:
- 3 "twenty-eight C (28C),".

H-5052 FILED - *Lost 1/23 (165)* BY LIPSKY of Linn  
JANUARY 17, 1978

HOUSE FILE 2033

H-5057

- 1 Amend House File 2033 as follows:
- 2 1. Page 3, lines 23 and 24, by striking the
- 3 words "two hundred thirty-four point two (234.2),".

H-5057 FILED - *Adopted 1/23* BY BAKER of Buena Vists  
JANUARY 18, 1978 (*7.128*)

HOUSE FILE 2033

H-5072

- 1 Amend House File 2033 as follows:
- 2 1. Page 3, line 17, by inserting after the
- 3 word "sections" the words "twenty-five A point
- 4 fourteen (25A.14), subsection ~~six~~ (6),".

H-5072 FILED, ADOPTED (*168*) BY AVENSON of Fayette  
JANUARY 23, 1978

HOUSE FILE 2033

H-5071

- 1 Amend House File 2033 as follows:
- A 2 1. Page 3, line 16, by striking the word "and"
- 3 and inserting in lieu thereof the following: ",,".
- B 4 2. Page 3, line 17, by inserting after the
- 5 numerals "(287)" the following: "and three hundred
- 6 fifty (350)".

H-5071 FILED, BY KRAUSE of Kossuth  
H-5071A WITHDRAWN (*7 166*)  
H-5071B LOST (*167*)  
JANUARY 23, 1978

HOUSE FILE 2033

H-5068

- 1 Amend House File 2033 as follows:
- 2 1. Page 3, line 20, by inserting after the number
- 3 "(135.17), the words and number "one hundred forty-
- 4 seven point twenty-three (147.23),".

H-5068 FILED, ADOPTED (*168*) BY MONROE of Des Moines  
JANUARY 23, 1978

HOUSE FILE 2033

H-5023

- 1 Amend House File 2033 as follows:
- 2 1. Page 3, lines 23 through 26, by striking the
- 3 words "two hundred thirty-four point two (234.2),
- 4 two hundred thirty-four point six (234.6), sub-
- 5 section two (2), two hundred thirty-four point
- 6 eight (234.8);".

H-5023 FILED *Withdraw 1/23/1978* BY BAKER of Buena Vista  
JANUARY 16, 1978

HOUSE FILE 2033

H-5022

- 1 Amend House File 2033 as follows:
- 2 1. Page 3, lines 16 and 17, by striking the
- 3 words and figures "and two hundred eighty-seven
- 4 (287)".
- 5 2. Page 3, line 17, by striking the words
- 6 and figures "twenty-nine A point thirty (29A.30)".
- 7 3. Page 3, line 18, by striking the words
- 8 and figures "twenty-nine A point fifty-six
- 9 (29A.56)".

H-5022 FILED BY DYRLAND of Clayton  
JANUARY 13, 1978 SCHROEDER of Pottawattamie  
HARVEY of Scott

*A. Adopted*  
*B. Lost*  
*C. Lost* } *1/23 p. 166*

H-5020

- 1 Amend House File 2033 as follows:
- 2 1. Page 3, by striking lines 16, 17 and 18
- 3 and inserting in lieu thereof the following:
- 4 "(207), two hundred nine (209); and sections
- 5 one hundred thirty-".

H-5020 FILED *Withdraw 1/23* BY DYRLAND of Clayton  
JANUARY 12, 1978 *(p. 165)* SCHROEDER of Pottawattamie  
HARVEY of Scott

H-5007

- 1 Amend House File 2033 as follows:
- 2 1. Page 3, by striking from lines 26 and 27 the
- 3 following: "two hundred forty-five point sixteen".

H-5007 FILED *1/10 1/23/1978* BY SCHROEDER of Pottawattamie  
JANUARY 11, 1978 CLARK of Lee

H-5006

- 1 Amend House File 2033 as follows:
- 2 1. Page 3, by striking lines 17 and 18 and
- 3 inserting in lieu thereof the following:
- 4 "(287); and sections one hundred thirty-".

H-5006 FILED *1/10 1/23/1978* BY HARVEY of Scott  
JANUARY 11, 1978 SCHROEDER of Pottawattamie

HOUSE FILE 2033

S-5170

1 Amend House File 2033, as amended and passed by  
2 the House as follows:  
3 1. Page 3, by striking line 28 and inserting in  
4 lieu thereof the following: "two hundred eighty-six  
5 A point eight (286A.8), and three hundred thirty-two  
6 point forty-five (332.45) through three hundred thirty-  
7 two point forty-eight (332.48), Code 1977, and section  
8 three hundred thirty-two point forty-nine (332.49), Code  
9 1977 Supplement".

S-5170 FILED & ADOPTED <sup>(2/10)</sup> BY IRVIN L. BERGMAN  
FEBRUARY 10, 1978 LUCAS J. DE KOSTER

HOUSE FILE 2033

S-5207

1 Amend House File 2033 as amended and passed by  
2 the House as follows:  
3 1. Page 3, by striking lines 23 and 24 and  
4 inserting in lieu thereof the following: "eighteen  
5 point thirty-nine (218.39), two hundred thirty-four  
6 point six (234.6),"

S-5207 FILED BY PHILIP B. HILL  
FEBRUARY 20, 1978

HOUSE FILE 2033

S-5210

1 Amend House File 2033 as follows:  
2 1. Page 3, lines 24 and 25, by striking the  
3 words and figures "two hundred thirty-four point six  
4 (234.6), subsection two (2),".

S-5210 FILED BY PHILIP B. HILL  
FEBRUARY 20, 1978

SENATE AMENDMENT TO  
HOUSE FILE 2033

H-5403

1 Amend House File 2033, as amended and passed by  
2 the House, as follows:  
3 1. Page 3, line 17, by striking the words "twenty-  
4 nine A".  
5 2. Page 3, line 18, by striking the words and  
6 figure "point thirty (29A.30)".  
7 3. Page 3, by striking line 28 and inserting in  
8 lieu thereof the following: "two hundred eighty-six  
9 A point eight (286A.8), and three hundred thirty-  
10 point forty-five (332.45) through three hundred thirty-  
11 two point forty-eight (332.48), Code 1977, and section  
12 three hundred thirty-two point forty-nine (332.49),  
13 Code 1977 Supplement".

H-5403 FILED  
RECEIVED FROM SENATE  
FEBRUARY 22, 1978

*Concurred 3/21*

HOUSE FILE 2033

S-5103

- 1 Amend House File 2033 as follows:
- 2 1. Page 3, line 17, by striking the words "sec-
- 3 tions twenty-nine A point thirty (29A.30),".

S-5103 FILED *w/Dr 2/10 (286)* BY RICHARD F. DRAKE  
JANUARY 30, 1978 MINNETTE F. DODERER

HOUSE FILE 2033

S-5124

- 1 Amend House File 2033 as amended and passed by
- 2 the House as follows:
- 3 1. Page 3, by striking line 28 and inserting in
- 4 lieu thereof the following: "eighty-six A point eight
- 5 (286A.8), and three hundred thirty-two point forty-
- 6 five (332.45) through three hundred thirty-two point
- 7 forty-eight (332.48), Code 1977, and section three
- 8 hundred thirty-two point forty-nine (332.49), Code
- 9 1977 Supplement".

S-5124 FILED *w/Dr 2/10 (286)* BY IRVIN L. BERGMAN  
FEBRUARY 2, 1978 LUCAS J. DE KOSTER

HOUSE FILE 2033

S-5148

- 1 Amend House File 2033, as amended, passed and
- 2 reprinted by the House as follows:
- 3 1. Page 3, by striking line 28 and inserting in
- 4 lieu thereof the following: "two hundred eighty-six
- 5 A point eight (286A.8), and three hundred thirty-two
- 6 point forty-five (332.45) through three hundred thirty-
- 7 two point forty-eight (332.48), Code 1977, and section
- 8 three hundred thirty-two point forty-nine (332.49), Code
- 9 1977 Supplement".

S-5148 FILED *w/Dr 2/10 (286)* BY IRVIN L. BERGMAN  
FEBRUARY 8, 1978 LUCAS J. DE KOSTER

HOUSE FILE 2033

S-5169

- 1 Amend House File 2033 as follows:
- 2 1. Page 3, line 17, by striking the words
- 3 "twenty-nine A".
- 4 2. Page 3, line 18, by striking the words and
- 5 figure "point thirty (29A.30)".

S-5169 FILED & ADOPTED (*p. 286*) BY RICHARD F. DRAKE  
FEBRUARY 10, 1978 MINNETTE DODERER

## HOUSE FILE 2033

## AN ACT

RELATING TO OBSOLETE OR INCONSISTENT PROVISIONS OF THE CODE.

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

Section 1. Section two hundred eighty-six A point five (286A.5), Code 1977, is amended to read as follows:

286A.5 INFORMATION FURNISHED BY SCHOOL DISTRICT. At the close of each school year, but not later than July 5 fifth, the local district or merged area school shall supply to the state department of public instruction the information required for calculation of the amount reimbursable to the district for elementary and secondary school. For any day student who has been enrolled on a less than a full school-day basis, the reimbursement shall be calculated proportionately to the portion for which he or she is enrolled as shall be determined by the state department of public instruction. ~~Per-school districts operating a junior college or community college, the aid to the district for such college shall be separately appropriated, calculated, prorated when necessary, and paid as hereinafter provided in sections 286A.8 to 286A.10.~~ Forms for reporting information to calculate aid for elementary and secondary school purposes shall be supplied by the state department of public instruction to each school district not later than June 4 first. On or before August 4 first, the state department of public instruction shall furnish to the state comptroller estimates of the amount reimbursable for the year to each school district for general aid for elementary and secondary school purposes and upon said estimates the state comptroller shall, on or about August 4 first, make payment of the first half of the annual amount appropriated for such general aid. After all such claims have been calculated for the year and validated for accuracy, the state

department of public instruction shall certify the same to the state comptroller prior to February 4 first. On or about February 4 first, the state comptroller shall make payment to the school districts, of the balance of the amount appropriated for such general aid, which, when taken with the first half payment, conforms to the amount of full year reimbursement due each school district as then validated and certified by the state department of public instruction. In the event that the amount appropriated for reimbursement of the school districts for such purposes is insufficient to pay in full the amounts to each of the school districts or merged areas, then the amount of each payment shall be reduced by the state comptroller in the ratio that the total respective funds appropriated and available for such aid bears to the respective total amounts certified for reimbursement. All funds received or to be received under the provisions of this chapter shall be taken into account and considered by each school district or merged area when estimating the amount required for the general fund.

Sec. 2. Section two hundred eighty-six A point ten (286A.10), unnumbered paragraph one (1), and subsections one (1) and two (2), Code 1977, are amended to read as follows:

Payment of the aid provided in ~~sections 286A.8 and section 286A.9~~ shall be made to each merged area, ~~and to each school district operating a junior or community college on a quarterly basis,~~ at the end of each quarter of the school year, which commences on July 4 first and ends on the following June 30 thirtieth, in the following manner:

1. At the close of each school year but not later than July 5 fifth, the board of directors of each such ~~school district or merged area~~ shall certify to the state department of public instruction the information necessary to compute the aid entitlement, as hereinabove provided, for the school year ending on June 30 thirtieth immediately preceding the said July 4 first. In addition thereto, each said board shall

certify to the state department, its best bona fide estimate of what the same data and information will be for the school year that commences upon the said July 4 first, and ends on the following June 30 thirtieth.

2. On the basis of estimates certified, as provided in subsection 1 hereof, thirty percent of the anticipated aid entitlement for each such ~~school-district-or~~ merged area shall be paid to the ~~district-or~~ merged area at the end of each of the first three quarters of the school year for which said estimates have been certified. The aid payment for the fourth quarter shall be equal to the difference between the aggregate aid payments for the first three quarters and the total amount of aid entitlement computed on the basis of the actual information required for calculation, as certified in the following July, plus or minus such pro rata amount as may be necessary to make the aggregate total of general school aid paid to all such ~~school-districts-or~~ merged areas, ~~as the case may be~~, for the said year equal to the respective amounts of aid funds appropriated for payment to such ~~districts~~ or areas in the said year.

Sec. 3. Chapters twenty-two (22), twenty-eight C (28C), thirty (30), one hundred eighty-two (182), two hundred seven (207), two hundred nine (209); and sections twenty-five A point fourteen (25A.14), subsection six (6), twenty-nine A point fifty-six (29A.56), one hundred thirty-five point sixteen (135.16), one hundred thirty-five point seventeen (135.17), one hundred forty-seven point twenty-three (147.23), two hundred eighteen point six (218.6) through two hundred eighteen point eight (218.8), two hundred eighteen point thirty-four (218.34) through two hundred eighteen point thirty-nine (218.39), two hundred thirty-four point six (234.6), subsection two (2), two hundred thirty-four point eight (234.8), two hundred thirty-five point four (235.4), two hundred forty-five point sixteen (245.16), two hundred eighty-six A point eight (286A.8), and three hundred thirty-two point forty-five

(332.45) through three hundred thirty-two point forty-eight (332.48), Code 1977, and section three hundred thirty-two point forty-nine (332.49), Code 1977 Supplement are repealed.

\_\_\_\_\_  
DALE M. COCHRAN  
Speaker of the House

\_\_\_\_\_  
ARTHUR A. NEU  
President of the Senate

I hereby certify that this bill originated in the House and is known as House File 2033, Sixty-seventh General Assembly.

\_\_\_\_\_  
DAVID L. WRAY  
Chief Clerk of the House

Approved *April 17*, 1978

\_\_\_\_\_  
ROBERT D. RAY  
Governor