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HOUSE FILE 2580

APPROPRIATIONS CALENDAR

By COMMITTEE ON APPROPRIATIONS

Passed House, Date 4/18/80 (p. 1837) Passed Senate, Date _____
Vote: Ayes 56 Nays 25 Vote: Ayes _____ Nays _____
Approved Item Veto 5/26/80 (see letter)

A BILL FOR

1 An Act appropriating funds to finance designated state programs
2 and adding procedures and criteria for administering design-
3 nated programs of the state educational radio and television
4 facility board; the school for the deaf; the Iowa college aid
5 commission; merged area V; the state board of regents for
6 capitation grants; the commission on the aging; the Iowa
7 state civil rights commission; the Spanish-speaking peoples
8 commission; the commission on the status of women; the
9 board of medical examiners; the Iowa mental health authority;
10 the mental health advisory council; the health planning
11 agency, personal and family health services, the community
12 health division, and in-home health care grants of the state
13 department of health; the elderly care program; the Iowa
14 department of substance abuse; the European office of the
15 Iowa development commission; the energy policy council; the
16 department of soil conservation; the governor's economy
17 committee recommendations; the state board of engineering
18 examiners; the Iowa beer and liquor control department; the
19 department of revenue; the Iowa public employees retirement
20 system; judicial salaries and the judicial retirement system;
21 Terrace Hill; the census data center coordinating unit; the
22 communications division of the department of general services;
23 the legislative fiscal bureau; the Iowa crime commission; the
24 road use tax fund; the state department of transportation;
25 governmental subdivisions and agencies required to record

Title corrected
4/16 (p. 1625)

6124, 6126
6132, 6135, 6137
6146

1 instruments; the department of public safety; and the
2 general administration, correctional personnel, community-
3 based corrections, legal assistance program, substance
4 abuse screening, mental health institutes, division of
5 mental health resources, patients' personal deposit funds,
6 aid to dependent children, medical assistance, contractual
7 services-medical carrier, children's services, state
8 supplementary assistance, child support recoveries, Title
9 XX, foster residential care, subsidized adoption, the
10 Glenwood state hospital-school, cost reimbursement for
11 skilled, residential, and intermediate care facilities,
12 the community integrated youth services project, support
13 for the poor for Indians residing on the Tama county
14 settlement, and various rules of the department of social
15 services.

147
172 16 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

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DIVISION I

6165
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2 Section 1. Chapter eighteen (18), division five (5), Code
3 1979, is amended by adding the following new section:

415
4 NEW SECTION. CAPITAL EQUIPMENT REPLACEMENT REVOLVING FUND.

5 1. Notwithstanding section eighteen point one hundred
6 fifty-one (18.151) of the Code, the state educational radio
7 and television facility board may provide communications
8 services for other public agencies, nonprofit corporations
9 or associations organized under state law, or other
10 organizations which are not operated for a profit and may
11 collect the costs of providing the communications services
12 from the public agency, nonprofit corporation, association,
13 or organization plus a separate equipment usage fee in an
14 amount determined by the board and based upon the equipment
15 used. The costs shall be deposited to the credit of the state
16 educational radio and television facility board. The separate
17 equipment usage fee shall be deposited in the capital equipment
18 replacement revolving fund.

19 2. The state educational radio and television facility
20 board may establish a capital equipment replacement revolving
21 fund into which shall be deposited equipment usage fees
22 collected under subsection one (1) of this section and funds
23 from other sources designated for deposit in the capital
24 equipment replacement revolving fund. The state educational
25 radio and television facility board may expend moneys from
26 the capital equipment replacement revolving fund to purchase
27 technical equipment for operating the educational radio and
28 television facility.

29 Sec. 2. Section two hundred seventy point one (270.1),
30 Code 1979, is amended to read as follows:

31 270.1 SUPERINTENDENT. The superintendent of the school
32 for the deaf shall be a trained and experienced educator of
33 the deaf. ~~His~~ The superintendent's salary may include
34 residence in the institution ~~and be paid from the funds of~~
35 ~~supplies thereof~~, but no such allowance shall be made except

1 by express contract in advance.

2 Sec. 3. Acts of the Sixty-eighth General Assembly, 1979
3 Session, chapter thirteen (13), section two (2), subsection
4 one (1), paragraph b, is amended to read as follows:

5 b. For administration of
6 Iowa guaranteed student loan
7 program for not more than five
8 full-time equivalent positions

9 for fiscal year 1980-1981\$ 204,000 \$ 284,000

10 Sec. 4. Acts of the Sixty-eighth General Assembly, 1979
11 Session, chapter thirteen (13), section five (5), is amended
12 to read as follows:

13 SEC. 5. There is appropriated from the general fund of
14 the state to the Iowa college aid commission for the fiscal
15 biennium beginning July 1, 1979, and ending June 30, 1981,
16 the sum of fifty thousand (50,000) dollars, and for the fiscal
17 year beginning July 1, 1980 and ending June 30, 1981, an
18 additional sum of thirty thousand (30,000) dollars, or so
19 much thereof as may be necessary, to provide for a national
20 guard education program. Funds shall only be expended for
21 Iowa residents who are enlisted members in good standing in
22 the Iowa national guard and who are enrolled as an
23 undergraduate undergraduates in an Iowa postsecondary
24 educational institution institutions. Funds expended on
25 behalf of each full-time undergraduate student shall not
26 exceed two hundred fifty (250) dollars per year. Funds
27 expended on behalf of each half-time undergraduate student
28 shall not exceed one hundred twenty-five (125) dollars per
29 year.

30 Sec. 5. Acts of the Sixty-eighth General Assembly, 1979
31 Session, chapter thirteen (13), section six (6), is amended
32 to read as follows:

33 SEC. 6. There is appropriated from the general fund of
34 the state for each year of the fiscal biennium beginning July
35 1, 1979 and ending June 30, 1981 to the state educational

1 radio and television facility the following amounts, or so
 2 much thereof as may be necessary, to be used for the purposes
 3 designated:

	1979-1980	1980-1981
	<u>Fiscal Year</u>	<u>Fiscal Year</u>
4 For salaries, support,		
5 maintenance and miscel-		
6 laneous purposes	\$ 4,492,000	\$ 4,697,000
7		
8		<u>4,751,000</u>

9
 10 Sec. 6. Acts of the Sixty-eighth General Assembly, 1979
 11 Session, chapter thirteen (13), section seven (7), subsection
 12 eleven (11), is amended by adding the following new paragraph:
 13 NEW PARAGRAPH. For merged
 14 area V.

15 For operation of the radio
 16 station \$ \$ 50,000

17 Sec. 7. Acts of the Sixty-eighth General Assembly, 1979
 18 Session, chapter thirteen (13), section nine (9), is amended
 19 to read as follows:

20 SEC. 9. There is appropriated from the general fund of
 21 the state for the fiscal year beginning July 1, 1979 and
 22 ending June 30, 1980, to the state board of regents, subject
 23 to the conditions provided in this section, the sum of four
 24 hundred thousand (400,000) dollars, and for the fiscal year
 25 beginning July 1, 1980 and ending June 30, 1981, the sum of
 26 four hundred thousand (400,000) dollars, or so much thereof
 27 as may be necessary, to replace actual losses of federal funds
 28 for capitation grants by the colleges of dentistry, medicine,
 29 veterinary medicine, pharmacy, and nursing. ~~The-funds-or~~
 30 ~~any-portion-of-the-funds-shall-not-be-allocated-unless-there~~
 31 ~~is-actually-a-loss-of-federal-funds-for-capitation-grants~~
 32 ~~and-the-state-comptroller-has-reviewed-the-amount-of-the-loss~~
 33 ~~and-approved-the-allocation-of-the-funds-appropriated-by-this~~
 34 ~~section-to-replace-the-loss.~~

35 DIVISION II

1 Sec. 8. Acts of the Sixty-eighth General Assembly, 1979
 2 Session, chapter nine (9), section one (1), subsection one
 3 (1), is amended to read as follows:

4 1. For salaries and
 5 support of not more than
 6 ~~twenty-six~~ twenty-eight
 7 point twenty-five full-
 8 time equivalent positions
 9 annually, of which two
 10 care review positions are
 11 contingent upon the re-
 12 ceipt of federal funds,
 13 maintenance and miscel-
 14 laneous purposes \$ 171,051 \$ 167,900

615
612
15 Sec. 9. Acts of the Sixty-eighth General Assembly, 1979
 16 Session, chapter nine (9), section two (2), subsection one
 17 (1), is amended to read as follows:

18 1. IOWA STATE CIVIL
 19 RIGHTS COMMISSION

20 a. For salaries and sup-
 21 port of not more than
 22 thirty-five full-time
 23 equivalent positions an-
 24 nually, maintenance and
 25 miscellaneous purposes \$ 540,463 \$ 540,943

26 b. For salaries, sup-
 27 port, maintenance, and
 28 miscellaneous purposes
 29 of the Spanish-speaking
 30 peoples commission, in-
 31 cluding not more than
 32 one full-time equivalent
 33 position and expenses
 34 of the commission \$ 31,000

35 Sec. 10. Acts of the Sixty-eighth General Assembly, 1979

1 Session, chapter nine (9), section two (2), subsection four
2 (4), is amended to read as follows:

3 4. COMMISSION ON THE
4 STATUS OF WOMEN

5 For salaries and sup-
6 port of not more than
7 three point twenty-five

8 full-time equivalent po-
9 sitions annually, main-
10 tenance and miscellaneous

6 11 purposes \$ 76,100 \$ 76,570

6 12 Sec. 11. Acts of the Sixty-eighth General Assembly, 1979
6 13 Session, chapter nine (9), section three (3), subsection one
14 (1), is amended to read as follows:

15 1. BOARD OF MEDICAL
16 EXAMINERS

17 For salaries and support
6 18 of not more than seven full-
19 time equivalent positions

20 annually, maintenance and

21 miscellaneous purposes \$ 198,411 \$ 193,442
6 22 205,442

6 23 Sec. 12. Acts of the Sixty-eighth General Assembly, 1979
24 Session, chapter nine (9), section three (3), subsections
25 four (4) and five (5), are amended to read as follows:

26 4. IOWA MENTAL HEALTH
27 AUTHORITY.

28 For salaries and support
29 of not more than eight point
30 five full-time equivalent po-

31 sitions annually, maintenance

32 and miscellaneous purposes \$ 136,081 \$ 148,084
33 238,084

6 34 5. MENTAL HEALTH AD-
35 VISORY COUNCIL

1 For salaries and support
 2 of not more than three full-
 3 time equivalent positions an-
 4 nually, maintenance and mis-
 5 cellaneous purposes \$ 64,269 \$ 50,000

6 Sec. 13. Acts of the Sixty-eighth General Assembly, 1979
 7 Session, chapter nine (9), section four (4), subsection two
 8 (2), paragraph b, is amended to read as follows:

9 b. Health planning
 10 agency.

11 For salaries and sup-
 12 port of not more than
 13 ~~eleven~~ thirteen full-time
 14 equivalent positions an-
 15 nually, maintenance and
 16 miscellaneous purposes \$ 66,940 \$ 66,407

17 Sec. 14. Acts of the Sixty-eighth General Assembly, 1979
 18 Session, chapter nine (9), section four (4), subsection six
 19 (6), is amended to read as follows:

20 6. PERSONAL AND FAMILY
 21 HEALTH SERVICES

22 For salaries and sup-
 23 port of not more than
 24 sixty full-time equiva-
 25 lent positions annually,
 26 maintenance and miscel-
 27 laneous purposes \$ 879,931 \$ 861,373
 28 881,373

29 Sec. 15. Acts of the Sixty-eighth General Assembly, 1979
 30 Session, chapter nine (9), section four (4), subsection seven
 31 (7), paragraph a, is amended to read as follows:

32 a. Community health
 33 division.

34 (1) For salaries and
 35 support of not more than

1 ~~forty-two~~ forty-four full-
 2 time equivalent positions
 3 annually of which two shall
 4 be for deaf services, mainte-
 5 nance and miscellaneous

6 purposes \$ 982,111 \$ ~~1,701,376~~
 7 1,445,376

8 (2) Of the appropriation for the 1980-1981 fiscal year,
 9 the sum of sixty thousand (60,000) dollars is allocated for
 10 deaf services, the sum of three hundred fifty thousand
 11 (350,000) dollars is allocated for the renal disease program,
 12 and the sum of twenty thousand (20,000) dollars is allocated
 13 for the emergency medical service program.

14 Sec. 16. Acts of the Sixty-eighth General Assembly, 1979
 15 Session, chapter nine (9), section four (4), subsection seven
 16 (7), paragraph d, is amended to read as follows:

17 d. In-home health care
 18 grants. For grants to local
 19 boards of health or county
 20 health centers for programs
 21 to maintain or expand the
 22 availability of in-home
 23 health care to elderly
 24 persons in the state in
 25 accordance with section

26 five (5) of this Act \$ 2,765,960 \$ 3,015,960

27 Sec. 17. Acts of the Sixty-eighth General Assembly, 1979
 28 Session, chapter nine (9), section five (5), subsection four
 29 (4), is amended to read as follows:

30 4. The state department of health shall make the money
 31 allocated for use in each county under subsection three (3)
 32 of this section available to be expended in that county as
 33 provided in this subsection. The local board of health or
 34 county health centers having jurisdiction, after consultation
 35 with other in-home health care provider agencies in the

1 jurisdiction, shall prepare a proposal for the use of the
2 funds available for that jurisdiction that will provide the
3 maximum benefits of expanded home health care to elderly
4 persons in the jurisdiction, and that shall include a statement
5 assuring that the appropriate local agencies have participated
6 in the formulation of the proposal. After approval of the
7 proposal by the department, the department shall enter into
8 a contract with the local board of health or county health
9 centers. The local board of health or county health centers
10 may subcontract with a nonprofit nurses' association, an
11 independent nonprofit agency, the department of social services
12 or a suitable local governmental or nongovernmental body to
13 use the funds to expand or maintain in-home health services.
14 Local boards of health or county health centers shall make
15 an effort to subcontract with agencies that are currently
16 providing services to prevent duplication of services. In
17 counties where a county health center has been established
18 under chapter three hundred forty-six A (346A) of the Code,
19 the board of supervisors may appoint itself to act as the
20 county board of health.

21 Sec. 18. Acts of the Sixty-eighth General Assembly, 1979
22 Session, chapter nine (9), section nine (9), is amended to
23 read as follows:

24 SEC. 9. Section sixteen point eight (16.8), Code 1979,
25 is amended to read as follows:

26 16.8 COMMISSION TERMINATION TRANSFERRED. ~~Without-affirma-~~
27 ~~tive-action-by-the-general-assembly-before-June-30,-1980,~~
28 ~~the~~ The Spanish-speaking people's peoples commission shall
29 ~~expire-on-June-30,-1981~~ be transferred to the Iowa state civil
30 rights commission on July 1, 1980. The Spanish-speaking
31 peoples commission shall continue to be appointed and function
32 as provided in sections sixteen point one (16.1) through
33 sixteen point seven (16.7) of the Code, but the Iowa state
34 civil rights commission shall provide support services to
35 the Spanish-speaking peoples commission including, but not

1 limited to, office space, secretarial assistance, supplies,
2 and similar services.

3 Sec. 19. Acts of the Sixty-eighth General Assembly, 1979
4 Session, chapter sixteen (16), section one (1), is amended
5 to read as follows:

6 SECTION 1. There is appropriated from the general fund
7 to the commission on the aging eight hundred thousand (800,000)
8 dollars, or so much thereof as may be necessary, for the 1979-
9 1980 fiscal year and eight hundred thousand (800,000) dollars,
10 or so much thereof as is necessary, for the 1980-1981 fiscal
11 year, for the elderly care program to be used for chore,
12 telephone reassurance, adult day care, and home repair
13 services, including the winterizing of homes, and for the
14 construction of entrance ramps which meet the requirements
15 of section one hundred four A point four (104A.4) of the Code
16 and make residences accessible to the physically handicapped,
17 for citizens of Iowa over sixty-five years of age. All funds
18 appropriated under this section shall be received and disbursed
19 by the commission and shall not be used for administrative
20 purposes.

21 Sec. 20. Acts of the Sixty-eighth General Assembly, 1979
22 Session, chapter sixteen (16), section nine (9), is amended
23 to read as follows:

24 SEC. 9. NEW SECTION. LOCAL MATCH. Funds appropriated
25 to the commission from the general fund for the elderly care
26 program shall only be awarded and distributed to local projects
27 which match each state dollar with two dollars of local funds
28 in cash or in equivalent support. Funds appropriated to the
29 commission from the general fund for the elderly care program
30 shall only be used to establish new projects, ~~or~~ to expand
31 existing programs and or to continue existing elderly care
32 projects. Elderly care funds shall not be used to replace
33 funds in existing programs or to free funds for other state
34 supported services. The interagency coordinating committee
35 may waive or modify the local match requirements of this

1 section in accordance with the rules promulgated by the
 6128 2 commission.

3 Sec. 21. Acts of the Sixty-eighth General Assembly, 1979
 4 Session, chapter seventeen (17), section one (1), subsection
 5 two (2), is amended to read as follows:

6 2. For substance abuse
 7 program grants \$ 2,265,000 \$ ~~2,265,000~~
 8 2,475,000

9 DIVISION III

10 Sec. 22. Acts of the Sixty-eighth General Assembly, 1979
 11 Session, chapter twelve (12), section ten (10), subsection
 12 two (2), is amended to read as follows:

13 2. For salaries,
 14 support of no more than
 15 two full-time equivalent
 16 positions, maintenance
 17 and miscellaneous pur-
 18 poses of the European
 19 office..... \$ 178,000 \$ 200,000

20 Sec. 23. Acts of the Sixty-eighth General Assembly, 1979
 21 Session, chapter twelve (12), section thirteen (13), subsec-
 22 tion one (1), is amended to read as follows:

23 1. OPERATIONS

24 For salaries and sup-
 25 port ~~of not more than~~
 26 ~~eleven full-time equiva-~~
 27 ~~lent positions,~~ and for
 28 maintenance and miscel-
 29 laneous purposes..... \$ 230,192 \$ 233,683
 30 336,683

31 Sec. 24. Acts of the Sixty-eighth General Assembly, 1979
 32 Session, chapter twelve (12), section nineteen (19), subsec-
 33 tion one (1), is amended to read as follows:

34 1. For salaries and
 35 support of not more than

1 one hundred seventy-three
2 full-time equivalent po-
3 sitions and maintenance,
4 assistance to soil con-
5 servation districts and
6 for miscellaneous pur-

7 poses.....	\$ 2,544,670	\$ 2,528,876
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8 2,549,476

9 It is the intent of the general assembly that ~~twenty one~~
10 hundred clerk-typist II positions be upgraded to that of
11 secretary clerk-typist III, and that a position of director
12 of conservancy districts be created.

6167 13 Sec. 25. There is appropriated from the general fund of
14 the state to the department of soil conservation for the
15 fiscal period beginning July 1, 1980 and ending June 30, 1984
16 the amount of nine hundred seventy-nine thousand four hundred
17 (979,400) dollars, or so much thereof as is necessary, to
18 be used for and supplement the funds appropriated by Acts
19 of the Sixty-eighth General Assembly, 1979 Session, chapter
20 twelve (12), section nineteen (19), subsection five (5), for
21 cost-sharing to provide state funding of not more than fifty
22 percent of the approved cost of permanent soil conservation
23 practices instituted under chapter four hundred sixty-seven
24 A (467A) of the Code with priority given to projects on owner-
25 operated and family-owned farms. However, not more than five
26 percent of the amount appropriated in this section may be
27 used for compensation of production losses due to summer con-
28 struction of permanent soil and water conservation practices.

29 DIVISION IV

616-30 Sec. 26. The state comptroller, in implementing recommenda-
31 tions of the governor's economy committee, shall give special
32 consideration to the following:

33 Governor's

34 Economy Com-

35 mittee Recom- Agency

<u>1</u>	<u>Recommendation No.</u>	<u>Name</u>	<u>Description</u>
2	22	Attorney general	Enhance legal research capabilities.
3			
4	63	General services	Finish automating the elevators in the capitol building.
5			
6			
7	80	General services	Inventory existing telephone equipment and establish appropriate usage.
8			
9			
10	88	Library commission	Relocate the medical library.
11			
12	157	Board of regents	Improve cost effectiveness of long distance telephone service.
13		UNI	
14			
15	176	Department of public instruction	Expand the department's word processing activities.
16			
17			
18	183	Department of social services	Improve administrative efficiency at the veteran's home.
19			
20			
21	218	Department of social services	Standardize resident information system for mental health institutes and hospital-schools.
22			
23			
24			
25	227	Department of social services	Complete work on the integrated client information system.
26			
27			
28	237	Department of social services	Enhance food service operations at Fort Madison.
29			
30	243	Commission on aging	Establish a word processing function in the commission.
31			
32			
33	303	Beer and liquor control dept.	Install automatic timers on store thermostats.
34			
35	323	Department of	Reduce the number of radio

1 public safety dispatch centers.

2 Sec. 27. Acts of the Sixty-eighth General Assembly, 1979
3 Session, chapter four (4), section one (1), subsection five
4 (5), is amended to read as follows:

5 5. STATE BOARD OF

6 ENGINEERING EXAMINERS

7 For salaries and wages

8 for not more than two

9 point fifty full-time

10 equivalent positions and

11 for support, maintenance,

12 and other operational

13 purposes..... \$ 88,044 \$ 92,771

14 96,771

15 It is the intent of the general assembly that the per diem
16 and travel expenses of the members of the state board of en-
17 gineering examiners be reduced to an amount not more than
18 eighteen thousand eight hundred sixty-six (18,866) dollars
19 for the fiscal year 1979-1980 and to not more than twenty
20 thousand seven hundred fifty-three (20,753) dollars for the
21 fiscal year 1980-1981.

22 The department of general services shall provide for
23 security for the offices of the board of engineering examiners
24 by providing the board with offices and file cabinets that
25 can be locked to prevent unauthorized access to the files,
26 documents and papers of the board of engineering examiners.

27 Sec. 28. Acts of the Sixty-eighth General Assembly, 1979
28 Session, chapter four (4), section two (2), subsections three
29 (3) and fourteen (14), are amended to read as follows:

30 3. IOWA BEER AND LI-

31 QUOR CONTROL DEPARTMENT

32 For salaries and wages

33 for not more than nine

34 hundred five point four-

35 teen full-time equiv-

15,135,474

4

20

35

1980-1981

	<u>Fiscal Year</u>	<u>Fiscal Year</u>
1		
2 For salaries and wages		
3 for not more than ~~thirty-~~		
4 ~~eight~~ <u>forty</u> point fifty		
5 full-time equivalent po-		
6 sitions and for support,		
7 maintenance, and other		
8 operational purposes to		
9 pay the costs of admin-		
10 istration of the Iowa		
11 public employees' re-		
12 tirement system.....	\$ 1,535,755	\$ ~~1,762,074~~
13		<u>1,719,404</u>

14 It is the intent of the general assembly that seventy-
 15 five thousand (75,000) dollars, or so much thereof as may
 16 be necessary, for the fiscal year beginning July 1, 1980 and
 17 ending June 30, 1981 be used to establish a systems development
 18 program.

19 DIVISION V

20 Sec. 30. Acts of the Sixty-eighth General Assembly, 1979
 21 Session, chapter two (2), section three (3), is amended to
 22 read as follows:

23 SEC. 3. There is appro-
 24 priated from the general fund
 25 of the state for each fiscal
 26 year of the fiscal biennium
 27 beginning July 1, 1979, and
 28 ending June 30, 1981, the
 29 following amounts, or so
 30 much thereof as is neces-
 31 sary to be used to fund in-
 32 creases in judicial salaries
 33 as provided in section two
 34 (2) of this Act and for the
 35 state's contribution to the

1 judicial retirement system
 2 provided for in chapter six
 3 hundred five A (605A) of
 4 the Code required because

5 of the increased salaries	1979-1980	1980-1981
6	<u>Fiscal Year</u>	<u>Fiscal Year</u>
7	\$ 650,000	\$ 650,000
8		<u>733,000</u>

61667 9 Sec. 31. Acts of the Sixty-eighth General Assembly, 1979
 10 Session, chapter three (3), section one (1), subsection three
 11 (3), is amended to read as follows:

12 3. For salaries and support
 13 of not more than eight point five
 14 full-time equivalent positions
 15 and maintenance of the Terrace
 16 Hill governor's mansion which shall
 17 be open for ~~the~~ public tours by
 18 individuals or groups of ten or
 19 fewer persons without prior
 20 appointment, and for groups of
 21 more than ten persons with a
 22 prior appointment, a minimum of
 23 twenty hours per week and a
 24 minimum of five days per week,
 25 ~~in-addition-to-arranged-special~~
 26 ~~group-tours,-and.~~ The visiting
 27 hours and tour arrangements may
 28 be adjusted in order to provide
 29 access to Terrace Hill which
 30 will best serve the public
 31 and also cause the least
 32 inconvenience to the governor
 33 and the governor's family.
 34 The final tour in any day
 35 when requested shall begin not

1 earlier than 2:00 p.m.

2 Terrace Hill shall be closed

3 during the months of January

4 and February except for special

5 tours which may be conducted

6 at the discretion of the

7 Terrace Hill site coordinator \$ 174,570 \$ 171,580

8 Notwithstanding the provisions of subsection eight (8)

9 of section eighteen point twelve (18.12) of the Code, proceeds

10 received from the sale of excess Terrace Hill personal property

11 shall be added to the funds appropriated by Acts of the Sixty-

12 eighth General Assembly, 1979 Session, chapter fourteen (14),

13 section fifteen (15), subsection five (5), and shall be used

14 for the restoration of Terrace Hill in the same manner as

15 the funds appropriated in that subsection.

16 Sec. 32. Acts of the Sixty-eighth General Assembly, 1979
17 Session, chapter three (3), section four (4), subsection three
18 (3), unnumbered paragraph two (2), is amended to read as
19 follows:

20 There is established a census data center coordinating
21 unit composed of the state librarian, a representative of
22 the office for planning and programming, and three represen-
23 tatives each representing one of the state universities.
24 The census data center coordinating unit shall provide for
25 not less than fifty census data training sessions throughout
26 the state, and shall negotiate a joint statistical agreement
27 with the United States bureau of the census. The census data
28 center coordinating unit shall be the agency designated in
29 Iowa to approve all such agreements with the bureau of the
30 census.

31 Sec. 33. Acts of the Sixty-eighth General Assembly, 1979
32 Session, chapter three (3), section ten (10), subsection one
33 (1), paragraph f, is amended to read as follows:

34 f. COMMUNICATIONS

35 DIVISION

1 For salaries and
 2 support of not more than
 3 ~~seventeen~~ eighteen point
 4 seventy full-time equiv-
 5 alent positions, mainte-
 6 nance, and miscellaneous
 7 purposes \$ 336,670 \$ ~~336,051~~
 8 364,051

6155 9 Sec. 34. Notwithstanding the Acts of the Sixty-eighth
 10 General Assembly, 1979 Session, chapter three (3), section
 11 six (6), subsection ten (10), the full-time equivalent posi-
 12 tions for the legislative fiscal bureau for the fiscal year
 13 beginning July 1, 1980, shall be thirteen.

14 DIVISION VI

15 Sec. 35. Acts of the Sixty-eighth General Assembly, 1979
 16 Session, chapter eleven (11), section one (1), subsection
 17 one (1), is amended by adding the following new unnumbered
 18 paragraph:

19 NEW UNNUMBERED PARAGRAPH. It is the intent of the general
 20 assembly that the Iowa crime commission reduce its full-time
 21 equivalent positions from the present twenty-two to thirteen
 22 by June 30, 1981.

23 Sec. 36. Acts of the Sixty-eighth General Assembly, 1979
 24 Session, chapter eleven (11), section one (1), subsection
 25 two (2), is amended by adding the following new unnumbered
 26 paragraph:

27 NEW UNNUMBERED PARAGRAPH. It is the intent of the general
 28 assembly that the funds appropriated by this subsection may
 29 be used to fund up to four full-time equivalent positions
 30 to complete area planning grant projects should law enforcement
 31 assistance administration funds no longer be available.

616 32 Sec. 37. Acts of the Sixty-eighth General Assembly, 1979
 33 Session, chapter eleven (11), is amended by adding the follow-
 34 ing new section:

35 NEW SECTION. There is appropriated from the general fund

6/15/1 of the state to the road use tax fund for the fiscal year
2 beginning July 1, 1980 and ending June 30, 1981 the amount
3 of one million (1,000,000) dollars.

6/16/1 4 Sec. 38. Section three hundred twelve point two (312.2),
5 subsection six (6), Code 1979, as the section is amended by
6 Acts of the Sixty-eighth General Assembly, 1979 Session, House
7 File seven hundred forty-seven (747), section one (1), is
8 amended to read as follows:

9 6. The treasurer of state shall before making the
10 allotments provided for in this section credit monthly to
11 the ~~division-of-motor-vehicle-registration-of-the~~ state
12 department of transportation funds sufficient in amount to
13 pay the costs of purchasing certificate of title and
14 registration forms, and supplies and materials and for the
15 cost of prison labor used in manufacturing motor vehicle
16 registration plates, decalcomania emblems, and validation
17 stickers at the prison industries.

18 Sec. 39. Section three hundred thirteen point five (313.5),
19 unnumbered paragraph one (1), Code 1979, is amended to read
20 as follows:

21 The department shall submit to the comptroller, as provided
22 by chapter 8, a detailed estimate of the amount required by
23 the department during each succeeding biennium for the support
24 of the department and for engineering and administration of
25 highway work and maintenance of the primary road system.
26 Such estimate shall be in the same general form and detail
27 as is required by chapter 8 and said chapter shall apply to
28 the budgeting, appropriation, and expenditure of funds in
29 the primary road fund in the same manner as such chapter
30 applies to other departments. However, the amount of contracts
31 for bituminous resurfacing, bridge painting and repair,
32 ~~concrete-paving~~ pavement and shoulder repair, and agreements
33 with ~~municipalities~~ cities for maintenance on primary road
34 extensions and agreements with counties, cities, and
35 institutions for maintenance on state park, state institution,

1 and other state land roads need not be included in the amount
2 appropriated for maintenance.

3 Sec. 40. Section three hundred twenty-eight point twenty-
4 four (328.24), Code 1979, is amended to read as follows:

5 328.24 REFUNDS OF FEES. If, during the year for which
6 an aircraft, except nonresident aircraft used for the
7 application of herbicides and pesticides, was registered and
8 the required fee paid ~~therefor~~, ~~such~~ the aircraft is destroyed
9 by fire or accident or junked, and its identity as an aircraft
10 entirely eliminated, or it is removed and continuously used
11 beyond the boundaries of the state, then the owner in whose
12 name it was registered at the time of ~~such~~ destruction,
13 dismantling, or removal from the state shall return the
14 certificate of registration to the ~~commission~~ department
15 within ten days and make affidavit of such destruction,
16 dismantling, or removal and make claim for ~~such~~ the refund.
17 The refund shall be paid from the state aviation fund.

18 The registration fee for the unexpired portion of the year
19 shall ~~thereupon~~ be refunded pro rata to the nearest full
20 calendar month.

21 Sec. 41. Sections thirty-eight (38), thirty-nine (39),
22 and forty (40) of this Act take effect July 1, 1981.

23 Sec. 42. Notwithstanding the provisions of chapters three
24 hundred ten (310) and three hundred thirteen (313) of the
25 Code, if in the judgment of the state department of
26 transportation the anticipated claims against the primary
27 road fund or farm-to-market road fund for any month are in
28 excess of funds available, a temporary transfer for
29 construction costs may be made between funds providing there
30 will remain in the transferring fund a sufficient balance
31 to meet the anticipated obligations. Fund transfers shall
32 be repaid when anticipated balances for any month are in
33 excess of anticipated obligations. Any transfer shall be
34 made with the approval of the state comptroller and shall
35 comply with the state comptroller's rules relating to the

1 transfer of funds.

6/12 2 This section is applicable only for the fiscal year begin-
3 ning July 1, 1980 and ending June 30, 1981.

6/15 4 Sec. 43. Section five hundred fifty-eight point fifty-
5 eight (558.58), Code 1979, is amended to read as follows:

6 558.58 RECORDER TO COLLECT AND DELIVER TO AUDITOR.

7 1. At the time of filing any a deed or other instrument
8 mentioned in section 558.57, the recorder shall collect from
9 the person filing the same deed or instrument the recording
10 fee provided by law, ~~also~~ and the auditor's transfer fee,
11 ~~and-forthwith~~ except as provided in subsection two (2) of
12 this section. The recorder shall deliver the deed or
13 instrument and the transfer fee to the county auditor, after
14 endorsing upon said instrument the following:

15 Filed for record, indexed, and delivered to county auditor
16 this day of, 19 ..., at
17 o'clock ..M. Recorder's and auditor's fee \$ paid.

18
19 Recorder

20 2. When the person required to pay a fee relating to a
21 real estate transaction is a governmental subdivision or
22 agency, the recorder, at the request of the governmental
23 subdivision or agency, shall bill the governmental subdivision
24 or agency for the fees required to be paid. The governmental
25 subdivision or agency shall pay the fees and taxes due within
26 thirty days after the date of filing.

27 Sec. 44. It is the intent of the general assembly that
28 the state department of transportation may construct a hangar
29 addition if sufficient funds, not to exceed eighteen thousand
30 (18,000) dollars, are available for transfer from any funds
31 appropriated to the state department of transportation from
32 the general fund of the state for the fiscal biennium beginning
33 July 1, 1979 and ending June 30, 1981.

34 Sec. 45. Acts of the Sixty-eighth General Assembly, 1979
35 Session, chapter fourteen (14), section eighteen (18), subsec-

tion two (2), paragraph b, is amended by adding the following new unnumbered paragraph:

NEW UNNUMBERED PARAGRAPH. It is the intent of the general assembly that the department of public safety shall not dis- mantle the lower portion of the radio tower located on Second Avenue in Des Moines until further consideration by the general assembly. However, the department may expend the necessary funds to maintain the structural safety of the tower.

DIVISION VII

Sec. 46. Acts of the Sixty-eighth General Assembly, 1979 Session, chapter eight (8), section one (1), subsection one (1), is amended to read as follows:

1. For general ad-
ministration, including
salaries and support,
maintenance and miscel-

laneous purposes	\$ 6,140,000	\$ 6,220,000
		<u>6,628,584</u>

It is the intent of the general assembly that up to one hundred twelve thousand (112,000) dollars of the fiscal year 1981 appropriation may be used to continue the implementation of an integrated client information system.

Sec. 47. Acts of the Sixty-eighth General Assembly, 1979 Session, chapter eight (8), section five (5), subsections two (2), three (3), eight (8), eleven (11), and thirteen (13) are amended to read as follows:

2. During the fiscal year biennium beginning July 1, 1979 and ending June 30, 1981, the department is authorized to expand staffing, in order to provide additional correctional personnel required by unitization, by ~~twenty-five~~ thirty-six new positions at Fort Madison and thirty-three new positions at Anamosa. Within the limitations of the funds appropriated by this section and the provisions of Acts of the Sixty-eighth General Assembly, 1979 Session, chapter eight (8), section thirty (30) ~~of this Act~~, the department may expand staffing

1 at the John Bennett Center by adding seven new correctional
2 personnel.

3 3. It is the intent of the general assembly that a
4 concentrated training program for correctional ~~officers~~
5 personnel at Fort Madison be established as soon as possible,
6 and that a continuing in-service training program be
7 established for correctional ~~officers-at-all-correctional~~
8 ~~institutions~~ personnel under the division of adult corrections.

9 There may be used for this purpose up to two hundred ten
10 thousand (210,000) dollars of the appropriation made by
11 subsection one (1) of this section for the fiscal year
12 beginning July 1, 1979, and up to one hundred forty thousand
13 (140,000) dollars of the appropriation made by subsection
14 one (1) of this section for the fiscal year beginning July
15 1, 1980. The general assembly also recommends that in addition
16 to using existing staff for training, the department utilize
17 other community and state resources in the development and
18 implementation of a comprehensive training program.

19	8. Community-based		
20	corrections	\$ 8,747,250	\$ 9,359,557
21			9,775,557

22 Each judicial district which uses funds appropriated under
23 this subsection may contract for services from or provide
24 funds to private agencies which provide to ex-offenders
25 education, job placement or counseling services intended to
26 facilitate the transition of the ex-offenders from
27 incarceration to free society.

28 11. For a legal as-
29 sistance program to
30 provide civil legal
31 assistance to inmates
32 of the Iowa correc-
33 tional system in mat-
34 ters of child custody,
35 bankruptcy and dis-

1 solution of marriage \$ 25,000 \$ 25,000

6130 2 Expenditures shall be authorized by the citizen's aide office,
3 and may include the costs of transporting prisoners,
612 4 secretarial support and administrative oversight.

5 13. For substance

6 abuse screening \$ 200,000 \$ ~~200,000~~

7 Sec. 48. Acts of the Sixty-eighth General Assembly, 1979
8 Session, chapter eight (8), section five (5), subsection six
9 (6), is amended by adding the following new unnumbered
10 paragraph:

11 NEW UNNUMBERED PARAGRAPH. The division of adult
12 corrections, in conjunction with other appropriate state
13 agencies, shall continue its study of alternative means of
14 making further improvements in the salaries and retirement
15 benefits of corrections officers and supporting personnel,
16 and any job reclassifications necessary to implement such
17 improvements. The department of social services shall include
18 recommendations necessary to implement these improvements
19 in its 1982-1983 budget request.

20 Sec. 49. Acts of the Sixty-eighth General Assembly, 1979
21 Session, chapter eight (8), section six (6), subsections one
22 (1) and six (6), are amended to read as follows:

23 1. For salaries and sup-
24 port, maintenance and miscel-

25 laneous purposes \$28,150,000 \$~~28,365,000~~
26 28,265,000

27 6. It is the intent of the general assembly that not more
28 than one hundred thousand (100,000) dollars of the
29 appropriation provided under subsection one (1) of this section
30 for ~~each of~~ the fiscal ~~years~~ year beginning July 1, 1979 and
31 ~~July 1, 1980~~ ending June 30, 1980 shall be used by the division
32 of mental health resources to contract for mental health and
612 33 mental retardation screening for inmates of the state's adult
34 correctional system and juvenile offenders at the state's
6120 35 juvenile institutions.

1 Sec. 50. Acts of the Sixty-eighth General Assembly, 1979
 2 Session, chapter eight (8), section seven (7), is amended
 3 by adding the following new subsection:

4 NEW SUBSECTION. If more than two hundred dollars is on
 5 deposit to the credit of a patient at a hospital school or
 6 mental health institute, in a patients' personal deposit fund
 7 established pursuant to section two hundred twenty-two point
 8 eighty-six (222.86) or two hundred twenty-six point forty-
 9 three (226.43) of the Code, and that patient has no county
 10 of legal settlement in this state, the business manager of
 11 the hospital school or mental health institute may transfer
 12 from the patients' personal deposit fund to a central account
 13 all money in excess of two hundred dollars on deposit to the
 14 credit of that patient, up to an amount equal to the patient's
 15 accumulated liability to the state for the cost of that
 16 patient's care, support and maintenance. The funds transferred
 17 to a central account pursuant to this subsection may be used
 18 by the department of social services during the fiscal year
 19 beginning July 1, 1980 to provide community based care for
 20 mentally retarded or mentally ill persons who do not have
 21 a county of legal settlement in this state. Any funds trans-
 22 ferred to a central account and not expended as authorized
 23 by this subsection shall revert to the general fund of the
 24 state on June 30, 1981.

25 Sec. 51. Acts of the Sixty-eighth General Assembly, 1979
 26 Session, chapter eight (8), section eight (8), subsection
 27 two (2), is amended to read as follows:

28 2. For aid to de-

29 pendent children	\$47,130,000	\$47,100,000
30		<u>55,100,000</u>

31 Sec. 52. Acts of the Sixty-eighth General Assembly, 1979
 32 Session, chapter eight (8), section eight (8), subsection
 33 four (4), paragraph d, is amended to read as follows:

34 d. Any spontane-
 35 ous abortion, common-

1 ly known as a miscar-
 2 riage, wherein not all
 3 of the products of con-

4 ception are expelled \$88,260,000 ~~\$95,350,000~~
 5 97,750,000

6 Notwithstanding the provisions of section eight point
 7 thirty-nine (8.39) of the Code, funds appropriated under this
 8 section are not subject to transfer to any other department,
 9 institution or agency. Any unencumbered or unobligated balance
 10 of any appropriation made under this section which exists
 11 on June 30, 1981 shall revert to the fund from which it was
 12 appropriated.

13 Sec. 53. Acts of the Sixty-eighth General Assembly, 1979
 14 Session, chapter eight (8), section eight (8), subsections
 15 five (5), six (6), nine (9) and eleven (11) are amended to
 16 read as follows:

17 5. For contractual ser-
 18 vices-medical carrier \$ 1,084,000 ~~\$ 1,232,000~~
 19 1,120,000

20 6. For children's
 21 services \$20,455,000 ~~\$21,250,000~~
 22 22,030,000

23 Notwithstanding section eight point thirty-three (8.33)
 24 of the Code, unencumbered or unobligated funds remaining in
 25 the allocation made by Acts of the Sixty-eighth General
 26 Assembly, 1979 Session, chapter eight (8), section seventeen
 27 (17), subsection two (2), from the appropriation made by this
 28 subsection for the fiscal year beginning July 1, 1979, shall
 29 not revert to the general fund of the state until June 30,
 30 1981.

31 9. For state sup-
 32 plementary assistance,
 33 including state sup-
 34 plementary assistance

35 for the blind \$ 6,090,000 \$ 6,520,000

1 It is the intent of the general assembly that the department
 2 of social services shall increase the maximum cost-related
 3 reimbursement for residential care facility services for the
 4 fiscal year beginning July 1, 1980 to ~~thirteen~~ fourteen dollars
 5 and-fifty-cents per day and the flat rate to eight ~~nine~~ dollars
 6 and twenty ~~fifty~~ cents per day.

7 11. For child sup-
 8 port recoveries, in-
 9 cluding salary and sup-
 10 port, maintenance and

11 miscellaneous purposes	\$ 428,219	\$ ~~435,160~~
12		<u>520,160</u>

13 The commissioner of social services, within the limitations
 14 of the funds appropriated in this subsection or funds trans-
 15 ferred from the aid to dependent children program for this
 16 purpose, and subject to the staffing limitations imposed by
 17 Acts of the Sixty-eighth General Assembly, 1979 Session, chap-
 18 ter eight (8), section thirty (30) as amended by this Act,
 19 may add additional child support recovery workers when the
 20 commissioner determines that additional workers can reasonably
 21 be expected to recover for the aid to dependent children
 22 program more than twice the amount of money required to pay
 23 the salary and support for those additional workers.

24 Sec. 54. Acts of the Sixty-eighth General Assembly, 1979
 25 Session, chapter eight (8), section eight (8), subsection
 26 thirteen (13), as amended by Acts of the Sixty-eighth General
 27 Assembly, 1980 Session, Senate File two thousand two hundred
 28 forty-one (2241), section twenty-two (22), is amended to read
 29 as follows:

30 13. State supple-
 31 mentation to Title

32 XX	\$ 1,000,000	\$ ~~1,000,000~~
33		<u>2,200,000</u>

34 It is the intent of the general assembly that funds ap-
 35 propriated under this subsection be used for local purchase

1 of service contracts for services listed in the overall state-
2 wide Title XX plan. In no event shall the state's obligation
3 for state supplementation to Title XX exceed two million two
4 hundred thousand dollars during the fiscal year beginning
5 July 1, 1980 and ending June 30, 1981.

6 Sec. 55. Acts of the Sixty-eighth General Assembly, 1979
7 Session, chapter eight (8), section ten (10), is amended by
8 adding the following new subsection:

9 NEW SUBSECTION. It is the intent of the general assembly
10 that assistance shall be granted under chapter two hundred
11 thirty-nine (239) of the Code to an expectant mother in the
12 last trimester of pregnancy if she meets all other eligibility
13 requirements of the aid to dependent children program. The
14 mother and fetus together shall be treated as a one-person
15 family with assistance payable to the expectant mother as
16 an eligible group of one, and a payment of ten dollars per
17 month shall also be made for the fetus. The department of
18 social services shall continue in effect, or update as may
19 be necessary, the rules adopted as required by Acts of the
20 Sixty-eighth General Assembly, 1979 Session, chapter seven
21 (7), section one (1), subsection two (2).

22 Sec. 56. Acts of the Sixty-eighth General Assembly, 1979
23 Session, chapter eight (8), section ten (10), subsections
24 one (1) and four (4), are amended to read as follows:

25 1. It is the intent of the general assembly that the
26 schedule of living costs and the payment for persons on the
27 aid to dependent children program shall be increased for all
28 family sizes by six percent commencing October 1, 1979 and
29 by an additional ~~six~~ four and one-half percent commencing
30 October 1, 1980.

31 4. It is the intent of the general assembly that the
32 department shall maintain a system of current needs budgeting
33 in computing monthly assistance grants for ADC recipients
34 until the department has presented to the governor and the
35 joint social services appropriations subcommittee of the

1 Sixty-eighth General Assembly a study and report including
2 a cost-benefit comparison and client impact comparison between
3 prior-month budgeting and current needs budgeting. The report
4 shall be submitted on December 3, 1979. Further, the depart-
5 ment shall not implement a prior-month budgeting system on
6 a statewide basis without first establishing its cost-
7 effectiveness through at least a one-year pilot program
8 employing prior-month budgeting in selected Iowa counties.

6167 9 Sec. 57. Acts of the Sixty-eighth General Assembly, 1979
10 Session, chapter eight (8), section twelve (12), is amended
11 by adding the following new unnumbered paragraph:

6167 12 NEW UNNUMBERED PARAGRAPH. Beginning July 1, 1980, the
13 basis for establishing the maximum medical assistance
14 reimbursement rate for intermediate care facilities shall
15 be the seventy-fourth percentile of all facilities' per diems
16 as calculated from the March 31, 1980 compilation of unaudited
17 financial and statistical reports. This compilation is com-
18 posed of facility cost reports received prior to February
19 1, 1980. Beginning January 1, 1981, the basis for establishing
20 the maximum reimbursement rate for intermediate care facili-
21 ties shall be the seventy-fourth percentile of all facilities'
22 per diems as calculated from the December 31, 1980 compilation
23 of unaudited financial and statistical reports. This compila-
24 tion is composed of facility cost reports received prior to
25 November 1, 1980.

26 Sec. 58. Acts of the Sixty-eighth General Assembly, 1979
27 Session, chapter eight (8), section fourteen (14), is amended
28 to read as follows:

29 SEC. 14. It is the intent of the general assembly that
30 medical assistance shall be made available to any person who
31 is an inpatient of a hospital, skilled nursing facility or
32 intermediate care facility; who is eligible for supplemental
33 security income in all respects except income; and whose
34 income does not exceed ~~six-hundred-dollars-per-month~~ three
35 hundred percent of the maximum monthly payment to an individual

1 who is a recipient under the federal supplementary security
2 income program as defined in section two hundred forty-nine
3 point one (249.1), subsection one (1), of the Code.

4 Sec. 59. Acts of the Sixty-eighth General Assembly, 1979
5 Session, chapter eight (8), section sixteen (16), is amended
6 to read as follows:

7 SEC. 16. It is the intent of the general assembly that,
8 for the fiscal year beginning July 1, 1979, foster parent
9 payments be increased by ten percent. It is further the
10 intent of the general assembly that, for the fiscal year
11 beginning July 1, 1980, foster residential care payments shall
12 increase from fifty-five to fifty-eight dollars per day and
13 foster group home payments shall increase from forty-four
14 to forty-six dollars per day. It is also the intent of the
15 general assembly that subsidized adoption rates shall be
16 increased to the same level as the foster family home rates
17 for the fiscal year beginning July 1, 1980.

18 Sec. 60. Acts of the Sixty-eighth General Assembly, 1979
19 Session, chapter eight (8), is amended by adding the following
20 new sections:

21 NEW SECTION. Notwithstanding sections two hundred eighteen
22 point seventy-eight (218.78) and two hundred eighteen point
23 one hundred one (218.101) of the Code, all receipts of the
24 Glenwood state hospital-school attributable to billings for
25 laundry services furnished the Iowa school for the deaf shall
26 be available to the hospital-school.

27 NEW SECTION. The department of social services shall
28 arrange for a study of alternative methods of cost
29 reimbursement for skilled, residential, and intermediate care
30 facilities. The study shall be conducted by an independent
31 consulting firm which shall be employed by the department
32 of social services after consultation with the governor, and
33 the joint appropriations subcommittee on social services.
34 The co-chairpersons of the joint appropriations subcommittee
35 on social services shall select three members of that

1 subcommittee to sit on a committee organized by the department
2 of social services to set study parameters, receive consultant
3 study proposals, select the consultant, and receive periodic
4 progress reports. Progress reports shall be given to the
5 governor, the commissioner of social services, and the joint
6 appropriations subcommittee on social services at least twice
7 prior to the final report which shall be submitted to the
8 governor, the department of social services, and the joint
9 appropriations subcommittee on social services no later than
10 January 15, 1981. The department may use not more than
11 seventy-five thousand dollars of the appropriation made by
12 Acts of the Sixty-eighth General Assembly, 1979 Session,
13 chapter eight (8), section eight (8), subsection four (4),
14 as amended by this Act, for the fiscal year beginning July
15 1, 1980 and ending June 30, 1981, to pay the costs of the
16 study mandated by this section.

614-17 Sec. 61. Section two hundred thirty-nine point one (239.1),
18 subsection three (3), Code 1979, is amended to read as follows:
19 3. A "dependent child" means a needy child under the age
20 of ~~sixteen~~ eighteen years, ~~-or-under-the-age-of-twenty-years~~
21 ~~who-is-a-student-regularly-attending-a-high-school-in-pursuance~~
22 ~~of-a-course-of-study-leading-to-a-high-school-diploma-or-its~~
23 ~~equivalent,-or-who-is,-in-lieu-of-pursuing-a-course-of-study~~
24 ~~leading-to-a-high-school-diploma-or-its-equivalent,-regularly~~
25 ~~attending-a-course-of-vocational-or-technical-training-designed~~
26 ~~to-fit-him-for-gainful-employment,~~ who has been deprived of
27 parental support and care by reason of death, continued absence
28 from home, physical or mental incapacity or unfitness of
29 either parent, or partial or total unemployment of the father,
30 and who is living with his or her father or mother, or both,
31 or with his or her grandfather, grandmother, brother, sister,
32 stepfather, stepmother, stepbrother, stepsister, uncle or
33 aunt, in a place of residence maintained by one or more of
34 such relatives as his or her or their home or has been placed
35 in a licensed foster home or with a public or nonprofit child

1 care agency by the state division or by the county department
 2 of social welfare in lieu of living with any relative
 3 designated in this subsection.

4 Sec. 62. Acts of the Sixty-eighth General Assembly, 1980
 5 Session, Senate File two thousand two hundred forty-one (2241),
 6 section twenty (20), is amended to read as follows:

6/12 7 SEC. 20. There is appropriated from the general fund of
 8 the state to the department of social services for the fiscal
 9 year beginning July 1, 1979 and ending June 30, 1980, the
 10 sum of one hundred thirty-eight thousand (138,000) dollars,
 11 or so much thereof as may be necessary, to supplement funds
 12 appropriated by the Acts of the Sixty-eighth General Assembly,
 13 1979 Session, chapter eight (8), section eight (8), subsection
 14 six (6). The money appropriated by this section shall be
 15 ~~used for the purpose provided by Acts of the Sixty-eighth~~
 16 ~~General Assembly, 1979 Session, chapter eight (8), section~~
 17 ~~seventeen (17), subsection two (2)~~ to fund the community
 18 integrated youth services project. Notwithstanding section
 19 eight point thirty-three (8.33) of the Code, unencumbered
 20 or unobligated funds appropriated by this section shall not
 21 revert to the general fund of the state until June 30, 1981.

22 Sec. 63. Section two hundred thirty-nine point four
 23 (239.4), unnumbered paragraph two (2), Code 1979, is amended
 24 by striking the unnumbered paragraph.

25 Sec. 64. Section two hundred fifty-two point forty-three
 26 (252.43), unnumbered paragraph three (3), Code 1979, is amended
 27 to read as follows:

28 The expense of support for the poor for Indians residing
 29 in the settlement ~~referred to in section 1-12~~ located in Tama
 30 county shall be paid from funds ~~of the state division of child~~
 31 ~~and family services of~~ appropriated for that purpose to the
 32 department of social services. To The tribal council of the
 33 settlement shall administer such support for Indians residing
 34 on a the settlement, ~~such state division shall have the powers~~
 35 ~~and duties assigned to county officials by this chapter, or~~

1 ~~the-state-division-or-director-of-same-may-designate-the~~
2 ~~director-of-social-welfare-in-the-county-where-such-Indians~~
3 ~~reside-to-administer-such-relief.~~ The tribal council shall
4 submit a report annually to the department delineating pro-
5 gram expenditures.

6 Sec. 65. The department of social services shall adopt
7 rules under section seventeen A point four (17A.4), subsection
8 two (2) of the Code, which may become effective under section
9 seventeen A point five (17A.5), subsection two (2), paragraph
10 b of the Code as follows:

11 1. To change the effective date of assistance provided
12 under chapter two hundred thirty-nine (239) of the Code from
13 the date of application to not more than seven days after
14 the date of application.

15 2. To eliminate payment for laxative drugs, podiatry
16 treatments, and posterior dental bridgework.

17 3. To limit orthodontia, except that assistance shall
18 be available for injuries requiring emergency treatment.

19 4. To limit the types of eyeglass frames provided.

20 5. To extend the time period which must elapse before
21 a person may obtain new eyeglasses, except that provision
22 shall be made for emergency needs.

23 6. To provide that dentures shall be replaced no oftener
24 than once every five years, except that allowance shall be
25 made for emergency needs.

26 7. To provide reimbursement for hearing aids at factory
27 cost plus a dispensing fee covering ear mold fitting and
28 service for six months, and payment for batteries as requested
29 by recipient.

30 8. To provide co-payment for optional services.

31 9. To provide for a fifty cent drug co-payment.

32 Sec. 66. The department of social services is authorized
33 to promulgate rules under section sixty-five (65) of this
34 Act subsequent to the approval of that section by the governor
35 and prior to the effective date of this Act, and those rules

1 shall not be declared unlawful under section seventeen A point
2 ninteen (17A.19), subsection eight (8), paragraph d of the
3 Code for failure to comply with section seventeen A point
4 four (17A.4), subsections one (1) or two (2) or section
5 seventeen A point five (17A.5) of the Code.

6 EXPLANATION

7 Division I of the bill relates to financing measures in
8 the area of education. The state educational radio and tele-
9 vision facility receives an increased appropriation for 1980-
10 1981, and the board is given authority to provide services
11 to other agencies, charge fees and establish a capital
12 equipment replacement revolving fund. An appropriation is
13 made to the college aid commission for a national guard
14 education program, to merged area V for operation of the radio
15 station, and to the state board of regents for replacing
16 losses of federal funds for capitation grants. The salary
17 of the superintendent of the school for the deaf is no longer
18 to include board.

19 Division II relates to the area of human resources.
20 Restrictions on full-time equivalent positions are included
21 for the commission on aging, the Spanish-speaking peoples
22 commission, the commission on the status of women, and the
23 health planning agency and community health division of the
24 state department of health. The Iowa state civil rights
25 commission is given the duty of providing support services
26 to the Spanish-speaking peoples commission and an appropriation
27 for that purpose. 1980-1981 appropriations are increased
28 for the Spanish-speaking peoples commission, the board of
29 medical examiners, Iowa mental health authority, mental health
30 advisory council, personal and family health services, the
31 community health division, the commission on the aging, and
32 the substance abuse program. Specific allocations are made
33 from the appropriation to the community health division for
34 deaf services, the renal disease program, and the emergency
35 medical service program. Funds appropriated for the elderly

1 care program may be used to continue existing projects.
2 County health centers may receive in-home health care grants.
3 Division III relates to natural resources. Appropriations
4 for the 1980-1981 year are increased for the European office
5 of the development commission, the energy policy council and
6 the department of soil conservation, with a supplementary
7 appropriation for cost-sharing on soil conservation practices.
8 A restriction on full-time equivalent positions under the
9 energy policy council is removed.
10 Division IV relates to regulatory and finance agencies.
11 The state comptroller is given direction on implementation
12 of governor's economy committee recommendations.
13 Appropriations are increased for the state board of engineering
14 examiners, the Iowa beer and liquor control department, the
15 department of revenue, and the department of job service for
16 IPERS. Full-time equivalent positions are increased for the
17 board of engineering examiners and IPERS, and special
18 allocations from the various appropriations are made for
19 outside warehousing and rent for the beer and liquor control
20 department, a capital assets pricing model program for the
21 department of revenue, and a systems development program for
22 IPERS. The department of general services is directed to
23 provide security for the board of engineering examiners.
24 Division V relates to other agencies of state government.
25 The 1980-1981 appropriations for judicial salaries and the
26 judicial retirement system, and the communications division
27 of the department of general services are increased.
28 Restrictions are placed on Terrace Hill tours, and authority
29 is given to spend proceeds from the sale of Terrace Hill
30 personal property for restoration. Further direction is given
31 to the census data center coordinating unit and the full-time
32 equivalent positions for the legislative fiscal bureau are
33 established.
34 Division VI relates to transportation. The Iowa crime
35 commission is directed to reduce its full-time equivalent

1 positions but may fund four positions for area planning grant
2 projects. An appropriation is made to the road use tax fund.
3 Provisions relating to certificate of title and registration
4 forms, maintenance agreements for certain roads, refunds for
5 certain aircraft registration fees, transfers of certain
6 funds, recording fees, a hangar addition, and the Second
7 Street radio tower are included.

8 Division VII relates to social services. It provides
9 increased appropriations for general administration, community-
10 based corrections, ADC, medical assistance, children's
11 services, child support recoveries, and state supplementation
12 to Title XX. The appropriation for contractual services-
13 medical carrier and the mental health institutes are reduced,
14 and the appropriation for substance abuse screening is
15 eliminated. Directions are given to the department regarding
16 the integrated client information system, additional
17 correctional personnel, the personnel training program and
18 improvements in the salaries and benefits of correctional
19 personnel, the legal assistance program, mental health and
20 retardation screening, transfers of patients' personal deposit
21 funds, medical assistance funds, funds appropriated for
22 children's services, reimbursement for residential care
23 facility services, additional child support recovery workers,
24 Title XX supplementation, payments to expectant mothers under
25 ADC, other ADC payments, a prior-month budgeting system for
26 ADC, reimbursement for intermediate care facilities,
27 supplementary security income, foster residential care and
28 foster group home payments, subsidized adoption rates, certain
29 receipts at the Glenwood hospital-school, a study to be made
30 of cost reimbursement for skilled, residential, and
31 intermediate care facilities, funds appropriated for the
32 community integrated youth services project, and support of
33 the poor on the Tama reservation. The definition of a
34 dependent child under ADC is amended, and a requirement that
35 ADC investigations include visits to the home is struck.

1 The department is authorized to adopt certain rules
2 immediately, without the time delay required by the usual
3 processes under chapter 17A.

4

5

FISCAL NOTE
Amendment H-6154 to H. F. 2580
Requested by Representative Pelton
April 17, 1980

In compliance with a written request there is hereby submitted
a Fiscal Note for H-6154 to H. F. 2580 pursuant to Joint Rule 16.

Amendment H-6154 to House File 2580

As of December 1979, there were employed by centralized payroll, Regents,
and the Department of Transportation, a total of 53,820 personnel.
Assuming that 42,000 of that number are full-time positions, a statutory
reduction of 3% in the number would produce the following results:

An average of 1½% of 42,000, or 630 positions for the fiscal
year would be eliminated.

The average salary of all state employees, including 17%
of employer payroll costs is \$18,115.

If we assume also that the highest turnover and the positions
most likely left unfilled would be the lower paying positions,
the average salary of those would probably be around \$15,000.

2

630 positions eliminated times \$15,000 would produce a savings
of \$9,450,000.

FILED APRIL 18, 1980

BY GERRY D. RANKIN
Legislative Fiscal Bureau

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LSB B22H 68

jb/jw/5.3

HOUSE FILE 2580

H-6212

- 1 Amend House File 2580 as follows:
- 2 1. Page 12, line 10, by striking the figure "88"
- 3 and inserting in lieu thereof the figure "133".
- 4 2. Page 12, line 18, by striking the figure "183"
- 5 and inserting in lieu thereof the figure "193".

H-6212 FILED APRIL 18, 1980 BY BRUNER of Story
ADOPTED BY UNANIMOUS CONSENT
(p 177)

HOUSE FILE 2580

H-6229

- 1 Amend amendment H-6123 to page 24 of House File
- 2 2580 as follows:
- 3 1. Page 1, line 22, by striking the word "a" and
- 4 inserting in lieu thereof the words "an Iowa".

H-6229 FILED APRIL 18, 1980 BY THOMPSON of Polk
ADOPTED BY UNANIMOUS CONSENT
(p 1820)

HOUSE FILE 2580

H-6242

- 1 Amend amendment H-6150 to page 33 of House File
- 2 2580 as follows:
- 3 1. Page 1, line 2, by striking the words and
- 4 figure "lines 30 and" and inserting in lieu thereof
- 5 the word "line".

H-6242 FILED APRIL 18, 1980 BY DAGGETT of Taylor
ADOPTED BY UNANIMOUS CONSENT
(p 1832)

HOUSE FILE 2580

H-6243

- 1 Amend House File 2580 as follows:
- 2 1. Page 30, by striking lines 29 and 30 and
- 3 inserting in lieu thereof the following: "reimbursement
- 4 for skilled, intermediate and residential care facilities
- 5 and congregate housing and independent group residents.
- 6 The study shall be conducted by an independent".

H-6243 FILED APRIL 18, 1980 BY DAGGETT of Taylor
ADOPTED BY UNANIMOUS CONSENT

(p 1837)

HOUSE FILE 2580

H-6241

1 Amend House File 2580 as follows:

2 1. Page 33, by inserting after line 5 the
3 following new sections:

4 "Sec. _____. Section five hundred nine point one
5 (509.1), subsection one (1), Code 1979, is amended
6 by adding the following new paragraph:

7 NEW PARAGRAPH. A policy shall not exclude from
8 coverage an employee or an employee's spouse or
9 dependents on the basis of the eligibility of the
10 employee or the employee's spouse or dependents
11 for medical assistance under chapter two hundred
12 forty-nine A (249A) of the Code.

13 Sec. _____. Section five hundred nine point one
14 (509.1), subsection four (4), Code 1979, is amended
15 by adding the following new paragraph:

16 NEW PARAGRAPH. A policy shall not exclude from
17 coverage an employee or an employee's spouse or
18 dependents on the basis of the eligibility of the
19 employee or the employee's spouse or dependents
20 for medical assistance under chapter two hundred
21 forty-nine A (249A) of the Code.

22 Sec. _____. Section five hundred nine point one
23 (509.1), subsection five (5), Code 1979, is amended
24 by adding the following new paragraph:

25 NEW PARAGRAPH. A policy shall not exclude from
26 coverage an employee or an employee's spouse or
27 dependents on the basis of the eligibility of the
28 employee or the employee's spouse or dependents
29 for medical assistance under chapter two hundred
30 forty-nine A (249A) of the Code.

31 Sec. _____. Section five hundred nine point one
32 (509.1), subsection six (6), Code 1979, is amended
33 by adding the following new paragraph:

34 NEW PARAGRAPH. A policy shall not exclude from
35 coverage an employee or an employee's spouse or
36 dependents on the basis of the eligibility of the
37 employee or the employee's spouse or dependents
38 for medical assistance under chapter two hundred
39 forty-nine A (249A) of the Code. This paragraph
40 shall also apply to corporations operating within
41 the state who provide insurance coverage for their
42 employees directly, and the commissioner shall
43 have the authority to enforce the provisions of
44 this paragraph."

H-6241 FILED APRIL 18, 1980

BY WELSH of Dubuque
MOTION TO SUSPEND RULES, LOST (p. 1827) BRUNER of Story

HOUSE FILE 2580

H-6206

- 1 Amend amendment H-6167I, to House File 2580 as
- 2 follows:
- 3 1. Page 3, line 18, by striking the word "the"
- and inserting in lieu thereof the words "an additional".

H-6206 FILED APRIL 17, 1980 BY JOCHUM of Dubuque
ADOPTED BY UNANIMOUS CONSENT

(p. 1757)

HOUSE FILE 2580

H-6183

- 1 Amend amendment H-6167 to House File 2580
- 2 as follows:
- 3 1. Page 2, by inserting after line 44 the
- 4 following:
- 5 "____. Page 5, by striking line 18 and in-
- 6 serting in lieu thereof the words "of not more
- 7 than seven eight full-".
- 8 2.. By renumbering the sections as necessary.

H-6183 FILED BY RAPP of Black Hawk
APRIL 17, 1980
ADOPTED (p. 1755)

HOUSE FILE 2580

H-6185

- 1 Amend House File 2580 as follows:
- 2 1. Page 28, line 29, by striking the words
- 3 "~~six~~ four and one-half" and inserting in lieu
- 4 thereof the word "six".
- 5 2. Page 28, line 30, by striking the word
- 6 "October" and inserting in lieu thereof the word
- 7 "July".

BY JOCHUM of Dubuque	CONNORS of Polk
BRUNER of Story	RAPP of Black Hawk
BRANDT of Black Hawk	LLOYD-JONES of Johnson
ANDERSON of Jasper	HALVORSON of Webster
CUSACK of Scott	

H-6185 FILED
APRIL 17, 1980

A- *Long*, B. *W.C.* 4/18 (p. 1526)

HOUSE FILE 2580

H-6188

- 1 Amend amendment H-6166 to page 16 of House File
- 2 2580 as follows:
- 3 1. Page 2, line 1, by inserting after the word
- 4 "Code" the following: ", to provide a supplementary
- 5 base salary increase of two percent for each employee
- 6 for the school year beginning July 1, 1980,".

6188 FILED APRIL 17, 1980 BY BYERLY of Polk

Placed out of order 4/18 (p. 1794)

HOUSE FILE 2580

H-6187

- 1 Amend House File 2580 as follows:
- 2 1. Page 33, line 30, by striking the words "optional
- 3 services" and inserting in lieu thereof the words "the
- 4 following optional services - dental, optometry, optical,
- 5 audiology, orthopedic shoes, hearing aids and medical
- 6 equipment."

H-6187 FILED APRIL 17, 1980

BY DAGGETT of Taylor

Adopted 4/18 (p. 1832)

HOUSE FILE 2580

H-6181

- 1 Amend House File 2580 as follows:
- 2 1. Page 28, by striking lines 2 through 5 and
- 3 inserting in lieu thereof the following:
- 4 "wide Title XX plan."

H-6181 FILED APRIL 17, 1980

BY JOCHUM of Dubuque

Lost 4/18 (p. 1825)

HOUSE FILE 2580

H-6182

- 1 Amend amendment H-6171 to House File 2580 as follows:
- 2 1. Page 1, lines 3 and 4, by striking the word
- 3 and figures "figures "76,570 81,570" and inserting in
- 4 lieu thereof the word and figure "figure "76,570".

H-6182 FILED APRIL 17, 1980

BY TYRRELL of Iowa

LOST (p. 1753)

HOUSE FILE 2580

H-6186

- 1 Amend House File 2580 as follows:
- 2 1. Page 20, by inserting after line 2 the
- 3 following new section:
- 4 "Sec. __. NEW SECTION. There shall be no
- 5 provisions in any agreements between the
- 6 department of transportation and political subdiv-
- 7 isions of this state for special improvement projects
- 8 which contain, or have contained, parking or other
- 9 use restrictions upon property which is not within
- 10 the specific area to be improved by actual construc-
- 11 tion or reconstruction of the special improvement
- 12 project. The provisions of this section shall
- 13 apply to all special improvement projects."
- 14 2. Renumber sections and correct internal
- 15 references as are necessary in accordance with this
- 16 amendment.

H-6186 FILED

BY WELSH of Dubuque

APRIL 17, 1980

SCHROEDER of Pottawattamie

Referred not germane 4/18 (1813) JOHNSON of Linn

HOUSE FILE 2580

H 0

1 Amend House File 2580 as follows:

2 1. Page 16, by inserting after line 8 the follow-
3 ing:

4 "Sec. 31. If on June 30, 1980 there is in excess
5 of sixty million (60,000,000) dollars of unobligated
6 funds in the general fund of the state, there is
7 appropriated for the fiscal year beginning July 1,
8 1980 from the general fund of the state to the salary
9 adjustment fund created in section eight point forty-
10 three (8.43) of the Code, the following amount or
11 so much thereof as may be available and necessary,
12 to be used and distributed to the various departments
13 and agencies in the manner provided in this Act and
14 the Acts of the Sixty-eighth General Assembly, 1979
15 Session, chapter two (2):

16 A maximum of eleven million two hundred eighty-
17 six thousand (11,286,000) dollars, or so much thereof
18 as is available, which exceeds sixty million
19 (60,000,000) dollars of unobligated funds in the
20 general fund of the state on June 30, 1980.

21 Sec. 32. The funds appropriated in section thirty-
22 one (31) of this Act are in addition to the funds
23 appropriated in the Acts of the Sixty-eighth General
24 Assembly, 1979 Session, chapter two (2), section
25 twenty-two (22), subsection one (1), and shall be
26 used to fund the following:

27 1. An annual pay adjustment to be determined by
28 the amount of funds available but not exceeding two
29 percent for the fiscal year beginning July 1, 1980,
30 which shall be available for adding to the fund and
31 making a combined adjustment for employees who will
32 receive adjustments in the fiscal year beginning July
33 1, 1980 provided for in this section and the Acts
34 of the Sixty-eighth General Assembly, 1979 Session,
35 chapter two (2), section twenty-two (22), subsections
36 one (1) and two (2). However, the rate of the pay
37 adjustment provided by this Act for employees covered
38 under Acts of the Sixty-eighth General Assembly, 1979
39 Session, chapter two (2), section twenty-eight (28),
40 may exceed or be less than the percent given to other
41 state employees at the discretion of the state board
42 of regents, but the total funds allocated to the state
43 board of regents for eligible employees shall be based
44 upon the percentage of adjustment for other state
45 employees. Funds appropriated by section thirty-one
46 (31) of this Act shall not be added to the funds
47 appropriated by the Acts of the Sixty-eighth General
48 Assembly, 1979 Session, chapter two (2), sections
49 twenty-three (23) and twenty-four (24), however,
50 employees covered under sections twenty-three (23)

H-6180
Page Two

1 and twenty-four (24) of that Act shall be eligible
2 to receive the same percentage pay adjustment payable
3 from funds appropriated by those sections in the same
4 manner as other employees.

5 2. Adjustments to the various pay plans as de-
6 termined by the merit employment commission and the
7 executive council which may be made in addition to
8 the adjustments provided for in subsection one (1)
9 of this section.

10 3. Additional general state financial aid to
11 merged areas as defined in section two hundred eighty
12 A point two (280A.2) of the Code as determined by
13 the state comptroller. Funds available for this
14 purpose shall be deposited in the salary adjustment
15 fund until allocated to the merged areas.

16 Sec. 33. Funds appropriated from the general fund
17 of the state in section thirty-one (31) of this Act
18 shall relate to salaries supported from general fund
19 appropriations and shall not be used to replace re-
20 volving, federal, trust, or special funds where
21 applicable.

22 Sec. 34. To departmental revolving, trust, or
23 special funds, except for the primary road fund or
24 the road use tax fund, for which the general assembly
25 has established an operating budget, a supplemental
26 authorization is provided to use the funds in an
27 amount necessary to fund salary adjustments at the
28 level authorized in section thirty-one (31) of this
29 Act.

30 2. Renumber sections and internal references as
31 required.

H-6180 FILED APRIL 17, 1980 BY BRUNER of Story

Filed not german 4/18 (p. 1799)

HOUSE FILE 2580

H-6179

1 Amend amendment H-6167 to House File 2580
2 as follows:

3 1. Page 3, by inserting after line 26 the
4 following:

5 "_____. Page 11, by inserting after line 28
6 the following: Of the appropriation for the 1980-
7 1981 fiscal year up to eight hundred thousand
8 (800,000) dollars may be spent for the computer-
9 ization of the soil survey data."

10 2. By renumbering the sections as necessary.

H-6179 FILED APRIL 17, 1980 BY DAVITT of Warren

Lost 4/18 (p. 1771)

HOUSE FILE 2580

H-6175

- 1 Amend the amendment H-6165 to House File 2580 as
- 2 follows:
- 3 1. Page 2, line 33, by inserting after the word
- 4 "one" the words "and one-third".
- 5 2. Page 2, line 35, by inserting after the word
- 6 "additional" the words "two-thirds of".

H-6175 FILED APRIL 17, 1980 By BRANDT of Black Hawk
OUT OF ORDER (p. 1719)

HOUSE FILE 2580

H-6177

- 1 Amend House File 2580 as follows:
- 2 1. Page 12, by inserting after line 1 the
- 3 following:
- 4 "5 Office for plan- Highway safety
- 5 ning and program- unit to be assign-
- 6 ming ed to state depart-
- 7 ment of transporta-
- 8 tion."

BY SCHROEDER of Pottawattamie
WELDEN of Hardin
CRABB of Crawford
POPE of Polk

H-6177 FILED
APRIL 17, 1980
Adopted 4/18 (p. 1774)

HOUSE FILE 2580

H-6178

- 1 Amend amendment H-6167 to House File 2580 as
- 2 follows:
- 3 1. Page 6, by striking line 32 and inserting in
- 4 lieu thereof the following:
- 5 "Code \$ 250,000 \$ 250,000
- 6 Sec. ____ Section three hundred eighty-seven
- 7 point three (387.3), subsection one (1), Code 1979,
- 8 is amended to read as follows:
- 9 1. A sponsor from a city of less than twenty-five
- 10 hundred population by the last available federal cen-
- 11 sus or a homeowners' association organized as a
- 12 nonprofit corporation in an unincorporated area may
- 13 apply to the committee for a grant for a community
- 14 development project. The application must be
- 15 sponsored by the city government or by an organization
- 16 representing a broad cross-section of the community."

H-6178 FILED APRIL 17, 1980 BY DAVITT of Warren
Placed out of order 4/18 (p. 1796)

HOUSE FILE 2580

H-6172

1 Amend amendment H-6165 to House File 2580 as
2 follows:

3 1. Page 5, by inserting after line 34 the
4 following:

5 "Sec. 9. Section four hundred fifty point four
6 (450.4), subsection one (1), Code 1979, is amended
7 to read as follows:

8 1. When the entire estate of the decedent does
9 not exceed the sum of ~~one~~ ten thousand dollars after
10 deducting the debts, as defined in this chapter.

11 Sec. 10. Section four hundred fifty point nine
12 (450.9), Code 1979, is amended to read as follows:

13 450.9 INDIVIDUAL EXEMPTIONS. In computing the
14 tax on the net estate passing to the surviving spouse,
15 heirs or beneficiaries of the deceased the following
16 credits or exemptions shall be allowed:

17 1. Surviving spouse, eighty one hundred twenty
18 thousand dollars.

19 2. Each son and daughter, including legally adopted
20 sons and daughters, or ~~illegitimate~~ sons and daughters
21 born out of wedlock entitled to inherit under the
22 law of this state, thirty sixty thousand dollars.

23 3. Father or mother, ten fifteen thousand dollars.

24 4. Any other lineal descendant of the deceased,
25 ten fifteen thousand dollars.

26 Sec. 11. Sections nine (9) and ten (10) of this
27 Act are effective January first following its enactment
28 for the estates of decedents dying on or after the
29 effective date of those sections."

30 2. Page 5, by striking lines 49 through page 6
31 line 1, and inserting in lieu thereof the following:

32 "Sec. 14. It is the intent of the general assembly
33 that the additional revenues made available by section
34 eight (8) of this Act be first used to replace the
35 revenues that are not received during the fiscal year
36 beginning July 1, 1980 and ending June 30, 1981 because
37 of the changes made in chapter four hundred fifty
38 (450) of the Code by this Act and that the remaining
39 additional revenues be used to provide the funding
40 for sections one (1) through seven (7) of this Act."

41 3. Page 6, by inserting after line 2 the following:

42 "3. Amend the title page 2, line 15, by inserting
43 after the word "services" the words "and increasing
44 the inheritance tax exemptions".

HOUSE FILE 2580

H-6174

- 1 Amend amendment H-6165 to House File 2580
- 2 as follows:
- 3 1. Page 2, line 1, by inserting before the word
- 4 "salary" the word "supplementary".

H-6174 FILED APRIL 17, 1980 By HORN of Linn
OUT OF ORDER (p. 1719)

HOUSE FILE 2580

H-6176

- 1 Amend House File 2580 as follows:
- 2 1. Page 3, by inserting after line 34 the following
- 3 section:
- 4 "Sec. _____. The state board of regents and the
- 5 state board of public instruction shall formulate
- 6 policies guiding the enrollment of foreign students
- 7 at institutions of higher education administered by
- 8 the state board of regents and area schools.
- 9 Considerations may include but not be limited to the
- 10 following:
- 11 1. The educational value of interaction with
- 12 students from many nations.
- 13 2. The potential effects of enrolling a large
- 14 block of students from any one foreign nation.
- 15 3. That academic standards not be unfairly lowered
- 16 to accommodate foreign students.
- 17 4. Assurances that Iowa students not be denied
- 18 entry into limited-size classes, research and teaching-
- 19 assistant positions, and not denied campus housing
- 20 or financial assistance because of unreasonable
- 21 competition from foreign students.
- 22 5. That faculty not be burdened with extraordinary
- 23 demands because of responsibilities to foreign
- 24 students.
- 25 6. Prevention of an overload by families of foreign
- 26 students upon the schools and tax-supported medical
- 27 and social assistance programs within college
- 28 communities."

H-6176 FILED APRIL 17, 1980 By EGENES of Story
LOST (p. 1749)

HOUSE FILE 2580

H-6171

- 1 Amend House File 2580 as follows:
- 2 1. Page 5, line 11, by striking the figure "76,570"
- 3 and inserting in lieu thereof the figures "76,570
- 4 81,570".

H-6171 FILED APRIL 17, 1980 By HORN of Linn
LOST (p. 1753)

HOUSE FILE 2580

H-6170

- 1 Amend House File 2580 as follows:
- 2 1. Page 5, line 11, by striking the figure "76,570"
- 3 and inserting in lieu thereof the figures "76,570
- 4 78,170".

H-6170 FILED APRIL 17, 1980 By HORN of Linn
OUT OF ORDER (p. 1754)

HOUSE FILE 2580

H-6173

- 1 Amend House File 2580 as follows:
- 2 1. Page 2, by inserting after line 29 the
- 3 following:
- 4 "Sec. _____. Acts of the Sixty-eighth General
- 5 Assembly, chapter thirteen (13), section two (2),
- 6 subsection three (3), is amended to read as follows:
- 7 3. VOCATIONAL TECHNICAL TUITION
- 8 GRANT PROGRAM
- 9 To supplement the appropriation
- 10 provided in subsection three (3) of
- 11 section two hundred sixty-one point
- 12 twenty-five (261.25) of the Code for
- 13 tuition grants to full-time resident
- 14 students in a vocational-technical
- 15 program in Iowa as provided in section
- 16 two hundred sixty-one point seventeen
- 17 (261.17) of the Code\$50,000 \$400,000
- 18 150,000
- 19 Sec. _____. Section two hundred sixty-one point
- 20 seventeen (261.17), subsection three (3), Code 1979,
- 21 is amended to read as follows:
- 22 3. The amount of vocational-technical tuition
- 23 grant shall not exceed the lesser of ~~four~~ five hundred
- 24 dollars per year or the amount of the student's
- 25 established financial need."
- 26 2. Renumber as required.

H-6173 FILED APRIL 17, 1980 By HORN of Linn
LOST (p. 1727)

H-6167

1 Amend House File 2580 as follows:

A 2 1. Page 3, by striking line 9 and inserting in
3 lieu thereof the figure "4,801,000".

4 2. Page 3, by inserting after line 9 the following:
5 "Sec. _____. Acts of the Sixty-eighth General As-
6 sembly, 1979 Session, chapter thirteen (13), section
7 seven (7), subsection ten (10), paragraph a, is amended
8 to read as follows:

9 10. SCHOOL BUDGET

10 REVIEW COMMITTEE \$ 300,000 \$ ~~1,300,000~~
11 800,000

B 12 a. From the funds appropriated to the school
13 budget review committee for fiscal year 1980-1981
14 ~~nine four~~ hundred thousand ~~(900,000)~~ (400,000) dollars
15 shall be used exclusively for transportation costs
16 unusually increased above the normal rate of inflation,
17 including costs arising because of the need for
18 replacement vehicles and the repair of vehicles and
19 two hundred thousand (200,000) dollars or as much
20 thereof as necessary shall be used exclusively for
21 grants to public schools and for nonpublic school
22 pupils for programs for instruction in the English
23 language, a transitional bilingual program, or other
24 special instruction program within the requirements
25 of sections eighteen (18) and nineteen (19) of this
26 Act. From the two hundred thousand (200,000) dollars
27 for a transitional bilingual, instruction in the
28 English language or other special instruction program,
29 the school budget review committee may allocate an
30 amount not to exceed ten thousand (10,000) dollars
31 to the department of public instruction to cover the
32 actual and necessary costs of administering the program
33 as required in section nineteen (19) of this Act."

34 3. Page 3, by inserting after line 9 the following:

C 35 "Sec. _____. There is appropriated from the general
36 fund of the state to the department of public
37 instruction for the fiscal year 1980-1981, for
38 allocation to merged areas as defined in section two
39 hundred eighty A point two (280A.2) of the Code, the
40 sum of four hundred thousand (400,000) dollars, or
41 so much thereof as may be necessary, to pay actual
42 costs for the purchase of fuel and electricity which
43 exceed funds budgeted for fuel or electricity purposes.
44 The funds, or any portion of the funds, shall not
45 be allocated unless the department of public
46 instruction determines that actual costs for the
47 purchase of fuel or electricity exceed funds budgeted
48 for fuel or electricity purposes and the state
49 comptroller approves the allocation of the funds
50 appropriated by this section."

H-6167
Page Two

1 4. Page 3, by striking line 16 and inserting in
D 2 lieu thereof the following:

3 "station \$ \$ 100,000"

4 5. Page 3, by inserting after line 16 the following
5 section:

6 "Sec. ____ Acts of the Sixty-eighth General
7 Assembly, 1979 Session, chapter thirteen (13), section
8 seven (7), subsection twelve (12), is amended to read
9 as follows:

10 12. PROGRAMS FOR GIFTED
11 AND TALENTED CHILDREN.

12 a. For programs for
13 gifted and talented
14 children approved by
15 the department under
16 section four hundred
17 forty-two point thirty-
18 four (442.34) of the

19 Code \$ \$ 100,000

E 20 b. For support ser-
21 vices for programs for
22 gifted and talented
23 children approved by
24 the department under
25 section four hundred
26 forty-two point thirty-
27 four (442.34) of the

28 Code \$ \$ 31,000

29 If federal
30 funds become available for the purpose for which funds
31 are appropriated by this paragraph, the appropriation
32 in this paragraph shall be reduced by the amount of
33 federal funds received and the amount the appropriation
34 is reduced shall revert to the general fund of the
35 state."

36 6. Page 4, by inserting after line 14 the
37 following:

38 "Sec. ____ Acts of the Sixty-eighth General
F 39 Assembly, 1979 Session, chapter nine (9), section
40 one (1), is amended by adding the following new
41 subsection:

42 5. For the older
43 Iowans model legis-

44 lature \$ \$ 14,000"

G 45 7. Page 5, by striking line 22 and inserting in
46 lieu thereof the figure "225,442".

47 8. Page 6, by inserting after line 5 the fol-
48 lowing:

H 49 "Sec. ____ Acts of the Sixty-eighth General As-
50 sembly, 1979 Session, chapter nine (9), section four

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Page Three

1 (4), subsection two (2), paragraph a, is amended to
2 read as follows:

3 a. Health facilities
4 service.

5 For salaries and sup-
6 port of not more than
7 sixty-eight point four
8 full-time equivalent
9 positions annually,
10 maintenance and mis-

11 cellaneous purposes \$ 554,102 \$ 548,903
12 713,903"

13 9. Page 6, by striking line 28 and inserting in
14 lieu thereof the following:

15 " \$ 995,373

16 Of the appropriation for the 1980-1981 fiscal year
17 the sum of one hundred thousand (100,000) dollars
18 is allocated for family planning and the sum of
19 fourteen thousand (14,000) dollars is allocated for
20 genetic counseling."

21 10. Page 11, by striking from lines 16 and 17
22 the words and figure "nine hundred seventy-nine
23 thousand four hundred (979,400)" and inserting in
24 lieu thereof the words and figure "one million nine
25 hundred seventy-nine thousand four hundred
26 (1,979,400)".

27 11. Page 11, by inserting after line 28 the
28 following new section:

29 "Sec. _____. There is appropriated from the general
30 fund of the state to the Iowa state university of
31 science and technology agricultural experiment station
32 for the fiscal year beginning July 1, 1980 and ending
33 June 30, 1981, the sum of fifty thousand (50,000)
34 dollars, or so much thereof as may be necessary, to
35 be used by the university to continue the study and
36 research of grain grading, testing and price in Iowa.
37 Such study and research shall include but is not
38 limited to the effects on grain grading, testing and
39 pricing in Iowa of weight shrinkage factors, price
40 discounts, grain product quality, moisture meters
41 and present harvest techniques."

42 12. Page 11, by striking lines 30 through 32 and
43 inserting in lieu thereof the following:

44 "Sec. 26. The appropriation provided in this
45 section is to be allocated to departments and agencies
46 of state government during the fiscal year beginning
47 July 1, 1980 for the exclusive purpose of implementing
48 the governor's economy committee recommendations.
49 The objectives of implementation are to increase the
50 effectiveness and efficiency of state government and

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1 to maximize the reversion of appropriated funds to
2 the state general fund.
3 The amounts reasonably attributable to being saved
4 by the various agencies as a result of this
5 appropriation shall be identified and reverted to
6 the general fund in time to be included in the balance
7 of June 30, 1981.

8 The state comptroller, in implementing
9 recommendations of the governor's economy committee,
10 shall give special consideration to the following:"

11 13. Page 13, by inserting after line 1 the
12 following:

13 "The comptroller
14 shall furnish a de-
15 tailed report of the
16 use and results of
17 this appropriation
18 to the general assem-
19 bly by January 1, 1982,
20 including the specific
21 recommendations of the
22 governor's economy
23 committee which were
24 implemented, the
25 amounts saved and

26 reverted \$ 100,000"

27 14. Page 13, by inserting after line 1 the
28 following new section:

29 "Sec. _____. Notwithstanding any conflicting
30 sections of the Code the governor and the comptroller
31 shall implement the following recommendations of the
32 Governor's Economy Committee:

33 Governor's
34 Economy Com-
35 mittee Recom-
36 mendation No.

Agency
Name
Department of
Agriculture

Description
Permit promotional
boards to collect
their own program
moneys.
Adjust staff to
reflect work loads.
Create a Stores and
Inventory Control
Section.
Implement a preven-
tive maintenance
program for building
steam traps.
Adjust custodial

M
37 13
38
39
40
41 18
42
43 40
44
45
46 56
47
48
49
50 57

Auditor
General
Services
General
Services
General

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Page Five

1		Services	staff levels to
2			reflect appropriate
3			work standards.
4	75	General	Establish appropri-
5		Services	ate criteria for
6			vehicle purchases.
7	79	General	Block route selec-
8		Services	tion so long dis-
9			tance calls cannot
10			be placed at regular
11			telephone rates.
12	80	General	Inventory existing
13		Services	telephone equipment
14			and establish appro-
15			prate usage re-
16			strictions.
17	88	Comptroller	Elevate the Data
18			Processing Division
19			to department
20			status.
21	118	Department of	Deposit sales and
22		Revenue	use tax receipts
23			on a same day basis.
24	138	Board of	Improve cost-
25		Regents	effectiveness of the
26			board's fleet
27			operations.
28	303	Beer and	Install automatic
29		Liquor	timers on store
30		Department	thermostats.
31	318	Department of	Increase the cost-
32		Transportation	effectiveness of
33			department fleet
34			operations.
35	376	Professional	Consolidate adminis-
36		Licensing	trative support for
37		Agencies	state licensing
38			functions and estab-
39			lish biennial re-
40			newal requirements."

41 15. Page 14, by inserting after line 25 the follow-

42 ing:

43 "Sec. _____. There is appropriated from the general
44 fund of the state for the fiscal year beginning July
45 1, 1980 and ending June 30, 1981 to the department
46 of revenue the sum of twenty-seven thousand five
47 hundred (27,500) dollars, or so much thereof as is
48 necessary, for the purpose of performing a study to
49 determine methods and procedures for the market value
50 assessment and equalization of agricultural dwellings

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1 as a separate and distinct property tax entity as
2 required by House File two thousand seventy-two (2072),
3 as amended by the Sixty-eighth General Assembly, 1980
4 Session.

5 The study shall also include an analysis of the
6 availability, reliability and use of data affecting
7 agricultural valuations including but not limited
8 to corn suitability ratings, land use as reflected
9 by cropping patterns, crop price differentials, and
10 production costs.

11 The study is intended to culminate in the
12 development of specific methodologies for determination
13 and issuance of formal equalization adjustment orders
14 in 1981 for agricultural dwellings and other
15 agricultural realty as required by law."

16 16. Page 16, by inserting after line 8 the follow-
17 ing:

18 "Sec. _____. Acts of the Sixty-eighth General
19 Assembly, 1979 Session, chapter three (3), section
20 three (3), subsection one (1), paragraph c, is amended
21 to read as follows:

0 22 c. For rural com-
23 munity development,
24 including not more
25 than ten thousand
26 (10,000) dollars to
27 be expended for ad-
28 ministration expenses,
29 pursuant to chapter
30 three hundred eighty-
31 seven (387) of the

32 Code \$ 250,000 \$ 250,000"

33 17. Page 17, by inserting after line 15 the
34 following new section:

P 35 "Sec. _____. Acts of the Sixty-eighth General
36 Assembly, 1979 Session, chapter three (3), section
37 two (2), subsection one (1), is amended by striking
38 the subsection."

Q 39 18. By striking page 17, line 31 through page
40 18, line 8.

R 41 19. By striking page 18, line 32 through page
42 19, line 3.

43 20. Page 19, by inserting after line 3 the
44 following new section:

S 45 "Sec. _____. Acts of the Sixty-eighth General
46 Assembly, 1979 Session, chapter eleven (11), section
47 four (4), subsection two (2), is amended to read as
48 follows:

49 2. For the mass
50 transit project for

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1 state employees \$ 75,000 \$ 75,000"

2 21. Page 19, by inserting after line 3 the
3 following new section:

4 "Sec. _____. Acts of the Sixty-eighth General
5 Assembly, 1979 Session, chapter eleven (11), section
6 four (4), subsection three (3), unnumbered paragraph
7 one (1), is amended to read as follows:

8 3. For public
9 transit purposes to
10 implement a state

11 assistance plan \$ 2,000,000 \$ ~~2,000,000~~
12 2,300,000"

13 22. Page 19, by inserting after line 3 the
14 following new section:

15 "Sec. _____. There is appropriated from the general
16 fund of the state to the department of public safety
17 for the fiscal year beginning July 1, 1980 and ending
18 June 30, 1981, one hundred thousand (100,000) dollars,
19 or so much as may be necessary, to pay actual costs
20 for the purchase of fuel which exceed funds budgeted
21 for fuel purchases for the state highway patrol."

22 23. Page 22, by inserting after line 22 the
23 following:

24 "Sec. _____. Acts of the Sixty-eighth General
25 Assembly, 1979 Session, chapter eight (8), section
26 three (3), subsection four (4), is amended to read
27 as follows:

28 4. For operation
29 of the Iowa veterans
30 home, including salaries
31 and support, mainte-
32 nance and miscellaneous
33 purposes

34 \$10,400,000 \$~~10,600,000~~
35 10,750,000"

36 24. Page 25, line 30 by striking the figure
37 "55,100,000" and inserting in lieu thereof the figure
38 "56,100,000".

39 25. Page 26, line 5 by striking the figure
40 "97,750,000" and inserting in lieu thereof the figure
41 "98,250,000".

42 26. Page 26, line 35, by striking the figure
43 "6,520,000" and inserting in lieu thereof the
44 following:

45 "\$ ~~6,520,000~~
46 6,920,000"

47 27. Page 27, line 5, by striking the words "and
48 fifty-cents" and inserting in lieu thereof the words
49 "and fifty cents".

50 28. Page 27, line 33, by striking the figure
51 "2,200,000" and inserting in lieu thereof the figure

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1 "2,800,000".

2 29. Page 29, by inserting after line 8 the
3 following:

4 "Sec. _____. Acts of the Sixty-eighth General
5 Assembly, 1979 Session, chapter eight (8), is amended
6 by adding the following section:

AA 7 SEC. 31. It is the intent of the general assembly
8 that the monthly personal needs allowance for Title
9 XIX recipients residing in intermediate care facilities
10 be raised from twenty-five dollars per month to thirty
11 dollars per month for the fiscal year beginning July
12 1, 1980 and ending June 30, 1981."

13 30. Page 29, line 16, by striking the word and
14 figure "March 31" and inserting in lieu thereof the
15 word and figure "June 30".

BB 16 31. Page 29, line 18, by striking the word
17 "February" and inserting in lieu thereof the word
18 "May".

19 32. Page 30, by inserting after line 20 the
20 following:

21 "NEW SECTION. It is the intent of the general
22 assembly that the department proceed with the
23 systematic phase down of the state mental health
24 institute at Clarinda to be completed by November
25 1, 1980. The department shall make reasonable efforts

CC 26 to identify other sources of mental health services
27 to individuals who would have been served at Clarinda.

28 NEW SECTION. The department shall revert to the
29 general fund by June 30, 1981 not less than four
30 million eight hundred thousand (4,800,000) dollars
31 as a result of a department employee hiring freeze,
32 increased employee vacancy factor and reductions in
33 travel and support services."

34 33. Page 30, by inserting after line 26 the
35 following:

36 "NEW SECTION. It is the intent of the general
37 assembly that upon approval of the federal department
38 of health, education and welfare the department shall
39 implement a Title XIX medically needy pilot project
40 in selected counties for the purpose of studying the
41 cost and benefits of a statewide medically needy
DD 42 program. The department may use no more than two
43 hundred fifty thousand (250,000) dollars of the
44 appropriation made by Acts of the Sixty-eighth General
45 Assembly, 1979 Session, chapter eight (8), section
46 eight (8), subsection four (4), as amended by this
47 Act, for the fiscal year beginning July 1, 1980 and
48 ending June 30, 1981 for pilot projects. The
49 department shall report to the general assembly in
50 January of 1982 indicating projected utilization and

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- 1 costs, possible savings and client impact, and the
2 feasibility of a state program."
3 34. Page 33, by inserting after line 5 the
4 following:
5 "Sec. ____ Acts of the Sixty-eighth General
6 Assembly, 1979 Session, chapter eight (8), section
7 five (5). is amended by striking subsection fourteen
8 (14)."
9 35. Renumber as required.

BY AVENSON of Fayette	NORLAND of Worth
DAVITT of Warren	HALVORSON of Webster
JESSE of Polk	PERKINS of Greene
ANDERSON of Jasper	WALTER of Pottawattamie
CUSACK of SCOTT	BRANDT of Black Hawk
JOCHUM of Dubuque	WOODS of Polk
RAPP of Black Hawk	OXLEY of Linn
BRUNER of Story	PATCHETT of Johnson
HULLINGER of Decatur	SHERZAN of Polk
DOYLE of Woodbury	BINA of Scott
MILLER of Buchanan	COCHRAN of Webster
WELLS of Linn	HALL of Linn
DIELEMAN of Marion	BINNEBOESE of Plymouth
CONNOLLY of Dubuque	WELSH of Dubuque
HORN of Linn	PAVICH of Pottawattamie
SPEAR of Lee	GETTINGS of Wapello
LONERGAN of Boone	ARNOULD of Scott
CONNORS of Polk	O'KANE of Woodbury
LLOYD-JONES of Johnson	HOWELL of Floyd
JAY of Appanoose	GROTH of Buena Vista

G - LOST (p. 1755)	AA - Lost 4/18 (p. 1827)
H - LOST (p. 1757)	BB - Lost 4/18 (p. 1828)
I - LOST (p. 1758)	CC - Lost (p. 1829)
J - Lost (p. 1772)	DD - Lost (p. 1830)
K - Lost (p. 1773)	EE - Lost (p. 1831)
L - Lost (p. 1773)	FF - w/d (p. 1832)
M - Lost 4/15 (p. 1786)	
N - Billed me germane (p. 1791)	
O - Billed me germane (p. 1796)	
P - Lost (p. 1799)	
Q - w/d (p. 1799)	
R - Lost (p. 1809)	
S - Lost (p. 1811)	
T - Lost (p. 1812)	
U - Lost (p. 1813)	
V - Lost (p. 1816)	
W - Lost (p. 1822)	
X - Lost (p. 1824)	
Y - Lost (p. 1825)	
Z - w/d (p. 1828)	

HOUSE FILE 2580

H-6157

- 1 Amend amendment H-6154 to House File 2580 as follows:
- 2 1. Page 1, line 9, by striking the word "three"
- 3 and inserting in lieu thereof the word "five".
- 4 2. Page 1, line 31, by striking the word "three"
- 5 and inserting in lieu thereof the word "five".
- 6 3. Page 1, line 38, by striking the word "three"
- 7 and inserting in lieu thereof the word "five".

H-6157 FILED APRIL 17, 1980

BY TYRRELL of Iowa

Loe 4/18 (p. 1503)

HOUSE FILE 2580

H-6164

- 1 Amend House File 2580 as follows:
- 2 1. Page 15, by striking lines 20 through page
- 3 16, line 8.
- 4 2. Renumber sections as necessary.

H-6164 FILED APRIL 17, 1980

BY TYRRELL of Iowa

Loe 4/18 (p. 1793)

HOUSE FILE 2580

H-6169

- 1 Amend amendment H-6126 to House File 2580 as
- 2 follows:
- 3 1. Page 1, line 25, by striking the word "shall"
- 4 and inserting in lieu thereof the word "may".

H-6169 FILED APRIL 17, 1980 By HOFFMANN of Muscatine
OUT OF ORDER (*p. 1726*)

HOUSE FILE 2580

H-56

Amend House File 2580 as follows:

1. Page 16, by inserting after line 8 the following:

"Sec. ____.

1. There is appropriated from the general fund of the state to the salary adjustment fund created in section eight point forty-three (8.43) of the Code, the following amount or so much thereof as is necessary, to be used and distributed to the various departments and agencies in the manner provided in this section and the Acts of the Sixty-eighth General Assembly, 1979 Session, chapter two (2):

For the fiscal year beginning July 1, 1980 \$ 10,286,000

2. The funds appropriated in subsection one (1) of this section are in addition to the funds appropriated in the Acts of the Sixty-eighth General Assembly, 1979 Session, chapter two (2), section twenty-two (22), subsection one (1), and shall be used to fund the following:

a. An annual pay adjustment of two percent for the fiscal year beginning July 1, 1980, which shall be available for adding to the fund and making a combined adjustment for employees who will receive adjustments in the fiscal year beginning July 1, 1980 provided for in this section and the Acts of the Sixty-eighth General Assembly, 1979 Session, chapter two (2), section twenty-two (22), subsections one (1) and two (2). However, the rate of the pay adjustment provided by this section for employees covered under Acts of the Sixty-eighth General Assembly, 1979 Session, chapter two (2), section twenty-eight (28), may exceed or be less than two percent at the discretion of the state board of regents, except that the rate of the pay adjustment for employees covered under Acts of the Sixty-eighth General Assembly, 1979 Session, chapter two (2), section twenty-two (22), subsection two (2), paragraph g shall be not less than one and one-third percent. Funds appropriated by this section shall not be added to the funds appropriated by the Acts of the Sixty-eighth General Assembly, 1979 Session, chapter two (2), sections twenty-three (23) and twenty-four (24), however, employees covered under sections twenty-three (23) and twenty-four (24) of that Act are eligible to receive the two percent pay adjustment payable from funds appropriated by those sections in the same manner as other employees.

b. Additional general state financial aid to merged areas as defined in section two hundred eighty

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Page Two

- 1 A point two (280A.2) of the Code as determined by
- 2 the state comptroller. Funds available for this purpose
- 3 shall be deposited in the salary adjustment fund until
- 4 allocated to the merged areas.
- 5 3. Funds appropriated from the general fund of
- 6 the state in this section relate to salaries supported
- 7 from general fund appropriations and shall not be
- 8 used to replace revolving, federal, trust, or special
- 9 funds where applicable.
- 10 4. To departmental revolving, trust, or special
- 11 funds, except for the primary road fund or the road
- 12 use tax fund, for which the general assembly has
- 13 established an operating budget, a supplemental
- 14 authorization is provided to use the funds in an
- 15 amount necessary to fund salary adjustments at the
- 16 level authorized in paragraph a of subsection one
- 17 (1) of this section."
- 18 2. Renumber sections and internal references as
- 19 necessary.

BY BYERLY of Polk	BINNEBOESE of Plymouth
BRANDT of Black Hawk	WELLS of Linn
PAVICH of Pottawattamie	SPEAR of Lee
BRUNER of Story	LLOYD-JONES of Johnson
RAPP of Black Hawk	NORLAND of Worth
HULLINGER of Decatur	JAY of Appanoose
O'KANE of Woodbury	HOWELL of Floyd
DOYLE of Woodbury	WELSH of Dubuque
JESSE of Polk	AVENSON of Fayette
CUSACK of Scott	DIELEMAN of Marion
COCHRAN of Webster	HALL of Linn
HORN of Linn	LONERGAN of Boone
CONNOLLY of Dubuque	DAVITT of Warren

H-6166 FILED
APRIL 17, 1980

Filed out of order
4/18 (p. 1794)

HOUSE FILE 2580

H-6160

- 1 Amend House File 2580 as follows:
- 2 1. Page 2, by striking lines 16 through 18 and
- 3 inserting in lieu thereof the words "the sum of fifty
- 4 thousand (50,000) dollars, or so".

H-6160 FILED APRIL 17, 1980 By TYRRELL of Iowa
LOST (p. 1727)

HOUSE FILE 2580

H-165

1 Amend House File 2580 as follows:

2 1. Page 1, by inserting after the enacting clause,
3 the following:

4 "Section 1. There is appropriated from the general
5 fund of the state to the salary adjustment fund created
6 in section eight point forty-three (8.43) of the Code,
7 the following amount or so much thereof as is
8 necessary, to be used and distributed to the various
9 departments and agencies in the manner provided in
10 this Act:

11 For the fiscal year
12 beginning July 1, 1980..... \$ 8,926,000

13 Sec. 2. The funds appropriated in section one
14 (1) of this Act are in addition to the funds
15 appropriated in the Acts of the Sixty-eighth General
16 Assembly, 1979 Session, chapter two (2), section
17 twenty-two (22), subsection one (1), and shall be
18 used to fund the following and section six (6) of
19 this Act:

20 1. An annual pay adjustment of two percent for
21 the fiscal year beginning July 1, 1980, which shall
22 be available for adding to the funds appropriated
23 in the Acts of the Sixty-eighth General Assembly,
24 1979 Session, chapter two (2), section twenty-two
25 (22), subsection one (1) and making a combined
26 adjustment for employees who will receive adjustments
27 in the fiscal year beginning July 1, 1980 provided
28 for in this section and the Acts of the Sixty-eighth
29 General Assembly, 1979 Session, chapter two (2),
30 section twenty-two (22), subsections one (1) and two
31 (2). However, this subsection does not apply to
32 employees covered under section six (6) of this Act.
33 Funds appropriated by this Act shall not be added
34 to the funds appropriated by the Acts of the Sixty-
35 eighth General Assembly, 1979 Session, chapter two
36 (2), sections twenty-three (23) and twenty-four (24).
37 However, employees covered under sections twenty-three
38 (23) and twenty-four (24) of that Act are eligible
39 to receive the two percent pay adjustment payable
40 from funds appropriated by those sections in the same
41 manner as other employees.

42 2. Adjustments to the various pay plans as de-
43 termined by the merit employment commission and the
44 executive council which may be made in addition to
45 the adjustments provided for in subsection one (1)
46 of this section.

47 Sec. 3. There is appropriated from the general
48 fund of the state for the fiscal year beginning July
49 1, 1980 and ending June 30, 1981 to the state
50 comptroller for allocation as additional general state

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Page two

1 financial aid for salary adjustment purposes of merged
2 areas as defined in section two hundred eighty A point
3 two (280A.2) of the Code, the sum of one million three
4 hundred sixty thousand (1,360,000) dollars, or so
5 much thereof as is necessary.

6 Sec. 4. Funds appropriated from the general fund
7 of the state in this Act shall relate to salaries
8 supported from general fund appropriations and shall
9 not be used to replace revolving, federal, trust,
10 or special funds where applicable.

11 Sec. 5. To departmental revolving, trust, or
12 special funds, except for the primary road fund or
13 the road use tax fund, for which the general assembly
14 has established an operating budget, a supplemental
15 authorization is provided to use the funds in an
16 amount necessary to fund salary adjustments at the
17 level authorized in subsection one (1) of section
18 two (2) of this Act.

19 Sec. 6. Acts of the Sixty-eighth General Assembly,
20 1979 Session, chapter two (2), section twenty-eight
21 (28), is amended by striking the section and inserting
22 in lieu thereof the following:

23 SEC. 28. For the fiscal year beginning July 1,
24 1980 and ending June 30, 1981, the funds allocated
25 to the state board of regents by chapter two (2) of
26 Acts of the Sixty-eighth General Assembly, 1979
27 Session, this Act, and other funds which may be
28 available for the purpose of providing increases for
29 employees not covered by a collective bargaining
30 agreement and employees in the university of northern
31 Iowa faculty bargaining unit, shall be used as follows:

32 1. Employees in the university of northern Iowa
33 faculty bargaining unit shall receive a one percent
34 increase in salary as their salaries exist for the
35 fiscal year ending June 30, 1980, and an additional
36 one percent of such salaries shall be available for
37 salary increases for such persons at the discretion
38 of the state board of regents. These increases shall
39 be in addition to salary increases otherwise authorized
40 by Acts of the Sixty-eighth General Assembly, 1979
41 Session, chapter two (2), section twenty-two (22),
42 subsection two (2), paragraph g, and shall be paid
43 at the same time and administered in the same manner
44 as other salary adjustments provided for in section
45 two (2) of this Act. This subsection shall not be
46 construed as a violation of a collective bargaining
47 agreement negotiated pursuant to chapter twenty (20)
48 of the Code.

49 2. The amount necessary to fund for the fiscal
50 year an average base salary increase of nine percent

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P three

1 of base salaries for faculty members paid during the
2 preceding fiscal year, to be allocated to faculty
3 members at the discretion of the state board of
4 regents.

5 3. The amount necessary to fund for the fiscal
6 year a salary increase of five percent of the base
7 salary, plus an additional one percent to be allocated
8 at the discretion of the state board of regents, of
9 each professional and scientific staff member, except
10 board office employees, paid during the preceding
11 fiscal year. The percentage increases authorized
12 for salaries under this subsection do not preclude
13 a professional and scientific staff member from
14 receiving an additional salary increase authorized
15 by the state board of regents consistent with chapter
16 two (2) of Acts of the Sixty-eighth General Assembly,
17 1979 Session, and this Act and appropriations made
18 by the general assembly.

19 4. For employees under the state board of regents'
20 merit system who are not included in the collective
21 bargaining agreement made final under chapter twenty
22 (20) of the Code, except board office employees, the
23 amount necessary to increase the state board of
24 regents' merit pay plan as it exists for the fiscal
25 year ending June 30, 1980, an average amount equal
26 to seven and four-tenths percent. The percentage
27 increase authorized for the pay plan in this subsection
28 does not preclude an employee under the state board
29 of regents' merit system who is not under a collective
30 bargaining agreement and not a board office employee,
31 from receiving any additional salary increase
32 authorized under the state board of regents' merit
33 rules. The merit pay plan adjustment shall be rounded
34 to the nearest whole dollar for the fiscal year.

35 Sec. 7.

36 1. The state comptroller shall determine the
37 actual authorized employee positions in state
38 government payable in whole or in part from the general
39 fund or trust funds of the state, on July 1, 1980,
40 as authorized by the executive council or the board
41 of regents for the executive branch, by the chief
42 justice of the supreme court for the judicial branch,
43 or by the legislative council for the legislative
44 branch. The positions shall be categorized as full-
45 time, intermittent, or part-time positions. During
46 the fiscal year beginning on July 1, 1980, the state
47 comptroller shall monitor the positions and shall
48 report to the governor, the chief justice of the
49 supreme court, and the legislative council, the ap-
50 plicable number of positions in each category

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Page four

1 authorized and filled on the last day of each quarter.

2 2. a. As used in this section, "appropriate
3 official or agency" means the governor, for a position
4 in the executive branch of state government other
5 than a position which is at an institution governed
6 by the state board of regents and is not on the
7 centralized payroll system; the president or super-
8 intendent of an institution governed by the state
9 board of regents for a position in that institution
10 which is not on the centralized payroll system; the
11 chief justice of the supreme court for a position
12 in the judicial branch of state government; or the
13 legislative council for a position in the legislative
14 branch of state government.

15 b. During the fiscal year beginning July 1, 1980,
16 a vacancy in an employee position in state government,
17 other than a position which is independent of state
18 funding, shall not be filled unless the appropriate
19 official or agency reviews the need for filling the
20 vacancy and gives written authorization for it to
21 be filled.

22 3. In reviewing need and authorizing the filling
23 of vacancies, the appropriate official or agency shall
24 consider, to the extent practicable, the following
25 criteria among others:

26 a. Recommendations of the governor's economy
27 committee '79.

28 b. Economic predictions for the economy of the
29 nation, this state, the general fund of the state
30 and other funds applicable to the agency or position
31 reviewed.

32 c. Work loads and job descriptions of other
33 positions in the agency.

34 d. Efficiency measures adopted by or recommended
35 for the agency.

36 e. Special skills or training required for the
37 position.

38 f. An increase or decrease in employees of the
39 agency during the preceding three fiscal years.

40 g. An increase or decrease in duties delegated
41 to the agency during the preceding three fiscal years.

42 h. An increase or decrease in the number of persons
43 served by the agency during the preceding three fiscal
44 years.

45 As used in this subsection, "agency" may mean a
46 commission, department or other division of the
47 executive branch, an institution governed by the state
48 board of regents, a department or portion of the
49 judicial branch, either house of the legislature,
50 or a legislative agency, as applicable.

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P five

1 4. Subsections one (1), two (2), and three (3)
2 of this section do not apply to positions held by
3 inmates, patients or students at state institutions.

4 5. The general assembly intends that the
5 implementation of this section will reduce the number
6 of actual authorized employee positions in state
7 government payable in whole or in part from the general
8 fund or trust funds of the state, in each category
9 of full-time, intermittent, or part-time positions,
10 on June 30, 1981, by at least two percent below the
11 number of such positions on July 1, 1980.

12 Sec. 8. Acts of the Sixty-eighth General Assembly,
13 1979 Session, Chapter ninety-three (93), section one
14 (1), paragraph a of the new subsection is amended
15 to read as follows:

16 a. "Annual inflation factor" means an index,
17 expressed as a percentage, determined by the department
18 each year to reflect the purchasing power of the
19 dollar as a result of inflation or deflation during
20 the preceding calendar year. In determining the
21 annual inflation factor, the department shall use
22 the annual percent change in the consumer price index
23 produced by the bureau of labor statistics of the
24 United States department of labor and shall add one-
25 fourth for the 1979 calendar year and ~~two-fourths~~
26 thirty-five percent for the 1980 calendar year of
27 that percent change to one hundred percent, except
28 that the amount of the percent change added to the
29 one hundred percent shall not exceed the greater of
30 zero or the difference between the percent change
31 and three percent. The annual inflation factor and
32 the cumulative inflation factor shall each be expressed
33 as a percentage rounded to the nearest one-tenth of
34 one percent.

35 Sec. 9. Funds appropriated for the fiscal year
36 beginning July 1, 1980 and ending June 30, 1981 by
37 sections one (1) through seven (7) of this Act are
38 not obligated funds for the purpose of determining
39 the unobligated state general fund balance under Acts
40 of the Sixty-eighth General Assembly, 1979 Session,
41 chapter ninety-three (93), section one (1), paragraph
42 e of the new subsection, with respect to the
43 computation of the annual inflation factor for the
44 1980 calendar year.

45 Sec. 10. Section eight (8) of this Act is
46 retroactive to January 1, 1980 for tax years beginning
47 on or after January 1, 1980 and to this extent is
48 retroactive.

49 Sec. 11. The intent of section eight (8) of this
50 Act is to provide the funding for sections one (1)

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1 through seven (7) of this Act."

2 2. By renumbering to conform with this amendment.

H-6165 FILED APRIL 17, 1980 By CRAWFORD of Story
RULED NOT GERMANE (p. 1718) HIBBS of Johnson
MOTION TO SUSPEND RULES, LOST POFFENBERGER of Dallas
KREWSON of Polk
DIEMER of Black Hawk
KIRKENSLAGER of Des Moines

LLOYD-JONES of Johns
MILLER of Buchanan.
BRANDT of Black Hawk
BRUNER of Story
CUSACK of Scott
LARSEN of Wapello

HOUSE FILE 2580

H-6161

1 Amend House File 2580 as follows:

2 1. Page 23 by inserting after line 18 the
3 following:

4 "The department shall pay supplemental benefits to any
5 correctional officer who has been injured in the course
6 of employment by a resident of a state correctional
7 institution and who is eligible for temporary disability
8 benefits under section eighty-five point thirty-three
9 (85.33) of the Code. The supplemental benefits shall
10 equal the difference between the officer's spendable
11 weekly earnings and the officer's weekly benefit amount
12 as computed under chapter eighty-five (85) of the Code."

H-6161 FILED APRIL 17, 1980 By JOCHUM of Dubuque

Ruled not germane 4/18 (p. 1816)

HOUSE FILE 2580

H-6156

1 Amend H-6114, the Ritsema amendment to House File
2 2580, as follows:

3 1. Page 1, by striking line 4 and inserting in
4 lieu thereof the following:

5 "
6 Sec. 6. Acts of the Sixty-eighth General Assembly, ^{4,801,000}
7 1979 Session, chapter thirteen (13), section seven
8 (7), subsection eleven (11), is amended by adding
9 the following new paragraph:

10 NEW PARAGRAPH. Merged area
11 V shall sell its radio station to a
12 private enterprise."

H-6156 FILED APRIL 17, 1980

LOST (p. 1728)

BY TYRRELL of Iowa

HOUSE FILE 2580

H-6159

1 Amend House File 2580 as follows:

2 1. Page 4, by inserting after line 34 the
3 following:

4 "Sec. _____. Section six hundred one A point three
5 (601A.3), unnumbered paragraph three (3), Code 1979,
6 is amended to read as follows:

7 The governor with the consent of two-thirds of
8 the members of the senate shall appoint a director
9 who shall serve as the executive officer of the
10 commission. The director may be removed from office
11 by the governor for cause.

12 Sec. _____. Section six hundred one A point fifteen
13 (601A.15), subsection one (1), Code 1979, is amended
14 to read as follows:

15 1. Any person claiming to be aggrieved by a
16 discriminatory or unfair practice may, ~~by himself~~
17 ~~or his attorney,~~ make, sign, and file with the
18 commission a verified, written complaint in triplicate
19 which shall state the name and address of the person,
20 employer, employment agency, or labor organization
21 alleged to have committed the discriminatory or unfair
22 practice ~~of which complained,~~ shall set forth the
23 particulars thereof, and shall contain ~~such~~ other
24 information as ~~may be~~ required by the commission.
25 The commission, a commissioner, or the attorney general
26 may in like manner make, sign, and file ~~such a~~
27 complaint. A private individual who files a com-
28 plaint shall post a bond with sureties to be approved
29 by the director of the commission for the payment
30 of costs of the complaint resolution process. The
31 amount of the bond shall be determined on an annual
32 basis and shall be reviewed at the end of each fiscal
33 year by the commission. The bond shall be for an
34 amount determined by dividing the annual expenses
35 of the commission attributable to investigating
36 complaints for which a finding of no probable cause
37 is made by the number of such complaints, but not
38 to exceed one thousand dollars.

39 Sec. _____. Section six hundred one A point fifteen
40 (601A.15), subsection three (3), paragraph c, Code
41 1979, is amended to read as follows:

42 c. If the hearing officer concurs with the
43 investigating official that probable cause exists
44 regarding the allegations of the complaint, the staff
45 of the commission shall promptly endeavor to eliminate
46 the discriminatory or unfair practice by conference,
47 conciliation, and persuasion. If the hearing officer
48 finds that no probable cause exists, the hearing
49 officer shall issue a final order dismissing the
50 complaint and shall promptly mail a copy to the

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Page two

- 1 complainant and to the respondent by certified mail.
- 2 When a finding of no probable cause is made the
- 3 complainant is liable for the amount of actual expense
- 4 incurred by the commission in investigating the
- 5 complaint, up to the amount of the bond filed. The
- 6 final order shall include notice of the amount of
- 7 costs due. A finding of probable cause shall not
- 8 be introduced into evidence in an action brought under
- 9 section 601A.16.
- 10 Sec. _____. Section six hundred one A point eighteen
- 11 (601A.18), Code 1979, is repealed."
- 12 2. By renumbering as necessary.

H-6159 FILED APRIL 17, 1980 By TYRRELL of Iowa
NOT GERMANE (p. 1752)

HOUSE FILE 2580

H-6145

- 1 Amend amendment H-6127 to House File 2580 as
- 2 follows:
- 3 1. Page 1, line 19, by striking the numeral
- 4 "1979" and inserting in lieu thereof the numeral
- 5 "1977".

H-6145 FILED APRIL 17, 1980

BY CLARK of Cerro Gordo

Adopted 4/17 (p. 1756)

HOUSE FILE 2580

H-6148

- 1 Amend House File 2580 as follows:
- 2 1. Page 2, by inserting after line 29 the
- 3 following:
- 4 "Sec. _____. Acts of the Sixty-eighth General
- 5 Assembly, chapter thirteen (13), section two (2),
- 6 subsection three (3), is amended to read as follows:
- 7 3. VOCATIONAL TECHNICAL TUITION
- 8 GRANT PROGRAM
- 9 To supplement the appropriation
- 10 provided in subsection three (3) of
- 11 section two hundred sixty-one point
- 12 twenty-five (261.25) of the Code for
- 13 tuition grants to full-time resident
- 14 students in a vocational-technical
- 15 program in Iowa as provided in section
- 16 two hundred sixty-one point seventeen
- 17 (261.17) of the Code\$50,000 \$400,000
- 18 150,000"
- 19 2. Renumber as required.

H-6148 FILED APRIL 17, 1980 By HORN of Linn
WITHDRAWN

HOUSE FILE 2580

H-0155

Amend House File 2580 as follows:

1. Page 18, by inserting after line 8 the following:

"Sec. 34. Section eighteen point three (18.3), subsection one (1), unnumbered paragraph one (1), Code 1979, is amended to read as follows:

Establishing and developing, in co-operation with the various state agencies, a system of uniform standards and specifications for purchasing. When the system is developed, all items of general use shall be purchased through the department, except items used by the state department of transportation, institutions under the control of the board of regents, the commission for the blind, and any other agencies exempted by law. The purchasing system developed under this subsection and purchasing systems of agencies exempt from centralized purchasing shall include procedures for purchasing energy consuming items that promote energy conservation and the procurement of energy efficient products.

Sec. 35. Section eighteen point one hundred fifteen (18.115), subsection four (4), Code 1979, is amended to read as follows:

4. a. The state vehicle dispatcher shall purchase all new motor vehicles for all branches of the state government, except the state department of transportation, institutions under the control of the state board of regents, the commission for the blind, and any other agencies exempted by law. Before purchasing any motor vehicle ~~he~~ the state vehicle dispatcher shall make requests for public bids by advertisement and ~~he~~ shall purchase the vehicles from the lowest responsible bidder for the type and make of motor vehicle designated at a purchase price approved by the executive council.

b. Commencing in 1981, the average combined city and highway estimated miles per gallon for all new cars purchased by the state vehicle dispatcher, the state department of transportation, institutions under the state board of regents, the commission for the blind and other state agencies that purchase new cars for their own use during the calendar year shall be at least twenty-five. The estimated miles per gallon as computed by the United States environmental protection agency shall be used in determining the miles per gallon rating for a particular new car.

c. The state vehicle dispatcher and purchasing agents for the state department of transportation, institutions under the state board of regents, the commission for the blind and other state agencies

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Page two

- 1 that purchase their own new cars shall report the
- 2 number of gallons of fuel purchased and the miles
- 3 driven annually in January to the general assembly.
- 4 d. The general assembly shall consider each session
- 5 whether the average combined city and highway estimated
- 6 miles per gallon should be increased.
- 7 e. Vehicles purchased for use by the department
- 8 of public defense and the department of public safety
- 9 may be excluded in computing the average miles per
- 10 gallon rating for the state motor vehicle fleet."
- 11 2. By renumbering the sections to conform with
- 12 this amendment.

H-6155 FILED APRIL 17, 1980 By PELTON of Clinton

Belton not germane 4/18 (p. 1800)

HOUSE FILE 2580

H-6146

- 1 Amend House 2580 as follows:
- 2 1. Page 3, by inserting after line 16 the
- 3 following:
- 4 "Sec. ____ Acts of the Sixty-eighth General
- 5 Assembly, 1979 Session, chapter thirteen (13), section
- 6 seven (7), subsection eleven (11), paragraph d, is
- 7 amended to read as follows:
- 8 d. For added enrollment in
- 9 merged area schools to be allocated
- 10 on the basis of the following
- 11 priorities:
- 12 (1) To add additional sections
- 13 of preparatory vocational programs in
- 14 merged area schools where the number
- 15 of students seeking enrollment exceed
- 16 the number of spaces available;
- 17 (2) To add new sections of
- 18 preparatory vocational programs
- 19 in merged area schools to accommodate
- 20 students seeking enrollment that could
- 21 not be accommodated in similar programs
- 22 in other merged area schools;
- 23 (3) To add sections of preparatory
- 24 career programs in merged area schools
- 25 that are not currently available in the
- 26 state if student interest and a survey
- 27 of employers indicate a definite need
- 28 for such new programs\$200,000 ~~\$200,000~~
- 29 600,000"
- 30 2. First title page, line 5, by striking the words
- 31 "area V" and inserting in lieu thereof the words
- 32 "areas V and XII".
- 33 3. Renumber as required.

H-6146 FILED APRIL 17, 1980

BY HORN of Linn

NOT GERMANE (*p. 1745*)

HOUSE FILE 2580

H-6154

Amend House File 2580 as follows:

1. Page 18, by inserting after line 13 the following:

"Sec. ____ . REDUCTION OF NUMBER OF STATE EMPLOYEES.

1. The number of employees in the executive branch of state government, except employees whose positions are not funded in whole or in part from the general fund or trust funds of the state, shall be reduced by three percent or more between July 1, 1980, and June 30, 1981, as follows:

a. The state comptroller shall determine the authorized full-time equivalent positions filled in each department and agency of the executive branch, except employees of the state board of regents, on July 1, 1980.

b. The state board of regents shall categorize all positions within its jurisdiction as part-time, intermittent or full-time, and determine the total authorized budgeted positions filled within each category, on July 1, 1980.

c. The state comptroller and the board of regents shall report the total number of filled, authorized, full-time equivalent and budgeted positions determined in paragraphs a and b of this subsection to the legislative council on July 1, 1980.

d. Each department and agency, and the state board of regents, shall leave vacancies unfilled as they occur, except for vacant positions which must be filled to maintain the essential functions of the department, agency, or regents institution, to achieve a three percent or more reduction in the number of filled, authorized, full-time equivalent and budgeted positions between July 1, 1980 and June 30, 1981.

2. The number of authorized full-time equivalent positions within the executive branch, and the number of authorized budgeted positions within the board of regents, actually filled on June 30, 1981, shall be at least three percent less than the number of authorized full-time equivalent positions and authorized budgeted positions filled on July 1, 1980. However, no more than one-fourth of the total reduction of budgeted positions within the board of regents shall be faculty positions, and emphasis shall be placed upon the reduction of administrative positions in each category.

3. This section does not apply to positions held by inmates, patients, or students at any state institution.

4. The state comptroller and the president of the board of regents shall report the number,

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H-6154

- 1 classification, and salary level of authorized, full-
- 2 time equivalent and budgeted positions unfilled to
- 3 the legislative council and the chairpersons of the
- 4 senate and house appropriations committees on January
- 5 2, 1981, March 1, 1981, and June 30, 1981."
- 6 2. Renumber sections in accordance with this
- 7 amendment.

H-6154 FILED APRIL 17, 1980 By PELTON of Clinton

Filed not journal 4/13 (p. 1503)

HOUSE FILE 2580

H-6150

- 1 Amend House File 2580 as follows:
- 2 1. Page 33, by striking lines 30 and 31.

H-6150 FILED APRIL 17, 1980 By CUSACK of Scott

Lost as amended by
6242 4/18 (p. 1833) HOUSE FILE 2580

H-6151

- 1 Amend House File 2580 as follows:
- 2 1. Page 19, line 1, by striking the words "road
- 3 use tax fund" and inserting in lieu thereof the
- 4 following: "office for planning and programming to
- 5 be used for emergency home heating grants to low-
- 6 income persons".
- 7 2. Amend the title, page 1, line 24, by striking
- 8 the words "road use tax fund" and inserting in lieu
- 9 thereof the words "office for planning and
- 10 programming".

H-6151 FILED APRIL 17, 1980 By HORN of Linn
Lost 4/18 (p. 1810) CUSACK of Scott

HOUSE FILE 2580

H-6152

- 1 Amend House File 2580 as follows:
- 2 1. Page 1, line 7, by striking the word
- 3 "communications" and inserting in lieu thereof the
- 4 words "noncommercial production or reproduction".
- 5 2. Page 1, line 11, by striking the words "the
- 6 communications" and inserting in lieu thereof the
- 7 word "such".

H-6152 FILED APRIL 17, 1980 By MENKE of O'Brien
ADOPTED (p. 1726)

HOUSE FILE 2580

H-6149

1 Amend House File 2580 as follows:

2 1. Page 34, by inserting after line 5 the
3 following:

4 "DIVISION III

5 Sec. 67. Acts of the Sixty-eighth General Assembly,
6 1979 Session, chapter ninety-three (93), section one
7 (1), amending section four hundred twenty-two point
8 four (422.4), Code 1979, is amended to read as follows:

9 Section 1. Section four hundred twenty-two point
10 four (422.4), Code 1979, is amended by adding the
11 following new subsection:

12 NEW SUBSECTION.

13 a. "Annual inflation factor" means an index,
14 expressed as a percentage, determined by the department
15 each year to reflect the purchasing power of the
16 dollar as a result of inflation or deflation during
17 the preceding calendar year. In determining the
18 annual inflation factor, the department shall use
19 the annual percent change in the consumer price index
20 produced by the bureau of labor statistics of the
21 United States department of labor and shall add one-
22 fourth for the 1979 calendar year and two-fourths
23 for the 1980 calendar year of that percent change
24 to one hundred percent, except that the amount of
25 the percent change added to the one hundred percent
26 shall not exceed the greater of zero or the difference
27 between the percent change and three percent. The
28 annual inflation factor and the cumulative inflation
29 factor shall each be expressed as a percentage rounded
30 to the nearest one-tenth of one percent.

31 b. "Cumulative inflation factor" means the product
32 of the annual inflation factor for the 1978 calendar
33 year and all annual inflation factors for subsequent
34 calendar years as determined pursuant to this
35 subsection. The cumulative inflation factor shall
36 apply to all tax years beginning on or after January
37 first of the calendar year in which the latest annual
38 inflation factor has been determined.

39 c. The annual inflation factor for the 1978
40 calendar year is one hundred percent.

41 d. The annual inflation factor and the cumulative
42 inflation factor shall only be computed for the 1979
43 and 1980 calendar years.

44 e. Notwithstanding the computation of the annual
45 inflation factor under paragraph a of this subsection,
46 the annual inflation factor is one hundred percent
47 for any calendar year in which the unobligated state
48 general fund balance on June thirtieth as certified
49 by the state comptroller by September tenth of the
50 fiscal year beginning in that calendar year is less

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- 1 than ~~sixty~~ forty million dollars.
- 2 Sec. 68. Section sixty-seven (67) of this Act
- 3 is retroactive to January 1, 1980 for tax years
- 4 beginning on or after January 1, 1980 and to this
- 5 extent is retroactive."
- 6 2. Amend the title, page 2, line 15, by inserting
- 7 after the word "services" the words "and adding
- 8 criteria for the state program of providing indexing
- 9 for the individual income tax".
- 10 3. By numbering, renumbering and correcting
- 11 internal references as is necessary.

H-6149 FILED APRIL 17, 1980 By HORN of Linn

W/d 4/15 (p. 1812)
HOUSE FILE 2580

H-6147

- 1 Amend House File 2580 as follows:
- 2 1. Page 2, by inserting after line 8 the following:
- 3 "Sec. ____ . Acts of the Sixty-eighth General
- 4 Assembly, 1979 Session, chapter thirteen (13), section
- 5 four (4), is amended to read as follows:
- 6 SEC. 4.
- 7 1. There is appropriated from the general fund
- 8 of the state to the Iowa college aid commission for
- 9 each fiscal year of the fiscal biennium beginning
- 10 July 1, 1979 and ending June 30, 1981 the sum of one
- 11 million ~~two three~~ hundred thousand ~~(4,200,000)~~
- 12 (1,300,000) dollars, or so much thereof as may be
- 13 necessary, to be paid to the college of osteopathic
- 14 medicine and surgery for the subvention program created
- 15 pursuant to sections two hundred sixty-one point
- 16 eighteen (261.18) and two hundred sixty-one point
- 17 nineteen (261.19) of the Code. The subvention shall
- 18 be used for the admission and education of not more
- 19 than thirty percent of each of the three classes of
- 20 students in the college of osteopathic medicine and
- 21 surgery for the fiscal years beginning July 1, 1979
- 22 and July 1, 1980. Funds shall only be expended for
- 23 resident students and funds expended on behalf of
- 24 each class each year shall not exceed four hundred
- 25 thousand (400,000) dollars except in the case of the
- 26 first class for which funds shall not exceed five
- 27 hundred thousand (500,000) dollars."
- 28 2. Renumber as required.

H-6147 FILED APRIL 17, 1980 By HORN of Linn

RULED NOT GERMANE

Lost 4/17 (p. 1726)

HOUSE FILE 2580

H-6140

1 Amend House File 2580 as follows:

2 1. Page 18, by inserting after line 14 the
3 following new sections:

4 "Sec. 35. Section eighty C point two (80C.2),
5 Code 1979, is amended to read as follows:

6 80C.2 ~~COMMISSION~~ COUNCIL ESTABLISHED. There is
7 hereby established within the office of the governor
8 the Iowa ~~crime-commission~~, hereinafter-called criminal
9 justice council, referred to in this chapter as the
10 ~~commission~~---The-commission-shall-be-within-the-office
11 of-the-governor council, which shall consist of twelve
12 members. The governor shall appoint the members of
13 the council, including its chairperson, pursuant to
14 the guidelines set forth in the Justice System
15 Improvement Act of 1979, Pub. L. No. 96-157, s. 402(b).
16 Members shall be appointed for a term of four years
17 and are subject to confirmation by two-thirds of the
18 members of the senate. However, the terms of the
19 initial appointees shall be as follows: four members
20 for two years; four members for three years; and four
21 members for four years. A member of the general
22 assembly shall not be appointed as a voting member
23 of the council. Members of the council shall not
24 receive compensation for their duties but shall be
25 reimbursed for their actual and necessary expenses.

26 Sec. 36. Section eighty C point three (80C.3),
27 Code 1979, is amended to read as follows:

28 80C.3 ~~COMMISSION~~ COUNCIL FUNCTIONS. The ~~commission~~
29 council shall act as the state law-enforcement criminal
30 and juvenile justice system planning agency for
31 purposes established by state or federal agencies
32 statutes and shall perform those duties set forth
33 in the Justice System Improvement Act of 1979, Pub.
34 L. No. 96-157, s. 402(b). The ~~commission~~ council
35 may conduct inquiries, investigations, analyses and
36 studies of all eligible jurisdictions, which include
37 state, county, and city departments governments and
38 public and private agencies concerned with the problems
39 of crime, and the-commission may conduct inquiries,
40 investigations, analyses, and studies into the
41 incidence and causes of crime in Iowa, in co-operation
42 with state,-area,-city-and-county-agencies,-and-develop
43 a-state-wide-program-of-interagency-co-operation,
44 in-association-with-federal-agencies-and-officials,
45 and-those-of-other-states-concerned-with-the-problems
46 of-crime-and-based-thereupon eligible jurisdictions.
47 The council may make recommendations to the governor,
48 general assembly, and state agencies to carry out
49 the policy-and purposes of this chapter. The
50 ~~commission~~ council in co-operation with city,-county

H-6140
Page Two

1 ~~and-area-agencies~~ eligible jurisdictions, and in
2 conformity with ~~such~~ guidelines as may be promulgated
3 by federal agencies, and rules adopted pursuant to
4 chapter seventeen A (17A) of the Code, shall direct
5 research, planning and action programs in furtherance
6 of the ~~policy-and-purpose~~ purposes of this chapter.

7 Sec. 37. Section eighty C point four (80C.4),
8 Code 1979, is amended to read as follows:

9 80C.4 DUTY TO FILE REPORT. The ~~commission~~ council
10 during the continuance of its operations shall file
11 periodic reports of its progress with the governor,
12 and shall present a an economically designed and
13 printed annual report to each annual session such
14 members of the general assembly as request it, which
15 report shall include but shall not be limited to
16 identification of all grant applications and grants
17 awarded, monitoring activities by the council of
18 funded projects and the status of relevant federal
19 legislation.

20 Sec. 38. Section eighty C point five (80C.5),
21 unnumbered paragraph one (1), Code 1979, is amended
22 to read as follows:

23 80C.5 ACCEPTANCE OF GRANTS. The ~~commission~~ council
24 with approval of the governor may accept funds, grants,
25 services, facilities and property from any source,
26 and all such receipts of the ~~commission~~ council,
27 including gifts, grants-in-aid and other revenue,
28 are hereby appropriated for carrying out the purposes
29 of this chapter. The council may make grants to and
30 enter into contracts with eligible jurisdictions
31 pursuant to applicable federal and state law and
32 regulations. The expenditure of any funds available
33 to the commission council shall be by warrant to the
34 treasurer of the state, drawn by the state comptroller
35 upon vouchers authorized by the executive director
36 of the commission. The auditor of state shall audit
37 the council's records. The grant recipients shall
38 contract with the auditor of state or certified or
39 registered public accountants for an audit of federal
40 and state funds in conformance with the Justice System
41 Improvement Act of 1979, and office of management
42 and budget circulars A-102 and A-110. The grant
43 recipient shall be responsible for the cost of the
44 audit.

45 Sec. 39. Section eighty C point five (80C.5),
46 unnumbered paragraph two (2) and subsections one (1),
47 two (2), and three (3), Code 1979, are amended by
48 striking the unnumbered paragraph and the subsections.

49 Sec. 40. Chapter eighty C (80C), Code 1979, is
50 amended by adding the following new section:

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Page Three

1 NEW SECTION. ADMINISTRATION. There is established
2 within the department of public safety a division
3 of criminal justice planning, which shall provide
4 supplies, facilities and staff for the council to
5 carry out its functions. The director of the division
6 is exempt from the provisions of chapter nineteen
7 A (19A) of the Code. The department of public safety
8 is authorized to expend moneys appropriated by the
9 general assembly or otherwise made available for
10 study, research, investigation, planning,
11 implementation and administration of the functions
12 of this chapter.

13 Sec. 41. Section eighty C point six (80C.6), Code
14 1979, is repealed."

15 2. Page 18, line 20, by striking the words "Iowa
16 crime commission" and inserting in lieu thereof the
17 words "division of criminal justice planning of the
18 department of public safety".

19 3. Page 34, by inserting after line 5 the following
20 new section:

21 "Sec. ___, Sections thirty-five (35) through
22 forty-one (41) of this Act take effect January first
23 following their enactment. On the effective date
24 employees of the Iowa crime commission become em-
25 ployees of the Iowa department of public safety and
26 moneys on hand or appropriated to the Iowa crime
27 commission, equipment and other property under the
28 commission's control, are transferred to the Iowa
29 department of public safety. Employees transferred
30 to the department of public safety shall be classified
31 by the merit employment department in positions most
32 equivalent to the positions which they held with the
33 crime commission. The contracts and other legal
34 rights and responsibilities of the Iowa crime commission
35 shall be transferred to the Iowa criminal justice
36 council."

37 4. Amend the title, line 23, by striking the word
38 "crime commission" and inserting in lieu thereof the
39 words "criminal justice council".

40 5. By renumbering and correcting internal
41 references as made necessary by this amendment.

H-6140 FILED
APRIL 16, 1980

BY BINA of Scott
WALTER of Pottawattamie

HOUSE FILE 2580

H-6142

1 Amend House File 2580 as follows:

- 2 1. Page 31, by striking lines 17 through 35.
3 2. Page 32, by striking lines 1 through 3.

4
H-6142 FILED
APRIL 16, 1980

BY BRUNER of Story
JOCHUM of Dubuque

Lost 4/18 (p. 1831)

HOUSE FILE 2580

H-6137

- 1 Amend House File 2580 as follows:
- 2 1. Page 3, by inserting after line 16 the following
- 3 section:
- 4 "Sec. ____ Acts of the Sixty-eighth General
- 5 Assembly, 1979 Session, chapter thirteen (13), section
- 6 seven (7), subsection ten (10), unnumbered paragraph
- 7 one (1) and paragraph a, are amended to read as
- 8 follows:
- 9 SCHOOL BUDGET
- 10 REVIEW COMMITTEE \$ 300,000 \$ ~~1,300,000~~
- 11 1,400,000
- 12 a. From the funds appropriated to the school
- 13 budget review committee for fiscal year 1980-1981
- 14 nine hundred thousand (900,000) dollars shall be used
- 15 exclusively for transportation costs unusually
- 16 increased above the normal rate of inflation, including
- 17 costs arising because of the need for replacement
- 18 vehicles and the repair of vehicles and ~~two~~ three
- 19 hundred thousand ~~(200,000)~~ (300,000) dollars or as
- 20 much thereof as necessary shall be used exclusively
- 21 for grants to public schools and for nonpublic school
- 22 pupils for programs for instruction in the English
- 23 language, a transitional bilingual program, or other
- 24 special instruction program within the requirements
- 25 of sections eighteen (18) and nineteen (19) of ~~this~~
- 26 Act Acts of the Sixty-eighth General Assembly, 1979
- 27 Session, chapter thirteen (13). From the ~~two~~ three
- 28 hundred thousand ~~(200,000)~~ (300,000) dollars for a
- 29 transitional bilingual, instruction in the English
- 30 language or other special instruction program, the
- 31 school budget review committee may allocate an amount
- 32 not to exceed ten thousand (10,000) dollars to the
- 33 department of public instruction to cover the actual
- 34 and necessary costs of administering the program as
- 35 required in section nineteen (19) of ~~this-Act Acts~~
- 36 of the Sixty-eighth General Assembly, 1979 Session,
- 37 chapter thirteen (13)."
- 38 2. Amend the title, line 5, by inserting after
- 39 the word "commission;" the words "department of public
- 40 instruction;"
- 41 3. By numbering and renumbering sections as
- 42 necessary.

H-6137 FILED APRIL 16, 1980

BY HORN of Linn

Loar 4/17 (p. 1748)

HOUSE FILE 2580

H-6139

- 1 Amend House File 2580 as follows:
- 2 1. Page 3, line 9, by striking the figure
- 3 "4,751,000" and inserting in lieu thereof the figure
- 4 "4,801,000".

H-6139 FILED APRIL 16, 1980

BY HORN of Linn

W/5 4/17 (p. 1746)

HOUSE FILE 2580

H-6136

Amend House File 2580 as follows:

1. Page 1, line 2, by striking the figure "(5)" and inserting in lieu thereof the figure "(V)".
2. Page 6, line 19, by inserting after the figure "(6)," the words and figure "unnumbered paragraph one (1),".
3. Page 6, by striking lines 20 and 21.
4. Page 6, line 27, by striking the word "purpoes" and inserting in lieu thereof the word "purposes".
5. Page 15, line 31, by striking the word "sary" and inserting in lieu thereof the word "sary,".
6. Page 19, line 6, by striking the figure "1979" and inserting in lieu thereof the figure "1980".
7. Page 24, line 2, by striking the word "citizen's" and inserting in lieu thereof the word "citizens'".
8. Page 24, line 33, by inserting after the word "screening" the word "services".
9. Page 27, line 18, by striking the words "as amended by this Act".
10. Page 29, line 35, by striking the word "hundrd" and inserting in lieu thereof the word "hundred".

H-6136 FILED APRIL 16, 1980

BY WELDEN of Hardin

Adopted 4/17 (p. 1720)

HOUSE FILE 2580

H-6138

Amend House File 2580 as follows:

1. Page 1, by inserting after line 28 the following:
"Sec. ____ Chapter eighteen (18), division five (V), Code 1979, is amended by adding the following new section:
NEW SECTION. TRUSTS. Notwithstanding section six hundred thirty-three point sixty-three (633.63) of the Code, the state educational radio and television facility board may accept and administer trusts and may authorize nonprofit foundations acting solely for the support of the educational radio and television facility to accept and administer trusts deemed by the board to be beneficial to the operation of the educational radio and television facility. The board and such foundations may act as trustees in such instances."
2. By numbering and renumbering sections as necessary.

H-6138 FILED APRIL 16, 1980

BY HORN of Linn

Adopted 4/17 (p. 1722)

HOUSE FILE 2580

H-6134

1 Amend House File 2580 as follows:

- 2 1. Page 3, line 16, by striking the figure "50,000"
3 and inserting in lieu thereof the figure "100,000".

H-6134 FILED APRIL 16, 1980 BY HORN of Linn

Out of order 4/17 (p. 1741)

HOUSE FILE 2580

H-6135

1 Amend House File 2580 as follows:

- 2 1. Page 1, by inserting after line 28 the following
3 section:

4 "Sec. _____. Section two hundred fifty-seven point
5 ten (257.10), subsection fourteen (14), Code 1979,
6 as the section is amended by Acts of the Sixty-eighth
7 General Assembly, 1979 Session, chapter fifty-eight
8 (58), section one (1), is amended to read as follows:

9 14. Approve, co-ordinate, and supervise Coordinate
10 the use of electronic data processing by local school
11 districts, area education agencies and merged areas.
12 ~~A committee consisting of the state superintendent~~
13 ~~of public instruction, the director of the department~~
14 ~~of general services, the state comptroller, or their~~
15 ~~designees, and two persons knowledgeable in the area~~
16 ~~of administrative instructional computer systems to~~
17 ~~be appointed by the governor, shall assist and advise~~
18 ~~the state board of public instruction in approving,~~
19 ~~co-ordinating and supervising the use of electronic~~
20 ~~data processing computers by local school districts,~~
21 ~~area education agencies and merged areas. The~~
22 ~~committee shall further inventory current practice~~
23 ~~and prepare and recommend a state wide plan for the~~
24 ~~use of electronic data processing computers in order~~
25 ~~to prevent the unnecessary proliferation of computers.~~
26 ~~These recommendations shall be submitted to the general~~
27 ~~assembly by December 1 of each year.~~ For purposes
28 of this subsection the term "electronic data processing
29 computers" shall refer to equipment having as a
30 component thereof a memory core to store information."

- 31 2. Amend the title, page 1, line 5, by inserting
32 after the word "commission;" the words "department
33 of public instruction;"

- 34 3. By numbering and renumbering sections as
35 necessary.

H-6135 FILED APRIL 16, 1980

BY HORN of Linn

Filed not germane 4/17 (p. 1721)

HOUSE FILE 2580

H-6133

1 Amend House File 2580 as follows:

2 1. Page 13, lines 28 and 29, by striking the words
3 and figures "subsections three (3) and fourteen (14),
4 are" and inserting in lieu thereof the words and
5 figure "subsection three (3), is".

6 2. Page 14, by inserting after line 9 the follow-
7 ing:

8 "Sec. ____ Chapter one hundred twenty-three (123),
9 Code 1979, is amended by adding the following new
10 sections as a new division:

11 NEW SECTION. 123.153 DEFINITIONS. As used in
12 this division, unless the context otherwise requires:

13 1. "Project" means acquisition, construction,
14 reconstruction, improvement, repair and equipment
15 of land, buildings, facilities and property of every
16 kind except inventory, deemed necessary by the council
17 for use as a warehouse, which shall include office
18 space.

19 2. "Gross revenue" means all income or receipts
20 derived from the operation of liquor sale activities.

21 3. "Net revenues" means gross revenues less
22 operating expense.

23 4. "Operating expense" means salaries, wages,
24 costs of maintenance and operation, materials,
25 supplies, inventories, insurance, and other items
26 in relation to liquor sale activities included under
27 recognized public agency accounting practices, but
28 does not include allowances for depreciation in the
29 value of physical property.

30 5. "Revenue bond" or "bond" means a negotiable
31 bond issued by the state and payable from the net
32 revenues of liquor sale activities or of any part
33 or project thereof.

34 6. "Liquor sale activities" means any activities
35 conducted by the council and the department with
36 reference to the sale of alcoholic liquor.

37 NEW SECTION. 123.154 PROJECT--REVENUE BONDS.

38 On behalf of the state, the council shall carry out
39 a project, issue revenue bonds in an amount not to
40 exceed four million dollars to pay all or part of
41 the cost of the project, or refund at or before
42 maturity a like principal amount of revenue bonds
43 or other obligations issued under this division and
44 sell revenue bonds at public or private sale in the
45 discretion of the council. The cost of the project
46 may include interest on the bonds during construction
47 and for one year after completion, costs of sale and
48 issuance of bonds, professional services and provision
49 for contingencies.

50 NEW SECTION. 123.155 PROCEEDINGS. Revenue bonds

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Page Two

1 shall be issued pursuant to one or more resolutions
2 of the council adopted at a regular or special meeting
3 by a majority of the members in attendance. Revenue
4 bonds may bear interest at such rates, be in one or
5 more series, bear such dates, mature at times not
6 exceeding thirty years from their respective dates,
7 be payable at places within or without the state,
8 carry registration privileges, be subject to terms
9 of redemption, with or without premium, be executed
10 and contain terms, limitations, covenants and condi-
11 tions as the resolution provides.

12 The bonds shall be executed by the governor and
13 attested by the treasurer of state. The facsimile
14 signature of either the governor or treasurer of state
15 may be printed on the face of each bond in lieu of
16 the manual signature of the officer. Interest coupons,
17 if any, shall be executed by the original or facsimile
18 signature of the treasurer of state. Bonds bearing
19 the original or facsimile signature of an officer
20 in office on the date of the signing are valid for
21 all purposes, notwithstanding that before delivery
22 the signer has ceased to hold the office. Each bond
23 shall state on its face that it is payable solely
24 from the revenues pledged thereto and that it does
25 not constitute a debt or charge against the state
26 of Iowa within the meaning or application of any
27 constitutional or statutory limitation or provision.

28 The proceedings authorizing the issuance of the
29 bonds may provide for the establishment of reserve
30 funds or sinking funds as deemed necessary for the
31 application of surplus net revenues, and for the
32 continuation of liquor sale activities on a revenue
33 producing basis and the maintenance of net revenues
34 at levels at least sufficient to pay principal of
35 and interest on the revenue bonds as they become due
36 and to maintain reserves or sinking funds therefor.

37 NEW SECTION. 123.156 BONDS NOT DEBT OF STATE.
38 Revenue bonds shall not be a debt of or charge upon
39 the state of Iowa within the meaning of any
40 constitutional or statutory limitation. Taxes or
41 appropriations shall not be pledged for the payment
42 of the revenue bonds. The sole remedy for any breach
43 or default of the terms of any revenue bonds or
44 proceedings authorizing the bonds shall be a proceeding
45 in law or equity, to which consent is given, to en-
46 force and compel performance of the duties required
47 by this division and the terms of the resolutions
48 under which the bonds are issued.

49 NEW SECTION. 123.157 ANTICIPATORY NOTES. The
50 council may borrow money and issue notes in

1 anticipation of the receipt of proceeds of the sale
2 of revenue bonds. Any such loan shall be paid within
3 three years. Notes issued for moneys so borrowed
4 may be renewed from time to time within the three-
5 year limitation. Notes shall be issued and sold in
6 the same manner as provided for the issuance of bonds.

7 NEW SECTION. 123.158 NOTICE. The council may
8 publish a notice of its intention to issue revenue
9 bonds in a newspaper published in and with general
10 circulation in the state. The notice shall include
11 a statement of the maximum amount of bonds proposed
12 to be issued, and in general, what net revenues will
13 be pledged to pay the revenue bonds and interest
14 thereon. An action which questions the legality of
15 revenue bonds or the power of the council to issue
16 the bonds or the effectiveness of any proceedings
17 adopted for the authorization or issuance of the bonds
18 shall not be brought after sixty days from the date
19 of publication of the notice.

20 NEW SECTION. 123.159 EXEMPTION FROM TAXATION.
21 Bonds or notes issued under this division are exempt
22 from taxation by the state of Iowa and the interest
23 thereon is exempt from state income tax.

24 NEW SECTION. 123.160 BONDS AS INVESTMENTS. All
25 banks, trust companies, savings and loan associations,
26 investment companies and other persons carrying on
27 a banking or investment business, all insurance
28 companies, insurance associations, and other persons
29 carrying on an insurance business and all executors,
30 administrators, guardians, trustees, and other
31 fiduciaries may legally invest any sinking funds,
32 moneys, or other funds belonging to them or within
33 their control in bonds issued pursuant to this
34 division. However, this section does not relieve
35 any persons from a duty of exercising reasonable care
36 in selecting securities for purchase or investment.

37 NEW SECTION. 123.161 INDEPENDENT AUTHORIZATION.
38 This division provides an independent method for the
39 carrying out of a project and for the sale and issuance
40 of revenue bonds and notes without reference to any
41 other statute and is not subject to the provisions
42 of any other law relating to the issuance of bonds.

43 NEW SECTION. 123.162 LIMITATION. The council
44 shall not carry out more than one project under this
45 division.

46 Sec. _____. Acts of the Sixty-eighth General
47 Assembly, 1979 Session, chapter four (4), section
48 two (2), subsection fourteen (14), is amended to read
49 as follows:"

50 3. Renumber sections and internal references as

2 necessary in accordance with this amendment.

H-6133 FILED	BY ANDERSON of Audubon	JOHNSON of Woodbury
APRIL 16, 1980	BYERLY of Polk	WALTER of Pottawattamie
<i>Adopted 4/18 (p. 1790)</i>	WELDEN of Hardin	WELLS of Linn
	PELTON of Clinton	

HOUSE FILE 2580

H-6129

- 1 Amend House File 2580 as follows:
- 2 1. Page 5, line 18, by striking the word "seven"
- 3 and inserting in lieu thereof the words "seven eight".
- 4 2. Page 5, line 22, by striking the figure
- 5 "205,442" and inserting in lieu thereof the figure
- 6 "225,442".

H-6129 FILED APRIL 16, 1980 BY HORN of Linn
Placed out of order 4/17 (p. 1755)

HOUSE FILE 2580

H-6130

- 1 Amend House File 2580 as follows:
- 2 1. Page 5, line 11, by striking the figure "76,570"
- 3 and inserting in lieu thereof the figures "76,570
- 4 83,770".

H-6130 FILED APRIL 16, 1980 BY HORN of Linn
W/d 4/17 (p. 1752)

HOUSE FILE 2580

H-6131

- 1 Amend House File 2580 as follows:
- 2 1. Page 12, by striking lines 4, 5, and 6.
- 3

H-6131 FILED APRIL 16, 1980 BY HORN of Linn
Lost 4/18 (p. 1774)

HOUSE FILE 2580

H-6132

- 1 Amend House File 2580 as follows:
- 2 1. Page 3, by inserting after line 16 the
- 3 following:
- 4 "Sec. _____. There is appropriated from the general
- 5 fund of the state to the state comptroller for the
- 6 fiscal year beginning July 1, 1980 for allocation
- 7 to the merged area schools, the sum of five hundred
- 8 fifty thousand (550,000) dollars, or so much thereof
- 9 as is necessary, to pay actual costs for the purchase
- 10 of fuel and electricity which exceed funds budgeted
- 11 for fuel or electricity purposes."
- 12 2. First title page, line 5, by inserting before
- 13 the word "the" the words "merged area schools;".
- 14 3. Renumber as required.

H-6132 FILED APRIL 16, 1980 HORN of Linn
Out of order 4/17 (p. 1747)

HOUSE FILE 2580

H-6127

1 Amend House File 2580 as follows:
 2 1. Page 5, by inserting after line 33 the
 3 following:
 4 "If legislation prescribing the title,
 5 administrative structure, and specific powers and
 6 duties of the unified state mental health agency has
 7 not been approved prior to July 1, 1980 and
 8 notwithstanding the provisions of sections two hundred
 9 twenty-five B point two (225B.2) and two hundred
 10 twenty-five B point eight (225B.8), Code 1979, as
 11 amended by Acts of the Sixty-eighth General Assembly,
 12 1979 Session, chapter fifty-four (54), sections one
 13 (1) and two (2), the division of mental health
 14 resources of the department of social services and
 15 the Iowa mental health authority shall continue to
 16 be governed respectively by sections two hundred
 17 seventeen point ten (217.10) through two hundred
 18 seventeen point twelve (217.12), Code 1979 and chapter
 19 two hundred twenty-five B (225B), Code 1979, until
 20 July 1, 1981. The Iowa mental health authority shall
 21 continue to be the designated state agency for the
 22 purpose of directing the benefits of United States
 23 Pub. L. No. 79-487, 60 Stat. L. 538 (1946) and
 24 amendments thereto."
 25

BY CLARK of Cerro Gordo CUSACK of Scott
 KREWSON of Polk NORLAND of Worth
 POFFENBERGER of Dallas DE GROOT of Lyon
 LONERGAN of Boone DAGGETT of Taylor

H-6127 FILED
 APRIL 16, 1980

*Adopted as amended
 by 6145 4-17 (p. 1756)*

HOUSE FILE 2580

H-6128

A 1 Amend House File 2580 as follows:
 2 1. Page 9, by striking line 27 and inserting
 3 in lieu thereof the following: "which provide
 4 significant matching effort either".
 5 2. Page 10, line 2 by inserting after the word
 6 "commission" the following: ", but shall give
 7 priority in funding to local projects which provide
 8 two dollars in local match to every state dollar".

BY KREWSON of Polk
 CUSACK of Scott
 MULLINS of Kossuth
 POFFENBERGER of Dallas
 McKEAN of Jones
 BYERLY of Polk

H-6128 FILED
 APRIL 16, 1980

A. Adopted, B. 3/2 4/17 (p. 1759)

HOUSE FILE 2580

H-6126

1 Amend House File 2580 as follows:

2 1. Page 2, by inserting after line 1 the following:

3 "Sec. _____. Section two hundred eighty-three A
4 point one (283A.1), Code 1979, is amended by adding
5 the following new subsection:

6 NEW SUBSECTION. "School breakfast program" means
7 a program under which breakfasts are served by a
8 public school on a nonprofit basis to children in
9 attendance, including a program that receives federal
10 financial assistance. The breakfast must comply with
11 federal regulations.

12 Sec. _____. Section two hundred eighty-three A point
13 two (283A.2), Code 1979, is amended to read as follows:

14 283A.2 SCHOOL BOARDS LUNCH AND BREAKFAST PROGRAMS-
15 -RULES. School-boards-shall-have-power-to-operate
16 or-provide-for-the-operation-of-school-lunch-programs
17 in-schools-under-their-jurisdiction,--and-may-use
18 therefor-funds-disbursed-to-them-under-the-provisions
19 of-this-chapter,--gifts,--funds-received-from-sale-of
20 school-lunches-under-such-programs,--and-any-other
21 funds-legally-available.

22 All-school School districts shall operate or provide
23 for the operation of school lunch programs at all
24 public schools in each district,--which. School
25 districts shall operate or provide for the operation
26 of school breakfast programs in those public elementary
27 schools in the district where the number of free or
28 reduced price school lunches served during the second
29 preceding school year was forty percent or more of
30 the total school lunches served during the school
31 year. The programs shall be operated in compliance
32 with the rules of the department of public instruction
33 and pertinent federal rules,--for-all and shall be
34 available to students in each district who attend
35 public school four or more hours each school day and
36 wish to participate in a the school breakfast program
37 or school lunch program,--and-serve or both. School
38 districts may provide such programs for other students.
39 School boards may use for this purpose funds disbursed
40 to them under this chapter, gifts, funds from the
41 sale of school breakfasts and lunches and other funds
42 legally available for school lunch and breakfast
43 programs.

44 For the purpose of this section, the term "public
45 elementary school" means a public school which contains
46 all or a portion of grades kindergarten through six.

47 Sec. _____. Section two hundred eighty-three A point
48 three (283A.3), Code 1979, is amended to read as
49 follows:

50 283A.3 EXPENDITURE OF FEDERAL FUNDS. The

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Page Two

1 superintendent of public instruction ~~is hereby~~
2 ~~authorized to~~ may accept and direct the disbursement
3 of funds appropriated by any Act of Congress and
4 ~~appropriated~~ allocated to the state of Iowa for use
5 in connection with school breakfast programs or school
6 lunch programs. The superintendent of public
7 instruction shall deposit ~~all such~~ federal funds
8 received with the treasurer of the state of Iowa,
9 who shall make disbursements therefrom upon the
10 direction of the superintendent of public instruction.

11 Sec. _____. Section two hundred eighty-three A point
12 four (283A.4), Code 1979, is amended to read as
13 follows:

14 283A.4 ADMINISTRATION OF PROGRAM. The
15 superintendent of public instruction may enter into
16 such agreements with any an agency of the federal
17 government, ~~with any~~ a school board, or ~~with any other~~
18 agency or person, prescribe such regulations rules,
19 employ such personnel, and take such other action
20 as he ~~may deem~~ deemed necessary to provide for the
21 establishment, maintenance, operation, and expansion
22 of any a school breakfast or school lunch program,
23 and to direct the disbursement of federal and state
24 funds, in accordance with any applicable provisions
25 of federal or state law. The superintendent of public
26 instruction may give technical advice and assistance
27 to any a school board in connection with the
28 establishment and operation of any a school breakfast
29 or school lunch program and may assist in training
30 such personnel engaged in the operation of such the
31 program. The superintendent of public instruction
32 and any school board may accept any gift for use in
33 connection with any a school breakfast or school lunch
34 program.

35 Sec. _____. Section two hundred eighty-three A point
36 five (283A.5), Code 1979, is amended to read as
37 follows:

38 283A.5 ACCOUNTS, RECORDS, REPORTS, AND OPERATIONS.
39 The superintendent of public instruction shall
40 prescribe regulations rules for the keeping of accounts
41 and records and the making of reports by or under
42 the supervision of school boards. ~~Such~~ The accounts
43 and records shall at all times be available for
44 inspection and audit by authorized officials and shall
45 be preserved for such a period of time, not in excess
46 of five years, as the superintendent of public
47 instruction may lawfully prescribe. The superintendent
48 of public instruction shall conduct or cause to be
49 conducted such audits and inspections with respect
50 to school breakfast programs and school lunch programs

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Page Three

1 as ~~may-be~~ necessary to determine whether its agreement
2 with school boards and ~~regulations~~ rules made pursuant
3 to this chapter are being complied with, and to insure
4 that school breakfast and school lunch programs are
5 effectively administered.

6 Sec. _____. Section two hundred eighty-three A point
7 eight (283A.8), Code 1979, is amended to read as
8 follows:

9 283A.8 USE OF SCHOOL BREAKFAST AND LUNCH FACILITIES
10 BY SENIOR CITIZENS. Boards of directors of school
11 corporations may authorize the use by senior citizen
12 organizations of school breakfast and lunch facilities
13 subject to reasonable rules and ~~regulations~~ of the
14 board. ~~Such~~ The use shall not interfere with the
15 use of the facilities for public school purposes.
16 The board may charge for such use an amount not to
17 exceed the cost to the district.

18 Sec. _____. Section two hundred eighty-three A point
19 nine (283A.9), Code 1979, is amended to read as
20 follows:

21 283A.9. BUILDING FOR SCHOOL LUNCH FACILITY.
22 School districts ~~are-authorized-to~~ may purchase,
23 erect, or otherwise acquire a building for use as
24 a school breakfast or lunch facility, and ~~to~~ equip
25 ~~such-a~~ the building for such use, and may pay for
26 ~~same the building~~ from unencumbered funds on hand
27 in the schoolhouse fund derived from taxes voted under
28 authority of sections 278.1, subsection 7, or 275.32,
29 subject to the terms of this section, or ~~may-pay-for~~
30 ~~same~~ from the proceeds of the sale of school property
31 sold under section 297.22, or from surplus remaining
32 in the schoolhouse fund after retirement of a bond
33 issue, or from a tax voted for said purposes.

34 Sec. _____. Section two hundred eighty-three A point
35 ten (283A.10), Code 1979, is amended to read as
36 follows:

37 283A.10 SCHOOL BREAKFAST AND LUNCH IN NONPUBLIC
38 SCHOOLS. The authorities in charge of nonpublic
39 schools may operate or provide for the operation of
40 school breakfast and lunch programs in schools under
41 their jurisdiction and may use funds appropriated
42 to them by the general assembly, gifts, funds received
43 from sale of school breakfasts and lunches under such
44 programs, and any other funds available to the
45 nonpublic school. However, school breakfast and lunch
46 programs ~~shall-not-be~~ are not required in nonpublic
47 schools. The department of public instruction shall
48 direct the disbursement of state funds to nonpublic
49 schools for school breakfast and lunch programs in
50 the same manner as state funds are disbursed to public

APRIL 17, 1980
PAGE FIFTY-NINE

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Page Four

1 schools.

2 Sec. _____. The sections amending chapter two hundred
3 eighty-three 'A (283A) of the Code are effective January
4 1, 1981 for the school year beginning July 1, 1981."

5 2. Amend the title, page 1, line 5, by inserting
6 after the word "commission;" the words "department
7 of public instruction;".

8 3. By numbering and renumbering sections as
9 necessary.

H-6126 FILED
APRIL 16, 1980

BY HORN of Linn
BYERLY of Polk

Revised and passed 4/17 (p. 1726)

HOUSE FILE 2580

H-6125

1 Amend House File 2580 as follows:

2 1. Page 24, line 4, by inserting after the period
3 the following:

4 "It was and is the intent of the general assembly
5 that this program was established for and be continued
6 for expenditure for civil matters of inmates, which
7 matters occurred outside the state's institutions.
8 Thus it is the intent of the general assembly that
9 funds from the appropriation shall not be used for
10 civil matters in which the inmate and the state of
11 Iowa are adverse parties."

H-6125 FILED
APRIL 16, 1980

BY DAGGETT of Taylor
DOYLE of Woodbury

Adopted 4/18 (p. 1818)

HOUSE FILE 2580

H-6124

1 Amend House File 2580 as follows:

2 1. Page 3, by inserting after line 16 the following
3 section:

4 "Sec. _____. Acts of the Sixty-eighth General
5 Assembly, 1979 Session, chapter thirteen (13), section
6 seven (/), subsection twelve (12) is amended to read
7 as follows:

8 12. PROGRAMS FOR GIFTED
9 AND TALENTED CHILDREN.

10 a. For programs for gifted
11 and talented children approved by
12 the department under section four
13 hundred forty-two point thirty-
14 four (442.34) of the Code \$ \$ 100,000

15 b. For support services for
16 programs for gifted and talented
17 children approved by the department
18 under section four hundred forty-two
19 point thirty-four (442.34) of the
20 Code \$ \$ 31,000

21 If federal funds become available
22 for the purpose for which funds are
23 appropriated by this paragraph, the
24 appropriation in this paragraph shall
25 be reduced by the amount of federal
26 funds received and the amount the
27 appropriation is reduced shall revert
28 to the general fund of the state."

29 2. Amend the title, page 1, line 5, by inserting
30 after the word "commission;" the words "department of
31 public instruction;"

32 3. By numbering and renumbering sections as
33 necessary.

BY PATCHETT of Johnson
DAVITT of Warren
HORN of Linn
LONERGAN of Boone
CONNORS of Polk
PERKINS of Greene
HUSAK of Tama
BRANDT of Black Hawk
ANDERSON of Jasper
COCHRAN of Webster
DOYLE of Woodbury
O'KANE of Woodbury
HULLINGER of Decatur
HINKHOUSE of Cedar
BINNEBOESE of Plymouth
CONNOLLY of Dubuque
NORLAND of Worth
WOODS of Polk
PAVICH of Pottawattamie

WELLS of Linn
HALL of Linn
HALVORSON of Webster
BINA of Scott
WALTER of Pottawattamie
GETTINGS of Wapello
DIELEMAN of Marion
CUSACK of Scott
GROTH of Buena Vista
SPEAR of Lee
RAPP of Black Hawk
JOCHUM of Dubuque
WELSH of Dubuque
ARNOULD of Scott
JAY of Appanoose
BYERLY of Polk
AVENSON of Fayette

H-6124 FILED

APRIL 16, 1980

Order of order 4/17 (1747)

HOUSE FILE 2580

H-6123

1 Amend House File 2580 as follows:

2 1. Page 24, by inserting after line 35 the
3 following:

4 "Sec. _____. Acts of the Sixty-eighth General
5 Assembly, 1979 Session, chapter eight (8), section
6 six (6), is amended by adding the following new
7 subsection:

8 NEW SUBSECTION.

9 a. It is the intent of the general assembly that
10 from the funds appropriated by this section for the
11 fiscal year beginning July 1, 1980, reimbursement
12 be provided to counties for a portion of the cost
13 of local inpatient mental health treatment as provided
14 by this subsection.

15 b. Each county which pays, from county funds
16 budgeted under section four hundred forty-four point
17 twelve (444.12) of the Code, the cost of care and
18 treatment of a mentally ill person who is admitted
19 pursuant to a preliminary diagnostic evaluation under
20 sections two hundred twenty-five B point four (225B.4)
21 through two hundred twenty-five B point seven (225B.7)
22 of the Code as an inpatient of a hospital facility,
23 other than a state mental health institute, which
24 has a distinct psychiatric program of twenty or more
25 beds and which is accredited by the joint commission
26 on accreditation of hospitals, is entitled to
27 reimbursement from the state for a portion of daily
28 cost so incurred by the county. However, a county
29 is not entitled to reimbursement under this subsection
30 for any cost incurred in connection with the
31 hospitalization of a person who is eligible for medical
32 assistance under chapter two hundred forty-nine A
33 (249A) of the Code, or who is entitled to have his
34 or her care or treatment paid for by any other third
35 party payer, or who is admitted for preliminary
36 diagnostic evaluation under sections two hundred
37 twenty-five B point four (225B.4) through two hundred
38 twenty-five B point seven (225B.7) of the Code. The
39 amount of reimbursement for the cost of care and
40 treatment of a local inpatient to which a county is
41 entitled under this subsection, on a per-patient-per-
42 day basis, is an amount equal to twenty percent of
43 the average daily patient costs in the most recent
44 calendar quarter for the program in which the local
45 inpatient would have been served if he or she had
46 been admitted to a state mental health institute.

47 c. Each county may claim the reimbursement provided
48 for by paragraph a of this subsection by filing with
49 the department a claim in a form prescribed by the
50 director of the division of mental health by

APRIL 17, 1980
PAGE FIFTY-FOUR

H-6123
Page Two

1 administrative rule. Claims may be filed on a
2 quarterly basis, and when received shall be verified
3 expeditiously by the director. The director shall
4 certify to the state comptroller the amount to which
5 each county claiming reimbursement under this section
6 is entitled, and the comptroller shall issue warrants
7 to the respective counties drawn upon funds
8 appropriated by the general assembly for the purpose
9 of this subsection. Each county shall place funds
10 received under this subsection in the county mental
11 health and institutions fund. If the appropriation
12 for any fiscal year is insufficient to pay all claims
13 arising under this subsection, the comptroller shall
14 prorate the funds appropriated for that year among
15 the claimant counties so that an equal proportion
16 of each county's claim is paid in each quarter for
17 which proration is necessary."

BY JESSE of Polk
THOMPSON of Polk
JOHNSON of Woodbury
JOHNSON of Linn
CONNORS of Polk
CUSACK of Scott
BYERLY of Polk
WOODS of Polk
DIEMER of Black Hawk
BRANDT of Black Hawk

*Adopted as amended by 6229
4/18 (p. 1820)*
H-6123 FILED
APRIL 16, 1980

HOUSE FILE 2580

H-6122

Amend House File 2580 as follows:

- 1 1. Page 20, line 33, by adding after the word
- 2 "obligations." the following sentence: "All such
- 3 transfers shall be repaid prior to January 31, 1981."
- 4 2. Page 21, by striking lines 2 and 3 and
- 5 inserting in lieu thereof the following:
- 6 "This section is applicable only for the period
- 7 July 1, 1980 through January 31, 1981."
- 8

H-6122 FILED
APRIL 16, 1980
Adopted 4/18 (p. 1814)

BY WELDEN of Hardin
SCHROEDER of Pottawattamie
BENNETT of Ida

HOUSE FILE 2580

H-6114

- 1 Amend House File 2580 as follows:
- 2 1. Page 3, by striking lines 9 through 16
- 3 and inserting in lieu thereof the following:
- 4 " 4,801,000"
- 5 2. Renumbering section numbers as necessary.

H-6114 FILED APRIL 16, 1980 BY RITSEMA of Sioux

Done 4/17 (p. 1729)

HOUSE FILE 2580

H-6120

- 1 Amend House File 2580 as follows:
- 2 1. Page 4, by striking lines 15 through 34.
- 3 2. Page 8, by striking lines 21 through page 9,
- 4 line 2, and inserting in lieu thereof the following:
- 5 "Sec. ____ . Acts of the Sixty-eighth General
- 6 Assembly, 1979 Session, chapter nine (9), section
- 7 seven (7), is amended to read as follows:
- 8 SEC. 7. There is appropriated from the general
- 9 fund of the state to the Spanish-speaking ~~people's~~
- 10 peoples commission for the fiscal year beginning July
- 11 1, 1979 and ending June 30, 1980 the sum of forty-
- 12 five thousand seven hundred fifteen (45,715) dollars
- 13 or so much thereof as ~~may-be~~ is necessary and for
- 14 the fiscal year beginning July 1, 1980 and ending
- 15 June 30, 1981 the sum of thirty-one thousand (31,000)
- 16 dollars or so much thereof as is necessary, for
- 17 salaries and support of not more than two full-time
- 18 equivalent positions, maintenance and miscellaneous
- 19 purposes."
- 20 3. Renumber sections and internal references as
- 21 necessary in accordance with this amendment.

H-6120 FILED APRIL 16, 1980 BY HORN of Linn

Done 4/17 (p. 1730)

HOUSE FILE 2580

H-6121

- 1 Amend H-6120, the Horn amendment to House File
- 2 2580, as follows:
- 3 1. Page 1, line 15, by striking the words and
- 4 figures "thirty-one thousand (31,000)" and inserting
- 5 in lieu thereof the words and figures "fifty thousand
- 6 (50,000)".

H-6121 FILED APRIL 16, 1980 BY HORN of Linn

Accepted 4/17 (p. 1750)

HOUSE FILE 2580

H-6112

1 Amend House File 2580 as follows:

2 1. Page 26, by striking line 30 and inserting
3 in lieu thereof the words and figures "1981, and shall
4 be governed by the provisions of Acts of the Sixty-
5 eighth General Assembly, chapter eight (8), section
6 four (4), subsection two (2), as added by Acts of
7 the Sixty-eighth General Assembly, Senate File two
8 thousand two hundred forty-one (2241), section sixteen
9 (16), which relate to use by the department of social
10 services of delayed reversion funds."

11 2. Page 32, by striking lines 15 through 18 and
12 inserting in lieu thereof the words and figures "used
13 for the purpose provided by Acts of the Sixty-eighth
14 General Assembly, 1979 Session, chapter eight (8),
15 section seventeen (17), subsection two (2).
16 Notwithstanding section".

17 3. Page 32, line 21, by inserting after the figure
18 "1981" the words and figures ", and shall be governed
19 by the provisions of Acts of the Sixty-eighth General
20 Assembly, chapter eight (8), section four (4),
21 subsection two (2), as added by Acts of the Sixty-
22 eighth General Assembly, Senate File two thousand
23 two hundred forty-one (2241), section sixteen (16),
24 which relate to use by the department of social
25 services of delayed reversion funds".

BY DAGGETT of Taylor

BRUNER of Story

CLARK of Cerro Gordo

CUSACK of Scott

HOUSE FILE 2580

H-6112 FILED

APRIL 16, 1980

Adopted 4/15 (p. 1823)

H-6115

1 Amend House File 2580 as follows:

2 1. Page 21, by inserting after line 3 the following
3 new section:

4 "Sec. _____. Section four hundred twenty-two point
5 twelve (422.12), Code 1979, as amended by Acts of
6 the Sixty-eighth General Assembly, chapter ninety-
7 three (93), section six (6), is amended by adding
8 the following new subsection:

9 NEW SUBSECTION. A tax credit in an amount not
10 to exceed twenty-five percent of the actual amount
11 expended by a taxpayer during the tax year to transport
12 dependents of the taxpayer to and from a public school
13 on a mass transit system operating in the community
14 and where transportation is not provided by the school
15 district. In claiming the credit, the taxpayer shall
16 provide receipts or other information required by
17 the department to verify the expenditure of the amount
18 claimed as a credit."

19 2. Renumber sections and correct internal
20 references as are necessary in accordance with this
21 amendment.

Ruled not germane 4/15 (p. 1815)

H-6115 FILED

APRIL 16, 1980

BY DOYLE of Woodbury

BINA of Scott

O'KANE of Woodbury

PAVICH of Pottawattamie

WALTER of Pottawattamie

HOUSE FILE 2580

H-110

1 Amend House File 2580 as follows:

2 1. Page 34, by inserting after line 5 the follow-
3 ing:

4 "Sec. ____ . NEW SECTION. LOCAL SALES, SERVICES
5 AND USE TAX. A city may impose by ordinance of the
6 city council a local sales, services and use tax at
7 the rate of one-fourth of one percent on the gross
8 receipts taxed by the state under chapter four hundred
9 twenty-two (422), division four (IV), of the Code,
10 and the uses taxed under chapter four hundred twenty-
11 three (423) of the Code. A local sales, services
12 and use tax shall be imposed on the same basis as
13 the state sales, services and use tax and may not
14 be imposed on the sale or use of any property or on
15 any service not taxed by the state. A local sales,
16 services and use tax is applicable only within the
17 corporate limits of the city where it is imposed and
18 shall be collected by all persons required to collect
19 state gross receipts or use taxes.

20 The amount of the sale, for purposes of determining
21 the amount of the local sales, services and use tax,
22 does not include the amount of any state gross receipts
23 or use taxes.

24 A tax permit other than the state tax permit
25 required under section four hundred twenty-two point
26 fifty-three (422.53) of the Code shall not be required
27 by local authorities.

28 A city shall impose a local sales, services and
29 use tax only after an election at which a majority
30 of those voting on the question favors imposition.
31 The election shall be held at the time of that city's
32 regular election.

33 Sec. ____ . NEW SECTION. ADMINISTRATION. A local
34 sales, services and use tax shall be imposed on January
35 first, April first, July first or October first
36 following a favorable election. Once imposed, the
37 tax shall remain in effect for a minimum of one year.
38 The tax shall terminate only on March thirty-first,
39 June thirtieth, September thirtieth or December thirty-
40 first.

41 The director of revenue shall administer the
42 provisions of a local sales, services and use tax
43 as nearly as possible in conjunction with the
44 administration of state gross receipts and use tax
45 laws. The director shall provide appropriate forms
46 or provide on the regular state tax forms for reporting
47 local sales, services and use tax liability.

48 An ordinance of a city council imposing a local
49 sales, services and use tax shall specify the gross
50 receipts and uses subject to tax and shall adopt by

1 reference the applicable provisions of the appropriate
 2 sections of chapter four hundred twenty-two (422),
 3 division four (IV), of the Code and chapter four
 4 hundred twenty-three (423) of the Code, and all powers
 5 of the director to administer the state gross receipts
 6 and use tax law are applicable to the administration
 7 of a local sales, services and use tax law. Local
 8 officials shall confer with the director of revenue
 9 for assistance in drafting the ordinance imposing
 10 a local sales, services and use tax. A certified
 11 copy of the ordinance imposing a local sales, services
 12 and use tax shall be filed with the director as soon
 13 as possible after passage. The city shall notify
 14 the director at least sixty days before the effective
 15 date of the repeal of the ordinance imposing the tax.

16 The director, in consultation with local officials,
 17 shall collect and account for a local sales, services
 18 and use tax. The director shall retain for the use
 19 of the department of revenue one percent of all local
 20 sales, services and use tax receipts, to cover
 21 administrative expense, and shall credit remaining
 22 local sales, services and use tax receipts to a "local
 23 sales, services and use tax fund" hereby established
 24 in the office of the treasurer of state.

25 Sec. ____ . NEW SECTION. PAYMENT TO LOCAL
 26 GOVERNMENTS. The treasurer of state shall remit
 27 quarterly, pursuant to rules of the director of
 28 revenue, to each city the amount of sales, services
 29 and use tax collected in that city. Moneys received
 30 by a city from this fund shall be credited to a special
 31 fund of that city to be used solely for urban transit
 32 systems operating within that city."

33 2. Amend the title page 2, line 15, by inserting
 34 after the word "services" the words "and authorizing
 35 a local option sales, services and use tax for aid
 36 to urban transit systems".

37 3. By numbering, renumbering and correcting
 38 internal references as may be necessary.

BY BINA of Scott
 WALTER of Pottawattamie
 GETTINGS of Wapello
 WELLS of Linn
 DOYLE of Woodbury
 HALL of Linn

PAVICH of Pottawattamie
 CUSACK of Scott
 ARNOULD of Scott
 BYERLY of Polk
 O'KANE of Woodbury

H-6110 FILED

APRIL 16, 1980

*Revised not germane 4/18
 (p. 1835)*

HOUSE FILE 2580

H-6111

1 Amend House File 2580 as follows:

2 1. Page 12, by inserting after line 6 the
 3 following:

4 "79 General Services to block calls
 5 at regular long
 6 distance rates."

7 2. Renumber sections and correct internal
 8 references as may be necessary in accordance with
 9 this amendment.

H-6111 FILED APRIL 16, 1980

Adopted 4/18 (p. 1787)

BY LAGESCHULTE of Bremer
 LORENZEN of Scott
 DIELEMAN of Marion

Sen. Appropriations 4/21
Amend a/w 5821 & D. Pass 4/22 (p.1592)

HOUSE FILE 2580

By COMMITTEE ON APPROPRIATIONS

(As Amended and Passed by the House)

Passed House, Date 4/26/50 (p. 2210) Passed Senate, Date 4/24/50 (p. 1679)

Vote: Ayes 85 Nays 13 Vote: Ayes 31 Nays 15

Approved Item Vetted 5/26/80 (See letter)
Repassed 4/26/50 (p. 1841)
45-0

A BILL FOR

5864 1 An Act appropriating funds to finance designated state programs
2 and adding procedures and criteria for administering design-
3 nated programs of the state educational radio and television
4 facility board; the school for the deaf; the Iowa college aid
5 commission; merged area V; the state board of regents for
6 capitation grants; the commission on the aging; the Iowa
7 state civil rights commission; the Spanish-speaking peoples
8 commission; the commission on the status of women; the
9 board of medical examiners; the Iowa mental health authority;
10 the mental health advisory council; the health planning
11 agency, personal and family health services, the community
12 health division, and in-home health care grants of the state
13 department of health; the elderly care program; the Iowa
14 department of substance abuse; the European office of the
15 Iowa development commission; the energy policy council; the
16 department of soil conservation; the governor's economy
17 committee recommendations; the state board of engineering
18 examiners; the Iowa beer and liquor control department; the
19 department of revenue; the Iowa public employees retirement
20 system; judicial salaries and the judicial retirement system;
21 Terrace Hill; the census data center coordinating unit; the
22 communications division of the department of general services;
23 the legislative fiscal bureau; the Iowa crime commission; the
24 road use tax fund; the state department of transportation;
25 governmental subdivisions and agencies required to record

1 instruments; the department of public safety; and the
2 general administration, correctional personnel, community-
3 based corrections, legal assistance program, substance
4 abuse screening, mental health institutes, division of
5 mental health resources, patients' personal deposit funds,
6 aid to dependent children, medical assistance, contractual
7 services-medical carrier, children's services, state
8 supplementary assistance, child support recoveries, Title
9 XX, foster residential care, subsidized adoption, the
10 Glenwood state hospital-school, cost reimbursement for
11 skilled, residential, and intermediate care facilities,
12 the community integrated youth services project, support
13 for the poor for Indians residing on the Tama county
14 settlement, and various rules of the department of social
15 services.

5847 16 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

22 House Amendments _____
23
24
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DIVISION I

1
2 Section 1. Chapter eighteen (18), division five (V), Code
3 1979, is amended by adding the following new section:

4 NEW SECTION. CAPITAL EQUIPMENT REPLACEMENT REVOLVING FUND.

5 1. Notwithstanding section eighteen point one hundred
6 fifty-one (18.151) of the Code, the state educational radio
7 and television facility board may provide noncommercial
8 production or reproduction services for other public agencies,
9 nonprofit corporations or associations organized under state
10 law, or other organizations which are not operated for a
11 profit and may collect the costs of providing such services
12 from the public agency, nonprofit corporation, association,
13 or organization plus a separate equipment usage fee in an
14 amount determined by the board and based upon the equipment
15 used. The costs shall be deposited to the credit of the state
16 educational radio and television facility board. The separate
17 equipment usage fee shall be deposited in the capital equipment
18 replacement revolving fund.

19 2. The state educational radio and television facility
20 board may establish a capital equipment replacement revolving
21 fund into which shall be deposited equipment usage fees
22 collected under subsection one (1) of this section and funds
23 from other sources designated for deposit in the capital
24 equipment replacement revolving fund. The state educational
25 radio and television facility board may expend moneys from
26 the capital equipment replacement revolving fund to purchase
27 technical equipment for operating the educational radio and
28 television facility.

29 Sec. 2. Chapter eighteen (18), division five (V), Code
30 1979, is amended by adding the following new section:

31 NEW SECTION. TRUSTS. Notwithstanding section six hundred
32 thirty-three point sixty-three (633.63) of the Code, the state
33 educational radio and television facility board may accept
34 and administer trusts and may authorize nonprofit foundations
35 acting solely for the support of the educational radio and

1 television facility to accept and administer trusts deemed
 2 by the board to be beneficial to the operation of the
 3 educational radio and television facility. The board and
 4 such foundations may act as trustees in such instances.

5 Sec. 3. Section two hundred seventy point one (270.1),
 6 Code 1979, is amended to read as follows:

7 270.1 SUPERINTENDENT. The superintendent of the school
 8 for the deaf shall be a trained and experienced educator of
 9 the deaf. ~~His~~ The superintendent's salary may include
 10 residence in the institution ~~and be paid from the funds of~~
 11 ~~supplies thereof~~, but no such allowance shall be made except
 12 by express contract in advance.

13 Sec. 4. Acts of the Sixty-eighth General Assembly, 1979
 14 Session, chapter thirteen (13), section two (2), subsection
 15 one (1), paragraph b, is amended to read as follows:

16 b. For administration of
 17 Iowa guaranteed student loan
 18 program for not more than five
 19 full-time equivalent positions

20 for fiscal year 1980-1981\$ 204,000 \$ 284,000

21 Sec. 5. Acts of the Sixty-eighth General Assembly, 1979
 22 Session, chapter thirteen (13), section five (5), is amended
 23 to read as follows:

24 SEC. 5. There is appropriated from the general fund of
 25 the state to the Iowa college aid commission for the fiscal
 26 biennium beginning July 1, 1979, and ending June 30, 1981,
 27 the sum of fifty thousand (50,000) dollars, and for the fiscal
 28 year beginning July 1, 1980 and ending June 30, 1981, an
 29 additional sum of thirty thousand (30,000) dollars, or so
 30 much thereof as may be necessary, to provide for a national
 31 guard education program. Funds shall only be expended for
 32 Iowa residents who are enlisted members in good standing in
 33 the Iowa national guard and who are enrolled as an
 34 undergraduate undergraduates in an Iowa postsecondary
 35 educational institution institutions. Funds expended on

1 behalf of each full-time undergraduate student shall not
 2 exceed two hundred fifty (250) dollars per year. Funds
 3 expended on behalf of each half-time undergraduate student
 4 shall not exceed one hundred twenty-five (125) dollars per
 5 year.

6 Sec. 6. Acts of the Sixty-eighth General Assembly, 1979
 7 Session, chapter thirteen (13), section six (6), is amended
 8 to read as follows:

9 SEC. 6. There is appropriated from the general fund of
 10 the state for each year of the fiscal biennium beginning July
 11 1, 1979 and ending June 30, 1981 to the state educational
 12 radio and television facility the following amounts, or so
 13 much thereof as may be necessary, to be used for the purposes
 14 designated:

	1979-1980	1980-1981
	<u>Fiscal Year</u>	<u>Fiscal Year</u>
15		
16		
17 For salaries, support,		
18 maintenance and miscel-		
19 laneous purposes	\$ 4,492,000	\$ ~~4,697,000~~
20		<u>4,751,000</u>

21 Sec. 7. Acts of the Sixty-eighth General Assembly, 1979
 22 Session, chapter thirteen (13), section seven (7), subsection
 23 eleven (11), is amended by adding the following new paragraph:

24 NEW PARAGRAPH. For merged
 25 area V.

26 For operation of the radio
 27 station \$ 50,000

28 Sec. 8. Acts of the Sixty-eighth General Assembly, 1979
 29 Session, chapter thirteen (13), section nine (9), is amended
 30 to read as follows:

31 SEC. 9. There is appropriated from the general fund of
 32 the state for the fiscal year beginning July 1, 1979 and
 33 ending June 30, 1980, to the state board of regents, subject
 34 to the conditions provided in this section, the sum of four
 35 hundred thousand (400,000) dollars, and for the fiscal year

1 beginning July 1, 1980 and ending June 30, 1981, the sum of
 2 four hundred thousand (400,000) dollars, or so much thereof
 3 as may be necessary, to replace actual losses of federal funds
 4 for capitation grants by the colleges of dentistry, medicine,
 5 veterinary medicine, pharmacy, and nursing. The-funds-or
 6 any-portion-of-the-funds-shall-not-be-allocated-unless-there
 7 is-actually-a-loss-of-federal-funds-for-capitation-grants
 8 and-the-state-comptroller-has-reviewed-the-amount-of-the-loss
 9 and-approved-the-allocation-of-the-funds-appropriated-by-this
 10 section-to-replace-the-loss.

11 DIVISION II

12 Sec. 9. Acts of the Sixty-eighth General Assembly, 1979
 13 Session, chapter nine (9), section one (1), subsection one
 14 (1), is amended to read as follows:

15 1. For salaries and
 16 support of not more than
 17 twenty-six twenty-eight
 18 point twenty-five full-
 19 time equivalent positions
 20 annually, of which two
 21 care review positions are
 22 contingent upon the re-
 23 ceipt of federal funds,
 24 maintenance and miscel-
 25 laneous purposes \$ 171,051 \$ 167,900

26 Sec. 10. Acts of the Sixty-eighth General Assembly, 1979
 27 Session, chapter nine (9), section two (2), subsection one
 28 (1), is amended to read as follows:

29 1. IOWA STATE CIVIL
 30 RIGHTS COMMISSION
 31 a. For salaries and sup-
 32 port of not more than
 33 thirty-five full-time
 34 equivalent positions an-
 35 nually, maintenance and

1 miscellaneous purposes \$ 540,463 \$ 540,943
2 b. For salaries, sup-
3 port, maintenance, and
4 miscellaneous purposes
5 of the Spanish-speaking
6 peoples commission, in-
7 cluding not more than
8 one full-time equivalent
9 position and expenses
10 of the commission \$ \$ 31,000
11 Sec. 11. Acts of the Sixty-eighth General Assembly, 1979
12 Session, chapter nine (9), section two (2), subsection four
13 (4), is amended to read as follows:
14 4. COMMISSION ON THE
15 STATUS OF WOMEN
16 For salaries and sup-
17 port of not more than
18 three point twenty-five
19 full-time equivalent po-
20 sitions annually, main-
21 tenance and miscellaneous
22 purposes \$ 76,100 \$ 76,570
23 Sec. 12. Acts of the Sixty-eighth General Assembly, 1979
24 Session, chapter nine (9), section three (3), subsection one
25 (1), is amended to read as follows:
26 1. BOARD OF MEDICAL
27 EXAMINERS
28 For salaries and support
29 of not more than seven full-
30 time equivalent positions
31 annually, maintenance and
32 miscellaneous purposes \$ 198,411 \$ ~~193,442~~
33 205,442
34 Sec. 13. Acts of the Sixty-eighth General Assembly, 1979
35 Session, chapter nine (9), section three (3), subsections

1 four (4) and five (5), are amended to read as follows:

2 4. IOWA MENTAL HEALTH

3 AUTHORITY.

4 For salaries and support

5 of not more than eight point

6 five full-time equivalent po-

7 sitions annually, maintenance

8 and miscellaneous purposes \$ 136,081 \$ ~~148,084~~

9 238,084

587 10 If legislation prescribing the title, administrative
 11 structure, and specific powers and duties of the unified state
 12 mental health agency has not been approved prior to July 1,
 13 1980 and notwithstanding the provisions of sections two hundred
 14 twenty-five B point two (225B.2) and two hundred twenty-five
 15 B point eight (225B.8), Code 1979, as amended by Acts of the
 16 Sixty-eighth General Assembly, 1979 Session, chapter fifty-
 17 four (54), sections one (1) and two (2), the division of
 18 mental health resources of the department of social services
 19 and the Iowa mental health authority shall continue to be
 20 governed respectively by sections two hundred seventeen point
 21 ten (217.10) through two hundred seventeen point twelve
 22 (217.12), Code 1979 and chapter two hundred twenty-five B
 23 (225B), Code 1977, until July 1, 1981. The Iowa mental health
 24 authority shall continue to be the designated state agency
 25 for the purpose of directing the benefits of United States
 26 Pub. L. No. 79-487, 60 Stat. L. 538 (1946) and amendments
 27 thereto.

28 5. MENTAL HEALTH AD-

29 VISORY COUNCIL

30 For salaries and support

31 of not more than three full-

32 time equivalent positions an-

33 nually, maintenance and mis-

5847 34 cellaneous purposes \$ 64,269 \$ 50,000

5968 35 Sec. 14. Acts of the Sixty-eighth General Assembly, 1979

1 Session, chapter nine (9), section four (4), subsection two
 2 (2), paragraph b, is amended to read as follows:

3 b. Health planning
 4 agency.

5 For salaries and sup-
 6 port of not more than
 7 ~~eleven~~ thirteen full-time
 8 equivalent positions an-
 9 nually, maintenance and
 10 miscellaneous purposes \$ 66,940 \$ 66,407

11 Sec. 15. Acts of the Sixty-eighth General Assembly, 1979
 12 Session, chapter nine (9), section four (4), subsection six
 13 (6), unnumbered paragraph one (1), is amended to read as
 14 follows:

15 For salaries and sup-
 16 port of not more than
 17 sixty full-time equiva-
 18 lent positions annually,
 19 maintenance and miscel-

20 laneous purposes.....\$879,931 \$ 861,373
 21 881,373

22 Sec. 16. Acts of the Sixty-eighth General Assembly, 1979
 23 Session, chapter nine (9), section four (4), subsection seven
 24 (7), paragraph a, is amended to read as follows:

25 a. Community health
 26 division.

27 (1) For salaries and
 28 support of not more than
 29 ~~forty-two~~ forty-four full-
 30 time equivalent positions
 31 annually of which two shall
 32 be for deaf services, mainte-

33 nance and miscellaneous
 34 purposes \$ 982,111 \$ ~~1,701,376~~
 35 1,445,376

1 (2) Of the appropriation for the 1980-1981 fiscal year,
 2 the sum of sixty thousand (60,000) dollars is allocated for
 3 deaf services, the sum of three hundred fifty thousand
 4 (350,000) dollars is allocated for the renal disease program,
 5 and the sum of twenty thousand (20,000) dollars is allocated
 6 for the emergency medical service program.

7 Sec. 17. Acts of the Sixty-eighth General Assembly, 1979
 8 Session, chapter nine (9), section four (4), subsection seven
 9 (7), paragraph d, is amended to read as follows:

10 d. In-home health care
 11 grants. For grants to local
 12 boards of health or county
 13 health centers for programs
 14 to maintain or expand the
 15 availability of in-home
 16 health care to elderly
 17 persons in the state in
 18 accordance with section

19 five (5) of this Act \$ 2,765,960 \$ 3,015,960

20 Sec. 18. Acts of the Sixty-eighth General Assembly, 1979
 21 Session, chapter nine (9), section five (5), subsection four
 22 (4), is amended to read as follows:

23 4. The state department of health shall make the money
 24 allocated for use in each county under subsection three (3)
 25 of this section available to be expended in that county as
 26 provided in this subsection. The local board of health or
 27 county health centers having jurisdiction, after consultation
 28 with other in-home health care provider agencies in the
 29 jurisdiction, shall prepare a proposal for the use of the
 30 funds available for that jurisdiction that will provide the
 31 maximum benefits of expanded home health care to elderly
 32 persons in the jurisdiction, and that shall include a statement
 33 assuring that the appropriate local agencies have participated
 34 in the formulation of the proposal. After approval of the
 35 proposal by the department, the department shall enter into

1 a contract with the local board of health or county health
2 centers. The local board of health or county health centers
3 may subcontract with a nonprofit nurses' association, an
4 independent nonprofit agency, the department of social services
5 or a suitable local governmental or nongovernmental body to
6 use the funds to expand or maintain in-home health services.
7 Local boards of health or county health centers shall make
8 an effort to subcontract with agencies that are currently
9 providing services to prevent duplication of services. In
10 counties where a county health center has been established
11 under chapter three hundred forty-six A (346A) of the Code,
12 the board of supervisors may appoint itself to act as the
13 county board of health.

14 Sec. 19. Acts of the Sixty-eighth General Assembly, 1979
15 Session, chapter nine (9), section nine (9), is amended to
16 read as follows:

17 SEC. 9. Section sixteen point eight (16.8), Code 1979,
18 is amended to read as follows:

19 16.8 COMMISSION TERMINATION TRANSFERRED. ~~Without-affirma-~~
20 ~~tive-action-by-the-general-assembly-before-June-30,-1980,~~
21 ~~the~~ The Spanish-speaking people's peoples commission shall
22 ~~expire-on-June-30,-1981~~ be transferred to the Iowa state civil
23 rights commission on July 1, 1980. The Spanish-speaking
24 peoples commission shall continue to be appointed and function
25 as provided in sections sixteen point one (16.1) through
26 sixteen point seven (16.7) of the Code, but the Iowa state
27 civil rights commission shall provide support services to
28 the Spanish-speaking peoples commission including, but not
29 limited to, office space, secretarial assistance, supplies,
30 and similar services.

31 Sec. 20. Acts of the Sixty-eighth General Assembly, 1979
32 Session, chapter sixteen (16), section one (1), is amended
33 to read as follows:

34 SECTION 1. There is appropriated from the general fund
35 to the commission on the aging eight hundred thousand (800,000)

1 dollars, or so much thereof as may be necessary, for the 1979-
 2 1980 fiscal year and eight hundred thousand (800,000) dollars,
 3 or so much thereof as is necessary, for the 1980-1981 fiscal
 4 year, for the elderly care program to be used for chore,
 5 telephone reassurance, adult day care, and home repair
 6 services, including the winterizing of homes, and for the
 7 construction of entrance ramps which meet the requirements
 8 of section one hundred four A point four (104A.4) of the Code
 9 and make residences accessible to the physically handicapped,
 10 for citizens of Iowa over sixty-five years of age. All funds
 11 appropriated under this section shall be received and disbursed
 12 by the commission and shall not be used for administrative
 13 purposes.

14 Sec. 21. Acts of the Sixty-eighth General Assembly, 1979
 15 Session, chapter sixteen (16), section nine (9), is amended
 16 to read as follows:

17 SEC. 9. NEW SECTION. LOCAL MATCH. Funds appropriated
 18 to the commission from the general fund for the elderly care
 19 program shall only be awarded and distributed to local projects
 20 which provide significant matching effort either in cash or
 21 in equivalent support. Funds appropriated to the commission
 22 from the general fund for the elderly care program shall only
 23 be used to establish new projects, ~~or~~ to expand existing
 24 programs and or to continue existing elderly care projects.
 25 Elderly care funds shall not be used to replace funds in
 26 existing programs or to free funds for other state supported
 27 services. The interagency coordinating committee may waive
 28 or modify the local match requirements of this section in
 29 accordance with the rules promulgated by the commission.

30 Sec. 22. Acts of the Sixty-eighth General Assembly, 1979
 31 Session, chapter seventeen (17), section one (1), subsection
 32 two (2), is amended to read as follows:

33 2. For substance abuse

34 program grants	\$ 2,265,000	\$ 2,265,000
588: 35		<u>2,475,000</u>

DIVISION III

1

2 Sec. 23. Acts of the Sixty-eighth General Assembly, 1979
 3 Session, chapter twelve (12), section ten (10), subsection
 4 two (2), is amended to read as follows:

5 2. For salaries,
 6 support of no more than
 7 two full-time equivalent
 8 positions, maintenance
 9 and miscellaneous pur-
 10 poses of the European

11 office..... \$ 178,000 \$ 200,000

12 Sec. 24. Acts of the Sixty-eighth General Assembly, 1979
 13 Session, chapter twelve (12), section thirteen (13), subsec-
 14 tion one (1), is amended to read as follows:

15 1. OPERATIONS

16 For Salaries and sup-
 17 port ~~of not more than~~
 18 ~~eleven full-time equiva-~~
 19 ~~lent positions,~~ and for
 20 maintenance and miscel-
 21 laneous purposes..... \$ 230,192 \$ 233,683

22 336,683

23 Sec. 25. Acts of the Sixty-eighth General Assembly, 1979
 24 Session, chapter twelve (12), section nineteen (19), subsec-
 25 tion one (1), is amended to read as follows:

26 1. For salaries and
 27 support of not more than
 28 one hundred seventy-three
 29 full-time equivalent po-
 30 sitions and maintenance,
 31 assistance to soil con-
 32 servation districts and
 33 for miscellaneous pur-

34 poses..... \$ 2,544,670 \$ 2,528,876

35 2,549,476

1 It is the intent of the general assembly that ~~twenty~~ one
 2 hundred clerk-typist II positions be upgraded to that of
 3 ~~secretary~~ clerk-typist III, and that a position of director
 4 of conservancy districts be created.

5 Sec. 26. There is appropriated from the general fund of
 6 the state to the department of soil conservation for the
 7 fiscal period beginning July 1, 1980 and ending June 30, 1984
 8 the amount of nine hundred seventy-nine thousand four hundred
 9 (979,400) dollars, or so much thereof as is necessary, to
 10 be used for and supplement the funds appropriated by Acts
 11 of the Sixty-eighth General Assembly, 1979 Session, chapter
 12 twelve (12), section nineteen (19), subsection five (5), for
 13 cost-sharing to provide state funding of not more than fifty
 14 percent of the approved cost of permanent soil conservation
 15 practices instituted under chapter four hundred sixty-seven
 16 A (467A) of the Code with priority given to projects on owner-
 17 operated and family-owned farms. However, not more than five
 18 percent of the amount appropriated in this section may be
 19 used for compensation of production losses due to summer con-
 20 struction of permanent soil and water conservation practices.

21 DIVISION IV

5821 22 Sec. 27. The state comptroller, in implementing recommenda-
 23 tions of the governor's economy committee, shall give special
 24 consideration to the following:

25 Governor's

26 Economy Com-

27 mittee Recom-

28 mendation No.

Agency

Name

Description

29 5	Office for plan-	Highway safety
30	ning and program-	unit to be assign-
31	ming	ed to state depart-
32		ment of transporta-
33		<u>tion.</u>
34 22	Attorney general	Enhance legal research
35		capabilities.

1 63	General services	Finish automating the
2		elevators in the
3		capitol building.
4 <u>79</u>	<u>General Services</u>	<u>To block calls</u>
5		<u>at regular long</u>
6		<u>distance rates.</u>
7 80	General services	Inventory existing tele-
8		phone equipment and es-
9		tablish appropriate usage.
10 <u>133</u>	Library commis-	Relocate the medical
11	sion	library.
12 157	Board of regents	Improve cost effective-
13	UNI	ness of long distance
14		telephone service.
15 176	Department of	Expand the department's
16	public instruc-	word processing activi-
17	tion	ties.
18 <u>193</u>	Department of	Improve administrative
19	social services	efficiency at the vet-
20		eran's home.
21 218	Department of	Standardize resident
22	social services	information system for
23		mental health institutes
24		and hospital-schools.
25 227	Department of	Complete work on the
26	social services	integrated client infor-
27		mation system.
28 237	Department of	Enhance food service
29	social services	operations at Fort Madison.
30 243	Commission on	Establish a word process-
31	aging	ing function in the com-
32		mission.
33 303	Beer and liquor	Install automatic timers
34	control dept.	on store thermostats.
35 323	Department of	Reduce the number of radio

1 public safety dispatch centers.

2 Sec. 28. Acts of the Sixty-eighth General Assembly, 1979
3 Session, chapter four (4), section one (1), subsection five
4 (5), is amended to read as follows:

5 5. STATE BOARD OF
6 ENGINEERING EXAMINERS

7 For salaries and wages
8 for not more than two
9 point fifty full-time
10 equivalent positions and
11 for support, maintenance,
12 and other operational

13 purposes..... \$ 88,044 \$ 92,771
14 96,771

15 It is the intent of the general assembly that the per diem
16 and travel expenses of the members of the state board of en-
17 gineering examiners be reduced to an amount not more than
18 eighteen thousand eight hundred sixty-six (18,866) dollars
19 for the fiscal year 1979-1980 and to not more than twenty
20 thousand seven hundred fifty-three (20,753) dollars for the
21 fiscal year 1980-1981.

22 The department of general services shall provide for
23 security for the offices of the board of engineering examiners
24 by providing the board with offices and file cabinets that
25 can be locked to prevent unauthorized access to the files,
26 documents and papers of the board of engineering examiners.

27 Sec. 29. Acts of the Sixty-eighth General Assembly, 1979
28 Session, chapter four (4), section two (2), subsection three
29 (3), is amended to read as follows:

30 3. IOWA BEER AND LI-
31 QUOR CONTROL DEPARTMENT

32 For salaries and wages
33 for not more than nine
34 hundred five point four-
35 teen full-time equiv-

1 alent positions and for

2 support, maintenance, and

3 other operational purposes.....	\$14,746,842	\$14,860,474
-----------------------------------	--------------	--------------

4 15,135,474

5 It is the intent of the general assembly that two hundred

6 seventy-five thousand (275,000) dollars, or so much thereof

7 as is necessary, for the fiscal year beginning July 1, 1980

8 and ending June 30, 1981 be used for outside warehousing and

9 rent.

10 Sec. 30. Chapter one hundred twenty-three (123), Code

11 1979, is amended by adding the following new sections as a

12 new division:

13 NEW SECTION. 123.153 DEFINITIONS. As used in this divi-

14 sion, unless the context otherwise requires:

15 1. "Project" means acquisition, construction, reconstruc-
16 tion, improvement, repair and equipment of land, buildings,
17 facilities and property of every kind except inventory, deemed
18 necessary by the council for use as a warehouse, which shall
19 include office space.

20 2. "Gross revenue" means all income or receipts derived
21 from the operation of liquor sale activities.

22 3. "Net revenues" means gross revenues less operating
23 expense.

4. "Operating expense" means salaries, wages, costs of maintenance and operation, materials, supplies, inventories, insurance, and other items in relation to liquor sale activities included under recognized public agency accounting practices, but does not include allowances for depreciation in the value of physical property.

30 5. "Revenue bond" or "bond" means a negotiable bond is-
31 sued by the state and payable from the net revenues of liquor
32 sale activities or of any part or project thereof.

33 6. "Liquor sale activities" means any activities conducted
34 by the council and the department with reference to the sale
35 of alcoholic liquor.

1 NEW SECTION. 123.154 PROJECT--REVENUE BONDS. On behalf
2 of the state, the council shall carry out a project, issue
3 revenue bonds in an amount not to exceed four million dollars
4 to pay all or part of the cost of the project, or refund at
5 or before maturity a like principal amount of revenue bonds
6 or other obligations issued under this division and sell
7 revenue bonds at public or private sale in the discretion
8 of the council. The cost of the project may include interest
9 on the bonds during construction and for one year after
10 completion, costs of sale and issuance of bonds, professional
11 services and provision for contingencies.

12 NEW SECTION. 123.155 PROCEEDINGS. Revenue bonds shall
13 be issued pursuant to one or more resolutions of the council
14 adopted at a regular or special meeting by a majority of the
15 members in attendance. Revenue bonds may bear interest at
16 such rates, be in one or more series, bear such dates, mature
17 at times not exceeding thirty years from their respective
18 dates, be payable at places within or without the state, carry
19 registration privileges, be subject to terms of redemption,
20 with or without premium, be executed and contain terms,
21 limitations, covenants and conditions as the resolution
22 provides.

23 The bonds shall be executed by the governor and attested
24 by the treasurer of state. The facsimile signature of either
25 the governor or treasurer of state may be printed on the face
26 of each bond in lieu of the manual signature of the officer.
27 Interest coupons, if any, shall be executed by the original
28 or facsimile signature of the treasurer of state. Bonds
29 bearing the original or facsimile signature of an officer
30 in office on the date of the signing are valid for all
31 purposes, notwithstanding that before delivery the signer
32 has ceased to hold the office. Each bond shall state on its
33 face that it is payable solely from the revenues pledged
34 thereto and that it does not constitute a debt or charge
35 against the state of Iowa within the meaning or application

1 of any constitutional or statutory limitation or provision.

2 The proceedings authorizing the issuance of the bonds may
3 provide for the establishment of reserve funds or sinking
4 funds as deemed necessary for the application of surplus net
5 revenues, and for the continuation of liquor sale activities
6 on a revenue producing basis and the maintenance of net
7 revenues at levels at least sufficient to pay principal of
8 and interest on the revenue bonds as they become due and to
9 maintain reserves or sinking funds therefor.

10 NEW SECTION. 123.156 BONDS NOT DEBT OF STATE. Revenue
11 bonds shall not be a debt of or charge upon the state of Iowa
12 within the meaning of any constitutional or statutory
13 limitation. Taxes or appropriations shall not be pledged
14 for the payment of the revenue bonds. The sole remedy for
15 any breach or default of the terms of any revenue bonds or
16 proceedings authorizing the bonds shall be a proceeding in
17 law or equity, to which consent is given, to enforce and
18 compel performance of the duties required by this division
19 and the terms of the resolutions under which the bonds are
20 issued.

21 NEW SECTION. 123.157 ANTICIPATORY NOTES. The council
22 may borrow money and issue notes in anticipation of the receipt
23 of proceeds of the sale of revenue bonds. Any such loan shall
24 be paid within three years. Notes issued for moneys so
25 borrowed may be renewed from time to time within the three-
26 year limitation. Notes shall be issued and sold in the same
27 manner as provided for the issuance of bonds.

28 NEW SECTION. 123.158 NOTICE. The council may publish
29 a notice of its intention to issue revenue bonds in a newspaper
30 published in and with general circulation in the state. The
31 notice shall include a statement of the maximum amount of
32 bonds proposed to be issued, and in general, what net revenues
33 will be pledged to pay the revenue bonds and interest thereon.
34 An action which questions the legality of revenue bonds or
35 the power of the council to issue the bonds or the

1 effectiveness of any proceedings adopted for the authorization
2 or issuance of the bonds shall not be brought after sixty
3 days from the date of publication of the notice.

4 NEW SECTION. 123.159 EXEMPTION FROM TAXATION. Bonds
5 or notes issued under this division are exempt from taxation
6 by the state of Iowa and the interest thereon is exempt from
7 state income tax.

8 NEW SECTION. 123.160 BONDS AS INVESTMENTS. All banks,
9 trust companies, savings and loan associations, investment
10 companies and other persons carrying on a banking or investment
11 business, all insurance companies, insurance associations,
12 and other persons carrying on an insurance business and all
13 executors, administrators, guardians, trustees, and other
14 fiduciaries may legally invest any sinking funds, moneys,
15 or other funds belonging to them or within their control in
16 bonds issued pursuant to this division. However, this section
17 does not relieve any persons from a duty of exercising
18 reasonable care in selecting securities for purchase or
19 investment.

20 NEW SECTION. 123.161 INDEPENDENT AUTHORIZATION. This
21 division provides an independent method for the carrying out
22 of a project and for the sale and issuance of revenue bonds
23 and notes without reference to any other statute and is not
24 subject to the provisions of any other law relating to the
25 issuance of bonds.

26 NEW SECTION. 123.162 LIMITATION. The council shall not
27 carry out more than one project under this division.

28 Sec. 31. Acts of the Sixty-eighth General Assembly, 1979
29 Session, chapter four (4), section two (2), subsection fourteen
30 (14), is amended to read as follows:

31 14. DEPARTMENT OF
32 REVENUE

33 For salaries and wages
34 for not more than six
35 hundred seventy-eight

1 five thousand (75,000) dollars, or so much thereof as may
 2 be necessary, for the fiscal year beginning July 1, 1980 and
 3 ending June 30, 1981 be used to establish a systems development
 4 program.

5 DIVISION V

6 Sec. 33. Acts of the Sixty-eighth General Assembly, 1979
 7 Session, chapter two (2), section three (3), is amended to
 8 read as follows:

9 SEC. 3. There is appro-
 10 priated from the general fund
 11 of the state for each fiscal
 12 year of the fiscal biennium
 13 beginning July 1, 1979, and
 14 ending June 30, 1981, the
 15 following amounts, or so
 16 much thereof as is neces-
 17 sary, to be used to fund in-
 18 creases in judicial salaries
 19 as provided in section two
 20 (2) of this Act and for the
 21 state's contribution to the
 22 judicial retirement system
 23 provided for in chapter six
 24 hundred five A (605A) of
 25 the Code required because

26 of the increased salaries	1979-1980	1980-1981
	<u>Fiscal Year</u>	<u>Fiscal Year</u>
	\$ 650,000	\$ ~~650,000~~
		<u>733,000</u>

30 Sec. 34. Acts of the Sixty-eighth General Assembly, 1979
 31 Session, chapter three (3), section one (1), subsection three
 32 (3), is amended to read as follows:

33 3. For salaries and support
 34 of not more than eight point five
 35 full-time equivalent positions

1 and maintenance of the Terrace
2 Hill governor's mansion which shall
3 be open for ~~the~~ public tours by
4 individuals or groups of ten or
5 fewer persons without prior
6 appointment, and for groups of
7 more than ten persons with a
8 prior appointment, a minimum of
9 twenty hours per week and a
10 minimum of five days per week,
11 ~~in-addition-to-arranged-special~~
12 ~~group-tours,-and.~~ The visiting
13 hours and tour arrangements may
14 be adjusted in order to provide
15 access to Terrace Hill which
16 will best serve the public
17 and also cause the least
18 inconvenience to the governor
19 and the governor's family.
20 The final tour in any day
21 when requested shall begin not
22 earlier than 2:00 p.m.
23 Terrace Hill shall be closed
24 during the months of January
25 and February except for special
26 tours which may be conducted
27 at the discretion of the
28 Terrace Hill site coordinator \$ 174,570 \$ 171,580
29 Notwithstanding the provisions of subsection eight (8)
30 of section eighteen point twelve (18.12) of the Code, proceeds
582/ 31 received from the sale of excess Terrace Hill personal property
32 shall be added to the funds appropriated by Acts of the Sixty-
33 eighth General Assembly, 1979 Session, chapter fourteen (14),
34 section fifteen (15), subsection five (5), and shall be used
35 for the restoration of Terrace Hill in the same manner as

1 the funds appropriated in that subsection.

2 Sec. 35. Acts of the Sixty-eighth General Assembly, 1979
3 Session, chapter three (3), section four (4), subsection three
4 (3), unnumbered paragraph two (2), is amended to read as
5 follows:

6 There is established a census data center coordinating
7 unit composed of the state librarian, a representative of
8 the office for planning and programming, and three represen-
9 tatives each representing one of the state universities.
10 The census data center coordinating unit shall provide for
11 not less than fifty census data training sessions throughout
12 the state, and shall negotiate a joint statistical agreement
13 with the United States bureau of the census. The census data
14 center coordinating unit shall be the agency designated in
15 Iowa to approve all such agreements with the bureau of the
16 census.

17 Sec. 36. Acts of the Sixty-eighth General Assembly, 1979
18 Session, chapter three (3), section ten (10), subsection one
19 (1), paragraph f, is amended to read as follows:

20 f. COMMUNICATIONS

21 DIVISION

22 For salaries and
23 support of not more than
24 ~~seventeen~~ eighteen point
25 seventy full-time equiv-
26 alent positions, mainte-
27 nance, and miscellaneous

28 purposes \$ 336,670 \$ ~~336,051~~
29 364,051

30 Sec. 37. Notwithstanding the Acts of the Sixty-eighth
31 General Assembly, 1979 Session, chapter three (3), section
32 six (6), subsection ten (10), the full-time equivalent posi-
33 tions for the legislative fiscal bureau for the fiscal year
34 beginning July 1, 1980, shall be thirteen.

35 DIVISION VI

589- 1 Sec. 38. Acts of the Sixty-eighth General Assembly, 1979
2 Session, chapter eleven (11), section one (1), subsection
3 one (1), is amended by adding the following new unnumbered
4 paragraph:

5 NEW UNNUMBERED PARAGRAPH. It is the intent of the general
6 assembly that the Iowa crime commission reduce its full-time
7 equivalent positions from the present twenty-two to thirteen
8 by June 30, 1981.

9 Sec. 39. Acts of the Sixty-eighth General Assembly, 1979
10 Session, chapter eleven (11), section one (1), subsection
11 two (2), is amended by adding the following new unnumbered
12 paragraph:

13 NEW UNNUMBERED PARAGRAPH. It is the intent of the general
14 assembly that the funds appropriated by this subsection may
15 be used to fund up to four full-time equivalent positions
16 to complete area planning grant projects should law enforcement
17 assistance administration funds no longer be available.

18 Sec. 40. Acts of the Sixty-eighth General Assembly, 1979
19 Session, chapter eleven (11), is amended by adding the follow-
20 ing new section:

21 NEW SECTION. There is appropriated from the general fund
22 of the state to the road use tax fund for the fiscal year
23 beginning July 1, 1980 and ending June 30, 1981 the amount
24 of one million (1,000,000) dollars.

25 Sec. 41. Section three hundred twelve point two (312.2),
26 subsection six (6), Code 1979, as the section is amended by
27 Acts of the Sixty-eighth General Assembly, 1980 Session, House
28 File seven hundred forty-seven (747), section one (1), is
29 amended to read as follows:

30 6. The treasurer of state shall before making the
31 allotments provided for in this section credit monthly to
32 the ~~division-of-motor-vehicle-registration-of-the~~ state
33 department of transportation funds sufficient in amount to
34 pay the costs of purchasing certificate of title and
35 registration forms, and supplies and materials and for the

1 cost of prison labor used in manufacturing motor vehicle
2 registration plates, decalcomania emblems, and validation
3 stickers at the prison industries.

4 Sec. 42. Section three hundred thirteen point five (313.5),
5 unnumbered paragraph one (1), Code 1979, is amended to read
6 as follows:

7 The department shall submit to the comptroller, as provided
8 by chapter 8, a detailed estimate of the amount required by
9 the department during each succeeding biennium for the support
10 of the department and for engineering and administration of
11 highway work and maintenance of the primary road system.
12 Such estimate shall be in the same general form and detail
13 as is required by chapter 8 and said chapter shall apply to
14 the budgeting, appropriation, and expenditure of funds in
15 the primary road fund in the same manner as such chapter
16 applies to other departments. However, the amount of contracts
17 for bituminous resurfacing, bridge painting and repair,
18 ~~concrete-paving~~ pavement and shoulder repair, and agreements
19 with ~~municipalities~~ cities for maintenance on primary road
20 extensions and agreements with counties, cities, and
21 institutions for maintenance on state park, state institution,
22 and other state land roads need not be included in the amount
23 appropriated for maintenance.

24 Sec. 43. Section three hundred twenty-eight point twenty-
25 four (328.24), Code 1979, is amended to read as follows:

26 328.24 REFUNDS OF FEES. If, during the year for which
27 an aircraft, except nonresident aircraft used for the
28 application of herbicides and pesticides, was registered and
29 the required fee paid ~~therefor,~~ such the aircraft is destroyed
30 by fire or accident or junked, and its identity as an aircraft
31 entirely eliminated, or it is removed and continuously used
32 beyond the boundaries of the state, then the owner in whose
33 name it was registered at the time of ~~such~~ destruction,
34 dismantling, or removal from the state shall return the
35 certificate of registration to the ~~commission~~ department

1 within ten days and make affidavit of such destruction,
2 dismantling, or removal and make claim for ~~such~~ the refund.
3 The refund shall be paid from the state aviation fund.

4 The registration fee for the unexpired portion of the year
5 shall ~~thereupon~~ be refunded pro rata to the nearest full
6 calendar month.

5521 7 Sec. 44. Sections thirty-eight (38), thirty-nine (39),
8 and forty (40) of this Act take effect July 1, 1981.

9 Sec. 45. Notwithstanding the provisions of chapters three
10 hundred ten (310) and three hundred thirteen (313) of the
11 Code, if in the judgment of the state department of
12 transportation the anticipated claims against the primary
13 road fund or farm-to-market road fund for any month are in
14 excess of funds available, a temporary transfer for
15 construction costs may be made between funds providing there
16 will remain in the transferring fund a sufficient balance
17 to meet the anticipated obligations. Fund transfers shall
18 be repaid when anticipated balances for any month are in
19 excess of anticipated obligations. All such transfers shall
20 be repaid prior to January 31, 1981. Any transfer shall be
21 made with the approval of the state comptroller and shall
22 comply with the state comptroller's rules relating to the
23 transfer of funds.

24 This section is applicable only for the period July 1,
25 1980 through January 31, 1981.

26 Sec. 46. Section five hundred fifty-eight point fifty-
27 eight (558.58), Code 1979, is amended to read as follows:

28 558.58 RECORDER TO COLLECT AND DELIVER TO AUDITOR.

29 1. At the time of filing ~~any~~ a deed or other instrument
30 mentioned in section 558.57, the recorder shall collect from
31 the person filing the ~~same~~ deed or instrument the recording
32 fee provided by law, ~~also~~ and the auditor's transfer fee,
33 ~~and forthwith~~ except as provided in subsection two (2) of
34 this section. The recorder shall deliver the deed or
35 instrument and the transfer fee to the county auditor, after

1 endorsing upon said instrument the following:

2 Filed for record, indexed, and delivered to county auditor
3 this day of, 19 .., at
4 o'clock ..M. Recorder's and auditor's fee \$ paid.
5
6

Recorder

7 2. When the person required to pay a fee relating to a
8 real estate transaction is a governmental subdivision or
9 agency, the recorder, at the request of the governmental
10 subdivision or agency, shall bill the governmental subdivision
11 or agency for the fees required to be paid. The governmental
12 subdivision or agency shall pay the fees and taxes due within
13 thirty days after the date of filing.

14 Sec. 47. It is the intent of the general assembly that
15 the state department of transportation may construct a hangar
16 addition if sufficient funds, not to exceed eighteen thousand
17 (18,000) dollars, are available for transfer from any funds
18 appropriated to the state department of transportation from
19 the general fund of the state for the fiscal biennium beginning
20 July 1, 1979 and ending June 30, 1981.

21 Sec. 48. Acts of the Sixty-eighth General Assembly, 1979
22 Session, chapter fourteen (14), section eighteen (18), subsec-
23 tion two (2), paragraph b, is amended by adding the following
24 new unnumbered paragraph:

25 NEW UNNUMBERED PARAGRAPH. It is the intent of the general
26 assembly that the department of public safety shall not dis-
27 mantle the lower portion of the radio tower located on Second
28 Avenue in Des Moines until further consideration by the general
29 assembly. However, the department may expend the necessary
30 funds to maintain the structural safety of the tower.

31 DIVISION VII

32 Sec. 49. Acts of the Sixty-eighth General Assembly, 1979
33 Session, chapter eight (8), section one (1), subsection one
34 (1), is amended to read as follows:

35 1. For general ad-

1 ministration, including
 2 salaries and support,
 3 maintenance and miscel-

4 laneous purposes \$ 6,140,000 \$ 6,220,000

5 6,628,584

6 It is the intent of the general assembly that up to one hundred
 7 twelve thousand (112,000) dollars of the fiscal year 1981
 8 appropriation may be used to continue the implementation of
 9 an integrated client information system.

10 Sec. 50. Acts of the Sixty-eighth General Assembly, 1979
 11 Session, chapter eight (8), section five (5), subsections
 12 two (2), three (3), eight (8), eleven (11), and thirteen (13)
 13 are amended to read as follows:

14 2. During the fiscal year biennium beginning July 1, 1979
 15 and ending June 30, 1981, the department is authorized to
 16 expand staffing, in order to provide additional correctional
 17 personnel required by unitization, by ~~twenty-five~~ thirty-six
 18 new positions at Fort Madison and thirty-three new positions
 19 at Anamosa. Within the limitations of the funds appropriated
 20 by this section and the provisions of Acts of the Sixty-eighth
 21 General Assembly, 1979 Session, chapter eight (8), section
 22 thirty (30) of this Act, the department may expand staffing
 23 at the John Bennett Center by adding seven new correctional
 24 personnel.

25 3. It is the intent of the general assembly that a
 26 concentrated training program for correctional ~~officers~~
 27 personnel at Fort Madison be established as soon as possible,
 28 and that a continuing in-service training program be
 29 established for correctional ~~officers-at-all-correctional~~
 30 institutions personnel under the division of adult corrections.
 31 There may be used for this purpose up to two hundred ten
 32 thousand (210,000) dollars of the appropriation made by
 33 subsection one (1) of this section for the fiscal year
 34 beginning July 1, 1979, and up to one hundred forty thousand
 35 (140,000) dollars of the appropriation made by subsection

1 one (1) of this section for the fiscal year beginning July
 2 1, 1980. The general assembly also recommends that in addition
 3 to using existing staff for training, the department utilize
 4 other community and state resources in the development and
 5 implementation of a comprehensive training program.

6 8. Community-based

7 corrections \$ 8,747,250 \$ 9,359,557
 8 9,775,557

9 Each judicial district which uses funds appropriated under
 10 this subsection may contract for services from or provide
 11 funds to private agencies which provide to ex-offenders
 12 education, job placement or counseling services intended to
 13 facilitate the transition of the ex-offenders from
 14 incarceration to free society.

15 11. For a legal as-

16 sistance program to
 17 provide civil legal
 18 assistance to inmates
 19 of the Iowa correc-
 20 tional system in mat-
 21 ters of child custody,
 22 bankruptcy and dis-

23 solution of marriage \$ 25,000 \$ 25,000
 24 Expenditures shall be authorized by the citizens' aide office,
 25 and may include the costs of transporting prisoners,
 26 secretarial support and administrative oversight.

27 It was and is the intent of the general assembly that this
 28 program was established for and be continued for expenditure
 29 for civil matters of inmates, which matters occurred outside
 30 the state's institutions. Thus it is the intent of the general
 31 assembly that funds from the appropriation shall not be used
 32 for civil matters in which the inmate and the state of Iowa
 33 are adverse parties.

34 13. For substance

35 abuse screening \$ 200,000 \$ 200,000

1 Sec. 51. Acts of the Sixty-eighth General Assembly, 1979
2 Session, chapter eight (8), section five (5), subsection six
3 (6), is amended by adding the following new unnumbered
4 paragraph:

5 NEW UNNUMBERED PARAGRAPH. The division of adult
6 corrections, in conjunction with other appropriate state
7 agencies, shall continue its study of alternative means of
8 making further improvements in the salaries and retirement
9 benefits of corrections officers and supporting personnel,
10 and any job reclassifications necessary to implement such
11 improvements. The department of social services shall include
12 recommendations necessary to implement these improvements
13 in its 1982-1983 budget request.

14 Sec. 52. Acts of the Sixty-eighth General Assembly, 1979
15 Session, chapter eight (8), section six (6), subsections one
16 (1) and six (6), are amended to read as follows:

17	1. For salaries and sup-		
18	port, maintenance and miscel-		
19	laneous purposes	\$28,150,000	\$28,365,000
20			28,265,000

21 6. It is the intent of the general assembly that not more
22 than one hundred thousand (100,000) dollars of the
23 appropriation provided under subsection one (1) of this section
24 for ~~each of~~ the fiscal ~~years~~ year beginning July 1, 1979 and
25 ~~July 1, 1980~~ ending June 30, 1980 shall be used by the division
26 of mental health resources to contract for mental health and
27 mental retardation screening services for inmates of the
28 state's adult correctional system and juvenile offenders at
29 the state's juvenile institutions.

30 Sec. 53. Acts of the Sixty-eighth General Assembly, 1979
31 Session, chapter eight (8), section six (6), is amended by
32 adding the following new subsection:

33 NEW SUBSECTION.

34 a. It is the intent of the general assembly that from
35 the funds appropriated by this section for the fiscal year

1 beginning July 1, 1980, reimbursement be provided to counties
2 for a portion of the cost of local inpatient mental health
3 treatment as provided by this subsection.

4 b. Each county which pays, from county funds budgeted
5 under section four hundred forty-four point twelve (444.12)
6 of the Code, the cost of care and treatment of a mentally
7 ill person who is admitted pursuant to a preliminary diagnostic
8 evaluation under sections two hundred twenty-five B point
9 four (225B.4) through two hundred twenty-five B point seven
10 (225B.7) of the Code as an inpatient of an Iowa hospital
11 facility, other than a state mental health institute, which
12 has a distinct psychiatric program of twenty or more beds
5814 13 and which is accredited by the joint commission on
14 accreditation of hospitals, is entitled to reimbursement from
15 the state for a portion of daily cost so incurred by the
16 county. However, a county is not entitled to reimbursement
17 under this subsection for any cost incurred in connection
18 with the hospitalization of a person who is eligible for
19 medical assistance under chapter two hundred forty-nine A
20 (249A) of the Code, or who is entitled to have his or her
21 care or treatment paid for by any other third party payer,
22 or who is admitted for preliminary diagnostic evaluation under
23 sections two hundred twenty-five B point four (225B.4) through
24 two hundred twenty-five B point seven (225B.7) of the Code.
25 The amount of reimbursement for the cost of care and treatment
26 of a local inpatient to which a county is entitled under this
27 subsection, on a per-patient-per-day basis, is an amount equal
28 to twenty percent of the average daily patient costs in the
29 most recent calendar quarter for the program in which the
30 local inpatient would have been served if he or she had been
31 admitted to a state mental health institute.

32 c. Each county may claim the reimbursement provided for
33 by paragraph a of this subsection by filing with the department
34 a claim in a form prescribed by the director of the division
35 of mental health by administrative rule. Claims may be filed

1 on a quarterly basis, and when received shall be verified
2 expeditiously by the director. The director shall certify
3 to the state comptroller the amount to which each county
4 claiming reimbursement under this section is entitled, and
5 the comptroller shall issue warrants to the respective counties
6 drawn upon funds appropriated by the general assembly for
7 the purpose of this subsection. Each county shall place funds
8 received under this subsection in the county mental health
9 and institutions fund. If the appropriation for any fiscal
10 year is insufficient to pay all claims arising under this
11 subsection, the comptroller shall prorate the funds
12 appropriated for that year among the claimant counties so
13 that an equal proportion of each county's claim is paid in
14 each quarter for which proration is necessary.

15 Sec. 54. Acts of the Sixty-eighth General Assembly, 1979
16 Session, chapter eight (8), section seven (7), is amended
17 by adding the following new subsection:

18 NEW SUBSECTION. If more than two hundred dollars is on
19 deposit to the credit of a patient at a hospital school or
20 mental health institute, in a patients' personal deposit fund
21 established pursuant to section two hundred twenty-two point
22 eighty-six (222.86) or two hundred twenty-six point forty-
23 three (226.43) of the Code, and that patient has no county
24 of legal settlement in this state, the business manager of
25 the hospital school or mental health institute may transfer
26 from the patients' personal deposit fund to a central account
27 all money in excess of two hundred dollars on deposit to the
28 credit of that patient, up to an amount equal to the patient's
29 accumulated liability to the state for the cost of that
30 patient's care, support and maintenance. The funds transferred
31 to a central account pursuant to this subsection may be used
32 by the department of social services during the fiscal year
33 beginning July 1, 1980 to provide community based care for
34 mentally retarded or mentally ill persons who do not have
35 a county of legal settlement in this state. Any funds trans-

1 ferred to a central account and not expended as authorized
 2 by this subsection shall revert to the general fund of the
 3 state on June 30, 1981.

4 Sec. 55. Acts of the Sixty-eighth General Assembly, 1979
 5 Session, chapter eight (8), section eight (8), subsection
 6 two (2), is amended to read as follows:

7 2. For aid to de-

8 pendent children \$47,130,000 ~~\$47,100,000~~

5821 9 55,100,000

10 Sec. 56. Acts of the Sixty-eighth General Assembly, 1979
 11 Session, chapter eight (8), section eight (8), subsection
 12 four (4), paragraph d, is amended to read as follows:

13 d. Any spontane-

14 ous abortion, common-

15 ly known as a miscar-

16 riage, wherein not all

17 of the products of con-

18 ception are expelled \$88,260,000 ~~\$95,350,000~~

19 97,750,000

20 Notwithstanding the provisions of section eight point
 21 thirty-nine (8.39) of the Code, funds appropriated under this
 22 section are not subject to transfer to any other department,
 23 institution or agency. Any unencumbered or unobligated balance
 24 of any appropriation made under this section which exists
 25 on June 30, 1981 shall revert to the fund from which it was
 26 appropriated.

27 Sec. 57. Acts of the Sixty-eighth General Assembly, 1979
 28 Session, chapter eight (8), section eight (8), subsections
 29 five (5), six (6), nine (9) and eleven (11) are amended to
 30 read as follows:

31 5. For contractual ser-

32 vices-medical carrier \$ 1,084,000 ~~\$ 1,232,000~~

33 1,120,000

34 6. For children's

35 services \$20,455,000 ~~\$21,250,000~~

1 22,030,000

2 Notwithstanding section eight point thirty-three (8.33)
 3 of the Code, unencumbered or unobligated funds remaining in
 4 the allocation made by Acts of the Sixty-eighth General
 5 Assembly, 1979 Session, chapter eight (8), section seventeen
 6 (17), subsection two (2), from the appropriation made by this
 7 subsection for the fiscal year beginning July 1, 1979, shall
 8 not revert to the general fund of the state until June 30,
 9 1981, and shall be governed by the provisions of Acts of the
 10 Sixty-eighth General Assembly, chapter eight (8), section
 11 four (4), subsection two (2), as added by Acts of the Sixty-
 12 eighth General Assembly, Senate File two thousand two hundred
 13 forty-one (2241), section sixteen (16), which relate to use
 14 by the department of social services of delayed reversion
 15 funds.

16 9. For state sup-
 17 plementary assistance,
 18 including state sup-
 19 plementary assistance

20 for the blind \$ 6,090,000 \$ 6,520,000

21 It is the intent of the general assembly that the department
 22 of social services shall increase the maximum cost-related
 23 reimbursement for residential care facility services for the
 24 fiscal year beginning July 1, 1980 to ~~thirteen~~ fourteen dollars
 25 and-fifty-cents per day and the flat rate to eight nine dollars
 26 and twenty fifty cents per day.

27 11. For child sup-
 28 port recoveries, in-
 29 cluding salary and sup-
 30 port, maintenance and

31 miscellaneous purposes \$ 428,219 \$ 435,160

32 520,160

33 The commissioner of social services, within the limitations
 34 of the funds appropriated in this subsection or funds trans-
 35 ferred from the aid to dependent children program for this

1 purpose, and subject to the staffing limitations imposed by
 2 Acts of the Sixty-eighth General Assembly, 1979 Session, chap-
 * 3 ter eight (8), section thirty (30), may add additional child
 4 support recovery workers when the commissioner determines
 5 that additional workers can reasonably be expected to recover
 6 for the aid to dependent children program more than twice
 7 the amount of money required to pay the salary and support
 8 for those additional workers.

9 Sec. 58. Acts of the Sixty-eighth General Assembly, 1979
 10 Session, chapter eight (8), section eight (8), subsection
 11 thirteen (13), as amended by Acts of the Sixty-eighth General
 12 Assembly, 1980 Session, Senate File two thousand two hundred
 13 forty-one (2241), section twenty-two (22), is amended to read
 14 as follows:

15 13. State supple-
 16 mentation to Title

17 XX	\$ 1,000,000	\$ ~~1,000,000~~
18		<u>2,200,000</u>

5883 19 It is the intent of the general assembly that funds ap-
 20 propriated under this subsection be used for local purchase
 21 of service contracts for services listed in the overall state-
 5821 22 wide Title XX plan. In no event shall the state's obligation
 23 for state supplementation to Title XX exceed two million two
 24 hundred thousand dollars during the fiscal year beginning
 25 July 1, 1980 and ending June 30, 1981.

26 Sec. 59. Acts of the Sixty-eighth General Assembly, 1979
 27 Session, chapter eight (8), section ten (10), is amended by
 28 adding the following new subsection:

29 NEW SUBSECTION. It is the intent of the general assembly
 30 that assistance shall be granted under chapter two hundred
 31 thirty-nine (239) of the Code to an expectant mother in the
 32 last trimester of pregnancy if she meets all other eligibility
 33 requirements of the aid to dependent children program. The
 34 mother and fetus together shall be treated as a one-person
 35 family with assistance payable to the expectant mother as

1 an eligible group of one, and a payment of ten dollars per
2 month shall also be made for the fetus. The department of
3 social services shall continue in effect, or update as may
4 be necessary, the rules adopted as required by Acts of the
5 Sixty-eighth General Assembly, 1979 Session, chapter seven
6 (7), section one (1), subsection two (2).

5321 7 Sec. 60. Acts of the Sixty-eighth General Assembly, 1979
8 Session, chapter eight (8), section ten (10), subsections
9 one (1) and four (4), are amended to read as follows:

10 1. It is the intent of the general assembly that the
11 schedule of living costs and the payment for persons on the
12 aid to dependent children program shall be increased for all
13 family sizes by six percent commencing October 1, 1979 and
14 by an additional ~~six~~ four and one-half percent commencing
15 October 1, 1980.

16 4. It is the intent of the general assembly that the
17 department shall maintain a system of current needs budgeting
18 in computing monthly assistance grants for ADC recipients
19 until the department has presented to the governor and the
20 joint social services appropriations subcommittee of the
21 Sixty-eighth General Assembly a study and report including
22 a cost-benefit comparison and client impact comparison between
23 prior-month budgeting and current needs budgeting. The report
24 shall be submitted on December 3, 1979. Further, the depart-
25 ment shall not implement a prior-month budgeting system on
26 a statewide basis without first establishing its cost-
27 effectiveness through at least a one-year pilot program
28 employing prior-month budgeting in selected Iowa counties.

29 Sec. 61. Acts of the Sixty-eighth General Assembly, 1979
30 Session, chapter eight (8), section twelve (12), is amended
31 by adding the following new unnumbered paragraph:

32 NEW UNNUMBERED PARAGRAPH. Beginning July 1, 1980, the
33 basis for establishing the maximum medical assistance
34 reimbursement rate for intermediate care facilities shall
35 be the seventy-fourth percentile of all facilities' per diems

1 as calculated from the March 31, 1980 compilation of unaudited
2 financial and statistical reports. This compilation is com-
3 posed of facility cost reports received prior to February
4 1, 1980. Beginning January 1, 1981, the basis for establishing
5 the maximum reimbursement rate for intermediate care facili-
6 ties shall be the seventy-fourth percentile of all facilities'
7 per diems as calculated from the December 31, 1980 compilation
8 of unaudited financial and statistical reports. This compila-
9 tion is composed of facility cost reports received prior to
10 November 1, 1980.

11 Sec. 62. Acts of the Sixty-eighth General Assembly, 1979
12 Session, chapter eight (8), section fourteen (14), is amended
13 to read as follows:

14 SEC. 14. It is the intent of the general assembly that
15 medical assistance shall be made available to any person who
16 is an inpatient of a hospital, skilled nursing facility or
17 intermediate care facility; who is eligible for supplemental
18 security income in all respects except income; and whose
19 income does not exceed ~~six-hundred-dollars-per-month~~ three
20 hundred percent of the maximum monthly payment to an individual
21 who is a recipient under the federal supplementary security
22 income program as defined in section two hundred forty-nine
23 point one (249.1), subsection one (1), of the Code.

24 Sec. 63. Acts of the Sixty-eighth General Assembly, 1979
25 Session, chapter eight (8), section sixteen (16), is amended
26 to read as follows:

27 SEC. 16. It is the intent of the general assembly that,
28 for the fiscal year beginning July 1, 1979, foster parent
29 payments be increased by ten percent. It is further the
30 intent of the general assembly that, for the fiscal year
31 beginning July 1, 1980, foster residential care payments shall
32 increase from fifty-five to fifty-eight dollars per day and
33 foster group home payments shall increase from forty-four
34 to forty-six dollars per day. It is also the intent of the
35 general assembly that subsidized adoption rates shall be

1 increased to the same level as the foster family home rates
2 for the fiscal year beginning July 1, 1980.

3 Sec. 64. Acts of the Sixty-eighth General Assembly, 1979
4 Session, chapter eight (8), is amended by adding the following
5 new sections:

6 NEW SECTION. Notwithstanding sections two hundred eighteen
7 point seventy-eight (218.78) and two hundred eighteen point
8 one hundred one (218.101) of the Code, all receipts of the
9 Glenwood state hospital-school attributable to billings for
10 laundry services furnished the Iowa school for the deaf shall
11 be available to the hospital-school.

12 NEW SECTION. The department of social services shall
13 arrange for a study of alternative methods of cost
14 reimbursement for skilled, intermediate and residential care
15 facilities and congregate housing and independent group
16 residents. The study shall be conducted by an independent
17 consulting firm which shall be employed by the department
18 of social services after consultation with the governor, and
19 the joint appropriations subcommittee on social services.
20 The co-chairpersons of the joint appropriations subcommittee
21 on social services shall select three members of that
22 subcommittee to sit on a committee organized by the department
23 of social services to set study parameters, receive consultant
24 study proposals, select the consultant, and receive periodic
25 progress reports. Progress reports shall be given to the
26 governor, the commissioner of social services, and the joint
27 appropriations subcommittee on social services at least twice
28 prior to the final report which shall be submitted to the
29 governor, the department of social services, and the joint
30 appropriations subcommittee on social services no later than
31 January 15, 1981. The department may use not more than
32 seventy-five thousand dollars of the appropriation made by
33 Acts of the Sixty-eighth General Assembly, 1979 Session,
34 chapter eight (8), section eight (8), subsection four (4),
35 as amended by this Act, for the fiscal year beginning July

1 1, 1980 and ending June 30, 1981, to pay the costs of the
2 study mandated by this section.

5877 3 Sec. 65. Section two hundred thirty-nine point one (239.1),
4 subsection three (3), Code 1979, is amended to read as follows:

5 3. A "dependent child" means a needy child under the age
6 of ~~sixteen~~ eighteen years, ~~-or-under-the-age-of-twenty-years~~
7 ~~who-is-a-student-regularly-attending-a-high-school-in-pursuance~~
8 ~~of-a-course-of-study-leading-to-a-high-school-diploma-or-its~~
9 ~~equivalent,-or-who-is,-in-lieu-of-pursuing-a-course-of-study~~
10 ~~leading-to-a-high-school-diploma-or-its-equivalent,-regularly~~
11 ~~attending-a-course-of-vocational-or-technical-training-designed~~
12 ~~to-fit-him-for-gainful-employment,~~ who has been deprived of
13 parental support and care by reason of death, continued absence
14 from home, physical or mental incapacity or unfitness of
15 either parent, or partial or total unemployment of the father,
16 and who is living with his or her father or mother, or both,
17 or with his or her grandfather, grandmother, brother, sister,
18 stepfather, stepmother, stepbrother, stepsister, uncle or
19 aunt, in a place of residence maintained by one or more of
20 such relatives as his or her or their home or has been placed
21 in a licensed foster home or with a public or nonprofit child
22 care agency by the state division or by the county department
23 of social welfare in lieu of living with any relative
24 designated in this subsection.

25 Sec. 66. Acts of the Sixty-eighth General Assembly, 1980
26 Session, Senate File two thousand two hundred forty-one (2241),
27 section twenty (20), is amended to read as follows:

28 SEC. 20. There is appropriated from the general fund of
29 the state to the department of social services for the fiscal
30 year beginning July 1, 1979 and ending June 30, 1980, the
31 sum of one hundred thirty-eight thousand (138,000) dollars,
32 or so much thereof as may be necessary, to supplement funds
33 appropriated by the Acts of the Sixty-eighth General Assembly,
34 1979 Session, chapter eight (8), section eight (8), subsection
35 six (6). The money appropriated by this section shall be

1 used for the purpose provided by Acts of the Sixty-eighth
 2 General Assembly, 1979 Session, chapter eight (8), section
 3 seventeen (17), subsection two (2). Notwithstanding section
 4 eight point thirty-three (8.33) of the Code, unencumbered
 5 or unobligated funds appropriated by this section shall not
 6 revert to the general fund of the state until June 30, 1981,
 7 and shall be governed by the provisions of Acts of the Sixty-
 8 eighth General Assembly, chapter eight (8), section four (4),
 9 subsection two (2), as added by Acts of the Sixty-eighth
 10 General Assembly, Senate File two thousand two hundred forty-
 11 one (2241), section sixteen (16), which relate to use by the
 12 department of social services of delayed reversion funds.

13 Sec. 67. Section two hundred thirty-nine point four
 14 (239.4), unnumbered paragraph two (2), Code 1979, is amended
 15 by striking the unnumbered paragraph.

16 Sec. 68. Section two hundred fifty-two point forty-three
 17 (252.43), unnumbered paragraph three (3), Code 1979, is amended
 18 to read as follows:

19 The expense of support for the poor for Indians residing
 20 in the settlement ~~referred-to-in-section-1-12~~ located in Tama
 21 county shall be paid from funds ~~of-the-state-division-of-child~~
 22 ~~and-family-services-of~~ appropriated for that purpose to the
 23 department of social services. ~~To~~ The tribal council of the
 24 settlement shall administer such support for Indians residing
 25 on a the settlement, ~~such-state-division-shall-have-the-powers~~
 26 ~~and-duties-assigned-to-county-officials-by-this-chapter, or~~
 27 ~~the-state-division-or-director-of-same-may-designate-the~~
 28 ~~director-of-social-welfare-in-the-county-where-such-Indians~~
 29 ~~reside-to-administer-such-relief.~~ The tribal council shall
 30 submit a report annually to the department delineating pro-
 31 gram expenditures.

32 Sec. 69. The department of social services shall adopt
 33 rules under section seventeen A point four (17A.4), subsection
 34 two (2) of the Code, which may become effective under section
 35 seventeen A point five (17A.5), subsection two (2), paragraph

1 b of the Code as follows:

2 1. To change the effective date of assistance provided
3 under chapter two hundred thirty-nine (239) of the Code from
4 the date of application to not more than seven days after
5 the date of application.

6 2. To eliminate payment for laxative drugs, podiatry
7 treatments, and posterior dental bridgework.

8 3. To limit orthodontia, except that assistance shall
9 be available for injuries requiring emergency treatment.

10 4. To limit the types of eyeglass frames provided.

11 5. To extend the time period which must elapse before
12 a person may obtain new eyeglasses, except that provision
13 shall be made for emergency needs.

14 6. To provide that dentures shall be replaced no oftener
15 than once every five years, except that allowance shall be
16 made for emergency needs.

17 7. To provide reimbursement for hearing aids at factory
18 cost plus a dispensing fee covering ear mold fitting and
19 service for six months, and payment for batteries as requested
20 by recipient.

21 8. To provide co-payment for the following optional
22 services - dental, optometry, optical, audiology, orthopedic
23 shoes, hearing aids and medical equipment.

24 9. To provide for a fifty cent drug copayment.

25 Sec. 70. The department of social services is authorized
26 to promulgate rules under section sixty-nine (69) of this
27 Act subsequent to the approval of that section by the governor
28 and prior to the effective date of this Act, and those rules
29 shall not be declared unlawful under section seventeen A point
30 nineteen (17A.19), subsection eight (8), paragraph d of the
31 Code for failure to comply with section seventeen A point
32 four (17A.4), subsections one (1) or two (2) or section
33 seventeen A point five (17A.5) of the Code.

34

35

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1 Amend House File 2580 as amended, passed, and re-
2 printed by the House as follows:

3 1. Page 22, by inserting after line 34 the
4 following:

5 "Sec. _____. Section three hundred eighty-four point
6 fifty-seven (384.57), Code 1979, is amended to read
7 as follows:

8 384.57 MONTHLY PAYMENTS. The city may contract
9 to pay not to exceed ~~ninety~~ ninety-five percent of
10 the engineer's estimated value of the acceptable work
11 completed during the month to the contractor at the
12 end of each month. Payment may be made in warrants
13 drawn on any ~~fund-of~~ funds from which payment for
14 the work may be made. The warrants, unless paid upon
15 presentation, draw interest at a rate not to exceed
16 seven percent per annum from and after the date of
17 presentation for payment. If ~~such~~ funds are depleted,
18 anticipatory warrants may be issued bearing a rate
19 of interest not exceeding that permitted by chapter
20 seventy-four A (74A) of the Code, which do not
21 constitute a violation of section 384.10, even if
22 the collection of taxes or special assessments or
23 income from the sale of bonds applicable to the public
24 improvement is after the end of the fiscal year in
25 which the warrants are issued. If the city arranges
26 for the private sale of anticipatory warrants, they
27 may be sold and the proceeds used to pay the
28 contractor. ~~Such~~ Anticipatory warrants may also be
29 used to pay other persons furnishing services
30 constituting a part of the cost of the public
31 improvement.

32 Sec. _____. Chapter five hundred seventy-three
33 (573), Code 1979, is amended by adding the following
34 new section:

35 NEW SECTION.

36 1. Under any contract awarded by the state
37 department of transportation or by a city or county
38 for the construction of a street or highway as defined
39 in section three hundred twenty-one point one (321.1),
40 subsection forty-eight (48) of the Code, or for the
41 construction, reconstruction, extension or improvement
42 of works and facilities for the collection, treatment
43 or disposal of sewage, industrial waste, surface
44 waters and streams, or for the construction,
45 reconstruction, extension or improvement of works
46 or facilities used in the production, maintenance
47 or distribution of a public water supply, the
48 contractor may withdraw the whole or any amount
49 retained from payments due the contractor by entering
50 into an escrow arrangement with a bank and depositing

1 with the bank government securities issued by the
2 United States or this state or a political subdivision
3 of this state, which have a market value of not less
4 than one hundred ten percent of the amounts withdrawn.
5 The securities so deposited shall constitute the fund
6 described in section five hundred seventy-three point
7 thirteen (573.13) of the Code. If requested by the
8 contractor, the public corporation shall deposit with
9 the bank the whole or any amount retained from the
10 payments due the contractor.

11 2. The escrow agreement shall provide for the
12 deposit of securities by the contractor for the use
13 and benefit of the public corporation. It shall be
14 in the form and contain the provisions required by
15 rule issued by the auditor of state. The securities
16 deposited with the bank shall be bonds or other
17 evidences of indebtedness issued by the United States,
18 this state, or a political subdivision of this state,
19 and of a type approved for use by rule issued by the
20 auditor of state.

21 3. The bank shall give written notice to the
22 proper officials of the public corporation for the
23 use and benefit of which the deposits are made, stating
24 the total current market value of the deposit, and
25 delivering a copy of the escrow agreement. The bank
26 shall collect all interest income from the securities.
27 The escrow deposits provided in this section shall
28 be in a bank which has been approved as a depository
29 for public funds as provided in chapter four hundred
30 fifty-three (453) of the Code.

31 4. Interest or income which is earned on amounts
32 held in escrow and collected by the bank under this
33 section shall accrue to the benefit of the contractor,
34 provided that if the contractor has withheld any
35 portion of the amount payable by the contractor to
36 a subcontractor under the agreement between the
37 contractor and the subcontractor, then the
38 subcontractor is entitled to and has a lien upon the
39 interest or income in the proportion that the amount
40 withheld from the subcontractor bears to the amount
41 held in escrow.

42 5. This section does not apply where the
43 establishment of an escrow account in lieu of retainage
44 is prohibited by or is inconsistent with the
45 requirements of any applicable federal law or federal
46 administrative rule.

47 6. There is appropriated from the general fund
48 of the state for the fiscal year beginning July 1,
49 1980 and ending June 30, 1981, the sum of two thousand
50 five hundred (2,500) dollars, or so much thereof as

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PAGE 3

1 is necessary, to the office of auditor of state to
implement its obligations in this Act.
3 Sec. ____.. Section five hundred seventy-three point
4 twelve (573.12), Code 1979, is amended to read as
5 follows:

6 573.12 RETENTION FROM PAYMENTS ON CONTRACTS.
7 Payments made under contracts for the construction
8 of public improvements, unless provided otherwise
9 by law, shall be made on the basis of monthly estimates
10 of labor performed and material delivered, as
11 determined by the project architect or engineer.
12 ~~In-making-said-payments,--there-shall-be-retained-ten~~
13 ~~percent-of-each-said-monthly-estimate-by-the-public~~
14 ~~corporation,--provided,--however,--that-if-the-contract~~
15 ~~is-for-more-than-fifty-thousand-dollars,--and-if-the~~
16 ~~public-corporation-at-any-time-after-fifty-percent~~
17 ~~of-the-improvement-has-been-completed-finds-that~~
18 ~~satisfactory-progress-is-being-made,--the-public~~
19 ~~corporation-may-authorize-any-of-such-remaining~~
20 ~~payments-to-be-made-in-full-~~ The public corporation
21 shall retain from each monthly payment five percent
22 of that amount which is determined to be due according
23 to the estimate of the architect or engineer."
24 2. Renumber as required.

S-5913 FILED BY SUE YENGER
APRIL 24, 1980
RULED OUT OF ORDER (p 1675)

HOUSE FILE 2580

S-5911

1 Amend the Schwengels and Taylor amendment S-5894
2 to House File 2580 as amended, passed and reprinted
3 by the House as follows:
4 1. Page 1; lines 43, 44 and 45, by striking the
5 words "and appropriate such additional funds as are
6 necessary".
7 2. Page 2, lines 34, 35, 36, 37, 38, and 39, by
8 striking the words "The legislative council shall
9 also appoint two persons from the judicial branch
10 of government and two members representing local
11 law enforcement agencies to serve on the study
12 committee as advisory nonvoting members of the
13 study committee." and inserting in lieu thereof
14 the words "The committee shall include as advisory
15 nonvoting members two representatives of the judicial
16 branch of government, and two representatives of
17 local law enforcement agencies."

S-5911 FILED BY FORREST V. SCHWENGELS
APRIL 24, 1980 RAY TAYLOR
ADOPTED (p 1675) ROBERT RUSH

HOUSE FILE 2580

S-5909

1 Amend House File 2580 as amended, passed and re-
2 printed by the House as follows:
3 1. Page 4, by inserting after line 10 the following
4 new section:
5 "Sec. _____. Acts of the Sixty-eighth General Assembly,
6 1979 Session, chapter thirteen (13) is amended by adding
7 the following new section:
8 Sec. _____. The department shall employ a consultant
9 for gifted and talented children programs."

S-5909 FILED

BY BOB RUSH

APRIL 24, 1980

ADOPTED (p. 1669)

HOUSE FILE 2580

S-5910

1 Amend House File 2580 as amended, passed and re-
2 printed by the House as follows:
A 3 1. Page 40, by striking lines 6 and 7. -
4 2. Page 40, line 13, by inserting after the word
5 "needs" the words "which include that the eyeglasses
B 6 have been damaged, broken, or lost or a determination
7 by a medical practitioner that a need exists for new
8 eyeglasses".
C 9 3. Page 40, by striking line 24.

S-5910 FILED

BY BOB RUSH

APRIL 24, 1980

A - LOST (p. 1673)

B - LOST (1674)

C - LOST (1675)

HOUSE FILE 2580

S-5916

1 Amend House File 2580 as amended, passed and
2 reprinted by the House as follows:
3 1. Page 39, by inserting after line 31, the following
4 new section:
5 "Sec. _____. Acts of the Sixty-eighth General Assembly,
6 1979 Session, chapter eight (8), section five (5), sub-
7 section fourteen (14), is amended to read as follows:
8 14. For a central classification system, in-
9 cluding salaries and support, maintenance and
10 miscellaneous purposes\$100,000 \$100,000".

S-5916 FILED

BY TOM SLATER

APRIL 24, 1980

WITHDRAWN (p. 1675)

APRIL 25, 1980

HOUSE FILE 2580

S-5907

Amend the amendment S-5903 to House File 2580 as amended, passed, and reprinted by the House as follows:

1. Page 4, by inserting after line 22 the following:

"Sec. ____ . REDUCTION OF NUMBER OF STATE EMPLOYEES.

1. The number of employees in the executive branch of state government, except employees whose positions are not funded in whole or in part from the general fund or trust funds of the state, shall be reduced by three percent or more between July 1, 1980, and June 30, 1981, as follows:

a. The state comptroller shall determine the authorized full-time equivalent positions filled in each department and agency of the executive branch, except employees of the state board of regents, on July 1, 1980.

b. The state board of regents shall categorize all positions within its jurisdiction as part-time, intermittent or full-time, and determine the total authorized budgeted positions filled within each category, on July 1, 1980.

c. The state comptroller and the board of regents shall report the total number of filled, authorized, full-time equivalent and budgeted positions determined in paragraphs a and b of this subsection to the legislative council on July 1, 1980.

d. Each department and agency, and the state board of regents, shall leave vacancies unfilled as they occur, except for vacant positions which must be filled to maintain the essential functions of the department, agency, or regents institution, to achieve a three percent or more reduction in the number of filled, authorized, full-time equivalent and budgeted positions between July 1, 1980 and June 30, 1981.

2. The number of authorized full-time equivalent positions within the executive branch, and the number of authorized budgeted positions within the board of regents, actually filled on June 30, 1981, shall be at least three percent less than the number of authorized full-time equivalent positions and authorized budgeted positions filled on July 1, 1980. However, no more than one-fourth of the total reduction of budgeted positions within the board of regents shall be faculty positions, and emphasis shall be placed upon the reduction of administrative positions in each category.

3. This section does not apply to positions held by inmates, patients, or students at any state institution.

4. The state comptroller and the president of

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PAGE 2

1 the board of regents shall report the number,
2 classification, and salary level of authorized, full-
3 time equivalent and budgeted positions unfilled to
4 the legislative council and the chairpersons of the
5 senate and house appropriations committees on January
6 2, 1981, March 1, 1981, and June 30, 1981."

7 2. Renumber sections in accordance with this
8 amendment.

S-5907 FILED BY STEPHEN W. BISENIUS
APRIL 24, 1980
RULED OUT OF ORDER (p. 1678)

HOUSE FILE 2580

S-5908

1 Amend the DeKoster and Murray amendment S-5826
2 to House File 2580 as amended, passed and reprinted
3 by the House as follows:
4 1. Page 1, by striking lines 3 and 4 and inserting
5 in lieu thereof the following:
6 "1. Page 31, by inserting after line 14 the following
7 new lettered paragraph:
8 "d. There is appropriated from the general fund
9 of the state to the department of social services,
10 for the fiscal year beginning July 1, 1980, the sum
11 of three hundred ninety-four thousand (394,000) dollars,
12 or so much thereof as may be necessary, to be used
13 to reimburse counties for a portion of the cost of
14 local inpatient mental health treatment as provided
15 by this subsection."

S-5908 FILED BY TOM SLATER
APRIL 24, 1980 WILLIAM D. PALMER
ADOPTED (p. 1669)

HOUSE FILE 2580

S-5906

1 Amend House File 2580 as amended, passed and re-
2 printed by the House as follows:
3 1. Page 40, line 13, by inserting after the word
4 "needs" the words "which include that the eyeglasses
5 have been damaged, broken, or lost or a determination
6 by a medical practitioner that a need exists for new
7 eyeglasses".

S-5906 FILED BY BOB RUSH
APRIL 24, 1980
WITHDRAWN (p. 1669)

S-5903

1 Amend House File 2580 as amended, passed, and
2 reprinted by the House as follows:
3 1. Page 1, by inserting after line 1 the following:
4 "Section 1. There is appropriated from the general
5 fund of the state for the fiscal year beginning July
6 1, 1980 and ending June 30, 1981, to the state
7 comptroller the sum of two million two hundred thousand
8 (2,200,000) dollars, or so much thereof as is
9 necessary, for reclassification and upgrading of the
10 pay plan for all state employees who are included
11 in the state comptroller's centralized payroll system
12 and state department of transportation payroll system
13 in order that salary levels paid by the state remain
14 competitive.
15 Sec. 2. There is appropriated from the general
16 fund of the state to the state board of regents for
17 the fiscal year beginning July 1, 1980 and ending
18 June 30, 1981, the sum of one million five hundred
19 fifty thousand (1,550,000) dollars, or so much thereof
20 as is necessary, for the purpose of reclassification
21 or upgrading of positions of personnel employed at
22 institutions under the control of the state board
23 of regents in order that salary levels paid by the
24 state board of regents will be comparable or
25 competitive with salary levels paid by similar
26 institutions to those under the control of the state
27 board of regents.
28 Sec. 3. There is appropriated from the general
29 fund of the state for the fiscal year beginning July
30 1, 1980 and ending June 30, 1981 to the state
31 comptroller through the state board of public
32 instruction the sum of four hundred fifty thousand
33 (450,000) dollars, or so much thereof as is necessary,
34 for allocation as additional general state financial
35 aid for supplementary adjustment purposes of merged
36 area school personnel in order that salary levels
37 paid by the merged area schools will be comparable
38 or competitive with salary levels paid by similar
39 institutions or schools.
40 Sec. 4. Section one hundred twenty-three point
41 fifty-three (123.53), Code 1979, is amended by striking
42 subsection seven (7).
43 Sec. 5. Section four hundred twenty-six A point
44 one (426A.1), Code 1979, is amended to read as follows:
45 426A.1 MILITARY SERVICE TAX CREDIT FUND. There
46 is hereby appropriated from any moneys in the state
47 treasury not otherwise appropriated, the a sum of
48 ~~eight-hundred-thousand-dollars-to-establish-a-fund~~
49 ~~to-be-known-as-"the-military-service-tax-credit-fund"~~,
50 ~~in-which-fund-shall-also-be-included-the-amounts~~

1 ~~credited-to-the-military-service-tax-fund-provided~~
2 ~~by-section-123-53,-subsection-7~~ sufficient to pay
3 the military service tax credits in the manner provided
4 in this chapter.

5 Sec. 6. Section four hundred twenty-six A point
6 two (426A.2), Code 1979, is amended to read as follows:
7 426A.2 WHERE CREDIT GIVEN. The military service
8 tax credit fund shall be ~~apportioned~~ paid each year
9 as hereinafter provided so as to replace all or a
10 portion of the tax on property eligible for military
11 service tax exemption in the state, were such property
12 subject to taxation the amount of such credit to be
13 equal to not more than six dollars and seventy-five
14 cents per thousand dollars of assessed value upon
15 the valuation of property subject to the tax which,
16 but for military service tax exemption, would be
17 payable upon such property in the taxing district
18 to which such property is located.

19 Sec. 7. Section four hundred twenty-six A point
20 four (426A.4), Code 1979, is amended to read as
21 follows:

22 426A.4 CERTIFICATION BY DIRECTOR OF REVENUE.
23 Sums distributable ~~from~~ for the military service tax
24 credit fund shall be allocated every six months to
25 the several counties of the state. On March 25 and
26 September 25 annually the director of revenue shall
27 certify to the comptroller the total credits claimed
28 by each county. Upon receipt of the certification
29 from the director of revenue, the comptroller shall
30 draw warrants to the treasurer of each county payable
31 from the ~~military-tax-service-credit~~ general fund
32 in the amount claimed, ~~provided that if the amount~~
33 ~~of money in said fund is insufficient to pay the~~
34 ~~credits claimed in full, then in that event they shall~~
35 ~~be paid on a pro-rata basis.~~

36 Sec. 8. Section four hundred twenty-six A point
37 six (426A.6), Code 1979, is amended to read as follows:

38 426A.6 SETTING ASIDE ALLOWANCE. Should the
39 director of revenue determine, upon investigation,
40 that any claim for military service tax exemption
41 has been allowed by any board of supervisors which
42 is not justifiable under the law and not substantiated
43 by proper facts, the director may, at any time within
44 twenty-four months from July 1 of the year in which
45 the claim is filed, set aside such allowance. Notice
46 of such disallowance shall be given to the county
47 auditor of the county in which such claim has been
48 improperly granted and a written notice of such
49 disallowance shall also be addressed to the claimant
50 at his last known address. Such claimant, or the

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PAGE 4

1 to the county treasurer in the amount of such credit.
2 The amount of such credit shall be allocated and
3 paid from the ~~surplus-redeposited-in-the-military~~
4 ~~tax-credit-fund-provided-for-in-the-first-paragraph~~
5 ~~of-this-section~~ general fund.

6 Sec. 10. Section four hundred twenty-six A point
7 nine (426A.9), Code 1979, is amended to read as
8 follows:

9 426A.9 ERRONEOUS CREDITS. In the event any claim
10 is allowed, and subsequently reversed on appeal, any
11 credit made thereunder shall be void, and the amount
12 of such credit shall be charged against the property
13 in question, and the director of revenue, the county
14 auditor and the county treasurer are authorized and
15 directed to correct their books and records
16 accordingly. The amount of such erroneous credit,
17 when collected, shall be returned by the county
18 treasurer to the ~~military-service-tax-credit~~ general
19 ~~fund to-be-reallocated-the-following-year-as-provided~~
20 herein of the state.

21 Sec. 11. Section four hundred twenty-six A point
22 ten (426A.10), Code 1979, is repealed."

23 2. Renumber as required by this amendment.

S-5903 FILED
APRIL 24, 1980

BY LUCAS J. DE KOSTER

RULED OUT OF ORDER (p. 1678)

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1 board of supervisors, may seek judicial review of
2 the action of the director of revenue in accordance
3 with the terms of the Iowa administrative procedure
4 Act. In any case, where a claim is so disallowed
5 by the director of revenue and no petition for judicial
6 review is filed with respect to such disallowance,
7 any amounts of credits allowed and paid from the
8 ~~military-service-tax-credit-fund~~ shall become a lien
9 upon the property on which said credit was originally
10 granted, if still in the hands of the claimant, and
11 not in the hands of a bona fide purchaser, and any
12 amount so erroneously paid shall be collected by the
13 county treasurer in the same manner as other taxes
14 and such collections shall be returned to the
15 department of revenue and credited to the ~~military~~
16 ~~service-tax-credit~~ general fund. The director of
17 revenue shall also have the authority to institute
18 legal proceedings against a military service tax
19 exemption claimant for the collection of all payments
20 made on such disallowed exemptions.

21 Sec. 9. Section four hundred twenty-six A point
22 eight (426A.8), Code 1979, is amended to read as
23 follows:

24 426A.8 EXCESS REMITTED--APPEALS. If the amount
25 of credit apportioned to any property eligible to
26 military service tax exemption under the provisions
27 of this chapter in any year shall exceed the total
28 tax, exclusive of any special assessments levied
29 against such property eligible for military service
30 tax exemption then such excess shall be remitted by
31 the county treasurer to the department of revenue
32 to be redeposited in the ~~military-service-tax-credit~~
33 general fund and ~~reallocated the following year by~~
34 ~~the department as provided hereunder.~~

35 In the event any claim for exemption made hereunder
36 has been denied by the board of supervisors, and such
37 action is subsequently reversed on appeal, the same
38 credit shall be allowed on the assessed valuation,
39 not to exceed the amount of the military service tax
40 exemption involved in said appeal, as was allowed
41 on other military service tax exemption valuations
42 for the year or years in question, and the director
43 of revenue, the county auditor, and the county
44 treasurer are hereby authorized and directed to make
45 such credit and to change their books and records
46 accordingly.

47 In the event the appealing taxpayer has paid one
48 or both of the installments of the tax payable in
49 the year or years in question on such military service
50 tax exemption valuation, remittance shall be made

HOUSE FILE 2580

S-5900

1 Amend House File 2580 as amended, passed and
2 reprinted by the House as follows:

3 1. Page 22, by inserting after line 34 the follow-
4 ing:

5 "Sec. 38. Section two point ten (2.10), subsections
6 one (1), two (2) and three (3), Code 1979, as amended
7 by Acts of the Sixty-eighth General Assembly, 1979
8 Session, chapter two (2), section nineteen (19), are
9 amended to read as follows:

10 1. Every member of the general assembly except
11 the speaker of the house and majority and minority
12 floor leaders of the senate and house shall receive
13 an annual salary of twelve thousand ~~eight-hundred~~
14 dollars for the year 1981 and ~~thirteen-thousand-seven~~
15 hundred twelve thousand eight hundred dollars for
16 the year 1982 while serving as a member of the general
17 assembly. The majority and minority floor leaders
18 of the senate and house shall receive an annual salary
19 of ~~fifteen fourteen~~ thousand dollars for the year
20 1981 and ~~sixteen fifteen~~ thousand dollars for the
21 year 1982 while serving in such capacity. In addition,
22 each such member shall receive the sum of thirty
23 dollars per day for expenses of office, except travel,
24 for each day the general assembly is in session
25 commencing with the first day of a legislative session
26 and ending with the day of final adjournment of each
27 legislative session as indicated by the journals of
28 the house and senate, except that in the event the
29 length of the first regular session of the general
30 assembly exceeds one hundred twenty calendar days
31 and the second regular session exceeds one hundred
32 calendar days, such payments shall be made only for
33 one hundred twenty calendar days for the first session
34 and one hundred calendar days for the second session.
35 However, members from Polk county shall receive fifteen
36 dollars per day. Travel expenses shall be paid at
37 the rate established by section 18.117 for actual
38 travel in going to and returning from the seat of
39 government by the nearest traveled route for not more
40 than one time per week during a legislative session.
41 However, any increase from time to time in the mileage
42 rate established by section 18.117 shall not become
43 effective for members of the general assembly until
44 the convening of the next general assembly following
45 the session in which the increase is adopted; and
46 this provision shall prevail over any inconsistent
47 provision of any present or future statute.

48 2. The lieutenant governor shall receive an annual
49 salary of ~~nineteen eighteen~~ thousand ~~two-hundred~~
50 dollars for the year 1981 and ~~twenty-thousand-five~~

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PAGE 2

1 ~~hundred~~ nineteen thousand dollars for the year 1982.
2 Personal expense and travel allowances shall be the
3 same for the lieutenant governor as for a senator.
4 The lieutenant governor while performing administrative
5 duties of the office of lieutenant governor when the
6 general assembly is not in session or serving as the
7 president of the senate during special sessions of
8 the general assembly shall receive sixty dollars per
9 diem and reimbursement for expenses incurred in
10 performing such duties. The salary, per diem, and
11 expenses of the lieutenant governor provided for under
12 this subsection, including office and staff expenses,
13 shall be paid from funds appropriated to the office
14 of the lieutenant governor by the general assembly.
15 3. The speaker of the house shall receive an
16 annual salary of ~~nineteen~~ eighteen thousand two-hundred
17 dollars for the year 1981 and ~~twenty-thousand-five~~
18 ~~hundred~~ nineteen thousand dollars for the year 1982
19 while serving as the speaker of the house. Expense
20 and travel allowances shall be the same for the speaker
21 of the house as provided for other members of the
22 general assembly."
23 2. By renumbering and correcting internal
24 references to conform with this amendment.

S-5900 FILED
APRIL 24, 1980

BY RAY TAYLOR

STEPHEN W. BISENIUS

JOHN JENSEN

RULED OUT OF ORDER (p. 1667)

GARY L. BAUGHER

DALE TIEDEN

ARNE WALDSTEIN

HOUSE FILE 2580

S-5904

1 Amend the amendment S-5903 to House File 2580 as
2 amended, passed, and reprinted by the House, as follows:
3 1. Page 1, by striking lines 18 and 19 and insert-
4 ing in lieu thereof the following: "June 30, 1981,
5 the sum of two million five hundred fifty thousand
6 (2,550,000) dollars, or so much thereof".

S-5904 FILED
APRIL 24, 1980

BY ARTHUR A. SMALL, JR.

RULED OUT OF ORDER (p. 1678)

HOUSE FILE 2580

S-5901

1 Amend the amendment S-5821 to House File 2580 as
2 amended, passed, and reprinted by the House, as
3 follows:
4 1. Page 1, by striking line 3 through page 5,
5 line 27 and inserting in lieu thereof the following:
6 "1. Page 1, by inserting before line 1 the
7 following:
8 "Section 1. There is appropriated from the general
9 fund of the state for the fiscal year beginning July
10 1, 1980 and ending June 30, 1981, to the state
11 comptroller the sum of two million two hundred thousand
12 (2,200,000) dollars, or so much thereof as is
13 necessary, for reclassification and upgrading of the
14 pay plan for all state employees who are included
15 in the state comptroller's centralized payroll system
16 and state department of transportation payroll system
17 in order that salary levels paid by the state remain
18 competitive.
19 Sec. 2. There is appropriated from the general
20 fund of the state to the state board of regents for
21 the fiscal year beginning July 1, 1980 and ending
22 June 30, 1981, the sum of two million five hundred
23 fifty thousand (2,550,000) dollars, or so much thereof
24 as is necessary, for the purpose of reclassification
25 or upgrading of positions of personnel employed at
26 institutions under the control of the state board
27 of regents in order that salary levels paid by the
28 state board of regents will be comparable or
29 competitive with salary levels paid by similar
30 institutions to those under the control of the state
31 board of regents.
32 Sec. 3. There is appropriated from the general
33 fund of the state for the fiscal year beginning July
34 1, 1980 and ending June 30, 1981 to the state
35 comptroller through the state board of public
36 instruction the sum of four hundred fifty thousand
37 (450,000) dollars, or so much thereof as is necessary,
38 for allocation as additional general state financial
39 aid for supplementary adjustment purposes of merged
40 area school personnel in order that salary levels
41 paid by the merged area schools will be comparable
42 or competitive with salary levels paid by similar
43 institutions or schools."
44 2. Renumber as required by the amendment to the
45 amendment.

S-5901 FILED & WITHDRAWN BY ARTHUR A. SMALL, JR.
APRIL 24, 1980 (p. 1665)

APRIL 25, 1980

HOUSE FILE 2580

S-5899

1 Amend House File 2580 as amended, passed and
2 reprinted by the House, as follows:

3 1. Page 22, by inserting after line 29 the
4 following:

5 "Sec. _____. Acts of the Sixty-eighth General
6 Assembly, 1979 Session, chapter three (3), section
7 ten (10), is amended by adding the following new
8 subsection:

9 NEW SUBSECTION. It is the intent of the general
10 assembly that the paper purchased by the department
11 of general services from funds appropriated to the
12 department shall include recycled paper if available
13 so that the total volume of recycled paper purchased
14 by the state is not less than five percent in fiscal
15 1981, ten percent in fiscal 1982 and an additional
16 ten percent each fiscal year thereafter until at least
17 seventy-five percent of the paper purchased is recycled
18 paper. It is also the intent of the general assembly
19 that in purchasing paper or paper products the
20 department shall to the fullest extent practically
21 possible purchase or approve for purchase those
22 materials and supplies that are manufactured or
23 produced from recycled paper if recycled paper products
24 are available. As used in this subsection unless
25 the context otherwise requires:

26 a. "Recycled paper" means a paper product with
27 not less than eighty percent of its total weight
28 consisting of secondary waste materials.

29 b. "Secondary waste materials" means fragments,
30 products or finished products of a manufacturing
31 process which has converted a raw material into a
32 commodity of real economic value and includes post
33 consumer waste of a total gross content of at least
34 eighty percent.

35 c. "Post consumer waste" means a finished item
36 that would normally be disposed of as a solid waste
37 having completed its life cycle as a consumer item."

38 2. Renumber sections and correct internal
39 references as necessary.

S-5899 FILED
APRIL 24, 1980

BY JOHN R. SCOTT

RULED OUT OF ORDER (p. 1666)

HOUSE FILE 2580

S-5897

1 Amend the amendment S-5821 to House File 2580 as
2 amended, passed, and reprinted by the House, as
3 follows:
4 1. Page 1, by striking line 5 through page 5,
5 line 27 and inserting in lieu thereof the following:
6 "Section 1. There is appropriated from the general
7 fund of the state for the fiscal year beginning July
8 1, 1980 and ending June 30, 1981, to the state
9 comptroller the sum of two million two hundred thousand
10 (2,200,000) dollars, or so much thereof as is
11 necessary, for reclassification and upgrading of the
12 pay plan for all state employees who are included
13 in the state comptroller's centralized payroll system
14 and state department of transportation payroll system
15 in order that salary levels paid by the state remain
16 competitive.
17 Sec. 2. There is appropriated from the general
18 fund of the state to the state board of regents for
19 the fiscal year beginning July 1, 1980 and ending
20 June 30, 1981, the sum of one million five hundred
21 fifty thousand (1,550,000) dollars, or so much thereof
22 as is necessary, for the purpose of reclassification
23 or upgrading of positions of personnel employed at
24 institutions under the control of the state board
25 of regents in order that salary levels paid by the
26 state board of regents will be comparable or
27 competitive with salary levels paid by similar
28 institutions to those under the control of the state
29 board of regents.
30 Sec. 3. There is appropriated from the general
31 fund of the state for the fiscal year beginning July
32 1, 1980 and ending June 30, 1981 to the state
33 comptroller through the state board of public
34 instruction the sum of four hundred fifty thousand
35 (450,000) dollars, or so much thereof as is necessary,
36 for allocation as additional general state financial
37 aid for supplementary adjustment purposes of merged
38 area school personnel in order that salary levels
39 paid by the merged area schools will be comparable
40 or competitive with salary levels paid by similar
41 institutions or schools."
42 2. Renumber as required by the amendment to the
43 amendment.

S-5897 FILED
APRIL 24, 1980

BY LUCAS J. DE KOSTER

RULED OUT OF ORDER (p. 1676)

HOUSE FILE 2580

S-5890

1 Amend House File 2580 as amended, passed and re-
2 printed by the House as follows:
3 1. Page 3, by inserting after line 27 the following
4 new section:
5 "Sec. _____. Acts of the Sixty-eighth General Assembly,
6 1979 Session, chapter thirteen (13), section seven (7),
7 subsection twelve (12) is amended to read as follows:
8 12. PROGRAMS FOR GIFTED
9 AND TALENTED CHILDREN.
10 For-programs-for-gifted
11 and-talented-children-approved-by
12 the-department-under-section-four
13 hundred-forty-two-point-thirty-
14 four-(442.34)-of-the-Code-----\$ \$--100,000
15 For support services for
16 programs for gifted and talented
17 children approved by the department
18 under section four hundred forty-two
19 point thirty-four (442.34) of the
20 Code.....\$ \$ 31,000
21 If federal funds become available
22 for the purpose for which funds are
23 appropriated by this paragraph, the
24 appropriation in this paragraph shall
25 be reduced by the amount of federal
26 funds received and the amount the
27 appropriation is reduced shall revert
28 to the general fund of the state."

S-5890 FILED
APRIL 24, 1980
LOST (p. 1651)

BY TOM SLATER

HOUSE FILE 2580

S-5898

1 Amend House File 2580, as amended, passed, and
2 reprinted by the House, as follows:
3 1. Page 11, by inserting after line 11 the
4 following new section:
5 "Sec. _____. Acts of the Sixty-eighth General
6 Assembly, 1979 Session, chapter twelve (12), section
7 ten (10), subsection three (3), is amended to read
8 as follows:
9 3. For salary and
10 support of not more than
11 one full-time equivalent
12 position, maintenance
13 and miscellaneous pur-
14 poses for the promotion
15 of gasohol and associated
16 by-products and to pro-
17 vide available, simple
18 plans for farm stills\$ 50,000 \$ 65,000"
19 2. Renumber sections and correct internal references
20 as are necessary in accordance with this amendment.

S-5898 FILED & LOST (p. 1663) BY C. W. HUTCHINS
APRIL 24, 1980

APRIL 25, 1980

HOUSE FILE 2580

S-5894

1 Amend House File 2580, as amended, passed and
2 reprinted by the House, as follows:

3 1. Page 23, by striking lines 1 through 17 and
4 inserting in lieu thereof the following:

5 "Sec. _____. Acts of the Sixty-eighth General
6 Assembly, 1979 Session, chapter eleven (11), section
7 one (1), subsections one (1), two (2), and four (4),
8 are amended to read as follows:

9 1. For the purpose
10 of matching federal funds
11 available to the Iowa
12 crime commission for
13 state and court planning
14 programs, for salaries
15 and support of not more
16 than twenty-two full-
17 time equivalent posi-
18 tions, and for mainte-
19 nance and miscellaneous
20 purposes\$ 110,000

\$ 70,200
100,000

22 2. For the purpose of
23 providing funds for area
24 planning purposes to the Iowa
25 crime commission, and for
26 salaries, support, mainten-
27 ance and miscellaneous
28 purposes \$ 100,000

\$ 40,000
50,000

30 a. It is the intent
31 of the general assembly
32 that if federal law enforce-
33 ment assistance admin-
34 istration planning funds
35 are not appropriated for the
36 fiscal year beginning
37 October 1, 1980 and ending
38 September 30, 1981, the
39 appropriations subcommittee
40 on transportation and law
41 enforcement shall review the
42 budget needs of the Iowa
43 crime commission and
44 appropriate such additional
45 funds as are necessary. If
46 federal law enforcement
47 assistance administration
48 planning funds are
49 appropriated, funds
50 appropriated under sub-

S-5894

PAGE 2

1 sections one (1) and two
2 (2) of this section which
3 are not required for match-
4 ing federal funds shall
5 revert to the general
6 fund of the state.

7 4. For the purpose of
8 matching federal funds avail-
9 able to the Iowa crime commis-
10 sion through the Juvenile
11 Justice and Delinquency
12 Prevention Act of 1974
13 as amended by the United
14 States Congress for
15 salaries and support of not
16 more than one full-time
17 equivalent position, and for
18 maintenance and miscellaneous
19 purposes \$ 6,600 \$ 44,000
20 19,000"

21 2. Page 26, by inserting after line 30 the
22 following new section:

23 "Sec. _____. The legislative council may create
24 a crime commission study committee composed of three
25 members of the senate and the house of representatives
26 from the respective standing committees on state
27 government, two members from the house transportation
28 appropriations subcommittee and two members of the
29 senate transportation and law enforcement
30 appropriations subcommittee to review the
31 recommendations of the governor's economy committee
32 relating to the crime commission and the crime
33 commission program evaluation report prepared by the
34 legislative fiscal bureau. The legislative council
35 shall also appoint two persons from the judicial
36 branch of government and two members representing
37 local law enforcement agencies to serve on the study
38 committee as advisory nonvoting members of the study
39 committee. The study committee shall report its
40 findings and recommendations, with legislative bill
41 drafts required to implement its recommendations to
42 the respective standing committees on state government,
43 the legislative council, and the general assembly
44 convening in January, 1981."

45 3. Renumber sections and correct internal
46 references as are necessary in accordance with this
47 amendment.

S-5894 FILED

APRIL 24, 1980

ADOPTED AS AMENDED *by 5911*

(p. 1676)

BY FORREST V. SCHWENGELS

RAY TAYLOR

APRIL 25, 1980

HOUSE FILE 2580

S-5888

1 Amend the DeKoster-Murray amendment S-5826, to
2 House File 2580 as amended, passed and reprinted by
3 the House, as follows:
4 1. Page 1, line 3, by striking the words and
5 figures "30, through page 31," and inserting in lieu
6 thereof the words and figures "34, through page 30,
7 line 3, and inserting in lieu thereof the following:
8 a. There is appropriated from the general fund
9 of the state to the department of social services,
10 for the fiscal year beginning July 1, 1980, the sum
11 of three hundred ninety-four thousand (394,000)
12 dollars, or so much thereof as may be necessary, to
13 be used to reimburse counties for a portion of the
14 cost of local inpatient mental health treatment as
15 provided by this subsection."
16 2. Page 1, by striking line 4 and inserting in
17 lieu thereof the following:
18 "2. Page 30, by striking line 13 and inserting
19 in lieu thereof the words "that is accredited by the
20 accreditation program for psychiatric facilities of
21 the joint commission on"."

S-5888 FILED & LOST
APRIL 24, 1980 (p. 1668)

BY JULIA GENTLEMAN
GARY BAUGHER
DAVID READINGER

HOUSE FILE 2580

S-5893

1 Amend House File 2580 as follows:
2 1. Page 40, line 6, by striking the word "drugs,"
3 and inserting in lieu thereof the words "drugs and".
4 2. Page 40, by striking line 7 and inserting in
5 lieu thereof the word "treatments."
6 3. Page 40, line 8, by inserting after the word
7 "orthodontia" the words "and posterior dental bridge-
8 work".

S-5893 FILED
APRIL 24, 1980
ADOPTED (p. 1673)

BY RICHARD F. DRAKE

APRIL 25, 1980

HOUSE FILE 2580

S-5887

1 Amend House File 2580 as amended, passed and
2 reprinted by the House, as follows:

3 1. Page 22, by inserting after line 29 the
4 following:

5 "Sec. ____ . Acts of the Sixty-eighth General
6 Assembly, 1979 Session, chapter three (3), section
7 ten (10), subsection two (2), paragraph b, is amended
8 by adding the following new unnumbered paragraphs:
9 NEW UNNUMBERED PARAGRAPH. It is a condition of
10 the funds appropriated by this paragraph b that the
11 total paper purchase by the department of general
12 services shall include recycled paper if available
13 so that the total volume of recycled paper purchased
14 by the state is not less than five percent in fiscal
15 1981, ten percent in fiscal 1982 and an additional
16 ten percent each fiscal year thereafter until at least
17 seventy-five percent of the paper purchases are
18 recycled paper. In addition to the minimum purchases
19 required it is also a condition of the funds
20 appropriated by this paragraph b that in purchasing
21 paper or paper products the department shall to the
22 fullest extent practically possible purchase or approve
23 for purchase those materials and supplies that are
24 manufactured or produced from recycled paper if
25 recycled paper products are available. ~~_____~~

26 NEW UNNUMBERED PARAGRAPH. As used in this para-
27 graph b unless the context otherwise requires: ~~_____~~

28
29 (1) "Recycled paper" means a paper product with
30 not less than eighty percent of its total weight
31 consisting of secondary waste materials.

32 (2) "Secondary waste materials" means fragments,
33 products or finished products of a manufacturing
34 process which has converted a raw material into a
35 commodity of real economic value and includes post
36 consumer waste of a total gross content of at least
37 eighty percent.

38 (3) "Post consumer waste" means a finished item
39 that would normally be disposed of as a solid waste
40 having completed its life cycle as a consumer item."

41 2. Renumber sections and correct internal
42 references as necessary.

S-5887 FILED

BY JOHN R. SCOTT

APRIL 24, 1980

WITHDRAWN (p. 1666)

HOUSE FILE 2580

S-5886

1 Amend House File 2580 as amended, passed, and
2 reprinted by the House, as follows:
3 1. Page 4, by inserting after line 10 the
4 following:
5 "Sec. _____. The proposed ten year building program
6 submitted by the state board of regents for each
7 institution of higher learning under its jurisdiction,
8 as transmitted to the legislature in January, 1980
9 in the amount of two hundred fifty million
10 (250,000,000) dollars, is approved. The state board
11 of regents is authorized to undertake and carry out
12 the following projects and to pay all or any part
13 of the cost of carrying out the projects by borrowing
14 money and issuing negotiable revenue bonds under the
15 provisions of chapter two hundred sixty-two A (262A)
16 of the Code in a total amount not to exceed eight
17 million (8,000,000) dollars: state university of Iowa,
18 energy management program; Iowa state university of
19 science and technology, energy management program;
20 university of northern Iowa, energy management program.
21 The maximum amount of bonds which the state board
22 of regents expects to issue under the provisions of
23 chapter two hundred sixty-two A (262A) of the Code
24 is eight million (8,000,000) dollars, all or any part
25 of which may be issued during the fiscal year ending
26 June 30, 1981; and if all of that amount is not issued
27 during the fiscal year ending June 30, 1981, any
28 remaining balance may be issued during the fiscal
29 year ending June 30, 1982; and this plan of financing
30 is approved."
31 2. Renumber sections and correct internal
32 references as necessary.
33 3. Amend the title, page 1, line 6, by inserting
34 after the word "grants;" the words "approval of the
35 ten year building program of the state board of regents
36 and authorization to issue negotiable revenue bonds;".

S-5886 FILED BY JOHN SCOTT
APRIL 24, 1980 BASS VAN GILST
RULED OUT OF ORDER (p. 1659) BERL E. PRIEBE
C. W. HUTCHINS

HOUSE FILE 2580

S-5889

1 Amend House File 2580, as amended, passed and
2 reprinted by the House, as follows:
3 1. Page 7, by striking line 21 and inserting in
4 lieu thereof the following:
5 "§ 995,373
6 Of the appropriation for the 1980-1981 fiscal year
7 the sum of one hundred thousand (100,000) dollars
8 is allocated for family planning and the sum of
9 thirty-four thousand (34,000) dollars is allocated for
10 genetic counseling."

S-5889 FILED & LOST (p. 1661) BY TOM SLATER
APRIL 24, 1980 PATRICK J. DELUHERY

HOUSE FILE 2580

S-5885

1 Amend the Committee on Appropriations amendment
2 S-5821 to House File 2580, as amended, passed and
3 reprinted by the House, as follows:

4 1. Page 5, by inserting after line 27 the
5 following:

6 "7. No department or agency of this state shall
7 discharge or lay off an employee, under circumstances
8 involving no fault or delinquency on the part of the
9 employee, with intent that work which that employee
10 has been performing shall instead be obtained by
11 contract with a nonstate entity, at the time the
12 employee is discharged or laid off or at any time
13 thereafter, unless the department or agency has first
14 complied with the requirements of this subsection.

15 a. Before discharging or laying off employees
16 under the circumstances described in this subsection,
17 the department or agency shall certify in writing
18 to the chairpersons of the standing committees on
19 appropriations of the senate and house of
20 representatives that the discharge or lay off of those
21 employees will enable the department or agency to
22 deliver services of at least as high a quality as
23 those performed by the employees being discharged
24 or laid off, while effecting a net saving in the cost
25 of those services.

26 b. Employees shall not be discharged or laid off,
27 under the circumstances described in this subsection,
28 with less than ninety days notice of intent to take
29 such action.

30 8. It is the intent of the general assembly that
31 any individual who is or formerly was an employee
32 of a department or agency of this state, and who has
33 been or has received notice that he or she will be
34 discharged or laid off under the circumstances
35 described in subsection seven (7) of this section,
36 shall have five points added to the grade or score
37 attained in qualifying examinations for appointment
38 to jobs classified under the merit employment system
39 of this state, any provisions of chapter nineteen
40 A (19A) of the Code or of any other statute to the
41 contrary notwithstanding."

S-5885 FILED

BY SUE YENGER

APRIL 24, 1980

BOB CARR

RULED OUT OF ORDER (p. 1676)

HOUSE FILE 2580

S-5882

1 Amend House File 2580, as amended, passed and
2 reprinted by the House, as follows:

3 1. Page 10 by striking line 35 and inserting in
4 lieu thereof the following:

"4,265,000

5
6 Sec. _____. Section one hundred twenty-five point
7 twelve (125.12), Code 1979, is amended by adding the
8 following new subsection:

9 NEW SUBSECTION. The director may contract with
10 public or private agencies to provide prevention and
11 training services consistent with the comprehensive
12 program required by this section. The contract shall
13 be in a form and contain terms as the parties agree
14 upon.

15 Sec. _____. Section one hundred twenty-five point
16 twenty-five (125.25), Code 1979, is amended to read
17 as follows:

18 125.25 APPROVAL OF FACILITY BUDGET.

19 1. Before making any allocation of funds to a local
20 substance abuse program, the commission on substance
21 abuse shall require the following to be submitted
22 for each program:

23 a---A to submit a detailed line item budget clearly
24 indicating the funds received from each revenue source
25 for the fiscal year for which the funds are requested
26 on forms provided by the department of substance
27 abuse.

28 b---A certified statement from the auditor of each
29 county participating in the program as to the amount
30 of county resources committed to the program for the
31 fiscal year for which the funds are requested.

32 2. The commission shall adopt rules governing
33 the approval of line item budgets for the operation
34 of facilities. The rules shall include provisions
35 for the approval of a facility's budget by the counties
36 funding the facility and by the department. The rules
37 shall also include provisions for appeal to the
38 commission by any county which disagrees with the
39 amount of a facility's budget approved by the
40 department.

41 3. A county may, at the option of the board of
42 supervisors, participate in funding local substance
43 abuse programs after notifying the department of the
44 board's decision. However, additional funds provided
45 for a program by a county shall not become an
46 obligation of the state in succeeding fiscal years.

47 4. The commission shall adopt rules defining
48 eligibility for substance abuse services funded by
49 the department.

50 Sec. _____. Section one hundred twenty-five point

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1 thirty-nine (125.39), subsection one (1), Code 1979,
2 is amended to read as follows:

3 1. In addition to other requirements established
4 by this chapter, a facility shall not be licensed
5 pursuant to section 125.13 unless it is either a
6 political subdivision, a licensed hospital or a
7 community mental health center operating under chapter
8 230A, or it is organized under the Iowa nonprofit
9 corporation Act appearing as chapter 504A. In the
10 latter case, ~~one-third-of~~ the membership of the board
11 of directors shall be ~~representatives-of-such~~
12 ~~government-units-providing-funds-to-the-facility-for~~
13 ~~treatment-of-substance-abuse~~ include at least nine
14 persons who are representative of the program service
15 area.

16 Sec. _____. Section one hundred twenty-five point
17 forty-three (125.43), Code 1979, is amended to read
18 as follows:

19 125.43 FUNDING AT MENTAL HEALTH INSTITUTES.
20 Chapter 230 shall govern the determination of the
21 costs and payment for treatment provided to substance
22 abusers in a mental health institute under the
23 department of social services, except that the charges
24 shall not constitute a lien on any real estate owned
25 by persons legally liable for support of the substance
26 abuser and the daily per diem shall be billed at
27 twenty-five percent. Beginning July 1, 1977, the
28 superintendent of a state hospital shall total only
29 those expenditures which can be attributed to the
30 cost of providing inpatient treatment to substance
31 abusers for purposes of determining the daily per
32 diem. The provisions of section ~~125.48~~ two hundred
33 thirty point twenty (230.20) of the Code shall govern
34 the determination of ~~who-is-legally-liable-for~~ the
35 cost of care, maintenance, and treatment of a substance
36 abuser and of the amount for which the person is
37 liable.

38 Sec. _____. Section one hundred twenty-five point
39 forty-four (125.44), Code 1979, is amended to read
40 as follows:

41 125.44 CONTRACT FOR CARE--RULES-ADOPTED LIABILITY
42 ESTABLISHED.

43 1. The director may, consistent with the
44 comprehensive substance abuse program, enter into
45 written agreements with a facility as defined in
46 section 125.2 to pay ~~for-seventy-five-percent-of~~ the
47 cost of the care, maintenance and treatment of a
48 substance abuser. Such contracts shall be for a
49 period of no more than one year. The commission shall
50 review and evaluate at least once each year all such

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1 agreements and determine whether or not they shall
2 be continued.

3 2. The contract may be in such form and contain
4 provisions as agreed upon by the parties. Such
5 contract shall provide that the facility shall admit
6 and treat substance abusers regardless of where they
7 have residence.

8 3. The substance abuser and any person, firm,
9 corporation, or insurance company bound by contract
10 to provide support, hospitalization, or medical
11 services for the substance abuser is legally liable
12 to the facility for the total amount of the cost of
13 providing care, maintenance, and treatment for the
14 substance abuser while a voluntary or committed patient
15 in a facility. This section does not prohibit any
16 individual from paying any portion of the cost of
17 treatment.

18 4. The estate of each nonresident person provided
19 care, maintenance or treatment while a voluntary or
20 committed patient in a facility, and all persons
21 legally bound for the support of such a person, are
22 legally liable to the state for reasonable costs paid
23 by the department under this chapter for the care,
24 maintenance and treatment of the person in a facility.
25 The certificate of the director of the department
26 showing the amounts paid or due to be paid by the
27 department for such care, maintenance and treatment
28 is presumptive evidence of the reasonableness of the
29 costs of the care, maintenance and treatment provided.

30 5. If one payment for care, maintenance, and
31 treatment is not made by the patient or those legally
32 liable therefor within-thirty-days-after-discharge
33 the payment shall be made by the department directly
34 to the facility. Payments shall be made each month
35 and shall be based upon the facility's average daily
36 per patient charge as determined by the department.
37 Provisions-of-this-section-shall-not-pertain-to
38 patients-treated-at-the-mental-health-institutes.
39 The department upon acceptance of the contract may
40 advance funds not to exceed one-eighth of the contract
41 amount. The state comptroller shall authorize the
42 advance of funds so allocated at the beginning of
43 the first quarter of the contract.

44 If-the-appropriation-to-the-department-is
45 insufficient-to-meet-the-requirements-of-this-section,
46 the-department-shall-request-a-transfer-of-funds-and
47 section-8-39-shall-apply.

48 6. Contracting facilities shall deliver to each
49 patient upon discharge a statement of the costs of
50 the care, maintenance and treatment for which that

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1 patient is liable, and shall retain a carbon copy
2 or other similar copy of that statement for a period
3 of not less than one year after the date of discharge
4 of the patient to whom the statement refers. The
5 fee charged to a patient for a service shall be
6 determined according to the patient's ability to pay
7 but a fee shall not exceed the actual cost of providing
8 the service. A service funded partially or completely
9 by the department shall not be denied to a person
10 because of the inability of the person to pay a fee
11 for the service. Every payment received by a
12 contracting facility from or on behalf of a patient,
13 whether received before or after costs have been
14 billed to the department ~~ex-te-a-county,~~ shall be
15 identified by the facility as to patient and invoice
16 or statement, and shall be reported to the department.
17 A contracting facility shall allow as a credit against
18 a future billing to the department ~~ex-te-a-county,~~
19 payments received during each month from or on behalf
20 of a patient whose care, maintenance and treatment
21 theretofore has been billed to and paid by the
22 department ~~ex-a-county.~~ Failure by a contracting
23 facility to comply with this paragraph, or with rules
24 promulgated pursuant to section 125.20 shall constitute
25 grounds for nonrenewal of the contract.

26 7. The department is liable for the cost of care,
27 treatment, and maintenance of a substance abuser
28 admitted to the facility voluntarily or pursuant to
29 section one hundred twenty-five point thirty-four
30 (125.34), one hundred twenty-five point thirty-five
31 (125.35), three hundred twenty-one point two hundred
32 eighty-one (321.281), three hundred twenty-one point
33 two hundred eighty-three (321.283), subsection three
34 (3), two hundred four point four hundred nine
35 (204.409), subsection two (2) or two hundred twenty-
36 nine point fifty-two (229.52) of the Code only to
37 those facilities that have a contract with the
38 department under section one hundred twenty-five point
39 forty-four (125.44) of the Code and only for the
40 amount computed according to and within the limits
41 of liability prescribed by section one hundred twenty-
42 five point forty-four (125.44) of the Code.

43 8. The department's maximum liability for the
44 costs of care, treatment and maintenance of substance
45 abusers in a contracting facility is limited to the
46 total amount agreed upon by the parties and specified
47 in the contract under subsection two (2) of this
48 section.

49 9. This section does not apply to patients treated
50 at a mental health institute under the department

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1 of social services.

2 Sec. _____. Chapter one hundred twenty-five (125),
3 Code 1979, is amended by adding the following new
4 sections:

5 NEW SECTION. USE OF FUNDS--RESTRICTIONS.

6 1. The department shall not use state funds to
7 purchase services provided by personnel whose positions
8 are or would be at any time during the contract period
9 supported by federal grant money including but not
10 limited to personnel affiliated with the national
11 institute on alcohol abuse and alcoholism and the
12 national institute on drug abuse. However, funds
13 allocated by the department may be used to provide
14 all or a portion of state, local or other funding
15 for a program required as a condition of receipt of
16 federal money for the program. When a specific amount
17 of funds is required from other sources as a condition
18 for receipt of federal funds the department may
19 contract for services in an amount not exceeding the
20 level required for federal funding.

21 2. A program that receives funds from the
22 department shall submit any request for a federal
23 grant for purposes relating to substance abuse to
24 the department for review and approval. If the request
25 for federal funds would result in the temporary
26 employment of personnel the request shall not be
27 submitted to the federal government until it is
28 approved by the department. However, the department
29 may by rule establish a general policy on grant
30 requests involving the temporary employment of
31 personnel in lieu of a formal review of each request.

32 3. A program that receives funds from the
33 department shall not use the funds to provide services
34 that, according to state and federal law, are the
35 responsibility of another local, state or federal
36 agency.

37 NEW SECTION. LIST OF CONTRACTING FACILITIES.

38 The department shall provide a current list of
39 facilities that have a contract with the department
40 to the clerk of each district court in the state.
41 The clerk shall provide the list to all district court
42 judges and judicial magistrates in the district.

43 Sec. _____. Section two hundred four point four
44 hundred nine (204.409), subsection two (2), Code 1979,
45 is amended to read as follows:

46 2. Whenever the court finds that a person who
47 is charged with a violation of section 204.401 and
48 who consents thereto, or who has entered a plea of
49 guilty to or been found guilty of a violation of said
50 that section, and ~~who~~ is addicted to, dependent upon,

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1 or a chronic abuser of any controlled substance and
2 that such person will be aided by proper medical
3 treatment and rehabilitative services, it may order
4 that he the person be committed as an in-patient or
5 out-patient to a facility approved licensed by the
6 state department of health substance abuse for such
7 medical treatment and rehabilitative services. A
8 The costs of treatment of a person committed under
9 this subsection who-is-not-possessed-of-sufficient
10 income-or-estate-to-enable-him-to-make-payment-of
11 the-costs-of-such-treatment-in-whole-or-in-part-shall
12 be-considered-a-state-patient shall be paid as provided
13 in section one hundred twenty-five point forty-four
14 (125.44) of the Code. The determination of ability
15 to pay shall be made by the court. The court shall
16 require the patient, or his the patient's parent,
17 guardian, or custodian to complete under oath a
18 detailed financial statement. The court may enter
19 appropriate orders requiring the patient or those
20 legally liable for his the patient's support to
21 reimburse the state with the costs, or any part
22 thereof. In order to obtain the most effective results
23 from such medical treatment and rehabilitative
24 services, the court may commit such the person to
25 the custody of a public or private agency or any other
26 responsible person and impose such other conditions
27 upon such the commitment as is necessary to insure
28 compliance with the court's order and to insure that
29 such the person will not, during such the period of
30 treatment and rehabilitation, again violate any
31 ~~provisions~~ a provision of this chapter. If it is
32 established thereafter to the satisfaction of the
33 court that the person has again violated any a
34 provision of this chapter, he the person may be
35 returned to custody or sentenced upon his conviction
36 as provided by law. The public or private agency
37 or responsible person to whom the accused person was
38 committed by the court shall immediately report to
39 the court when the person has received maximum benefit
40 from the program or has recovered from his addiction,
41 dependency, or tendency to chronically abuse any
42 controlled substance. The person shall then be
43 returned to the court for disposition of his the case.
44 If the person has been charged or indicted, but not
45 convicted, such charge shall proceed to trial or final
46 disposition. If the person has been convicted or
47 is thereafter convicted, the court shall sentence
48 him the person as provided by law but may remit all
49 or any part of such the sentence and place the person
50 on probation upon such terms and conditions as the

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1 court may prescribe.

2 Sec. _____. Section two hundred twenty-nine point
3 fifty-two (229.52), subsection three (3), Code 1979,
4 is amended to read as follows:

5 3. A respondent committed under this section shall
6 remain in the custody of a facility for treatment
7 for a period of thirty days unless sooner discharged.
8 The costs of treatment of a person committed under
9 this division shall be paid as provided in section
10 one hundred twenty-five point forty-four (125.44)
11 of the Code subject to the qualifications of this
12 subsection. This division shall not be construed
13 to require the department to pay the cost of any
14 medication or procedure provided the person during
15 that period which is not necessary or appropriate
16 to the specific objectives of detoxification and
17 treatment of substance abuse. At the end of the
18 thirty-day period, the respondent shall be discharged
19 automatically unless the administrator of the facility
20 before expiration of the period petitions the court
21 for an order for the respondent's recommitment upon
22 the grounds set forth in subsection 1 of section
23 229.51 for a further period not to exceed ninety days.

24 Sec. _____. Section three hundred twenty-one point
25 two hundred eighty-one (321.281), unnumbered paragraph
26 two (2), Code 1979, is amended to read as follows:

27 In lieu of, or prior to imposition of, the
28 punishment above described for second offense, third
29 offense and each offense thereafter, the court upon
30 hearing may commit the defendant for treatment of
31 alcoholism or drug addiction or dependency to any
32 hospital or institution in Iowa providing such
33 treatment. The court may prescribe the length of
34 time for such treatment or it may request that the
35 hospital to which the person is committed immediately
36 report to the court when the person has received
37 maximum benefit from the program of the hospital or
38 institution or has recovered from his or her addiction,
39 dependency or tendency to chronically abuse alcohol
40 or drugs. A The costs of treatment of a person
41 committed under this section shall be considered-a
42 state-patient paid as provided in section one hundred
43 twenty-five point forty-four (125.44) of the Code.

44 Sec. _____. Section three hundred twenty-one point
45 two hundred eighty-three (321.283), subsection three
46 (3), Code 1979, is amended to read as follows:

47 3. REFERRED ON CONVICTION. After any conviction
48 for operating a motor vehicle while under the influence
49 of an alcoholic beverage under section 321.281, the
50 court may refer the defendant for treatment at a

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1 facility as defined in sections 125.1 to 125.43 and
2 designated by the ~~division-on-alcoholism~~ Iowa
3 department of substance abuse. The court may prescribe
4 the length of time for treatment or it may be left
5 to the discretion of the facility to which the
6 defendant was referred. ~~A-person-referred-under-this~~
7 ~~section-shall-be-considered-a-state-patient,-and~~
8 ~~charges-and~~ The costs for treatment of a person
9 referred under this section shall be paid for-in-the
10 manner-provided-for-payment-for-treatment-of-alcoholics
11 who-have-no-legal-residence-in-this-state as provided
12 in section one hundred twenty-five point forty-four
13 (125.44) of the Code.

14 Sec. _____. Sections one hundred twenty-five point
15 forty-five (125.45) through one hundred twenty-five
16 point fifty-three (125.53), Code-1979, are repealed."

S-5882 FILED & LOST (p. 1662) BY C. JOSEPH COLEMAN
APRIL 24, 1980 BOB CARR

HOUSE FILE 2580

S-5883

Amend House File 2580, as amended, passed and reprinted by the House, as follows:

1. Page 34, line 19, by striking the word "It" and inserting in lieu thereof the words "a. It".

2. Page 34, by inserting after line 25 the following:

"b. The department of social services shall not discharge or lay off an employee, under circumstances involving no fault or delinquency on the part of the employee, with intent that work which that employee has been performing shall instead be obtained by contract with a nonstate entity, at the time the employee is discharged or laid off or at any time thereafter, unless the department has first complied with the requirements of this paragraph.

(1) Before discharging or laying off employees under the circumstances described in this paragraph, the department shall certify in writing to the chairpersons of the standing committees on human resources of the senate and house of representatives that the discharge or lay off of those employees will enable the department to deliver services of at least as high a quality as those performed by the employees being discharged or laid off, while effecting a net saving in the cost of those services.

(2) Employees shall not be discharged or laid off, under the circumstances described in this paragraph, with less than ninety days notice of intent to take such action.

c. It is the intent of the general assembly that any individual who is or formerly was an employee of the department of social services, and who has been or has received notice that he or she will be discharged or laid off under the circumstances described in paragraph b of this subsection, shall have five points added to the grade or score attained in qualifying examinations for appointment to jobs classified under the merit employment system of this state, any provisions of chapter nineteen A (19A) of the Code or of any other statute to the contrary notwithstanding."

S-5883 FILED
APRIL 24, 1980

BY SUE YENGER
ROBERT M. CARR

RULED OUT OF ORDER (p. 1670)

HOUSE FILE 2580

S-5881

1 Amend the amendment S-5821 to House File 2580 as
2 amended, passed, and reprinted by the House, as
3 follows:

4 1. Page 1, by striking line 5 through page 5,
5 line 27 and inserting in lieu thereof the following:

6 "Section 1. There is appropriated from the general
7 fund of the state for the fiscal year beginning July
8 1, 1980 and ending June 30, 1981, to the state
9 comptroller the sum of two million two hundred thousand
10 (2,200,000) dollars, or so much thereof as is
11 necessary, for reclassification and upgrading of the
12 pay plan for all state employees who are included
13 in the state comptroller's centralized payroll system
14 and state department of transportation payroll system
15 in order that salary levels paid by the state remain
16 competitive.

17 Sec. 2. There is appropriated from the general
18 fund of the state to the state board of regents for
19 the fiscal year beginning July 1, 1980 and ending
20 June 30, 1981, the sum of one million five hundred
21 fifty thousand (1,550,000) dollars, or so much thereof
22 as is necessary, for the purpose of reclassification
23 or upgrading of positions of personnel employed at
24 institutions under the control of the state board
25 of regents in order that salary levels paid by the
26 state board of regents will be comparable or
27 competitive with salary levels paid by similar
28 institutions to those under the control of the state
29 board of regents.

30 Sec. 3. There is appropriated from the general
31 fund of the state for the fiscal year beginning July
32 1, 1980 and ending June 30, 1981 to the state
33 comptroller the sum of four hundred fifty thousand
34 (450,000) dollars, or so much thereof as is necessary,
35 for allocation as additional general state financial
36 aid for supplementary adjustment purposes of merged
37 area school personnel in order that salary levels
38 paid by the merged area schools will be comparable
39 or competitive with salary levels paid by similar
40 institutions or schools."

41 2. Renumber as required by the amendment to the
42 amendment.

S-5881 FILED

BY LUCAS J. DE KOSTER

APRIL 24, 1980

WITHDRAWN (p. 1663)

SENATE 8
APRIL 25, 1980

HOUSE FILE 2580

S-5878

Amend House File 2580 as amended, passed and re-
printed by the House as follows:
1. Page 5, line 1, by striking the figure "\$540,943"
and inserting in lieu thereof the figures "~~\$540,943~~ 547,943"

S-5878 FILED
APRIL 24, 1980
ADOPTED (p. 1220)

BY JULIA B. GENTLEMAN
DAVID READINGER

HOUSE FILE 2580

S-5880

Amend House File 2580, as amended, passed and
reprinted by the House, as follows:
1. Page 4, by inserting after line 25 the
following:
"Sec. ____ . Acts of the Sixty-eighth General
Assembly, 1979 Session, chapter nine (9) section
one (1), is amended by adding the following new
subsection:
5. For the older
Iowans model legis-
lature \$ \$ 14,000"

S-5880 FILED
APRIL 24, 1980

BY BASS VAN GILST

LOST (p. 1664)
Recommended. Adopted 4/24 (p. 1679)

HOUSE FILE 2580

S-5884

Amend House File 2580 as amended, passed, and
reprinted by the House as follows:
1. Page 11, line 11 by striking the word
"\$200,000" and inserting in lieu thereof "\$125,000".
2. Page 22, by inserting after line 34 the
following:
"Sec. ____ . Acts of the Sixty-eighth General
Assembly, 1979 Session, chapter three (3), section
three (3), subsection one (1), paragraph c, is amended
to read as follows:
c. For rural community
development, including not
more than ten thousand
(10,000) dollars to be
expended for administration
expenses, pursuant to chapter
three hundred eighty-seven
(387) of the Code.....\$250,000 \$75,000"

S-5884 FILED & LOST
APRIL 24, 1980 (p. 1263)

BY JOHN R. SCOTT

S-5867

- 1 Amend House File 2580, as amended, passed and
 2 reprinted by the House, as follows:
 3 1. Page 35, by inserting after line 28 the
 4 following:
 5 "Sec. _____. Acts of the Sixty-eighth General
 6 Assembly, 1979 Session, chapter eight (8), is amended
 7 by adding the following section:
 8 SEC. 31. It is the intent of the general assembly
 9 that the monthly personal needs allowance for Title
 10 XIX recipients residing in intermediate care facilities
 11 be raised from twenty-five dollars per month to thirty
 12 dollars per month for the fiscal year beginning July
 13 1, 1980 and ending June 30, 1981."

S-5867 FILED & LOST BY TOM SLATER
 APRIL 24, 1980 (p. 1671)

S-5868

HOUSE FILE 2580

- 1 Amend House File 2580, as amended, passed and
 2 reprinted by the House, as follows:
 3 1. Page 6, by inserting after line 34 the fol-
 4 lowing:
 5 "Sec. _____. Acts of the Sixty-eighth General As-
 6 sembly, 1979 Session, chapter nine (9), section four
 7 (4), subsection two (2), paragraph a, is amended to
 8 read as follows:
 9 a. Health facilities
 10 service.
 11 For salaries and sup-
 12 port of not more than
 13 sixty-eight point four
 14 full-time equivalent
 15 positions annually,
 16 maintenance and mis-
 17 cellaneous purposes \$ 554,102 \$ 548,903
 18 713,903"

S-5868 FILED & LOST BY BOB CARR
 APRIL 24, 1980 (p. 1661)

HOUSE FILE 2580

S-5869

- 1 Amend House File 2580 as amended, passed and
 2 reprinted by the House, as follows:
 3 1. Page 34, line 18, by striking the figure
 4 "2,200,000" and inserting in lieu thereof the figure
 5 "2,400,000".

S-5869 FILED & LOST (p. 1670) BY CHARLES P. MILLER
 APRIL 24, 1980

HOUSE FILE 2580

S-5871

- 1 Amend House File 2580 as amended, passed and re-
 2 printed by the House as follows:
 3 1. Page 40, line 13, by inserting after the word
 4 "needs" the words "which include a determination by
 5 a medical practitioner that a need exists for new eye-
 6 glasses and that the eyeglasses have been damaged,
 7 broken, or lost".

S-5871 FILED BY BOB RUSH
 APRIL 24, 1980
 WITHDRAWN (p. 1669)

SENATE 7
APRIL 25, 1980

HOUSE FILE 2580

S-5874

Amend House File 2580, as amended, passed and
2 reprinted by the House, as follows:
3 1. Page 37, by inserting after line 5 the
4 following:
5 "NEW SECTION. It is the intent of the general
6 assembly that the department proceed with the
7 systematic phase down of the state mental health
8 institute at Clarinda to be completed by November
9 1, 1980. The department shall make reasonable efforts
10 to identify other sources of mental health services
11 to individuals who would have been served at Clarinda."

S-5874 FILED BY CHARLES MILLER
APRIL 24, 1980
WITHDRAWN (p. 1625)

HOUSE FILE 2580

S-5875

1 Amend House File 2580 as amended, passed and re-
2 printed by the House as follows:
3 1. Page 39, line 32, by striking the word "shall"
4 and inserting in lieu thereof the word "may".

S-5875 FILED BY C. JOSEPH COLEMAN
APRIL 24, 1980
WITHDRAWN (p. 1665)

HOUSE FILE 2580

S-5876

1 Amend the Committee on Appropriations amendment
2 S-5821 to House File 2580 as amended, passed, and
3 reprinted by the House as follows:
4 1. Page 8, by striking lines 21 through 24.

S-5876 FILED BY C. JOSEPH COLEMAN
APRIL 24, 1980
RULED OUT OF ORDER (p. 1648)

HOUSE FILE 2580

S-5877

1 Amend House File 2580, as amended, passed and
2 reprinted by the House, as follows:
3 1. Page 38, by striking lines 3 through 24.

S-5877 FILED BY JOANN ORR
APRIL 24, 1980
LOST (p. 1672)

HOUSE FILE 2580

S-5870

1 Amend House File 2580, as amended, passed and
2 reprinted by the House, as follows:
3 1. Page 27, by inserting after line 9 the
4 following:
5 "Sec. _____. Acts of the Sixty-eighth General
6 Assembly, 1979 Session, chapter eight (8), section
7 three (3), subsection four (4), is amended to read
8 as follows:
9 4. For operation
10 of the Iowa veterans
11 home, including salaries
12 and support, mainte-
13 nance and miscellaneous
14 purposes \$10,400,000 ~~\$10,600,000~~
15 10,750,000".
S-5870 FILED & LOST BY C. W. HUTCHINS
APRIL 24, 1980 (p. 1668)

HOUSE FILE 2580

S-5872

1 Amend House File 2580 as amended, passed and
2 reprinted by the House as follows:
3 1. Page 40, by striking line 24.

S-5872 FILED BY BOB RUSH
APRIL 24, 1980
WITHDRAWN (p. 1669)

HOUSE FILE 2580

S-5873

1 Amend House File 2580 as amended, passed and
2 reprinted by the House as follows:
3 1. Page 40, lines 6 and 7 by striking the words
4 "podiatry treatments,".

S-5873 FILED BY BOB RUSH
APRIL 24, 1980
WITHDRAWN (p. 1669)

HOUSE FILE 2580

S-5859

1 Amend House File 2580, as amended, passed and
2 reprinted by the House, as follows:
3 1. Page 37, by inserting after line 11 the
4 following:
5 "NEW SECTION. The department shall revert to the
6 general fund by June 30, 1981 not less than four
7 million eight hundred thousand (4,800,000) dollars
8 as a result of a department employee hiring freeze,
9 increased employee vacancy factor and reductions in
10 travel and support services."

S-5859 FILED & LOST BY TOM SLATER
APRIL 24, 1980 (p. 1671)

HOUSE FILE 2580

S-5864

1 Amend House File 2580, as amended, passed and re-
2 printed by the Senate, as follows:

3 1. Page 4, by inserting after line 10 the
4 following:

5 "Sec. 9. Section two hundred eighty-three A point
6 one (283A.1), Code 1979, is amended by adding the
7 following new subsection:

8 NEW SUBSECTION. "School breakfast program" means
9 a program under which breakfasts are served by a
10 public school on a nonprofit basis to children in
11 attendance, including a program that receives federal
12 financial assistance. The breakfast must comply with
13 federal regulations.

14 Sec. 10. Section two hundred eighty-three A point
15 two (283A.2), Code 1979, is amended to read as follows:

16 283A.2 SCHOOL BOARDS LUNCH AND BREAKFAST PROGRAMS-
17 -RULES. School-boards-shall-have-power-to-operate
18 or-provide-for-the-operation-of-school-lunch-programs
19 in-schools-under-their-jurisdiction, and may use
20 therefor funds disbursed to them under the provisions
21 of this chapter, gifts, funds received from sale of
22 school lunches under such programs, and any other
23 funds legally available.

24 All-school School districts shall operate or provide
25 for the operation of school lunch programs at all
26 public schools in each district, which. School
27 districts shall operate or provide for the operation
28 of school breakfast programs in those public schools
29 in the district where the number of free or reduced
30 price school lunches served during the second preceding
31 school year was forty percent or more of the total
32 school lunches served during the school year. However,
33 a school district is not required to operate or provide
34 for a school breakfast program if another agency in
35 the school district provides a school breakfast program
36 which substantially complies with departmental and
37 federal rules and is available to students as provided
38 in this section. The programs shall be operated in
39 compliance with the rules of the department of public
40 instruction and pertinent federal rules, for all and
41 shall be available to students in each district who
42 attend public school four or more hours each school
43 day and wish to participate in a the school breakfast
44 program or school lunch program, and school or both.
45 School districts may provide such programs for other
46 students. School boards may use for this purpose
47 funds disbursed to them under this chapter, gifts,
48 funds from the sale of school breakfasts and lunches
49 and other funds legally available for school lunch
50 and breakfast programs.

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1 Sec. 11. Section two hundred eighty-three A point
2 three (283A.3), Code 1979, is amended to read as
3 follows:

4 283A.3 EXPENDITURE OF FEDERAL FUNDS. The
5 superintendent of public instruction ~~is hereby~~
6 ~~authorized to~~ may accept and direct the disbursement
7 of funds appropriated by any Act of Congress and
8 ~~appropriated allocated~~ to the state of Iowa for use
9 in connection with school breakfast programs or school
10 lunch programs. The superintendent of public
11 instruction shall deposit ~~all such~~ federal funds
12 received with the treasurer of the state of Iowa,
13 who shall make disbursements therefrom upon the
14 direction of the superintendent of public instruction.

15 Sec. 12. Section two hundred eighty-three A point
16 four (283A.4), Code 1979, is amended to read as
17 follows:

18 283A.4 ADMINISTRATION OF PROGRAM. The
19 superintendent of public instruction may enter into
20 such agreements with ~~any an~~ agency of the federal
21 government, ~~with any a~~ school board, or ~~with any other~~
22 agency or person, prescribe ~~such regulations~~ rules,
23 employ ~~such~~ personnel, and take ~~such other~~ action
24 as he ~~may deem~~ deemed necessary to provide for the
25 establishment, maintenance, operation, and expansion
26 of ~~any a~~ a school breakfast or school lunch program,
27 and to direct the disbursement of federal and state
28 funds, in accordance with ~~any~~ applicable provisions
29 of federal or state law. The superintendent of public
30 instruction may give technical advice and assistance
31 to ~~any a~~ school board in connection with the
32 establishment and operation of ~~any a~~ a school breakfast
33 or school lunch program and may assist in training
34 ~~such~~ personnel engaged in the operation of ~~such the~~
35 program. The superintendent of public instruction
36 and any school board may accept any gift for use in
37 connection with ~~any a~~ a school breakfast or school lunch
38 program.

39 Sec. 13. Section two hundred eighty-three A point
40 five (283A.5), Code 1979, is amended to read as
41 follows:

42 283A.5 ACCOUNTS, RECORDS, REPORTS, AND OPERATIONS.
43 The superintendent of public instruction shall
44 prescribe ~~regulations~~ rules for the keeping of accounts
45 and records and the making of reports by or under
46 the supervision of school boards. ~~Such The~~ accounts
47 and records shall at all times be available for
48 inspection and audit by authorized officials and shall
49 be preserved for ~~such a~~ period of time, not in excess
50 of five years, as the superintendent of public

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1 instruction may lawfully prescribe. The superintendent
2 of public instruction shall conduct or cause to be
3 conducted ~~such~~ audits and inspections with respect
4 to school breakfast programs and school lunch programs
5 as ~~may-be~~ necessary to determine whether ~~its-agreement~~
6 agreements with school boards and ~~regulations~~ rules
7 made pursuant to this chapter are being complied with,
8 and to insure that school breakfast and school lunch
9 programs are effectively administered.

10 Sec. 14. Section two hundred eighty-three A point
11 eight (283A.8), Code 1979, is amended to read as
12 follows:

13 283A.8 USE OF SCHOOL BREAKFAST AND LUNCH FACILITIES
14 BY SENIOR CITIZENS. Boards of directors of school
15 corporations may authorize the use by senior citizen
16 organizations of school breakfast and lunch facilities
17 subject to reasonable rules ~~and-regulations~~ of the
18 board. ~~Such~~ The use shall not interfere with the
19 use of the facilities for public school purposes.
20 The board may charge for such use an amount not to
21 exceed the cost to the district.

22 Sec. 15. Section two hundred eighty-three A point
23 nine (283A.9), Code 1979, is amended to read as
24 follows:

25 283A.9. BUILDING FOR SCHOOL LUNCH FACILITY. School
26 districts ~~are-authorized-to~~ may purchase, erect, or
27 otherwise acquire a building for use as a school
28 breakfast or lunch facility, and-to equip ~~such-a~~ the
29 building for such use, and may pay for ~~same~~ the
30 building from unencumbered funds on hand in the
31 schoolhouse fund derived from taxes voted under
32 authority of sections 278.1, subsection 7, or 275.32,
33 subject to the terms of this section, or ~~may-pay-for~~
34 ~~same~~ from the proceeds of the sale of school property
35 sold under section 297.22, or from surplus remaining
36 in the schoolhouse fund after retirement of a bond
37 issue, or from a tax voted for said purposes.

38 Sec. 16. Section two hundred eighty-three A point
39 ten (283A.10), Code 1979, is amended to read as
40 follows:

41 283A.10 SCHOOL BREAKFAST AND LUNCH IN NONPUBLIC
42 SCHOOLS. The authorities in charge of nonpublic
43 schools may operate or provide for the operation of
44 school breakfast and lunch programs in schools under
45 their jurisdiction and may use funds appropriated
46 to them by the general assembly, gifts, funds received
47 from sale of school breakfasts and lunches under such
48 programs, and any other funds available to the
49 nonpublic school. However, school breakfast and lunch
50 programs shall-not-be are not required in nonpublic

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PAGE 4

1 schools. The department of public instruction shall
2 direct the disbursement of state funds to nonpublic
3 schools for school breakfast and lunch programs in
4 the same manner as state funds are disbursed to public
5 schools.

6 Sec. 17. Sections nine (9) through sixteen (16)
7 of this Act are effective January 1, 1981 for the
8 school year beginning July 1, 1981."

9 2. Renumber sections and correct internal
10 references as necessary.

11 3. Amend the first page of the title, line 6,
12 by inserting after the word "grants;" the words "the
13 department of public instruction;".

S-5864 FILED & LOST BY JOANN ORR
APRIL 24, 1980 (p. 1659) HOUSE FILE 2580

S-5862

1 Amend amendment S-5821 to House File 2580, as
2 amended passed, and reprinted by the Senate, as
3 follows:

4 1. Page 8, by inserting after line 24 the
5 following:

6 "____. Page 3, by inserting after line 27 the
7 following section:

8 "Sec. ____ Acts of the Sixty-eighth General
9 Assembly, 1979 Session, chapter thirteen (13), section
10 seven (7), subsection twelve (12) is amended to read
11 as follows:

12 12. PROGRAMS FOR GIFTED
13 AND TALENTED CHILDREN.

14 a. For programs for gifted
15 and talented children approved by
16 the department under section four
17 hundred forty-two point thirty-
18 four (442.34) of the Code \$

\$ 100,000

19 b. For support services for
20 programs for gifted and talented
21 children approved by the department
22 under section four hundred forty-two
23 point thirty-four (442.34) of the
24 Code \$

\$ 31,000

25 If federal funds become available
26 for the purpose for which funds are
27 appropriated by this paragraph, the
28 appropriation in this paragraph shall
29 be reduced by the amount of federal
30 funds received and the amount the
31 appropriation is reduced shall revert
32 to the general fund of the state."

S-5862 FILED BY TOM SLATER
APRIL 24, 1980
WITHDRAWN (p. 1649)

HOUSE FILE 2580

S-5863

Amend House File 2580 as amended, passed and reprinted by the house, as follows:

1. Page 33, line 20, by striking the figure "6,520,000" and inserting in lieu thereof the following:

"\$ 6,520,000
6,920,000"

2. Page 33, line 25, by striking the words "and fifty-cents" and inserting in lieu thereof the words "and fifty cents".

S-5863 FILED

BY TOM SLATER

APRIL 24, 1980

WITHDRAWN (p. 1664)

HOUSE FILE 2580

S-5865

Amend House File 2580 as amended, passed and reprinted by the house, as follows:

1. Page 34, line 18, by striking the figure "2,200,000" and inserting in lieu thereof the figure "2,800,000".

S-5865 FILED

BY TOM SLATER

APRIL 24, 1980

WITHDRAWN (p. 1664)

HOUSE FILE 2580

S-5866

Amend House File 2580, as amended, passed and reprinted by the House, as follows:

34. Page 39, by inserting after line 31 the following:

"Sec. ____ . Acts of the Sixty-eighth General Assembly, 1979 Session, chapter eight (8), section five (5), is amended by striking subsection fourteen (14)."

S-5866 FILED

BY TOM SLATER

APRIL 24, 1980

WITHDRAWN (p. 1672)

HOUSE FILE 2580

S-5860

1 Amend the amendment S-5821 to House File 2580 as
2 amended, passed, and reprinted by the House, as
3 follows:
4 1. Page 1, by striking line 1 through page 5,
5 line 27 and inserting in lieu thereof the following:
6 "Section 1. There is appropriated from the general
7 fund of the state for the fiscal year beginning July
8 1, 1980 and ending June 30, 1981, to the state
9 comptroller the sum of two million two hundred thousand
10 (2,200,000) dollars, or so much thereof as is
11 necessary, for reclassification and upgrading of the
12 pay plan for all state employees who are included
13 in the state comptroller's centralized payroll system
14 and state department of transportation payroll system
15 in order that salary levels paid by the state remain
16 competitive.
17 Sec. 2. There is appropriated from the general
18 fund of the state to the state board of regents for
19 the fiscal year beginning July 1, 1980 and ending
20 June 30, 1981, the sum of one million five hundred
21 fifty thousand (1,550,000) dollars, or so much thereof
22 as is necessary, for the purpose of reclassification
23 or upgrading of positions of personnel employed at
24 institutions under the control of the state board
25 of regents in order that salary levels paid by the
26 state board of regents will be comparable or
27 competitive with salary levels paid by similar
28 institutions to those under the control of the state
29 board of regents.
30 Sec. 3. There is appropriated from the general
31 fund of the state for the fiscal year beginning July
32 1, 1980 and ending June 30, 1981 to the state
33 comptroller the sum of four hundred fifty thousand
34 (450,000) dollars, or so much thereof as is necessary,
35 for allocation as additional general state financial
36 aid for supplementary adjustment purposes of merged
37 area school personnel in order that salary levels
38 paid by the merged area schools will be comparable
39 or competitive with salary levels paid by similar
40 institutions or schools."
41 2. Renumber as required by the amendment to the
42 amendment.

S-5860 FILED
APRIL 24, 1980
WITHDRAWN (p. 1663)

BY LUCAS J. DE KOSTER

S-5852 HOUSE FILE 2580

- 1 Amend House File 2580 as amended, passed and
- 2 reprinted by the House, as follows:
- 3 1. Page 40, by striking lines 6 and 7.

S-5852 FILED

BY BOB RUSH

APRIL 24, 1980

WITHDRAWN (p. 1669)

HOUSE FILE 2580

S-5853

- 1 Amend House File 2580 and amended, passed and
- 2 reprinted by the House, as follows:
- 3 1. Page 15, by inserting after line 9 the
- 4 following:
- 5 "It is the further intent of the general assembly
- 6 that all state liquor stores in operation as of
- 7 March 1, 1980 shall continue in operation. If there
- 8 is more than one liquor store in a city only one must
- 9 continue in operation. Hours of operation of each
- 10 store shall remain substantially the same."

S-5853 FILED & ADOPTED BY C. W. HUTCHINS

APRIL 24, 1980 (p. 1665)

HOUSE FILE 2580

S-5857

- 1 Amend House File 2580, as amended, passed and
- 2 reprinted by the House, as follows:
- 3 1. Page 7, by striking line 21 and inserting in
- 4 lieu thereof the following:
- 5 "\$ 995,373
- 6 Of the appropriation for the 1980-1981 fiscal year
- 7 the sum of one hundred thousand (100,000) dollars
- 8 is allocated for family planning and the sum of
- 9 fourteen thousand (14,000) dollars is allocated for
- 10 genetic counseling."

S-5857 FILED

BY TOM SLATER

APRIL 24, 1980

PATRICK J. DELUHERY

WITHDRAWN (p. 1661)

HOUSE FILE 2580

S-5858

- 1 Amend House File 2580 as amended, passed and re-
- 2 printed by the House as follows:
- 3 1. Page 12, by inserting after line 20 the following
- 4 new section:
- 5 "Sec. ____ . There is appropriated from the general
- 6 fund of the state to the Iowa state university of
- 7 science and technology agricultural experiment station
- 8 for the fiscal year beginning July 1, 1980 and ending
- 9 June 30, 1981, the sum of twenty-five thousand (25,000)
- 10 dollars, or so much thereof as may be necessary, to
- 11 be used by the university to continue the study and
- 12 research of grain grading and moisture testing in Iowa.
- 13 Such study and research shall include but is not
- 14 limited to the effects on grain grading, testing of
- 15 weight shrinkage factors, price discounts, grain
- 16 product quality, moisture meters and present harvest
- 17 and grain handling techniques."

S-5858 FILED

BY BERL E. PRIEBE

APRIL 24, 1980

RULED OUT OF ORDER (p. 1662)

HOUSE FILE 2580

S-5856

1 Amend House File 2580 as amended, passed and
2 reprinted by the House as follows:

3 1. Page 39, by inserting after line 31 the follow-
4 ing:

5 "Sec. _____. Section five hundred nine point one
6 (509.1), subsection one (1), Code 1979, is amended
7 by adding the following new lettered paragraph:
8 NEW LETTERED PARAGRAPH. The policy shall not
9 exclude from coverage an employee or an employee's
10 spouse or dependents on the basis of the eligibility
11 of the employee or the employee's spouse or dependents
12 for medical assistance under chapter two hundred forty-
13 nine A (249A) of the Code.

14 Sec. _____. Section five hundred nine point one
15 (509.1), subsection four (4), Code 1979, is amended
16 by adding the following new lettered paragraph:

17 NEW LETTERED PARAGRAPH. The policy shall not
18 exclude from coverage a member or a member's spouse
19 or dependents on the basis of the eligibility of the
20 member or the member's spouse or dependents for medical
21 assistance under chapter two hundred forty-nine A
22 (249A) of the Code.

23 Sec. _____. Section five hundred nine point one
24 (509.1), subsection five (5), Code 1979, is amended
25 by adding the following new lettered paragraph:

26 NEW LETTERED PARAGRAPH. The policy shall not
27 exclude from coverage an employee or member or an
28 employee's or member's spouse or dependents on the
29 basis of the eligibility of the employee or member
30 or employee's or member's spouse or dependents for
31 medical assistance under chapter two hundred forty-
32 nine A (249A) of the Code.

33 Sec. _____. Section five hundred nine point one
34 (509.1), subsection six (6), Code 1979, is amended
35 by adding the following new lettered paragraph:

36 NEW LETTERED PARAGRAPH. The policy shall not
37 exclude from coverage an employee or an employee's
38 spouse or dependents on the basis of the eligibility
39 of the employee or the employee's spouse or dependents
40 for medical assistance under chapter two hundred
41 forty-nine A (249A) of the Code. This paragraph shall
42 also apply to corporations operating within the state
43 who provide insurance coverage for their employees
44 directly, and the commissioner shall have the authority
45 to enforce the provisions of this paragraph."

46 2. By renumbering sections.

S-5856 FILED
APRIL 24, 1980
ADOPTED (p. 1672)

BY LUCAS J. DE KOSTER

S-5847

1 Amend House File 2580 as amended, passed and reprinted
2 by the House as follows:

3 1. Page 6, by striking lines 10 through 27 and inserting
4 in lieu thereof the following:

5 "The Iowa mental health authority shall cooperate with
6 the mental health commission in preparations to implement
7 sections seventy-one (71) through ninety-seven (97) of
8 this Act."

9 2. Page 6, line 34, by striking the figure "50,000"
10 and inserting in lieu thereof the figure "41,000".

11 3. Page 6, by inserting after line 34 the following:

12 "Sec. _____. Acts of the sixty-eighth General Assembly,
13 1979 Session, chapter nine (9), section three (3), is
14 amended by adding the following new subsection:

15 NEW SUBSECTION. MENTAL HEALTH COMMISSION

16 For per diem and expenses of members,
17 and other expenses necessary in carrying out
18 its duties under Acts of the Sixty-eighth
19 General Assembly, 1980 Session, House File 2580,
20 sections seventy-one (71) through ninety-seven (97) \$ 9,000 "

21 4. Page 29, by striking line 32 and inserting in lieu
22 thereof the words "adding the following new subsections:

23 NEW SUBSECTION. The division of mental health resources
24 shall cooperate with the mental health commission in
25 preparations to implement sections seventy-one (71) through
26 ninety-seven (97) of this Act."

27 5. Page 40, by inserting after line 33 the follow-
28 ing:

29 "Sec. 71. NEW SECTION. FINDINGS AND PURPOSE. The
30 general assembly finds that community-based care, provided
31 in many parts of the state by highly autonomous community
32 mental health centers working cooperatively with state
33 mental health institutes, is meeting most mental health
34 needs of those Iowans to whom this care is available.
35 However, the general assembly recognizes that there are
36 some persons unserved or underserved and that heavy reliance
37 on property tax funding for mental health services has
38 restricted uniform availability of this care. Consequently,
39 greater efforts should be made to assure close coordination
40 and continuity of care for those individuals receiving
41 publicly supported mental health services in Iowa. It
42 is the purpose of sections seventy-one (71) through ninety-
43 seven (97) of this Act to continue and to strengthen the
44 mental health services now available in the state of Iowa,
45 to make these services conveniently available to all persons
46 in this state upon a reasonably uniform financial basis,
47 regardless of race, creed, national origin, handicap, age
48 or sex, and to assure the continued high quality of these
49 services.

50 Sec. 72. NEW SECTION. DEFINITIONS. As used in seventy-

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1 one (71) through ninety-seven (97) of this Act:

2 1. "Department" means the department of mental health.

3 2. "Commission" means the mental health commission.

4 3. "Director" means the director of mental health.

5 4. "Comprehensive services" means the mental health
6 services delineated by United States Public Law 94-63,
7 as amended to January 1, 1980.

8 5. "Autistic persons" means individuals, regardless
9 of age, with severe communication and behavior disorders
10 that become manifest during the early stages of childhood
11 development and that are characterized by a severely
12 disabled inability to understand, communicate, learn and
13 participate in social relationships. "Autistic persons"
14 includes but is not limited to those individuals afflicted
15 by infantile autism, profound aphasia and childhood
16 psychosis.

17 Sec. 73. NEW SECTION. DEPARTMENT ESTABLISHED.

18 1. A department of mental health is established to
19 administer or coordinate programs established by or
20 authorized under the laws of this state for the benefit
21 of persons affected by mental illness and for the
22 enhancement of mental health. The department is headed
23 by the director of mental health, and its offices shall
24 be located at the seat of government, except that the
25 offices of the research and education division may be
26 located elsewhere at the discretion of the commission.
27 The state mental health institutes established by chapter
28 two hundred twenty-six (226) of the Code are a part of
29 the department.

30 2. The department shall maintain the following major
31 functional divisions:

32 a. The administrative division.

33 b. The standards and accreditation division.

34 c. The community services division.

35 d. The planning and evaluation division.

36 e. The research and education division.

37 3. The department is designated the Iowa mental health
38 authority for the purpose of directing the benefits of
39 United States Pub. L. No. 79-487, 60 Stat. L. 538 (1946)
40 and amendments thereto.

41 Sec. 74. NEW SECTION. STATE MENTAL HEALTH COMMISSION.

42 1. The policy-making body for the department is the
43 mental health commission, consisting of eleven members
44 appointed by the governor with approval of two-thirds of
45 the members of the senate. Commission members shall be
46 appointed on the basis of interest and experience in the
47 field of mental health, and in a manner so that, if
48 possible, the composition of the commission will comply
49 with the pertinent requirements of United States Pub. L.
50 No. 94-63 relative to a state mental health advisory

1 council. At least one voting member of the commission
2 shall be a member of a county board of supervisors at the
3 time of his or her appointment to the commission, and shall
4 be appointed from a list of nominees submitted by the Iowa
5 state association of counties.

6 2. Either three or four members, whichever is
7 appropriate, shall be appointed to the commission prior
8 to July first of each year for terms of three years
9 beginning July first of that year. However, of the initial
10 appointees to the commission, the governor shall designate
11 three to serve terms ending June thirtieth of the second
12 succeeding year, four to serve terms ending June thirtieth
13 of the third succeeding year, and four to serve terms
14 ending June thirtieth of the fourth succeeding year after
15 the year in which this section takes effect. Vacancies
16 on the commission shall be filled by appointment by the
17 governor. An appointment to fill a vacancy occurring when
18 the general assembly is not in session expires thirty days
19 after the convening of the next regular session; an
20 appointment to fill a vacancy occurring during a session
21 of the general assembly is for the balance of the unexpired
22 term and is subject to approval of two-thirds of the members
23 of the senate. No member shall be appointed for more than
24 two consecutive three-year terms.

25 3. Members of the commission shall qualify by taking
26 the oath of office prescribed by law for state officers.
27 At its first meeting after July first of each year, the
28 commission shall organize by electing a chairperson and
29 a vice chairperson for terms of two years. Commission
30 members are entitled to forty dollars per diem and
31 reimbursement for actual and necessary expenses incurred
32 while engaged in their official duties, to be paid from
33 funds appropriated to the department.

34 Sec. 75. NEW SECTION. POWERS AND DUTIES OF COMMISSION.
35 The mental health commission shall:

36 1. Advise the governor upon the appointment of, and
37 when its members deem it appropriate, upon the retention
38 or discharge of, the director of mental health.

39 2. Review and adopt a comprehensive state plan for
40 delivery of mental health services, and advise the director
41 on administration of the plan.

42 3. Approve the budget of the department before it is
43 submitted to the governor.

44 4. Approve rules recommended by the director and promul-
45 gate such rules in accordance with chapter seventeen A
46 (17A) of the Code.

47 5. Encourage, foster and facilitate coordination of
48 services with the objective of developing and maintaining
49 in the state a mental health service delivery system to
50 provide comprehensive mental health services to persons

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1 in this state, regardless of their place of residence,
2 handicap or economic circumstances.

3 6. Approve the director's recommendation to establish
4 or change as necessary, after at least ninety days notice,
5 the boundaries of mental health service regions within
6 the state. Each county and each city included within the
7 boundaries of any region which it is proposed to establish
8 or revise shall be given the opportunity to send a
9 representative to a hearing on the proposed regional
10 boundary, and the commission shall consider the views
11 expressed at the hearing before establishing or revising
12 the boundary.

13 7. Advise the director on administration of the state
14 mental health institutes established under chapter two
15 hundred twenty-six (226) of the Code.

16 8. Review and approve standards for accreditation of
17 community mental health centers and comprehensive community
18 mental health programs recommended under section two hundred
19 thirty A point sixteen (230A.16) of the Code.

20 9. Review and approve standards for the accreditation
21 of mental health programs at county care facilities.

22 10. Act as the sole state agency to allocate state,
23 federal and private funds for mental health programs and
24 services which are appropriated, granted to or solicited
25 by the department.

26 11. At least annually, submit to the governor and the
27 general assembly:

28 a. A report concerning the activities of the commission
29 and the department.

30 b. Recommendations formulated by the commission, or
31 recommended by the director and endorsed by the commission,
32 for changes in law which are believed desirable.

33 c. Beginning not later than three years after the
34 department commences operation, an evaluation of:

35 (1) The extent to which comprehensive mental health
36 services are actually available to persons in each county
37 in the state.

38 (2) The cost effectiveness of the services being
39 provided by each of the state mental health institutes
40 established under chapter two hundred twenty-six (226)
41 of the Code, and the cost effectiveness of programs carried
42 out by providers receiving money, directly or indirectly,
43 from the state community mental health services fund
44 established under section eighty-four (84) of this Act.

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1 12. Have authority to investigate any aspect of
2 the department's performance of the functions and
3 duties assigned it by law, and for this purpose shall
4 have access at any time to all books, papers, documents
5 and records of the department.

6 Sec. 76. NEW SECTION. DIRECTOR OF MENTAL HEALTH.

7 The director of mental health is appointed by the
8 governor with the advice of the commission and the
9 approval of two-thirds of the members of the senate.
10 The director serves at the pleasure of the governor,
11 but the commission may at any time advise the governor
12 that in the opinion of a majority of its members the
13 director should be retained or discharged. The
14 director shall be selected on the basis of professional
15 qualifications, experience in the mental health field,
16 and administrative ability. In selecting the director
17 no consideration shall be given to political
18 affiliation, and the director shall not engage in
19 political activity during working hours while holding
20 that office. When it is necessary to appoint a
21 director, the governor shall consult with the
22 commission regarding the qualifications for the
23 position which the commission deems important at that
24 time. After suitably narrowing the field of potential
25 appointees, the governor shall obtain the
26 recommendation of the commission as to the individual
27 to be appointed. The governor shall consider, but
28 is not bound by, the recommendation of the commission.

29 Sec. 77. NEW SECTION. POWERS AND DUTIES OF
30 DIRECTOR. The director of mental health shall:

31 1. Seek to achieve the purpose stated in section
32 seventy-one (71) of this Act, and to that end the
33 director is delegated all necessary powers not
34 inconsistent with law.

35 2. Formulate a comprehensive state plan for the
36 delivery of mental health services and administer
37 the plan, following its approval by the commission.

38 3. Establish and administer procedures for the
39 department.

40 4. Oversee administration of the state mental
41 health institutes established under chapter two hundred
42 twenty-six (226) of the Code with the advice of the
43 commission, so as to insure that the purposes of the
44 state institutions for the care and treatment of
45 mentally ill individuals are carried into effect.

46 5. Establish and supervise standards of treatment
47 and care of patients in all state, public and private
48 institutions for the care and treatment of mentally
49 ill individuals.

50 6. Establish the qualifications of all officers,

1 physicians, nurses, attendants and other employees
2 of the department responsible for the care and
3 treatment of patients.

4 7. With the advice and approval of the commission
5 and of the council on social services, formulate,
6 establish, adopt, supervise, and revise standards
7 for care of and services to mentally ill persons
8 residing in county care facilities.

9 8. With the advice and approval of the commission,
10 formulate, establish, adopt, supervise and revise
11 accreditation standards for community mental health
12 centers and comprehensive mental health programs.

13 9. Enforce the standards for care of and services
14 to mentally ill persons in county care facilities
15 and community mental health programs.

16 10. Act as compact administrator with power to
17 effectuate the purposes of and make necessary rules
18 to implement interstate compacts on mental health.

19 11. Prepare a budget for the department, and any
20 reports required by law or requested by the commission.

21 12. When authorized by the commission, appoint
22 professional consultants, who shall be paid from funds
23 appropriated to the department, to advise the
24 commission or the department on any manner pertaining
25 to mental health.

26 13. Respond to comments and complaints from the
27 public; professionals, and employees of the department
28 regarding the quality and availability of mental
29 health services, and report regularly to the commission
30 on these matters.

31 14. With approval of the commission, accept gifts,
32 grants, devises or bequests from any source, including
33 the federal government, and exercise powers necessary
34 to preserve the property so acquired and to make use
35 of the property for the purposes for which the property
36 was given, devised or bequeathed.

37 15. With the approval of the commission, expend
38 moneys from the support allocation of the department
39 as reimbursement for replacement or repair of personal
40 items belonging to an employee of the department which
41 are damaged or destroyed by clients of the department
42 during the employee's tour of duty, provided that
43 the reimbursement shall not exceed seventy-five dollars
44 for each item.

45 16. Appoint the superintendents of the mental
46 health institutes and the division heads of the
47 department.

48 17. Perform other duties assigned by the commission
49 consistent with law.

50 Sec. 78. NEW SECTION. DUTIES OF ADMINISTRATIVE

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1 DIVISION. 7 The responsibilities of the department's
2 administrative division include:
3 1. Fiscal control.
4 2. Internal auditing.
5 3. Preparing departmental budgets.
6 4. Disbursement functions.
7 5. Personnel functions.
8 6. Making reports to all funding sources. The
9 division's report to the general assembly regarding
10 funding shall be made a part of the report required
11 of the commission by section seventy-five (75),
12 subsection eleven (11) of this Act.

13 7. Protection of confidentiality of client
14 information.

15 8. Other duties assigned by the director,
16 consistent with law.

17 Sec. 79. NEW SECTION. DUTIES OF COMMUNITY SERVICES
18 DIVISION. The responsibilities of the department's
19 community services division include:

20 1. Assisting with the development of community
21 programs to achieve the purpose stated in section
22 seventy-one (71) of this Act by means of technical
23 assistance, consultation and grants-in-aid, when
24 approved by the commission.

25 2. Coordination of community-based services with
26 those of the mental health institutes.

27 3. Promoting coordination of community-based
28 services with other state, public and private providers
29 and other state agencies serving individuals with
30 mental health needs.

31 4. Providing technical assistance in order to
32 help community mental health providers meet
33 accreditation standards, and thereby facilitate and
34 improve the delivery of mental health services.

35 5. Providing consultation and technical assistance,
36 in coordination with the judicial council, to patients'
37 advocates appointed pursuant to section two hundred
38 twenty-nine point nineteen (229.19) of the Code.

39 6. Providing coordination and technical assistance
40 to care review committees appointed pursuant to section
41 one hundred thirty-five C point twenty-five (135C.25)
42 of the Code for county care facilities.

43 7. Other duties assigned by the director consistent
44 with law.

45 Sec. 80. NEW SECTION. DUTIES OF STANDARDS AND
46 ACCREDITATION DIVISION. The responsibilities of the
47 department's standards and accreditation division
48 include:

49 1. Monitoring of services and programs on the
50 basis of standards established under sections seventy-

1 one (71) through ninety-four (94) of this Act, or
2 on the basis of federal standards if the department
3 has been authorized to oversee their implementation.

4 2. Making recommendations to the director and
5 the commission regarding the accreditation of
6 facilities, services and programs in accordance with
7 findings under subsection one (1) of this section.

8 3. Coordinating with the judicial council in moni-
9 toring the training and performance of the patients'
10 advocates appointed pursuant to section two hundred
11 twenty-nine point nineteen (229.19) of the Code.

12 4. Monitoring the performance of the care review
13 committees appointed pursuant to section one hundred
14 thirty-five C point twenty-five (135C.25) of the Code
15 for county care facilities.

16 5. Other duties assigned by the director consistent
17 with law.

18 Sec. 81. NEW SECTION. DUTIES OF PLANNING AND
19 EVALUATION DIVISION. The responsibilities of the
20 department's planning and evaluation division include:

21 1. Assisting the commission and the director in
22 the formulation of the comprehensive state plan for
23 delivery of mental health services. In doing so,
24 the division shall consult with the state department
25 of health, the board of regents or a body designated
26 by the board for that purpose, the office for the
27 developmentally disabled, the department of public
28 instruction, the department of substance abuse, the
29 department of job service, county mental health
30 coordinating boards established pursuant to section
31 ninety-seven (97) of this Act, and any other
32 appropriate governmental body, in order to facilitate
33 coordination of services provided to mentally ill
34 individuals in the state of Iowa.

35 2. Establishment of standards for programs or
36 facilities under the department's jurisdiction where
37 standards are required or authorized by law, utilizing
38 those recommended by the joint commission on
39 accreditation of hospitals or other recognized national
40 standards where they are applicable and appropriate.

41 3. Evaluation of the impact of any applicable
42 standards on programs or facilities under the
43 department's jurisdiction.

44 4. Establishment and maintenance of a data
45 collection and management information system oriented
46 to the needs of patients, providers, and programs
47 or facilities as well as those of the department
48 itself.

49 5. Performing planning functions mandated by
50 federal or state law.

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1 6. Assisting communities in developing a program
2 for community mental health services within the state,
3 based on the need for comprehensive services and
4 services offered by existing public and private
5 facilities, with the goal of providing comprehensive
6 services to all persons in this state who need them.

7 7. Analyzing pertinent federal statutes and
8 regulations to assure that this state is fully
9 utilizing all federal funds available to the state
10 for mental health services, which can be obtained
11 without an undue degree of federal control over state
12 and local programs.

13 8. Monitoring the progress of mental health
14 services providers generally in meeting the goals
15 of the state mental health plan.

16 9. Other duties assigned by the director,
17 consistent with law.

18 Sec. 82. NEW SECTION. DUTIES OF RESEARCH AND
19 EDUCATION DIVISION. The responsibilities of the
20 department's research and education division include:

21 1. Maintenance of appropriate research efforts,
22 and dissemination of the results of this research.

23 2. Furtherance of public education efforts
24 concerning mental health, the prevention of mental
25 illness, mental health services that are available,
26 and the means of access to these services.

27 3. Facilitate applied research and preventive
28 educational activities related to causes and
29 appropriate treatment for mental illness, and
30 communicate the findings of those activities to other
31 divisions within the department. The director may
32 designate, or enter into agreements with, private
33 or public agencies to carry out this function.

34 4. Identifying and, with approval of the director,
35 applying for available program and research grants.

36 5. Other duties assigned by the director,
37 consistent with law.

38 Sec. 83. NEW SECTION. DIRECTOR TO APPOINT DIVISION
39 HEADS. The head of each of the department's major
40 functional divisions and the superintendent of each
41 of the state mental health institutes shall be
42 appointed by the director, with approval of the
43 commission, and shall serve at the pleasure of the
44 director.

45 Sec. 84. NEW SECTION. STATE COMMUNITY MENTAL
46 HEALTH SERVICES FUND ESTABLISHED.

47 1. There is established in the office of the
48 treasurer of state the state community mental health
49 services fund, which shall consist of the amounts
50 appropriated thereto by the general assembly for each

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1 fiscal year. Before completion of the department's
2 budget estimate as required by section eight point
3 twenty-three (8.23) of the Code, the commission shall
4 determine and cause to be included in the estimate
5 the amount which should be appropriated to the fund
6 for the forthcoming fiscal period in order to implement
7 the purpose stated in section seventy-one (71) of
8 this Act.

9 2. The state community mental health services
10 fund for each fiscal year shall be divided into two
11 parts, the general allocation and the special
12 allocation. Unless the general assembly directs
13 otherwise in the appropriation to the fund, the general
14 allocation shall be equal to eighty percent of the
15 total appropriation to the fund and the remainder
16 of the appropriation shall constitute the special
17 allocation.

18 Sec. 85. NEW SECTION. DISTRIBUTION OF GENERAL
19 ALLOCATION. Each county in the state is entitled
20 to receive annually from the general allocation of
21 the community mental health services fund a share
22 computed by a formula prescribed pursuant to section
23 eighty-six (86) of this Act, subject to the
24 requirements of section eighty-seven (87) of this
25 Act. As soon after July first of each year as
26 reasonably possible, the director shall certify to
27 the state comptroller the amount to which each county
28 is entitled from the general allocation and the
29 comptroller shall issue warrants in the amounts
30 certified, drawn upon the general allocation in favor
31 of the respective counties. Each county shall place
32 the money so received from the state in the county
33 mental health and institutions fund, and shall expend
34 it in the same fiscal year in which it is received
35 and only for the purposes authorized by subsection
36 six (6) of section four hundred forty-four point
37 twelve (444.12) of the Code.

38 Sec. 86. NEW SECTION. FORMULA FOR DISTRIBUTION
39 OF GENERAL ALLOCATION.

40 1. It is the intent of the general assembly that
41 the general allocation of the community mental health
42 services fund be distributed so as to insure that
43 each county participates in the distribution of the
44 funds, to recognize past efforts made by individual
45 counties to support mental health and state
46 institutional services, and to recognize both
47 individual counties as entities and the distribution
48 of the state population across counties.

49 2. In distributing the general allocation, each
50 county shall receive an amount equal to the sum of

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1 the following two factors:

2 a. Fifty percent of the general allocation divided
3 by a factor of ninety-nine.

4 b. Fifty percent of the general allocation
5 multiplied by a factor equal to that county's
6 proportionate share of the total state population.

7 Sec. 87. NEW SECTION. REQUIREMENTS OF COUNTIES
8 RECEIVING GENERAL ALLOCATION MONEY.

9 1. A county is entitled to receive money from
10 the general allocation of the state community mental
11 health services fund in any fiscal year in an amount
12 determined by section eighty-six (86) of this Act,
13 if that county:

14 a. Raised by county levy and expended from the
15 proceeds of that levy for mental health services,
16 in the preceding fiscal year, an amount of money at
17 least equal to the amount so raised and expended for
18 those purposes during the fiscal year beginning July
19 1, 1978.

20 (1) For the purpose of paragraph a of this
21 subsection, money "raised by county levy and expended
22 from the proceeds of that levy for mental health
23 services" means, with reference to any fiscal year
24 beginning after the effective date of this Act, the
25 total amount of money raised by county property tax
26 levy and expended by the county from the county mental
27 health and institutions fund for the purposes
28 authorized by subsection two (2), paragraphs a and
29 c, subsection four (4), paragraph a, and subsection
30 six (6) of section four hundred forty-four point
31 twelve (444.12) of the Code, as that section is amended
32 by this Act, exclusive of state money received from
33 the general allocation of the community mental health
34 services fund, the county assistance fund, federal
35 revenue sharing funds and any other federal funds
36 received by the county, and of any third party
37 reimbursement to the county. With reference to the
38 fiscal year beginning July 1, 1978, money "raised
39 by county levy and expended from the proceeds of that
40 levy for mental health services" means the total
41 amount levied and expended by the county under section
42 four hundred forty-four point twelve (444.12) of the
43 Code as the section read at the time that levy was
44 made, adjusted by a procedure prescribed by rules
45 promulgated by the auditor of state, in consultation
46 with the director and the county finance committee,
47 to include only mental health expenditures which the
48 county made in that fiscal year from the proceeds
49 of that levy.

50 (2) Each county shall, as soon as practicable

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1 after the effective date of this Act, begin
2 preparations to adopt and shall within two years after
3 that date implement an accounting and financial
4 reporting procedure for recording expenditures for
5 mental health services, in conformity with rules
6 promulgated by the auditor of state, in consultation
7 with the county finance committee and the director.
8 It is the intent of this subparagraph that the
9 Seventieth General Assembly, at its 1983 Session,
10 reconsider the requirements of paragraph a of this
11 subsection with a view to possible adjustments to
12 more precisely measure each county's financial effort
13 in support of mental health services.

14 b. Submits or joins other counties in submitting,
15 prior to September fifteenth of each year, an
16 application for a share of the general allocation
17 for the succeeding fiscal year which is in conformity
18 with subsection two (2) of this section.

19 2. An application may be filed by a county or
20 jointly by two or more counties. The application
21 shall consist of:

22 a. An annual plan to improve or maintain
23 availability and accessibility of comprehensive
24 services to residents of the county or counties, which
25 is found by the director to be in substantial
26 compliance with the requirements of sections seventy-
27 one (71) through eighty-nine (89) of this Act. The
28 annual plan will be found in substantial compliance
29 with those requirements if it:

30 (1) Indicates that the services for which the
31 county or counties intend to use general allocation
32 money are comprehensive services or other services
33 mandated or authorized by law, and are offered by
34 accredited providers where accreditation standards
35 are applicable.

36 (2) Demonstrates continuing efforts to improve
37 the availability and accessibility of comprehensive
38 services by establishing or maintaining formal
39 agreements for purchase of services or grant
40 relationships with providers of such services, and
41 by extending eligibility for those services to all
42 residents of the county or counties who are unable
43 to assume the full cost of their care.

44 (3) Demonstrates effective implementation of any
45 annual plan submitted by the county or counties under
46 this subsection for the preceding fiscal year.

47 b. Evidence that the county, or each county which
48 is a party to a joint application, is in compliance
49 with subsection one (1), paragraph a of this section.

50 3. Each application submitted under this section

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1 shall be for a period of at least one year and shall
2 be acted upon promptly by the director, who shall
3 notify the applicant county or counties of its action
4 on the application no later than November first of
5 the year in which the application is submitted. Money
6 from the general allocation of the fund shall be
7 disbursed on a quarterly basis to the counties entitled
8 to the money under section eighty-six (86) of this
9 Act and this section. Counties receiving the money
10 shall submit quarterly financial and plan status
11 reports in the manner prescribed by the director.

12 4. A county shall return to the treasurer of state
13 not later than September thirtieth of each year for
14 placement in the general allocation of the state
15 community mental health services fund, an amount equal
16 to the amount by which expenditures by the county
17 under section four hundred forty-four point twelve
18 (444.12), subsection six (6) of the Code, as amended
19 by this Act, during the fiscal year ending the
20 preceding June thirtieth were less than the total
21 of that county's share of the state community mental
22 health services fund for that preceding fiscal year.

23 5. All amounts returned to, or not disbursed from
24 the general allocation of the state community mental
25 health services fund in any fiscal year shall be
26 redistributed among the eligible counties during that
27 fiscal year by the formula prescribed by section
28 eighty-six (86) of this Act.

29 Sec. 88. NEW SECTION. SPECIAL ALLOCATION. The
30 special allocation of the state community mental
31 health services fund may be used by the community
32 services division to make grants-in-aid to counties
33 or other appropriate entities in this state to
34 establish or expand community-based mental health
35 services and thereby provide to persons in a particular
36 county or area one or more new mental health services
37 not previously available to persons in that county
38 or area, in furtherance of the purpose stated in
39 section seventy-one (71) of this Act. A grant may
40 be made on terms providing for its use by the county
41 or other grantee over a period of time greater than
42 one year, but the entire grant shall be made from
43 money available in the special allocation for the
44 fiscal year during which the grant is made, and the
45 community services division shall not purport to
46 obligate funds which it anticipates will be
47 appropriated in any future fiscal year. Each grant
48 shall be made on terms and conditions agreed to by
49 the community services division and the county or
50 other grantee, consistent with law, but no grant is

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1 valid until its terms and conditions are specifically
2 approved by the commission.

3 Sec. 89. NEW SECTION. PARTIAL REIMBURSEMENT TO
4 COUNTIES FOR LOCAL INPATIENT MENTAL HEALTH CARE AND
5 TREATMENT.

6 1. Each county which pays, from county funds
7 budgeted under section four hundred forty-four point
8 twelve (444.12), subsection six (6) of the Code, as
9 amended by this Act, the cost of care and treatment
10 of a mentally ill person who is admitted pursuant
11 to a preliminary diagnostic evaluation under sections
12 ninety (90) through ninety-three (93) of this Act
13 for treatment as an inpatient of a hospital facility,
14 other than a state mental health institute, which
15 has a distinct mental health program and which is
16 accredited by the joint commission on accreditation
17 of hospitals, is entitled to reimbursement from the
18 state for a portion of the daily cost so incurred
19 by the county. However, a county is not entitled
20 to reimbursement under this subsection for any cost
21 incurred in connection with the hospitalization of
22 a person who is eligible for medical assistance under
23 chapter two hundred forty-nine A (249A) of the Code,
24 or who is entitled to have his or her care or treat-
25 ment paid for by any other third party payer, or who
26 is admitted for preliminary diagnostic evaluation
27 under sections ninety (90) through ninety-three (93)
28 of this Act. The amount of reimbursement for the
29 cost of care and treatment of a local inpatient to
30 which a county is entitled under this subsection,
31 on a per-patient-per-day basis, is an amount equal
32 to twenty percent of the average of the respective
33 state mental health institutes' individual average
34 daily patient costs in the most recent calendar quarter
35 for the program in which the local inpatient would
36 have been served if he or she had been admitted to
37 a state mental health institute.

38 2. Each county may claim the reimbursement provided
39 for by subsection one (1) of this section by filing
40 with the department a claim in a form prescribed by
41 the commission by administrative rule. Claims may
42 be filed on a quarterly basis, and when received shall
43 be verified expeditiously by the department. The
44 department shall certify to the state comptroller
45 the amount to which each county claiming reimbursement
46 under this section is entitled, and the comptroller
47 shall issue warrants to the respective counties drawn
48 upon funds appropriated by the general assembly for
49 the purpose of this section. Each county shall place
50 funds received under this section in the county mental

1 health and institutions fund. If the appropriation
2 for any fiscal year is insufficient to pay all claims
3 arising under this section, the comptroller shall
4 prorate the funds appropriated for that year among
5 the claimant counties so that an equal proportion
6 of each county's claim is paid in each quarter for
7 which proration is necessary.

8 Sec. 90. NEW SECTION. PRELIMINARY DIAGNOSTIC
9 EVALUATION.

10 1. It is the policy of this state that, except
11 in cases of medical emergency, a person shall be
12 admitted to a state mental health institute as an
13 inpatient only after a preliminary diagnostic
14 evaluation by a community mental health center, or
15 by an alternative diagnostic facility, has confirmed
16 that the admission is appropriate to that person's
17 needs, and that no suitable alternative method of
18 providing the services needed by that person in a
19 less restrictive setting, or in or nearer to the
20 person's home community, is currently available.
21 The policy established by this section shall be
22 implemented in the manner and to the extent prescribed
23 by sections ninety-one (91), ninety-two (92) and
24 ninety-three (93) of this Act.

25 2. As used in sections ninety (90) through ninety-
26 three (93) of this Act, the term "medical emergency"
27 means a situation in which a prospective patient is
28 received at a state mental health institute in a
29 condition which, in the opinion of the institute's
30 superintendent or clinical director, or that officer's
31 physician designee, requires the immediate admission
32 of the person notwithstanding the policy stated in
33 subsection one (1) of this section.

34 Sec. 91. NEW SECTION. RESOLUTION BY SUPERVISORS
35 REQUIRED. The board of supervisors of each county
36 shall, no later than July 1, 1981, adopt a resolution
37 requiring that the policy stated by section ninety
38 (90) of this Act be followed with respect to admission
39 of persons from that county to any state mental health
40 institute. Upon adoption of such a resolution by
41 the board of supervisors of a county which is
42 supporting a community mental health center, directly
43 or in affiliation with other counties, it shall be
44 presumed to be a part of that center's responsibilities
45 to perform the preliminary diagnostic evaluations
46 required by that county in order to implement the
47 policy stated by section ninety (90) of this Act.
48 However, if performance of such evaluations is not
49 covered by the agreement entered into by the county
50 and the center under section two hundred thirty A

1 point twelve (230A.12) of the Code, and the center's
2 director certifies to the county board of supervisors
3 that the center does not have the capacity to perform
4 the needed evaluations, the board of supervisors may
5 proceed as provided by section ninety-three (93) of
6 this Act.

7 - Sec. 92. NEW SECTION. IMPLEMENTATION OF
8 RESOLUTION. When the board of supervisors of a county
9 has adopted a resolution as required by section ninety-
10 one (91) of this Act:

11 1. The chief medical officer of a state mental
12 health institute, or that officer's physician designee,
13 shall advise any person residing in that county who
14 applies for voluntary admission, or any person applying
15 for the voluntary admission of another person who
16 resides in that county, in accordance with section
17 two hundred twenty-nine point forty-one (229.41) of
18 the Code that the board of supervisors has acted to
19 implement the policy stated by section ninety (90)
20 of this Act, and shall advise that a preliminary
21 diagnostic evaluation of the proposed patient be
22 sought from the appropriate community mental health
23 center or alternative diagnostic facility, if that
24 has not already been done. This subsection shall
25 not apply when voluntary admission is sought in
26 accordance with section two hundred twenty-nine point
27 forty-one (229.41) of the Code under circumstances
28 which, in the opinion of the chief medical officer
29 or that officer's physician designee, constitute a
30 medical emergency.

31 2. The clerk of the district court in that county
32 shall refer any person applying for authorization
33 for voluntary admission, or for authorization for
34 voluntary admission of another person, in accordance
35 with section two hundred twenty-nine point forty-two
36 (229.42) of the Code to the appropriate community
37 mental health center or alternative diagnostic facility
38 for preliminary diagnostic evaluation unless the
39 applicant furnishes a written statement from that
40 center or facility that such an evaluation has been
41 performed and indicates that the person's admission
42 to a state mental health institute is appropriate.
43 This subsection shall not apply when authorization
44 for voluntary admission is sought under circumstances
45 which, in the opinion of the mental health institute's
46 chief medical officer or that officer's physician
47 designee, constitute a medical emergency.

48 3. Judges of the district court in that county,
49 or the judicial hospitalization referee appointed
50 for that county, as the case may be, shall so far

1 as possible arrange for a physician on the staff of
2 or designated by the appropriate community mental
3 health center or alternative diagnostic facility to
4 perform each prehearing examination of a respondent
5 required under section two hundred twenty-nine point
6 eight (229.8), subsection three (3), paragraph b of
7 the Code.

8 4. The chief medical officer of a state mental
9 health institute shall promptly submit to the
10 appropriate community mental health center or
11 alternative diagnostic facility a report of each
12 voluntary admission of a patient under the medical
13 emergency clauses of subsections one (1) and two (2)
14 of this section. The report shall explain the nature
15 of the emergency which necessitated the admission
16 of the patient without a preliminary diagnostic
17 evaluation by the center or alternative facility.

18 5. When the proposed admission of a person to
19 a state mental health institute, on either a voluntary
20 or an involuntary basis, is primarily for treatment
21 of alcoholism or drug abuse, each reference to a
22 community mental health center or alternative
23 diagnostic facility in subsections one (1) to four
24 (4) of this section may be deemed a reference to a
25 facility as defined in section one hundred twenty-
26 five point two (125.2), subsection two (2) of the
27 Code. However, this subsection does not contravene
28 the provision of section two hundred twenty-nine point
29 fifty-one (229.51), subsection two (2) of the Code
30 that a physician employed by the admitting facility
31 or the department is not eligible to be the certifying
32 physician.

33 Sec. 93. NEW SECTION. ALTERNATIVE DIAGNOSTIC
34 FACILITY. If a county is not served by a community
35 mental health center having the capacity to perform
36 the required preliminary diagnostic evaluations at
37 the time the board of supervisors of that county
38 adopts a resolution to implement the policy stated
39 by section ninety (90) of this Act, the board may
40 arrange for such evaluations to be performed by an
41 alternative diagnostic facility for the period until
42 the county is served by a community mental health
43 center with the capacity to provide that service.
44 An alternative diagnostic facility may be the
45 outpatient service of a state mental health institute
46 or any other mental health facility or service able
47 to furnish the requisite professional skills to
48 properly perform a preliminary diagnostic evaluation
49 of a person whose admission to a state mental health
50 institute is being sought or considered on either

1 a voluntary or an involuntary basis.

2 Sec. 94. NEW SECTION. SPECIAL CONSULTATION WITH
3 COMMISSION ON SUBSTANCE ABUSE. Upon its establishment,
4 the commission shall enter into continuing consultation
5 with the commission on substance abuse established
6 under section one hundred twenty-five point three
7 (125.3) of the Code. The objectives of this
8 consultation are:

9 1. Concurrent planning with respect to services
10 offered, supervised or monitored by the two
11 departments, to maximize coordination and minimize
12 duplication or conflict between these services.

13 2. Development of recommendations, agreed to if
14 possible by both commissions, respecting the status
15 and duties of the department of substance abuse after
16 July 1, 1982, which shall be submitted to the governor
17 and the Sixty-ninth General Assembly not later than
18 January 15, 1981.

19 Sec. 95. NEW SECTION. AUTHORITY OF DIRECTOR TO
20 LEASE FACILITIES. The director may enter into
21 agreements under which any facility or portion of
22 a facility administered by the department is leased
23 to a department or division of state government, a
24 county or group of counties, or a private nonprofit
25 corporation organized under chapter five hundred four
26 A (504A) of the Code. Any lease executed under this
27 section shall require that the leasee operate the
28 leased premises so as to deliver comprehensive
29 services, as well as other services delivered by an
30 agency of state or county government, when appropriate.

31 Sec. 96. NEW SECTION. AUTISM UNIT.

32 1. The director may organize and establish an
33 autism unit at any institution or facility being
34 administered by the department, to provide psychiatric
35 and related services and other specific programs to
36 meet the needs of autistic persons, and to furnish
37 appropriate diagnostic evaluation services. The
38 director may designate a portion of the physical
39 facilities of any such institution to be occupied
40 by the offices and facilities of the autism unit,
41 and determine the extent to which that unit may ef-
42 fectively make use of the services of the institution's
43 staff and what staff personnel should be employed
44 for and assigned specifically to the autism unit.

45 2. In addition to any other method of referral,
46 admission, commitment or transfer provided by chapters
47 two hundred twenty-two (222) and two hundred twenty-
48 nine (229) of the Code, a person may be referred
49 directly to the autism unit by courts, law enforcement
50 agencies, or state correctional institutions. However,

1 a person so referred shall not be admitted to the
2 autism unit unless a preadmission diagnostic evaluation
3 indicates that the person is likely to benefit from
4 the unit's services, and the admission of that person
5 to the unit would not cause the unit's patient load
6 to exceed its capacity.

7 Sec. 97. NEW SECTION. COUNTY MENTAL HEALTH
8 COORDINATING BOARD.

9 1. The board of supervisors of each county in
10 this state shall, independently or in conjunction
11 with one or more other county boards of supervisors,
12 either establish a county or joint county mental
13 health coordinating board or constitute the board
14 or the joint boards of supervisors as the ex officio
15 mental health coordinating board. If a separate
16 mental health coordinating board is established, it
17 shall be composed of persons who have demonstrated
18 a concern for mental health services and its size
19 shall be determined by the board of joint boards of
20 supervisors. One or more county supervisors may be
21 named to serve on a separate mental health coordinating
22 board. If the board or joint boards of supervisors
23 serve ex officio as the mental health coordinating
24 board, it shall establish an advisory board composed
25 of persons who have demonstrated a concern for mental
26 health services, and who are not elected governmental
27 officials, to advise the coordinating board with
28 respect to the coordinating board's functions under
29 subsection two (2) of this section.

30 2. The duties of the county or joint county mental
31 health coordinating board are:

32 a. Development of a plan for the provision of
33 mental health services in the counties represented
34 by the membership of the board.

35 b. Coordination of mental health services in their
36 local service area, including, but not limited to,
37 those services provided by community mental health
38 centers, community hospitals, county care facilities,
39 and other local human service agencies.

40 c. Nomination of potential recipients of grant
41 money made available from the state director for
42 development of mental health services.

43 Sec. 98. The provisions of sections seventy-one
44 (71) through ninety-eight (98) of this Act are repealed
45 effective July 1, 1986. It is the intent of this
46 section that the first session of the Seventy-first
47 General Assembly meeting in the year 1985 shall review
48 the responsibilities and the performance of the
49 department of mental health, and the extent to which
50 the purpose stated in section seventy-one (71) of

1 this Act has been achieved, and shall at that session
2 make a decision concerning the placement after July
3 1, 1986 of the responsibilities assigned the department
4 of mental health by sections seventy-one (71) through
5 ninety-four (94) of this Act.

6 Sec. 99. Section eight point six (8.6), subsection
7 nineteen (19), Code 1979, is amended to read as
8 follows:

9 19. DIVISION DIVISIONS OF SOCIAL SERVICES, MENTAL
10 HEALTH. For the purpose of performing the duties
11 of the comptroller provided in this chapter as applied
12 to the divisions of the department of social services
13 or the department of mental health controlling state
14 institutions, the comptroller shall assign an employee
15 of his or her office to check and audit all claims
16 against ~~such directors~~ the chief officer of any of
17 these divisions before such claims are approved by
18 ~~such directors--~~ He that officer. The comptroller's
19 employee shall keep all records and accounts relating
20 to the expenditures of the ~~directors--~~ He division
21 chiefs. That employee shall, in the checking and
22 auditing of claims against the ~~directors~~ division
23 chiefs and keeping the their records and accounts
24 ~~of such directors~~, be under the direction and
25 supervision of the comptroller, and act as an agent
26 of ~~said~~ the comptroller. The commissioner of the
27 department of social services and the state director
28 of mental health shall each furnish ~~said~~ the employee
29 of the comptroller with office space and ~~such~~ the
30 help and assistants ~~as may be~~ necessary to properly
31 perform the employee's duties ~~therein~~ specified.

32 Sec. 100. Section twelve point ten (12.10), Code
33 1979, is amended to read as follows:

34 12.10 DEPOSITS BY STATE OFFICERS. All elective
35 and appointive state officers, boards, commissions,
36 and departments, except the state fair board, the
37 state board of regents, Iowa state commerce commission,
38 the department of mental health and the commissioner
39 of the department of social services, shall, within
40 ten days succeeding the collection thereof, deposit,
41 with the treasurer of state, or to the credit of ~~said~~
42 ~~treasurer-in-any-depository-by-him-designated~~ the
43 treasurer in any depository that officer designates,
44 ninety percent of all fees, commissions, and moneys
45 collected or received; the balance actually collected
46 in cash, remaining in the hands of any officer, board,
47 or department shall not exceed the sum of five thousand
48 dollars and no money collected shall be held more
49 than thirty days. This section does not apply to
50 the Iowa housing finance authority.

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1 Sec. 101. Section seventeen point three (17.3),
2 Code 1979, is amended by adding the following new
3 subsection:

4 NEW SUBSECTION. The director of mental health.

5 Sec. 102. Section seventeen point thirty (17.30),
6 unnumbered paragraph one (1), Code 1979, is amended
7 to read as follows:

8 Each state board, commission, department and
9 division of state government and each institution
10 under the control of the department of mental health,
11 the department of social services and or the state
12 board of regents and each division of the state
13 department of transportation shall be responsible
14 for keeping a written, detailed, up-to-date inventory
15 of all real and personal property belonging to the
16 state and under their charge, control and management.
17 Such The inventories shall be in such the form as
18 may-be prescribed by the director of the department
19 of general services.

20 Sec. 103. Section eighteen point ninety-seven
21 (18.97), subsection nine (9), Code 1979, is amended
22 to read as follows:

23 9. To each state institution under the control of
24 either the state board of regents, the department of
25 mental health or the state department of social ser-
26 vices.....1 copy

27 Sec. 104. Section eighteen point one hundred
28 fifteen (18.115), subsection nine (9), Code 1979,
29 is amended to read as follows:

30 9. All gasoline used in state-owned automobiles
31 shall be purchased at cost from the various
32 installations or garages of the state department of
33 transportation, state board of regents, department
34 of social services, department of mental health or
35 state car pools throughout the state, unless such
36 purchases are exempted by the vehicle dispatcher.
37 The vehicle dispatcher shall study and determine the
38 reasonable accessibility of these state-owned sources
39 for the purchase of gasoline. If these state-owned
40 sources for the purchase of gasoline are not reasonably
41 accessible, the vehicle dispatcher shall authorize
42 the purchase of gasoline from other sources. The
43 vehicle dispatcher may prescribe a manner, other than
44 the use of the revolving fund, in which the purchase
45 of gasoline from state-owned sources shall be charged
46 to the department or agency responsible for the use
47 of the automobile. The vehicle dispatcher shall
48 prescribe the manner in which oil and other normal
49 automobile maintenance for state-owned automobiles
50 may be purchased from private sources, if they cannot

1 be reasonably obtained from a state car pool. The
2 state vehicle dispatcher may advertise for bids and
3 award contracts for the furnishing of gasoline, oil,
4 grease, and vehicle replacement parts for all state-
5 owned vehicles.

6 Sec. 105. Section nineteen A point three (19A.3),
7 subsections thirteen (13) and eighteen (18), Code
8 1979, are amended to read as follows:

9 13. All physicians, psychiatrists, and heads of
10 institutions under the jurisdiction of the department
11 of mental health or the department of social services.

12 18. The administrative head of each of the
13 divisions of the department of social services or
14 of the department of mental health.

15 Sec. 106. Section twenty-three point one (23.1),
16 unnumbered paragraph two (2), Code 1979, is amended
17 to read as follows:

18 The word "municipality" as used in this chapter
19 shall mean county, except in the exercise of its power
20 to make contracts for secondary road improvements,
21 township, school corporation, state fair board, state
22 board of regents, state department of mental health
23 and state department of social services.

24 Sec. 107. Section twenty-five A point two (25A.2),
25 subsection three (3), Code 1979, is amended to read
26 as follows:

27 3. "Employee of the state" includes any one or
28 more officers, agents, or employees of the state or
29 any state agency, including members of the general
30 assembly, and persons acting on behalf of the state
31 or any state agency in any official capacity,
32 temporarily or permanently in the service of the state
33 of Iowa, whether with or without compensation.
34 Professional personnel, including medical doctors,
35 osteopathic physicians and surgeons, osteopathic
36 physicians, optometrists and dentists, who render
37 services to patients and inmates of state institutions
38 under the jurisdiction of the department of social
39 services or the department of mental health are to
40 be considered employees of the state, whether such
41 personnel are employed on a full-time basis or render
42 such services on a part-time basis on a fee schedule
43 or arrangement, but shall not include any contractor
44 doing business with the state.

45 Sec. 108. Section sixty-four point six (64.6),
46 Code 1979, is amended by adding the following new
47 subsection:

48 NEW SUBSECTION. The director of the department
49 of mental health and the administrative head of the
50 division of that department having jurisdiction of

1 the state mental health institutes, twenty-five
2 thousand dollars.

3 Sec. 109. Section sixty-eight B point two (68B.2),
4 subsection four (4), Code 1979, is amended to read
5 as follows:

6 4. "Regulatory agency" means department of
7 agriculture, industrial commissioner, bureau of labor,
8 occupational safety and health review commission,
9 department of job service, department of banking,
10 insurance department of Iowa, state department of
11 health, department of public safety, department of
12 public instruction, state board of regents, department
13 of social services, department of mental health,
14 department of revenue, Iowa state commerce commission,
15 Iowa beer and liquor control department, board of
16 pharmacy examiners, state conservation commission,
17 state department of transportation, Iowa state civil
18 rights commission, department of soil conservation,
19 department of public defense, and Iowa natural
20 resources council.

21 Sec. 110. Section one hundred ten point twenty-
22 four (110.24), unnumbered paragraph seven (7), Code
23 1979, is amended to read as follows:

24 No license shall be required of minor pupils of
25 the state school for the blind, state school for the
26 deaf, nor of minor residents, patients or inmates
27 of other state institutions under the control of a
28 director of a division of the department of social
29 services or of the head of the division of community
30 services of the department of mental health, except
31 that this provision shall not apply to the inmates
32 of the men's penitentiary at Fort Madison, the men's
33 reformatory at Anamosa, and the women's reformatory
34 at Rockwell City, nor shall any person who is on
35 active duty with the Armed Forces of the United States,
36 on authorized leave, and a legal resident of the state
37 of Iowa, be required to have a license to hunt or
38 fish in this state. No license shall be required
39 of inmates residents of county care facilities or
40 any person who is receiving old-age-assistance under
41 federal supplemental security income as defined in,
42 or state supplementary assistance under the provisions
43 of chapter 249.

44 Sec. 111. Section one hundred twenty-five point
45 seven (125.7), Code 1979, is amended by adding the
46 following new subsection:

47 NEW SUBSECTION. Enter into continuing consultation
48 with the state mental health commission. The
49 objectives of this consultation are:

50 a. Concurrent planning with respect to services

1 offered, supervised or monitored by the two
2 departments, so as to maximize coordination and
3 minimize duplication or conflict between these
4 services.

5 b. Development of recommendations, agreed to if
6 possible by both commissions, respecting the status
7 and duties of the department of substance abuse after
8 July 1, 1982, which shall be submitted to the governor
9 and the Sixty-ninth General Assembly not later than
10 January 15, 1981.

11 Sec. 112. Section one hundred twenty-five point
12 forty-three (125.43), Code 1979, is amended to read
13 as follows:

14 125.43 FUNDING AT MENTAL HEALTH INSTITUTES.
15 Chapter 230 shall govern the determination of the
16 costs and payment for treatment provided to substance
17 abusers in a mental health institute under the
18 department of ~~social-services~~ mental health, except
19 that the charges shall not constitute a lien on any
20 real estate owned by persons legally liable for support
21 of the substance abuser and the daily per diem shall
22 be billed at twenty-five percent. Beginning July
23 1, 1977, the superintendent of a state hospital shall
24 total only those expenditures which can be attributed
25 to the cost of providing inpatient treatment to
26 substance abusers for purposes of determining the
27 daily per diem. The provisions of section 125.48
28 shall govern the determination of who is legally
29 liable for the cost of care, maintenance, and treatment
30 of a substance abuser and of the amount for which
31 the person is liable.

32 Sec. 113. Section one hundred twenty-five point
33 forty-seven (125.47), Code 1979, is amended to read
34 as follows:

35 125.47 DISPUTES OVER PAYMENT. In the event any
36 county to which certification of the cost of care,
37 maintenance, and treatment of a substance abuser is
38 made, disputes that such substance abuser has residence
39 in that county, it shall immediately notify the
40 facility that such dispute exists. The director shall
41 immediately investigate the facts and determine in
42 which county the patient has residence. The director
43 shall certify the determination to the county, if
44 any, wherein it is found the patient has residence
45 and to the facility. A county certified by the
46 director to be the county of residence shall reimburse
47 the facility as provided in this chapter. If the
48 director finds that the residence of a substance
49 abuser at the time of admission was in another state
50 or country or that the person is unclassified with

1 respect to residence, then the department shall pay
2 for that portion of the patient's care, maintenance,
3 and treatment that the patient's county of residence
4 would have been liable to pay. For purposes of this
5 section, a "facility" does not include a mental health
6 institute under the control of the department of
7 ~~social-services~~ mental health.

8 Sec. 114. Section one hundred twenty-five point
9 fifty-six (125.56), Code 1979, is amended to read
10 as follows:

11 125.56 FUTURE STATUS OF DEPARTMENT AFTER 1981.
12 The provisions of this chapter are repealed effective
13 July 1, 1982. The first session of the Sixty-ninth
14 General Assembly meeting in the year 1981 shall review
15 the activities and performance of the department of
16 substance abuse and shall not later than July 1, 1981
17 make a determination concerning the status-and-duties
18 merger of the department with the department of mental
19 health, continuation of the department of substance
20 abuse as a separate agency, or an alternative
21 arrangement.

22 Sec. 115. Section one hundred thirty-five C point
23 twenty-two (135C.22), Code 1979, is amended to read
24 as follows:

25 135C.22 APPLICABLE TO GOVERNMENTAL UNITS. The
26 provisions of this chapter shall be applicable to
27 institutions operated by or under the control of the
28 department of social services, the department of
29 mental health, the state board of regents, or any
30 other governmental unit.

31 Sec. 116. Section two hundred seventeen point
32 one (217.1), Code 1979, is amended to read as follows:

33 217.1 PROGRAMS OF DEPARTMENT. There is hereby
34 established a department of social services to
35 administer programs designed to improve the well-being
36 and productivity of the people of the state of Iowa.
37 The department shall concern itself with the problems
38 of human behavior, adjustment and daily living through
39 the administration of programs of family, child and
40 adult welfare, economic assistance (including costs
41 of medical care), rehabilitation toward self-care
42 and support, delinquency prevention and control,
43 treatment and rehabilitation of adult and juvenile
44 offenders, care and treatment of the mentally ill
45 and-mentally retarded, and other related programs
46 as provided by law.

47 Sec. 117. Section two hundred seventeen point
48 six (217.6), unnumbered paragraph two (2), Code 1979,
49 is amended to read as follows:

50 The department of social services may be initially

1 divided into the following divisions of responsibility:
2 The division of child and family services, the division
3 of mental health retardation services, the division
4 of administration, the division of corrections and
5 the division of planning, research and statistics.

6 Sec. 118. The following new section is enacted
7 in lieu of section two hundred seventeen point ten
8 (217.10), Code 1979, and will take effect upon the
9 date that section is repealed pursuant to chapter
10 one thousand eighty-seven (1087), section twenty-one
11 (21), Acts of the Sixty-seventh General Assembly,
12 1978 Session, as amended by Acts of the Sixty-eighth
13 General Assembly, 1979 Session, chapter fifty-four
14 (54), section two (2), or on January first following
15 enactment of this Act, whichever is later:

16 NEW SECTION. QUALIFICATIONS OF DIRECTOR. The
17 director of the division of mental retardation services
18 must be a person qualified by training and experience
19 in the administration of programs serving the special
20 needs of persons who are mentally retarded within
21 the meaning of section two hundred twenty-two point
22 two (222.2), subsection five (5) of the Code. The
23 director must have at least five years of actual
24 experience in working directly with mentally retarded
25 persons in such programs, and at least three years
26 of actual experience in administration of such
27 programs.

28 Sec. 119. The following new section is enacted
29 in lieu of section two hundred seventeen point eleven
30 (217.11), Code 1979, and will take effect upon the
31 date that section is repealed pursuant to chapter
32 one thousand eighty-seven (1087), section twenty-one
33 (21), Acts of the Sixty-seventh General Assembly,
34 1978 Session, as amended by Acts of the Sixty-eighth
35 General Assembly, 1979 Session, chapter fifty-four
36 (54), section two (2), or on January first following
37 enactment of this Act, whichever is later:

38 NEW SECTION. RESPONSIBILITIES OF DIRECTOR. The
39 director of the division of mental retardation services
40 shall be responsible for and in control of the
41 administration of programs and institutions, under
42 the jurisdiction of the department of social services,
43 established to serve the special needs of mentally
44 retarded persons. The director's responsibilities
45 include supervision of the administration of the
46 Glenwood state hospital-school and the Woodward state
47 hospital-school. The director shall also discharge
48 other functions and duties delegated to the director
49 by the commissioner of social services.

50 Sec. 120. The following new section is enacted

1 in lieu of section two hundred seventeen point twelve
2 (217.12), Code 1979, and will take effect upon the
3 date that section is repealed pursuant to chapter
4 one thousand eighty-seven (1087), section twenty-one
5 (21), Acts of the Sixty-seventh General Assembly,
6 1978 Session, as amended by Acts of the Sixty-eighth
7 General Assembly, 1979 Session, chapter fifty-four
8 (54), section two (2), or on January first following
9 enactment of this Act, whichever is later:

10 NEW SECTION. ADDITIONAL POWERS OF DIRECTOR. The
11 director of the division of mental retardation services
12 shall also have authority to:

13 1. Arrange for appropriate services to be made
14 available to mentally retarded individuals who are
15 eligible for programs which are supported by federal
16 and state funds and which are under the jurisdiction
17 of the department of social services, or who require
18 services in lieu of admission to a state hospital-
19 school.

20 2. Arrange for appropriate services to be made
21 available to mentally retarded residents or prisoners
22 at institutions other than the state hospital-schools
23 which are under the jurisdiction of the department
24 of social services.

25 3. Appoint professional consultants who shall
26 furnish advice on all matters pertaining to mental
27 retardation. Such consultants shall be paid as
28 provided by an appropriation of the general assembly.

29 4. Examine or cause to be examined by an assistant
30 all public and private institutions receiving and
31 caring for mentally retarded persons to determine
32 the efficiency of the institutions for adequate care
33 and treatment of their patients.

34 5. Insure that the purposes of the state hospital-
35 schools are carried into effect and to that end shall
36 have all necessary powers not inconsistent with law.

37 6. Establish and supervise suitable standards
38 of treatment and care of patients in the state
39 hospital-schools for the mentally retarded.

40 7. Establish the qualifications of all officers,
41 physicians, nurses, attendants and other employees
42 responsible for the care and treatment of residents
43 of the state hospital-schools.

44 8. Prepare a budget and reports as required by
45 law or as directed by the commissioner.

46 Sec. 121. Section two hundred eighteen point one
47 (218.1), Code 1979, is amended by striking the section
48 and inserting in lieu thereof the following:

49 218.1 INSTITUTIONS GOVERNED.

50 1. The commissioner of social services has full

1 and general authority to control, manage, direct and
2 operate the institutions under the jurisdiction of
3 that department, but may delegate that authority to
4 the director or an officer or employee of the
5 appropriate division of the department of social
6 services. The institutions under the jurisdiction
7 of the department of social services are:

- 8 a. Iowa veterans home.
- 9 b. Glenwood state hospital-school.
- 10 c. Woodward state hospital-school.
- 11 d. Training school for boys.
- 12 e. Training school for girls.
- 13 f. Juvenile home.
- 14 g. Women's reformatory.
- 15 h. Men's reformatory.
- 16 i. State penitentiary.
- 17 j. Iowa security medical facility.
- 18 k. Correctional release center.
- 19 l. State correctional facility at Mount Pleasant.
- 20 m. Camps.
- 21 n. Other facilities associated with but not

22 attached to the campus of any of the foregoing
23 institutions, as program development require.

24 2. The director of mental health, subject to the
25 policies of the mental health commission, has full
26 and general authority to control, manage, direct and
27 operate the state mental health institutes established
28 by chapter two hundred twenty-six (226) of the Code,
29 but may delegate that authority to the head or an
30 officer or employee of the division of community
31 services of the department of mental health.

32 Sec. 122. Section two hundred eighteen point two
33 (218.2), unnumbered paragraph two (2), Code 1979,
34 is amended by striking the paragraph and inserting
35 in lieu thereof the following:

36 The department of social services division director,
37 officer or employee to whom primary responsibility
38 for a particular institution has been assigned shall
39 make a report to the commissioner of social services
40 whenever the commissioner so requests. The
41 commissioner shall report to the governor in writing
42 any abuses found to exist in an institution under
43 the department's jurisdiction.

44 The director of the division of community services,
45 or other officer or employee of that division to whom
46 primary responsibility for a state mental health
47 institute has been assigned shall make a report to
48 the director of mental health whenever the director
49 so requests. The director shall report to the governor
50 in writing any abuses found to exist in a state mental

1 health institute.

2 Sec. 123. Section two hundred eighteen point three
3 (218.3), Code 1979, is amended to read as follows:

4 218.3 PRIMARY AUTHORITY FOR MANAGEMENT.

5 1. The primary authority and responsibility to
6 control, manage, direct and operate the institutions
7 set forth in section 218.1, subsection one (1) of
8 the Code is hereby assigned, subject to the authority
9 of the commissioner under that subsection, to the
10 directors of the various divisions of the state
11 department of social services as follows:

12 1 a. The director of the division of child and
13 family services of the department of social services
14 shall have primary authority and responsibility
15 relative to the ~~following-said-institutions~~: Iowa
16 veterans home, the training school for girls, the
17 training school for boys and the Iowa juvenile home.

18 2 b. The director of the division of mental health
19 retardation of the department of social services shall
20 have primary authority and responsibility relative
21 to the ~~following-institutions~~: Glenwood State
22 Hospital-School, and the Woodward State Hospital-
23 School, ~~Mental-Health-Institute, Cherokee-Iowa,~~
24 ~~Mental-Health-Institute, Clarinda-Iowa, Mental-Health~~
25 ~~Institute, Independence-Iowa and Mental-Health~~
26 ~~Institute, Mount-Pleasant-Iowa.~~

27 3 c. The director of the division of corrections
28 of the department of social services shall have primary
29 authority and responsibility relative to the ~~following~~
30 ~~institutions~~: Women's Reformatory, Men's Reformatory
31 and, State Penitentiary, Iowa security medical
32 facility, correctional release center and state
33 correctional facility at Mount Pleasant.

34 2. The primary authority and responsibility to
35 control, manage, direct and operate the state mental
36 health institutes is assigned, subject to the authority
37 of the director of mental health under section two
38 hundred eighteen point one (218.1), subsection two
39 (2) of the Code, to the head of the division of
40 community services of the department of mental health.

41 3. Each reference in this chapter to the director
42 of an institution is a reference to the division
43 director or head who is assigned primary responsibility
44 for that institution by this section, or by the
45 commissioner of social services pursuant to this
46 section, and each reference to the executive officer
47 of an institution is a reference to the superintendent,
48 warden, commandant or other officer holding a
49 comparable position at that institution.

50 Sec. 124. Section two hundred eighteen point four

1 (218.4), Code 1979, is amended to read as follows:

2 218.4 RECOMMENDATION FOR RULES.

3 1. The directors of particular institutions shall
4 recommend to the council on social services or to
5 the director of mental health, as the case may be,
6 for adoption such rules not inconsistent with law
7 as which they may deem necessary for the discharge
8 of their duties, the management of each of such the
9 institutions, and the admission, ~~of-inmates-thereof~~
10 and-the treatment, care, custody, education and
11 discharge of patients, residents and inmates of the
12 institutions. It is made the duty of the particular
13 directors to establish rules by which danger to life
14 and property from fire will be minimized. In the
15 discharge of their duties and in the enforcement of
16 their rules, they may require any of their appointees
17 to perform duties in addition to those required by
18 statute.

19 2. ~~Such-rules-when~~ Rules prescribed or approved
20 by the council, or by the director of mental health
21 and the mental health commission, shall be uniform
22 and shall apply to all institutions under the
23 particular director and ~~to-all-other-institutions~~
24 under his jurisdiction and the who recommended the
25 rules. The primary rules ~~of-the-director-of-the~~
26 ~~division~~ promulgated by the department of mental
27 health for use in institutions where the mentally
28 ill persons are kept treated or housed shall, unless
29 otherwise indicated, uniformly apply to county or
30 private hospitals wherein the mentally ill persons
31 are kept treated or housed, but such the rules shall
32 not interfere with proper medical treatment
33 administered patients by competent physicians.
34 Annually, signed copies of such those rules shall
35 be sent to the chief executive officer of each such
36 institution or hospital under the control or
37 supervision of a particular director and copies shall
38 also be sent to the clerk of each district court,
39 the chairman of the board of supervisors of each
40 county and, as appropriate, to the officer in charge
41 of institutions or hospitals caring for the mentally
42 ill in each county who shall be responsible for seeing
43 that the same is posted in each institution or hospital
44 in a prominent place. Such The rules shall be kept
45 current to meet the public need and shall be revised
46 and published annually.

47 3. The state fire marshal shall cause to be made
48 an annual inspection of all the institutions listed
49 in section 218.1 and shall make written report thereof
50 to the particular director of the state department

1 ~~of social services~~ in control of ~~such~~ the institution.

2 Sec. 125. Section two hundred eighteen point five
3 (218.5), Code 1979, is amended to read as follows:

4 218.5 FIRE PROTECTION CONTRACTS. The directors
5 ~~of the divisions of the state department of social~~
6 ~~services shall have power to~~ state institutions may
7 enter into contracts with the governing body of any
8 city or other municipal corporation for the protection
9 from fire of any property under ~~such directors~~ the
10 director's primary control, located in ~~any such~~ the
11 municipal corporation or in territory contiguous
12 thereto, upon such terms as may be agreed upon.

13 Sec. 126. Section two hundred eighteen point nine
14 (218.9), unnumbered paragraphs one (1) and four (4),
15 Code 1979, are amended to read as follows:

16 The director of the division of mental health
17 retardation services of the department of social
18 services, subject to the approval of the commissioner
19 of ~~such~~ the department, shall appoint the
20 superintendents of the state hospital-schools for
21 the mentally retarded and ~~the mental health institutes.~~

22 The ~~superintendent, warden or other~~ executive
23 officer of each institution shall have the immediate
24 custody and control, subject to the orders and policies
25 of the director in charge of ~~his~~ the institution,
26 of all property used in connection with the institution
27 except as provided in this chapter. The tenure of
28 office of the officers shall be at the pleasure of
29 the appointing authority but they may be removed for
30 inability or refusal to properly perform the duties
31 of the office. Such removal shall be had only after
32 an opportunity is given the person to be heard before
33 ~~the director of the department of social services~~
34 in charge of the particular institution involved and
35 upon preferred written charges. The removal when
36 made shall be final.

37 Sec. 127. Section two hundred eighteen point ten
38 (218.10), Code 1979, is amended to read as follows:

39 218.10 SUBORDINATE OFFICERS AND EMPLOYEES. The
40 ~~division~~ director in charge of a particular
41 institution; with the consent and approval of the
42 commissioner of the department of social services
43 or the director of mental health, as the case may
44 be, shall determine the number and compensation of
45 subordinate officers and employees for each
46 institution. Subject to the provisions of this
47 chapter, such officers and employees shall be appointed
48 and discharged by the chief executive officer or
49 business manager ~~---Such officer,~~ who shall keep, in
50 the record of each subordinate officer and employee,

1 the date of employment, the compensation, and the
2 date of each discharge, and the reasons therefor.
3 All of these employees, except physicians and surgeons,
4 shall be bona fide residents and citizens of the state
5 of Iowa at the time of employment. An exception to
6 this provision of residence may be granted by ~~such~~
7 ~~division~~ a director for the sole purpose of securing
8 professional ~~and/or~~ or scientific services which are
9 unavailable from among the citizens of the state of
10 Iowa.

11 Sec. 128. Section two hundred eighteen point
12 twelve (218.12), Code 1979, is amended to read as
13 follows:

14 218.12 BONDS. The ~~state~~ director in charge of
15 any particular institution shall require each officer
16 and any employee of ~~such~~ the director and of every
17 institution under ~~his~~ that director's control who
18 may be charged with the custody or control of any
19 money or property belonging to the state to give an
20 official bond, properly conditioned, and signed by
21 sufficient sureties in a sum to be fixed by the
22 director, which bond shall be approved by the director,
23 and filed in the office of the secretary of state.

24 Sec. 129. Section two hundred eighteen point
25 thirteen (218.13), Code 1979, is amended to read as
26 follows:

27 218.13 SALARIES. The ~~division~~ director having
28 control of any state institution shall annually, on
29 each employee's employment anniversary date, review
30 and fix the annual, monthly, or semimonthly salaries
31 of ~~said-employees~~ that employee, except such salaries
32 as are fixed by the general assembly. The ~~division~~
33 director shall classify the officers and employees
34 into grades and the salary and wages to be paid in
35 each grade shall be uniform in similar institutions.
36 The authority given in this section is all subject
37 to the consent and approval of the commissioner of
38 the department of social services, or the director
39 of mental health, as the case may be.

40 Sec. 130. Section two hundred eighteen point
41 fourteen (218.14), Code 1979, is amended to read as
42 follows:

43 218.14 DWELLING HOUSE AND PROVISIONS. The ~~division~~
44 director having control over any state institution
45 shall furnish the executive head of ~~each-of-said~~
46 ~~institutions~~ that institution, in addition to salary,
47 with a dwelling house or with appropriate quarters
48 in lieu thereof, and, from supplies purchased for
49 the institution, the necessary household provisions
50 for the executive head, spouse and minor children

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1 or the particular division director may compensate
2 the executive head of each of said the institutions
3 in lieu of furnishing all of the above items.

4 Sec. 131. Section two hundred eighteen point
5 sixteen (218.16), Code 1979, is amended to read as
6 follows:

7 218.16 ANNUITY CONTRACTS FOR EMPLOYEES. At the
8 request of an employee through contractual agreement,
9 the department of social services or the department
10 of mental health, or any institution under its either
11 department's jurisdiction may purchase an individual
12 annuity contract for an employee, from such an
13 insurance organization authorized to do business in
14 this state and through an Iowa-licensed insurance
15 agent as selected by the employee may select, for
16 retirement or other purposes and may make payroll
17 deductions in accordance with such arrangements for
18 the purpose of paying the entire premium due and to
19 become due under such contract. The deductions shall
20 be made in the manner which will qualify the annuity
21 premiums for the benefits afforded under section
22 403(b) of the Internal Revenue Code of 1954 and
23 amendments thereto. The employee's rights under such
24 annuity contracts shall be nonforfeitable except for
25 the failure to pay premiums.

26 Sec. 132. Section two hundred eighteen point
27 eighteen (218.18), Code 1979, is amended to read as
28 follows:

29 218.18 RECORD OF EMPLOYEES AND INMATES. The
30 director of the department of social services in
31 control of a particular state institution shall require
32 the proper officer of each institution to keep a
33 record prepared for the purpose, with entries to be
34 made each day, of the number of hours of service of
35 each employee. The semimonthly payroll shall be made
36 from such that record, and shall be in accord
37 therewith. When an appropriation is based on the
38 number of inmates in or persons at an institution
39 the director shall require a daily record to be kept
40 of the persons actually residing at and domiciled
41 in such institution.

42 Sec. 133. Section two hundred eighteen point
43 nineteen (218.19), Code 1979, is amended to read as
44 follows:

45 218.19 DISTRICTS. The director having control
46 over any state institution under the jurisdiction
47 of the department of social services shall, from time
48 to time, divide the state into districts from which
49 the several institutions may receive residents,
50 patients or inmates. The particular division directors

1 shall promptly notify the proper county or judicial
2 officers of all changes in such districts.

3 Sec. 134. . Section two hundred eighteen point
4 twenty (218.20), Code 1979, is amended to read as
5 follows:

6 218.20 PLACE OF COMMITMENTS--TRANSFERS.

7 Commitments, unless otherwise permitted by the division
8 director having control over any state institution
9 under the jurisdiction of the department of social
10 services, shall be to the institution located in the
11 district embracing the county from which the commitment
12 is issued. The particular division directors may,
13 at the expense of the state, transfer an a resident,
14 patient or inmate of one institution to another like
15 institution.

16 Sec. 135. . Section two hundred eighteen point
17 twenty-one (218.21), Code 1979, is amended to read
18 as follows:

19 218.21 RECORD OF INMATES. The director ~~of the~~
20 ~~department of social services~~ in control of a state
21 institution shall, as to every person admitted or
22 committed to any of said the institutions, keep the
23 following record: Name, residence, sex, age, nativity,
24 occupation, civil condition, date of entrance or
25 commitment, date of discharge, whether a discharge
26 was final, condition of the person when discharged,
27 the name of the institutions from which and to which
28 such person has been transferred, and, if dead, the
29 date, and cause of death.

30 Sec. 136. . Section two hundred eighteen point
31 twenty-two (218.22), Code 1979, is amended to read
32 as follows:

33 218.22 RECORD PRIVILEGED. Except with the consent
34 of the director in charge of an institution, or on
35 an order of a court of record, the record provided
36 in section 218.21 shall be accessible only to the
37 ~~director of the division of the department of social~~
38 ~~services~~ in control of such that institution, the
39 commissioner of the department of social services
40 if the institution is under the jurisdiction of the
41 department, or the director of mental health in the
42 case of a state mental health institute, and to
43 assistants and proper clerks authorized by such the
44 director or his of an institution, or the commissioner
45 of social services or director of mental health, as
46 the case may be. The director of the ~~division of~~
47 such institution is authorized to permit the state
48 libraries and historical department division of
49 archives to copy or reproduce by any photographic,
50 photostatic, microfilm, microcard or other process

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1 which accurately reproduces a durable medium for
2 reproducing the original and to destroy in the manner
3 described by law such records of inmates designated
4 in section 218.21.

5 Sec. 137. Section two hundred eighteen point
6 twenty-eight (218.28), Code 1979, is amended to read
7 as follows:

8 218.28 INVESTIGATION. The director ~~of the~~
9 ~~department of social services~~ in control of a
10 particular institution or ~~his~~ that director's
11 authorized officer or employee shall visit, and
12 minutely examine, at least once in six months, and
13 oftener if necessary or required by law, the
14 institutions under ~~such~~ that director's control, and
15 the financial condition and management thereof.

16 Sec. 138. Section two hundred eighteen point
17 twenty-nine (218.29), Code 1979, is amended to read
18 as follows:

19 218.29 SCOPE OF INVESTIGATION. The director ~~of~~
20 ~~the department of social services~~ in control of a
21 particular institution or ~~his~~ that director's
22 authorized officer or employee shall, during ~~such~~
23 the investigation and as far as possible, see every
24 resident, patient or inmate of each institution,
25 especially those admitted since the preceding visit,
26 and shall give such ~~inmates~~ persons as may require
27 it, suitable opportunity to converse with ~~such the~~
28 director or ~~his~~ authorized officer or employee apart
29 from the officers and attendants of the institutions.

30 Sec. 139. Section two hundred eighteen point
31 thirty (218.30), Code 1979, is amended to read as
32 follows:

33 218.30 INVESTIGATION OF OTHER INSTITUTIONS. The
34 directors ~~of the department of social services~~ to
35 whom control of state institutions has been delegated,
36 or their authorized officers or employees, may each
37 investigate charges of abuse, neglect or mismanagement
38 on the part of any officer or employee of any private
39 institution which is subject to ~~such~~ that director's
40 particular supervision or control. The ~~director~~ head
41 of the division of community services of the department
42 of mental health, or his or her authorized officer
43 or employee, shall likewise investigate charges
44 concerning county care facilities in which mentally
45 ill persons are kept.

46 Sec. 140. Section two hundred eighteen point
47 forty-six (218.46), subsection one (1), Code 1979,
48 is amended to read as follows:

49 1. The directors ~~of divisions of the department~~
50 ~~of social services~~ who are in charge of institutions

1 shall encourage the scientific investigation, on the
2 part of the executive heads and medical staffs of
3 the various institutions, as to the most successful
4 methods of managing such institutions and treating
5 the persons admitted or committed thereto, shall
6 procure and furnish to such heads and staffs
7 information relative to such management and treatment,
8 and, from time to time, publish bulletins and reports
9 of scientific and clinical work done in said
10 institutions.

11 Sec. 141. Section two hundred eighteen point fifty
12 (218.50), Code 1979, is amended to read as follows:

13 218.50 REQUISITION FOR CONTINGENT FUND. If
14 necessary, the commissioner of the ~~department of~~
15 social services or the director of mental health shall
16 make proper requisition upon the state comptroller
17 for a warrant on the state treasurer to secure the
18 said authorized contingent fund for each institution.

19 Sec. 142. Section two hundred eighteen point
20 fifty-seven (218.57), Code 1979, is amended to read
21 as follows:

22 218.57 COMBINING APPROPRIATIONS. The state
23 comptroller is authorized to combine the balances
24 carried in all specific appropriations into a special
25 account for each institution under the control of
26 a particular director ~~of a division of the department~~
27 ~~of social services~~, except that the support fund for
28 each institution shall be carried as a separate
29 account.

30 Sec. 143. Section two hundred eighteen point
31 fifty-eight (218.58), Code 1979, is amended to read
32 as follows:

33 218.58 STATE ARCHITECT. The commissioner of the
34 department of social services may employ a competent
35 architect, and such draftsmen as may be authorized
36 by law. Said The architect shall, in addition to
37 salary, be reimbursed for his or her actual and
38 necessary expenses within the state while engaged
39 in official business. Architectural services required
40 by the department of mental health shall be obtained
41 from the department of social services by arrangement
42 between the commissioner of social services and the
43 director of mental health. In cases of sufficient
44 magnitude the commissioner of social services or the
45 director of mental health may secure the advice of
46 a consulting architect, or may secure plans and
47 specifications from other architects, at a cost not
48 exceeding one thousand five hundred dollars in any
49 year, unless a larger amount is approved by the
50 executive council.

1 Sec. 144. Section two hundred eighteen point
2 fifty-nine (218.59), unnumbered paragraph one (1),
3 Code 1979, is amended to read as follows:
4 ~~Said~~ The commissioner of social services or the
5 director of mental health shall cause plans and
6 specifications to be prepared for all improvements
7 authorized and costing over five thousand dollars.
8 No appropriation for any improvement shall be expended
9 until the adoption of suitable plans and
10 specifications, prepared by a competent architect,
11 and accompanied by a detailed statement of the amount,
12 quality, and description of all material and labor
13 required for the completion of such improvement.

14 Sec. 145. Section two hundred eighteen point sixty
15 (218.60), Code 1979, is amended to read as follows:

16 218.60 LETTING OF CONTRACTS--REPAIRS OR
17 ALTERATIONS. The commissioner of social services
18 or the director of mental health shall, in writing,
19 let all contracts for authorized improvements costing
20 in excess of five thousand dollars to the lowest
21 responsible bidder, after such advertisement for bids
22 as the-commissioner that officer may deem proper in
23 order to secure full competition. The commissioner
24 or the director may reject all bids and readvertise.
25 Provided, however, if the improvement be the repair
26 or alteration of any building or grounds and is not
27 new construction and the estimated cost thereof does
28 not exceed twenty-five thousand dollars, the
29 commissioner or the director with the approval of
30 the budget-and-financial-control-committee executive
31 council may proceed with such repairs or alterations
32 under a negotiated contract on such terms as the
33 commissioner and-the-budget-and-financial-control
34 committee or the director and the executive council
35 may determine to be for the best interests of the
36 state.

37 Sec. 146. Section two hundred eighteen point
38 sixty-one (218.61), Code 1979, is amended to read
39 as follows:

40 218.61 PRELIMINARY DEPOSIT. A preliminary deposit
41 of money, or certified check upon a solvent bank in
42 such amount as the commissioner of ~~the-department~~
43 ~~of social services~~ or the director of mental health
44 may prescribe, shall be required as an evidence of
45 good faith, upon all proposals for the construction
46 of said improvements, which deposit or certified check
47 shall be held under the direction of such the
48 commissioner or the director, as the case may be.

49 Sec. 147. Section two hundred eighteen point
50 sixty-four (218.64), Code 1979, is amended to read

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1 as follows:

2 218.64 PAYMENT FOR IMPROVEMENTS. No payment shall
3 be authorized for construction purposes until
4 satisfactory proof has been furnished to the
5 commissioner of the department of social services
6 or the director of mental health, as appropriate,
7 by the proper officer or supervising architect, that
8 the contract has been complied with by the parties;
9 and all payments shall be made in a manner similar
10 to that in which the current expenses of the several
11 institutions are paid.

12 Sec. 148. Section two hundred eighteen point
13 seventy-one (218.71), Code 1979, is amended to read
14 as follows:

15 218.71 SPECIAL POLICEMEN. The director of a
16 division of the department of social services in
17 control of a particular institution may, by order
18 entered of record, commission one or more of the
19 employees at each of said the institutions as special
20 police. Such police shall, on the premises of the
21 institution of which they are employees, and in taking
22 an a patient, resident or inmate into protective
23 custody, have and exercise the powers of regular peace
24 officers. No additional salary shall be granted by
25 reason of such appointment.

26 Sec. 149. Section two hundred eighteen point
27 seventy-two (218.72), Code 1979, is amended to read
28 as follows:

29 218.72 TEMPORARY QUARTERS IN EMERGENCY. In case
30 the buildings at any institution under the management
31 of a director of the division of the department of
32 social services are destroyed or rendered unfit for
33 habitation by reason of fire, storms, or other like
34 causes, to such an extent that the patients, residents
35 or inmates cannot be there confined and cared for,
36 said the director shall make temporary provision for
37 the confinement and care of the inmates these persons
38 at some other place in the state. Like provision
39 may be made in case any pestilence breaks out among
40 the patients, residents or inmates. The reasonable
41 cost of the change, including transfer of inmates
42 these persons, shall be paid from any money in the
43 state treasury not otherwise appropriated.

44 Sec. 150. Section two hundred eighteen point
45 seventy-three (218.73), Code 1979, is amended to read
46 as follows:

47 218.73 INDUSTRIES. The director of a division
48 of the department of social services in control of
49 a state institution may establish such industries
50 as he that officer may deem advisable at or in

1 connection with any of said the institutions under
2 his that officer's control.

3 ~~Unless otherwise provided in this Act, all~~
4 ~~institutional receipts of the department of social~~
5 ~~services shall be deposited in the general fund except~~
6 ~~rentals charged to employees or others for room,~~
7 ~~apartment, or house and meals, which shall be available~~
8 ~~to the institutions, and except for receipts from~~
9 ~~farm products which shall be used for necessary farm~~
10 ~~expenses and repair.~~

11 Sec. 151. Section two hundred eighteen point
12 seventy-four (218.74), Code 1979, is amended to read
13 as follows:

14 218.74 SALE OF AGRICULTURAL PRODUCTS. The proceeds
15 from the sale of any livestock or agricultural product
16 by any institution under the control of the department
17 ~~of social services~~ a director shall be deposited with
18 the treasurer of state and credited to the account
19 of the institution making the sale to be used for
20 farm operating expenses and repairs.

21 Sec. 152. Section two hundred eighteen point
22 seventy-eight (218.78), Code 1979, is amended to read
23 as follows:

24 218.78 INSTITUTIONAL RECEIPTS DEPOSITED.

25 1. All institutional receipts of the department
26 of social services and of the department of mental
27 health shall be deposited in the general fund except
28 rentals charged to employees or others for room,
29 apartment, or house and meals, which shall be available
30 to the institutions, and except for receipts from
31 farm products which shall be used for necessary farm
32 expenses and repair.

33 2. If approved by the commissioner of social
34 services, the department of social services may use
35 appropriated funds for the granting of educational
36 leave.

37 3. If approved by the director of mental health,
38 the department of mental health may use appropriated
39 funds to grant educational leave.

40 Sec. 153. Section two hundred eighteen point
41 eighty-three (218.83), Code 1979, is amended to read
42 as follows:

43 218.83 CO-OPERATION. The commissioner of ~~the~~
44 ~~department of social services and the directors of~~
45 ~~the divisions therein are directed to~~ of the department
46 of social services, and the director of mental health
47 and the heads of the divisions of the department of
48 mental health, shall co-operate with any department
49 or agency of the state government in any manner,
50 including the exchange of employees, calculated to

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17 improve administration of the affairs of the
2 institutions under the control of the department of
3 social services and the department of mental health.

4 Sec. 154. Section two hundred eighteen point
5 eighty-four (218.84), Code 1979, is amended to read
6 as follows:

7 218.84 ABSTRACTING CLAIMS AND KEEPING ACCOUNTS.

8 The commissioner of the ~~department of~~ social services
9 and the director of mental health shall each have
10 sole charge of abstracting and certifying claims for
11 payment and the keeping of a central system of accounts
12 in institutions under ~~his~~ control of their respective
13 departments.

14 Sec. 155. Section two hundred eighteen point
15 eighty-five (218.85), Code 1979, is amended to read
16 as follows:

17 218.85 UNIFORM SYSTEM OF ACCOUNTS. The
18 commissioner of the ~~department of~~ social services
19 and the director of mental health, through the
20 ~~directors of the divisions~~ in control of state
21 institutions, shall install in ~~all such~~ the state
22 institutions under ~~his~~ their control and supervision
23 the most modern, complete, and uniform system of
24 accounts, records, and reports possible, which system
25 shall be prescribed by the state comptroller as
26 authorized in section 8.6, subsection 4, and, among
27 other matters, shall clearly show the detailed facts
28 relative to the handling and uses of all purchases.

29 Sec. 156. Section two hundred eighteen point
30 eighty-six (218.86), Code 1979, is amended to read
31 as follows:

32 218.86 ABSTRACT OF CLAIMS. When vouchers for
33 expenditures other than salaries have been duly audited
34 as provided for in section 8.6, said the audited
35 vouchers shall be submitted to the state comptroller
36 who shall ~~therefrom~~ use them to prepare in triplicate
37 an abstract of claims submitted showing the name of
38 the claimant, the institutions and fund thereof on
39 account of which the payment is made. ~~Said~~ The claims
40 and abstracts of claims shall then be returned to
41 ~~such the~~ the commissioner ~~where~~ of social services or
42 the director of mental health, as appropriate, who
43 shall certify the correctness of said the abstracts
44 ~~shall then be certified by the commissioner.~~ The
45 original abstract shall then be delivered to the state
46 comptroller, the duplicate to be retained in the
47 office of ~~such the~~ the commissioner or the director and
48 the triplicate forwarded to the proper institution
49 to be retained there as a record of claims paid.

50 Sec. 157. Section two hundred eighteen point

1 eighty-seven (218.87), Code 1979, is amended by
2 striking the section and inserting in lieu thereof
3 the following:

4 218.87 WARRANTS ISSUED BY COMPTROLLER. When the
5 commissioner of social services or the director of
6 mental health has certified the correctness of an
7 abstract returned by the comptroller, and if the
8 institution named in the certificate has sufficient
9 funds, the comptroller shall draw warrants upon the
10 treasurer of state for the amounts and in favor of
11 the claimants indicated upon the certified abstract.
12 The comptroller shall deliver the warrants so drawn
13 to the commissioner or the director, as appropriate,
14 and that officer shall cause the warrants to be
15 transmitted to the payees.

16 Sec. 158. Section two hundred eighteen point
17 eighty-eight (218.88), Code 1979, is amended to read
18 as follows:

19 218.88 INSTITUTIONAL PAYROLLS. At the close of
20 each pay period, the chief executive officer of each
21 institution or business manager of each institution
22 ~~having the same~~, shall prepare and forward to the
23 commissioner of ~~the department of~~ social services
24 or the director of mental health, as appropriate,
25 a semimonthly payroll which shall show the name of
26 each officer and employee, the semimonthly pay, time
27 paid for, the amount of pay, and any deductions.
28 ~~In no event shall a~~ A substitute ~~be permitted to~~ shall
29 not receive compensation in the name of the employee
30 for whom he the substitute is acting.

31 Sec. 159. Section two hundred eighteen point
32 ninety-two (218.92), Code 1979, is amended to read
33 as follows:

34 218.92 DANGEROUS MENTAL PATIENTS. Whenever a
35 patient in any state hospital-school for the mentally
36 retarded, ~~any mental health institute~~, or any
37 institution under the administration of the director
38 ~~of the division of~~ mental health ~~of the department~~
39 ~~of social services~~, has become so mentally disturbed
40 as to constitute a danger to self, to other patients
41 in the institution or to the public, and the
42 institution involved cannot provide adequate security,
43 the director of mental health with the consent of
44 the director of corrections of the department of
45 social services may order the patient to be transferred
46 to the Iowa security medical facility, provided that
47 the executive head of the institution from which the
48 patient is to be transferred, with the support of
49 a majority of ~~his~~ the institution's medical staff
50 recommends the transfer in the interest of the patient,

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1 other patients or the public. If the patient
2 transferred was hospitalized pursuant to sections
3 229.6 to 229.15, the transfer shall be promptly
4 reported to the court which hospitalized the patient,
5 as required by section 229.15, subsection 3. The
6 Iowa security medical facility shall have the same
7 rights, duties and responsibilities with respect to
8 the patient as the institution from which the patient
9 was transferred had while the patient was hospitalized
10 there. The cost of the transfer shall be paid from
11 the funds of the institution from which the transfer
12 is made.

13 Sec. 160. Section two hundred eighteen point
14 ninety-four (218.94), unnumbered paragraph one (1),
15 Code 1979, is amended to read as follows:

16 The commissioner of ~~the department of~~ social
17 services and the director of mental health shall each
18 have full power, subject to the approval of the
19 executive council to secure options to purchase real
20 estate and to acquire and sell real estate for the
21 proper uses of said the institutions under the
22 jurisdiction of their respective departments. Real
23 estate shall be acquired and sold upon such terms
24 and conditions as the commissioner or the director
25 may recommend subject to the approval of the executive
26 council. Upon sale of such real estate, the proceeds
27 thereof shall be deposited with the treasurer of state
28 and credited to the general fund of the state. There
29 is hereby appropriated from the general fund of the
30 state a sum equal to the proceeds so deposited and
31 credited to the general fund of the state to the
32 department of social services or the department of
33 mental health, as the case may be, which with the
34 prior approval of the executive council may be used
35 to purchase other real estate or for capital
36 improvements upon property under such-commissioner's
37 control of the commissioner or the director.

38 Sec. 161. Section two hundred eighteen point
39 ninety-eight (218.98), Code 1979, is amended to read
40 as follows:

41 218.98 CANTEEN MAINTAINED. The directors of
42 ~~divisions-in-the-department-of-social-services~~ in
43 control of state institutions may maintain a canteen
44 at any institution under their jurisdiction and control
45 for the sale to persons confined therein of toilet
46 articles, candy, tobacco products, notions, and other
47 sundries, and may provide the necessary facilities,
48 equipment, personnel, and merchandise therefor. Such
49 The directors shall specify what commodities will
50 be sold therein--The-department by the canteens.

1 The respective departments having jurisdiction of
2 the institutions may establish and maintain a permanent
3 operating fund for each canteen. The fund shall
4 consist of the receipts from the sale of commodities
5 at the canteen.

6 Sec. 162. Section two hundred eighteen point
7 ninety-nine (218.99), Code 1979, is amended to read
8 as follows:

9 218.99 COUNTY AUDITORS TO BE NOTIFIED OF PATIENTS'
10 PERSONAL ACCOUNTS. The director ~~of a division of~~
11 ~~the department of social services~~ in control of a
12 state institution shall direct the business manager
13 of each institution under ~~his~~ the director's
14 jurisdiction mentioned in section 444.12 to quarterly
15 inform the auditor of the patient's, resident's or
16 inmate's county of legal settlement of any patient,
17 resident or inmate who has an amount in excess of
18 two hundred dollars to his account in the patients'
19 personal deposit fund and the amount thereof. Such
20 The directors shall direct the business manager to
21 further notify the auditor of such county at least
22 fifteen days before the release of such funds in
23 excess of two hundred dollars or upon the death of
24 such the patient or inmate. If any such patient or
25 inmate shall have has no county of legal settlement,
26 notice as required by this section shall be made to
27 the commissioner of the department of social services
28 and the director of a division of such department
29 in control of the particular institution involved.

30 Sec. 163. Section two hundred eighteen A point
31 two (218A.2), Code 1979, is amended to read as follows:

32 218A.2 ADMINISTRATOR. Pursuant to ~~said the~~
33 compact, the director of ~~the division of~~ mental health
34 ~~of the department of social services~~ shall be the
35 compact administrator and ~~who~~, acting jointly with
36 like officers of other party states, shall have power
37 to promulgate rules and regulations to carry out more
38 effectively the terms of the compact. The compact
39 administrator ~~is hereby authorized, empowered and~~
40 ~~directed to~~ may co-operate with all departments,
41 agencies and officers of ~~and in~~ the government of
42 this state and its subdivisions in facilitating the
43 proper administration of the compact and of any
44 supplementary agreement or agreements entered into
45 by this state thereunder.

46 Sec. 164. Section two hundred eighteen A point
47 four (218A.4), Code 1979, is amended to read as
48 follows:

49 218A.4 PAYMENTS. The compact administrator,
50 ~~subject to the approval of the commissioner of the~~

1 ~~department-of-social-services~~, may make or arrange
2 for any payments necessary to discharge any financial
3 obligations imposed upon this state by the compact
4 or by any supplementary agreement entered into
5 thereunder.

6 Sec. 165. Section two hundred twenty A point four
7 (220A.4), Code 1979, is amended to read as follows:

8 220A.4 AGENCIES INVOLVED. The service shall
9 receive from and make available to the following state
10 agencies case information on persons believed to be
11 mentally handicapped: The state department of health,
12 the state department of public instruction, the state
13 board of regents, the state department of mental
14 health and the state department of social services.

15 Sec. 166. Section two hundred twenty-one point
16 one (221.1), Code 1979, is amended to read as follows:

17 221.1 STATE AGENCY. The director of mental health
18 retardation services of the state department of social
19 services is hereby designated as the single state
20 agency to act as the administrative agency to provide
21 for the continuation of comprehensive planning to
22 combat mental retardation.

23 Sec. 167. Section two hundred twenty-one point
24 two (221.2), Code 1979, is amended to read as follows:

25 221.2 STAFF. The division of mental health
26 retardation services of the state department of social
27 services shall employ the staff necessary for the
28 purposes of interpretation, evaluation, and
29 dissemination of Iowa's Comprehensive Plan to Combat
30 Mental Retardation and to carry on needed research.

31 Sec. 168. Section two hundred twenty-one point
32 three (221.3), Code 1979, is amended to read as
33 follows:

34 221.3 AIDS AND GRANTS RECEIVED. The director
35 of mental health retardation services of the state
36 department of social services is authorized and
37 empowered to apply for and receive federal aids,
38 grants, and gifts for purposes relating to mental
39 retardation.

40 Sec. 169. Section two hundred twenty-two point
41 one (222.1), unnumbered paragraph two (2), Code 1979,
42 is amended to read as follows:

43 A special mental retardation unit may be maintained
44 at one of the ~~state-mental-health-institutes~~
45 institutions under the jurisdiction of the department
46 of social services for the purposes set forth in
47 sections 222.88 to 222.91, inclusive.

48 Sec. 170. Section two hundred twenty-two point
49 two (222.2), subsections two (2) and three (3), Code
50 1979, are amended to read as follows:

1 2. "Special unit" means a special mental
2 retardation unit established ~~at-a-state-mental-health~~
3 ~~institute~~ pursuant to sections 222.88 through 222.91,
4 inclusive.

5 3. "Director" or "state director" means the
6 director of the division of mental health retardation
7 services of the department of social services.

8 Sec. 171. Section two hundred twenty-two point
9 eighty-nine (222.89), Code 1979, is amended to read
10 as follows:

11 222.89 LOCATION--STAFF AND PERSONNEL. The
12 commissioner may:

13 1. Designate a portion of the physical facilities
14 of one of the ~~mental-health-institutes~~ institutions
15 under the jurisdiction of the department of social
16 services to be occupied by the offices and facilities
17 of the special unit.

18 2. Determine the extent to which the special unit
19 may effectively utilize services of the ~~mental-health~~
20 ~~institute~~ institution's staff, and what staff personnel
21 should be employed for and assigned specifically to
22 the special unit.

23 Sec. 172. Section two hundred twenty-three point
24 four (223.4), subsection one (1), Code 1979, is amended
25 to read as follows:

26 1. Residents of any institution under the
27 jurisdiction of the department of social services
28 or the department of mental health.

29 Sec. 173. Section two hundred twenty-six point
30 one (226.1), unnumbered paragraph one (1), Code 1979,
31 is amended to read as follows:

32 The hospitals for the mentally ill operated by
33 the department of mental health shall be designated
34 as follows:

35 Sec. 174. Section two hundred twenty-six point
36 forty-seven (226.47), Code 1979, is amended to read
37 as follows:

38 226.47 "DIRECTOR" DEFINED. For the purpose of
39 this chapter "director" or "state director" shall
40 mean the director of the ~~division-of-mental-health~~
41 ~~of-the~~ department of ~~social-services~~ mental health.

42 Sec. 175. Section two hundred twenty-seven point
43 two (227.2), Code 1979, is amended to read as follows:

44 227.2 INSPECTION. ~~Said~~

45 1. The state director and the commissioner of
46 social services shall make, or cause to be made, at
47 least two-inspections one accreditation inspection
48 each year of every county care facility. Either the
49 state director or the commissioner of social services
50 upon receipt of a complaint or with other good cause,

1 may make or cause to be made a review of any other
2 private and or county institution wherein mentally
3 ill or mentally retarded persons are-kept reside.
4 Such The inspection shall be made by the state director
5 or the commissioner of social services or by some
6 competent and disinterested person, appointed by him-
7 Inspecters-shall-be-persons-who-are the state director
8 or commissioner, who is acquainted with and interested
9 in the handling-and care of mental-patients-and
10 mentally ill and mentally retarded persons. The
11 objective of the inspection or review shall be an
12 evaluation of the programming and treatment provided
13 by the facility. After each inspection of a county
14 care facility, the person who made the inspection
15 shall be-required-to consult and advise with the
16 county authorities on plans and practices that will
17 improve the care given patients residents and shall
18 make such recommendations to the state director for
19 ee-ordinating coordinating and improving the
20 relationships between the stewards administrators
21 of county care facilities, the state director, the
22 commissioner of social services, the superintendents
23 of hospitals state mental health institutes and state
24 hospital schools, community mental health centers,
25 and other co-operating cooperating agencies, as will
26 make for improved and more satisfactory care of
27 patients residents. Written A written report as to
28 such-inspecters each inspection of a county care
29 facility or other county or private facilities under
30 this section shall be filed with the state director
31 or commissioner and shall embrace include:
32 1 a. The capacity of said institution for the
33 care of patients residents.
34 2 b. The number, and sex, ages and primary
35 diagnoses of the-patients-kept all persons residing
36 therein.
37 3---The-arrangement,-methed-of-construction,-and
38 adaptability-of-buildings-for-the-purposes-intended-
39 4---The-condition-of-buildings-as-to-sewerage,
40 ventilation,-light,-heat,-cleanliness,-means-of-water
41 supply,-fire-escapes,-and-fire-protection-
42 5 c. The care of patients residents, their food,
43 clothing, medical treatment, and employment, and
44 opportunity for recreational activities and for
45 productive work intended primarily as therapeutic
46 activity.
47 6 d. The number, kind job classification, sex,
48 duties, and salaries of all employees.
49 7---The-cost-to-the-state-or-county-of-maintaining
50 mentally-ill-patients-therein,-separate-from-the-cost

1 ~~of-maintaining-sane-paupers-~~

2 8 c. The recommendations given to and received
3 from county authorities on methods and practices that
4 will improve the conditions under which the county
5 care facility is operated.

6 9---Such f. Any failure to comply with standards
7 adopted under section one hundred four (104) of this
8 Act which is not covered in information submitted
9 pursuant to paragraphs a through e of this subsection,
10 and any other matters as which the state director
11 or commissioner may require.

12 2. A copy of each written report prescribed by
13 subsection one (1) of this section shall be furnished
14 to the county board of supervisors, to the
15 administrator of the facility inspected and to its
16 care review committee, to the state department of
17 health, the state department of mental health, the
18 state department of social services, and to the
19 commission on the aging.

20 3. The state department of health shall inform
21 the department of mental health and the department
22 of social services of any action by the department
23 of health to suspend, revoke or deny renewal of any
24 license issued by the department to a county care
25 facility, and the reasons for the action. The state
26 department of health shall also furnish to the
27 department of mental health and department of social
28 services all information referred to in paragraph
29 d of subsection one (1) of this section which the
30 department of health obtains by inspection or otherwise
31 under chapter one hundred thirty-five C (135C) of
32 the Code. The state director shall direct inspectors
33 appointed under this section not to gather any of
34 the information so furnished by the department of
35 health.

36 4. In addition to the ~~aforesaid~~ inspections
37 required or authorized by this section, the state
38 director and the commissioner of social services shall
39 make-or cause to be made an ~~inspection~~ evaluation
40 of each ~~county-care-facility-where-mental-patients~~
41 ~~are-kept~~ person cared for in a county care facility
42 at least once each year by a ~~competent-psychiatrist~~
43 ~~employed-by-the-state-hospital-in-the-hospital-district~~
44 ~~where-the-county-care-facility-is-located~~ one or more
45 qualified mental health or mental retardation
46 professionals.

47 a. It is the responsibility of the state department
48 of mental health to secure an annual evaluation for
49 each individual who is on convalescent leave from
50 a state mental health institute and who has not been

1 discharged from that facility. It is the responsi-
2 bility of the state department of mental health to
3 consult with the state department of social services
4 when so requested in the evaluation for each individual
5 who is on convalescent leave from a state hospital
6 school who has not been discharged from that facility.
7 It is the responsibility of the county to secure an
8 annual evaluation for all other mentally ill persons
9 in the county care facility.

10 b. It is the responsibility of the state department
11 of social services to secure an annual evaluation
12 for each individual who is on convalescent leave from
13 a state hospital school and who has not been discharged
14 from that facility. The state department of social
15 services shall consult with the state department of
16 mental health when it is in the best interest of the
17 individual. It is the responsibility of the county
18 to secure an annual evaluation for all other mentally
19 retarded persons in the county care facility. The
20 county shall consult with the state department of
21 mental health when it is in the best interest of the
22 individual when securing the annual evaluation for
23 all other mentally retarded persons in the county care
24 facility.

25 c. The county board of supervisors shall cause
26 to be made an annual medical evaluation of each
27 resident of a county care facility to whom neither
28 paragraph a or paragraph b of this subsection is
29 applicable.

30 d. The county responsibilities under this
31 subsection shall apply only when the appropriation
32 to the community mental health services fund created
33 by section eighty-four (84) of this Act is equal to
34 at least four million dollars per year.

35 5. ~~Such inspection~~ The evaluations required by
36 subsection four (4) of this section shall include
37 an examination of each mental-patient resident which
38 shall reveal the patient's resident's condition of
39 mental and physical health and the likelihood of
40 improvement or discharge and such other recommendations
41 concerning the care of patients those persons as the
42 inspector evaluator deems pertinent. One copy of
43 said-inspection-report the evaluation shall be filed
44 with the state director, one copy shall be filed with
45 the commissioner of social services, one copy mailed
46 to the county board of supervisors and one copy mailed
47 to the steward shall be filed with the administrator
48 of the facility inspected.

49 Sec. 176. Section two hundred twenty-seven point
50 three (227.3), Code 1979, is amended to read as

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1 follows:

2 227.3 PATIENTS RESIDENTS TO HAVE HEARING. The
3 inspector conducting any inspection under section
4 two hundred twenty-seven point two (227.2) of the
5 Code shall give each patient resident an opportunity
6 to converse with him or her out of the hearing of
7 any officer or employee of the institution, and shall
8 fully investigate all complaints and report the result
9 thereof in writing to said state director. The state
10 director before acting on said report adversely to
11 the institution, shall give the persons in charge
12 thereof a copy of such report and an opportunity to
13 be heard.

14 Sec. 177. Chapter two hundred twenty-seven (227),
15 Code 1979, is amended by adding after section two
16 hundred twenty-seven point three (227.3) the following
17 new section:

18 NEW SECTION. STANDARDS FOR CARE IN COUNTY CARE
19 FACILITIES. The state director and the commissioner
20 of social services, with the approval respectively
21 of the mental health commission and the council on
22 social services and in accordance with chapter seven-
23 teen A (17A) of the Code, shall jointly formulate
24 and jointly adopt and may jointly revise standards
25 for the care of and services to mentally ill and
26 mentally retarded persons residing in county care
27 facilities. The objective of the standards is to
28 insure that mentally ill and mentally retarded persons
29 are not only adequately fed, clothed and housed, but
30 also that individualized treatment plans are
31 established that will include reasonable opportunities
32 for productive work, recreational activities and
33 therapeutic programming suited to their physical and
34 mental abilities. When formulating or revising
35 standards under this section, the state director and
36 commissioner shall jointly consult with a designated
37 advisory committee, agreed upon by both directors,
38 representing county care facility administrators,
39 care review committees, and county supervisors to
40 assist in the formulation or revision of standards.
41 Each group shall have equal representation on the
42 advisory committee.

43 Sec. 178. Section two hundred twenty-seven point
44 six (227.6), Code 1979, is amended to read as follows:

45 227.6 REMOVAL OF PATIENTS RESIDENTS. ~~Said state~~
46 ~~director, in case of failure~~ If a county care facility
47 or other county or private institution fails to comply
48 with his rules, and standards adopted under this
49 chapter, the state director is authorized to remove
50 all said mentally ill persons kept cared for in such

1 institutions at public expense, to the proper state
2 hospital mental health institute, or to some private
3 or county institution or hospital for the care of
4 the mentally ill that has complied with the rules
5 prescribed by said the state director,--such. The
6 removal of patients, if to a state hospital,--to mental
7 health institute, shall be made by an attendant or
8 attendants sent from the state-hospital institute.

9 If a female is removed under the provisions of this
10 section, at least one attendant shall be a female.

11 Sec. 179. Section two hundred twenty-seven point
12 nineteen (227.19), Code 1979, is amended to read as
13 follows:

14 227.19 "DIRECTOR" DEFINED. For the purpose of
15 this chapter "director" or "state director" shall
16 mean the director of the division-of-mental-health
17 of-the department of social-services mental health.

18 Sec. 180. Section two hundred twenty-nine point
19 one (229.1), subsection thirteen (13), Code 1979,
20 is amended to read as follows:

21 13. "Director" or "state director" means the
22 director of that-division-of-the-department-of-social
23 services-having-jurisdiction-of-the-state mental
24 health institutes, or that director's designee.

25 Sec. 181. Section two hundred thirty point twenty
26 (230.20), subsection five (5), Code 1979, is amended
27 to read as follows:

28 5. An individual statement shall be prepared for
29 any patient on or before the fifteenth day of the
30 month next succeeding the month in which that patient
31 leaves the hospital, and a general statement shall
32 be prepared at least quarterly for each county to
33 which charges are made under this section. Except
34 as otherwise required by sections-224A-2-and-224A-3
35 chapter one hundred twenty-five (125) of the Code,
36 the general statement shall list the name of each
37 patient chargeable to that county who was served by
38 the hospital during the preceding month or calendar
39 quarter and the amount due on account of each patient,
40 and the county shall be billed for one-hundred-percent
41 the proportion of the stated charge for each patient,
42 unless-otherwise specified in the-current-appropriation
43 for-support-of-the-state-hospitals this subsection.
44 The statement prepared for each county shall be
45 certified by the superintendent of the hospital to
46 the state comptroller and a duplicate statement shall
47 be mailed to the auditor of that county.

48 a. During the fiscal year beginning July 1, 1980,
49 an amount equal to eighty percent of the stated charge
50 for each patient.

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S-5847 - ~~PAGE 51~~ During the fiscal year beginning July 1, 1981,
2 an amount equal to seventy-five percent of the stated
3 charge for each patient.
4 c. During the fiscal year beginning July 1, 1982,
5 an amount equal to seventy percent of the stated
6 charge for each patient.
7 d. During the fiscal year beginning July 1, 1983,
8 an amount equal to sixty-five percent of the stated
9 charge for each patient.

10 e. During the fiscal year beginning July 1, 1984,
11 and each succeeding fiscal year, an amount equal to
12 sixty percent of the stated charge for each patient.

13 Sec. 182. Section two hundred thirty point thirty-
14 one (230.31), Code 1979, is amended to read as follows:

15 230.31 DEPARTERS FROM OTHER STATES. When any
16 mentally ill person departs without proper authority
17 from an institution in another state and is found
18 in this state, any peace officer in any county in
19 which such the patient is found may take and detain
20 him that person without order and shall report such
21 detention to the state director who shall provide
22 for the return of such the patient to the authorities
23 of the state where the unauthorized leave-was-made
24 departure occurred. Pending such return such the
25 patient may be detained temporarily at one of the
26 institutions of this state governed by the state
27 ~~director or any other director of the state~~ department
28 of ~~social services~~ mental health. Expenses incurred
29 under this section shall be paid in the same manner
30 as is provided for transfers in section 230.8.

31 Sec. 183. Section two hundred thirty point thirty-
32 four (230.34), Code 1979, is amended to read as
33 follows:

34 230.34. "DIRECTOR" DEFINED. As used in this
35 chapter, "director" or "state director" means the
36 ~~director of the division of~~ mental health ~~of the~~
37 ~~department of social services.~~

38 Sec. 184. Section two hundred thirty A point one
39 (230A.1), Code 1979, is amended to read as follows:

40 230A.1 ESTABLISHMENT AND SUPPORT OF COMMUNITY
41 MENTAL HEALTH CENTERS. A county or affiliated counties
42 ~~having a total or combined population of thirty-five~~
43 ~~thousand or more~~ may by action of the board or boards
44 of supervisors, with approval of the Iowa mental
45 health ~~authority~~ commission, establish a community
46 mental health center to serve the county or counties.
47 In establishing the community mental health center,
48 the board of supervisors of each county involved may
49 make a single nonrecurring expenditure from the county
50 mental health and institutions fund in an amount not

1 exceeding two hundred fifty dollars per thousand
2 population or major fraction thereof in the county,
3 but no such expenditure shall be made under this
4 section by any county which has prior to July 1, 1974,
5 expended funds to assist in establishment of a
6 community mental health center under section 230.24,
7 third paragraph, Code 1966 or Code 1971, or section
8 230.24, second paragraph, Code 1973. Nothing in this
9 section shall limit the authority of the board or
10 boards of supervisors of any county or group of
11 counties, which prior to July 1, 1974, established
12 or joined in establishing a community mental health
13 center in a manner consistent with the requirements
14 of section 230A.3, to continue to expend money from
15 the county mental health and institutions fund to
16 support operation of the center, and to form agreements
17 with the board of supervisors of any additional county
18 for that county to join in supporting and receiving
19 services from or through the center.

20 The requirement that the mental health commission
21 approve establishment of community mental health
22 centers shall not affect the status of any community
23 mental health center established and operating under
24 this chapter on the date the mental health commission
25 is established.

26 Sec. 185. Section two hundred thirty A point two
27 (230A.2), subsection two (2), Code 1979, is amended
28 to read as follows:

29 2. Aftercare and, where indicated, rehabilitative
30 services for persons who have received services under
31 subsection 1, or have been treated by a state mental
32 health institute or other psychiatric facility, and
33 upon request of a county which provides financial
34 support to the center or of a state mental health
35 institute or other psychiatric facility, screening
36 or other prehospitalization services to persons
37 seeking, awaiting, or being considered for admission
38 or commitment to such facility.

39 Sec. 186. Section two hundred thirty A point two
40 (230A.2), Code 1979, is amended by adding the following
41 new subsection:

42 NEW SUBSECTION. Services for children and for
43 the elderly.

44 Sec. 187. Section two hundred thirty A point three
45 (230A.3), Code 1979, is amended to read as follows:

46 230A.3 FORMS OF ORGANIZATION. Each community
47 mental health center established or continued in
48 operation as authorized by section 230A.1 shall be
49 organized and administered in accordance with one
50 of the two alternative forms prescribed by this

1 chapter. The two alternative forms are:

2 1. Direct establishment of the center by the
3 county or counties supporting it and administration
4 of the center by an elected board of trustees, pursuant
5 to sections 230A.4 to 230A.11.

6 2. Establishment of the center by a nonprofit
7 corporation providing services to the county or
8 counties on the basis of an agreement with the board
9 or boards of supervisors, pursuant to sections 230A.12
10 and 230A.13.

11 Sec. 188. Section two hundred thirty A point
12 sixteen (230A.16), Code 1979, is amended to read as
13 follows:

14 230A.16 ESTABLISHMENT OF STANDARDS. The Iowa
15 state director of mental health authority, with
16 approval of the ~~committee-on-mental-hygiene~~ mental
17 health commission and subject to the provisions of
18 chapter 17A, shall formulate and adopt and may from
19 time to time revise standards for community mental
20 health centers and comprehensive community mental
21 health programs, with the overall objective of ensuring
22 that each center and each affiliate providing services
23 under contract with a center furnishes high quality
24 mental health services within a framework of
25 accountability to the community it serves. The
26 standards shall be in substantial conformity with
27 ~~those-of-the-psychiatric-committee-of-the-joint~~
28 ~~committee-on-accreditation-of-hospitals-and-other~~
29 recognized national standards for evaluation of
30 psychiatric facilities unless in the judgment of the
31 Iowa state director of mental health authority, with
32 approval of the ~~committee-on-mental-hygiene~~ mental
33 health commission, there are sound reasons for
34 departing from such standards. When formulating or
35 revising standards under this section, the Iowa state
36 director of mental health authority shall designate
37 an advisory committee representing boards of directors
38 and professional staff of community mental health
39 centers to assist in the formulation or revision of
40 standards. At least a simple majority of the members
41 of the advisory committee shall be lay representatives
42 of community mental health center boards of directors,
43 and at least three of those individuals shall be
44 persons holding office as county supervisors at the
45 time of their appointments to the advisory committee.
46 The standards established under this section shall
47 include requirements that each community mental health
48 center established or operating as authorized by
49 section 230A.1 shall:

50 1. Maintain and make available to the public a

1 written statement of the services it offers to
2 residents of the county or counties it serves, and
3 employ or contract for services with affiliates
4 employing specified minimum numbers of professional
5 personnel possessing specified appropriate credentials
6 to assure that the services offered are furnished
7 in a manner consistent with currently accepted
8 professional standards in the field of mental health.

9 2. Unless it is governed by a board of trustees
10 elected or selected under sections 230A.5 and 230A.6,
11 be governed by a board of directors which adequately
12 represents interested professions, consumers of the
13 center's services, socio-economic, cultural and age
14 groups, and various geographical areas in the county
15 or counties served by the center.

16 3. The Arrange for the financial condition and
17 transactions of each the community mental health
18 center shall to be audited once each year by the
19 auditor of state; provided, however, that in lieu
20 of an audit by state accountants, the local governing
21 body of a community mental health center organized
22 under the terms of this chapter in case it elects
23 to do so, may contract with or employ certified public
24 accountants to conduct such audit, pursuant to the
25 applicable terms and conditions prescribed by sections
26 11.18 and 11.19 and audit format prescribed by the
27 auditor of state. Copies of each audit shall be
28 furnished by the accountant employed to the Iowa
29 department of mental health authority and the board
30 of supervisors supporting the audited community mental
31 health center.

32 4. Adopt and implement rules ensuring that no
33 member of the center's board of directors, or board
34 of trustees receives from the center information which
35 identifies or is intended to permit the members of
36 the board to identify any individual who is a client
37 of that center.

38 Sec. 189. Section two hundred thirty A point
39 seventeen (230A.17), Code 1979, is amended to read
40 as follows:

41 230A.17 REVIEW AND EVALUATION. The ~~committee~~
42 ~~on-mental-hygiene~~ state director of mental health
43 may review and evaluate any community mental health
44 center upon ~~its-own-motion-or-upon~~ the recommendation
45 of the Iowa mental health authority commission, and
46 ~~the-committee~~ shall do so upon the written request
47 of the center's board of directors, its chief medical
48 or administrative officer, or the board of supervisors
49 of any county from which the center receives public
50 funds. The cost of the review shall be paid by the

1 ~~Iowa~~ department of mental health authority.

2 Sec. 190. Section two hundred thirty A point

3 eighteen (230A.18), Code 1979, is amended to read

4 as follows:

5 230A.18 REPORT OF REVIEW AND EVALUATION. Upon
6 completion of a review made pursuant to section
7 230A.17, the reviewing team shall submit its findings
8 to the board of directors and chief medical or
9 administrative officer of the center in such manner
10 as the team members deem most appropriate. If the
11 reviewing team concludes that the center fails to
12 meet any of the standards established pursuant to
13 section 230A.16, subsection 1, and that the response
14 of the center to this finding is unsatisfactory, these
15 conclusions shall be reported to the ~~committee-on~~
16 ~~mental-hygiene~~ mental health commission which may
17 forward the conclusions to the board of directors
18 of the center and request an appropriate response
19 within a ~~reasonable-period-of-time~~ thirty days. If
20 no response is received within a ~~reasonable-period~~
21 ~~of-time~~ thirty days, or if the response is
22 unsatisfactory, the ~~committee~~ commission may as its
23 ultimate sanction call this fact to the attention
24 of the board of supervisors of the county or counties
25 served by the center, and in doing so shall indicate
26 what corrective steps have been recommended to the
27 center's board of directors.

28 Sec. 191. Section two hundred fifty-five point
29 twenty-eight (255.28), Code 1979, is amended to read
30 as follows:

31 255.28 TRANSFER OF PATIENTS FROM STATE
32 INSTITUTIONS. The commissioner of the ~~department~~
33 of social services and the director of any of the
34 divisions of ~~such~~ that department, and the board ~~in~~
35 ~~control~~ of regents, with respect to the Iowa braille
36 and sight-saving school, and the Iowa school for the
37 deaf, and the director of mental health may,
38 respectively, send any inmate, student or patient
39 of any of ~~said~~ the institutions under their
40 jurisdictions, or any person committed or applying
41 for admission thereto, to the hospital of the medical
42 college of the state university for treatment and
43 care as provided in this chapter, without securing
44 the order of court required in other cases. Said
45 The state department of social services, and board
46 ~~in-control-of-the-Iowa-braille-and-sight-saving-school~~
47 ~~and-the-Iowa-school-for-the-deaf~~ of regents and
48 department of mental health shall respectively pay
49 the traveling expenses of any patient thus committed,
50 and when necessary the traveling expenses of an

1 attendant for such the patient, out of funds
2 appropriated for the use of the institution from which
3 he the patient is sent.

4 Sec. 192. Section two hundred fifty-seven point
5 seventeen (257.17), subsection one (1), Code 1979,
6 is amended to read as follows:

7 1. Exercise general supervision over the state
8 system of public education, including the public
9 elementary and secondary schools, the junior area
10 vocational schools and community colleges, and shall
11 have educational supervision over the elementary and
12 secondary schools under the control of a director
13 of a division of the department of social services
14 or of the division of community services of the
15 department of mental health, and nonpublic schools
16 to the extent that is necessary to ascertain compliance
17 with the provisions of the Iowa school laws.

18 Sec. 193. Section two hundred sixty-three point
19 ten (263.10), Code 1979, is amended to read as follows:

20 263.10 PERSONS ADMITTED. Every resident of the
21 state who is not more than twenty-one years of age,
22 who is so severely handicapped as to be unable to
23 acquire an education in the common schools, and every
24 such person who is twenty-one and under thirty-five
25 years of age who has the consent of the state board
26 of regents, shall be entitled to receive an education,
27 care, and training in the institution, and nonresidents
28 similarly situated may be entitled to an education
29 and care therein upon such terms as may be fixed by
30 the state board of regents. The fee for nonresidents
31 shall be not less than the average expense of resident
32 pupils and shall be paid in advance. Residents and
33 persons under the care and control of a director of
34 a division of the department of social services or
35 of the head of the division of community services
36 of the department of mental health who are severely
37 handicapped may be transferred to the hospital-school
38 upon such terms as may be agreed upon by the state
39 board of regents and such director.

40 Sec. 194. Section two hundred eighty-two point
41 eighteen (282.18), Code 1979, is amended to read as
42 follows:

43 282.18 CHILDREN FROM CHARITABLE INSTITUTION OR
44 STATE INSTITUTION. Children who are living in a
45 charitable institution organized under the laws of
46 this state or are living in any institution under
47 the jurisdiction of a director of a division of the
48 department of social services or of the head of the
49 division of community services of the department of
50 mental health and who have completed a course of study

1 for the eighth grade and who do not require special
2 education shall be permitted to enter any approved
3 public high school in Iowa that will receive them
4 and the tuition and transportation when required by
5 law shall be paid by the treasurer of state from any
6 money in his hands the general fund of the state not
7 otherwise appropriated and upon warrants drawn and
8 signed by the state comptroller on requisition issued
9 by the superintendent of public instruction. The
10 superintendent of public instruction is hereby
11 empowered to require such reports, from such
12 institution and from the high school such pupils
13 attend, as are necessary properly to carry out the
14 provisions of this section.

15 Sec. 195. Section four hundred twenty-two point
16 forty-five (422.45), subsection five (5), unnumbered
17 paragraph one (1), Code 1979, is amended to read as
18 follows:

19 The gross receipts or from services rendered,
20 furnished, or performed and of all sales of goods,
21 wares or merchandise used for public purposes to any
22 tax-certifying or tax-levying body of the state of
23 Iowa or governmental subdivision thereof, including
24 the state board of regents, state department of social
25 services, state department of mental health, state
26 department of transportation, any municipally owned
27 solid waste facility which sells all or part of its
28 processed waste as fuel to a municipally owned public
29 utility and all divisions, boards, commissions,
30 agencies or instrumentalities of state, federal,
31 county or municipal government which have no earnings
32 going to the benefit of an equity investor or
33 stockholder except sales of goods, wares or merchandise
34 or from services rendered, furnished, or performed
35 and used by or in connection with the operation of
36 any municipally owned public utility engaged in selling
37 gas, electricity or heat to the general public.

38 Sec. 196. Section four hundred forty-four point
39 twelve (444.12), Code 1979, is amended to read as
40 follows:

41 444.12 COUNTY MENTAL HEALTH AND INSTITUTIONS FUND.

42 1. The board of supervisors of each county shall
43 establish a county mental health and institutions
44 fund, ~~from which shall be paid~~ used only for the
45 purposes stated in subsections two (2) through six
46 (6) of this section.

47 ~~1. 2.~~ 2. There shall be paid from the fund all
48 charges which the county is obligated by statute to
49 pay for:

50 a. Care and treatment of patients by any state

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1 mental health institute.

2 b. Care and treatment of patients by either of
3 the state hospital-schools or by any other facility
4 established under chapter 222.

5 c. Care and treatment of patients by the
6 ~~psychopathic~~ psychiatric hospital at Iowa City.

7 d. Care and treatment of persons at the alcoholic
8 treatment center at Oakdale or any facilities as
9 provided in chapter 125, provided, however, that any
10 admission to a facility shall be reported to the
11 county board of supervisors within five days by the
12 center or facility offering such treatment.

13 e. Care of children admitted or committed to the
14 Iowa juvenile home at Toledo.

15 f. Clothing, transportation, and medical or other
16 services provided persons attending the Iowa braille
17 and sight-saving school, the Iowa school for the deaf,
18 or the state hospital-school for severely handicapped
19 children at Iowa City, for which the county becomes
20 obligated to pay pursuant to sections 263.12, 269.2,
21 and 270.4 through 270.7.

22 ~~2.---Any-person-which-the~~ 3. The board of
23 supervisors may pay from the fund any portion it may
24 ~~deem advisable of the cost of psychiatric-examination~~
25 ~~and-treatment-of-persons-in-need-thereof-or-of~~
26 professional evaluation, treatment, training,
27 habilitation, and care of persons who are mentally
28 retarded, autistic children or persons who are
29 afflicted by any other developmental disability, at
30 any suitable public or private facility providing
31 inpatient or outpatient care in such county. As used
32 in this subsection:

33 a. "Developmental disability" has the meaning
34 assigned that term by title 42, section 2691,
35 subsection 1, United States Code, as amended to January
36 1, 1974.

37 b. "Autistic children" means persons, regardless
38 of age, with severe communication and behavior
39 disorders that became manifest during the early stages
40 of childhood development and that are characterized
41 by a severely disabling inability to understand,
42 communicate, learn and participate in social
43 relationships. "Autistic children" includes but is
44 not limited to those persons afflicted by infantile
45 autism, profound aphasia and childhood psychosis.

46 ~~The-board-of-supervisors-may-require-any-public~~
47 ~~or-private-facility-as-a-condition-of-payment-from~~
48 ~~county-funds-to-furnish-the-board-with-a-statement~~
49 ~~of-the-income-assets-and-township-or-municipality~~
50 ~~and-the-county-of-legal-residence-of-each-person~~

~~1 receiving-services-under-this-section-provided,~~
~~2 however-the-facility-shall-not-disclose-to-anyone~~
~~3 without-the-permission-of-the-person-receiving-services~~
~~4 for-which-commitment-is-not-required-such-person's~~
~~5 name-or-street-or-route-address.~~

6 3.---The 4. There shall be paid from the fund the
7 cost of care and treatment of persons placed in the
8 county hospital, county care facility, a health care
9 facility as defined in section 135C.1, subsection
10 8, or any other public or private facility:

11 a. In lieu of admission or commitment to, or upon
12 discharged, removal, or transfer from, a state mental
13 health institute, hospital-school, or other facility
14 established pursuant to chapter 222 two hundred twenty-
15 six (226) of the Code.

16 b. Upon In lieu of admission or commitment to,
17 or upon discharge, removal, or transfer from a state
18 mental-health-institute-or state hospital-school or
19 other institution established pursuant to chapter
20 222.

21 5. The cost of foster care and related services
22 provided to any child who is under the jurisdiction
23 of the juvenile court, if provided upon the order
24 of the court, shall be paid from the fund.

25 4.---Any-contribution-which-the 6. The board of
26 supervisors may-make-to-the shall pay from the fund,
27 or from the county's share of the general allocation
28 of the state community mental health services fund,
29 any amounts budgeted by the board of supervisors for
30 either or both of the following purposes:

31 a. Mental health services furnished to individuals
32 on either an outpatient or inpatient basis, or to
33 a school or other public agency or to the community
34 at large, by a community mental health center, county
35 care facility or other suitable facility located in
36 or reasonably near the county, provided that any
37 services paid for with the fund, or with money received
38 from the state community mental health services fund
39 shall meet the standards of the state mental health
40 commission and be consistent with the annual plan
41 for services approved by the board of supervisors.

42 b. The costs of establishment and initial operation
43 of a community mental health center in the manner
44 and subject to the limitations provided by law.

45 7. The board of supervisors shall, at the time
46 of levying other taxes, estimate the amount necessary
47 to meet the foregoing expenses authorized by this
48 section which it is anticipated that the county will
49 incur in the coming year, and levy a tax sufficient
50 to raise the amount needed. The tax shall be computed

1 and spread as a single levy, but the board of
2 supervisors shall determine and enter of record the
3 respective separate amounts budgeted for payment from
4 county tax revenues under subsections two (2) through
5 six (6) of this section. The proceeds of the tax
6 shall be credited to the county mental health and
7 institutions fund, and used only for the purposes
8 prescribed by this section. Should any county fail
9 to levy a tax sufficient to meet the expenses which
10 the county is required to pay, or which the board
11 of supervisors chooses to pay, from the county mental
12 health and institutions fund pursuant to this section,
13 the deficiency shall be met by transfer of funds from
14 the county general fund to the county mental health
15 and institutions fund.

16 ~~5. -- Foster care and related services provided to~~
17 ~~any child who is under the jurisdiction of the juvenile~~
18 ~~court, if provided upon the order of the court.~~

19 8. The board of supervisors may require any public
20 or private facility, as a condition of receiving
21 payment from county funds for services it has provided,
22 to furnish the board with a statement of the income,
23 assets, and township or city and county of legal
24 residence of each person who has received services
25 from that facility for which payment has been made
26 from county funds under this section. However, the
27 facility shall not disclose to anyone the name or
28 street or route address of any person receiving
29 services for which commitment is not required, without
30 first obtaining that person's written permission.

31 9. Nothing in this section or any other statute
32 shall be construed to prohibit parents or other persons
33 from voluntarily reimbursing the county or state for
34 the reasonable cost of caring for an individual while
35 he or she was a patient or inmate in the county
36 hospital, county home care facility, mental health
37 institute, hospital-school, training school, or home
38 for children.

39 Sec. 197. Section six hundred one C point two
40 (601C.2), subsection one (1), Code 1979, is amended
41 to read as follows:

42 1. "Public office building" means the state
43 capitol, all county courthouses, all city halls, and
44 all buildings used primarily for governmental offices
45 of the state or any county or city. It does not
46 include public schools or buildings at institutions
47 of the state board of regents, state department of
48 mental health or the state department of social
49 services.

50 Sec. 198. Section six hundred one F point three

1 (601F.3), Code 1979, is amended by adding the following
2 new subsection:

3 NEW SUBSECTION. The director of mental health
4 or the director's designee.

5 Sec. 199. Section seven hundred nineteen point
6 seven (719.7), Code 1979, is amended to read as
7 follows:

8 719.7 FURNISHING INTOXICANT TO INMATES. Any
9 person not authorized by law who furnishes or knowingly
10 makes available any intoxicating beverage to any
11 inmate at any detention facility, correctional
12 institution or any institution under the management
13 of the department of social services or the department
14 of mental health, or who introduces any intoxicating
15 beverage into the premises of any such institution,
16 commits a simple misdemeanor.

17 Sec. 200. Section seven hundred nineteen point
18 eight (719.8), Code 1979, is amended to read as
19 follows:

20 719.8 FURNISHING CONTROLLED SUBSTANCE TO INMATES.
21 Any person not authorized by law who furnishes or
22 knowingly makes available any controlled substance
23 to any inmate at any detention facility or correctional
24 institution, or at any institution under the management
25 of the department of social services or the department
26 of mental health, or who introduces any controlled
27 substance into the premises of any such institution,
28 commits a class "D" felony.

29 Sec. 201. Chapter two hundred twenty-five B (225B),
30 Code 1979, is repealed effective January 1, 1981.
31 This section does not negate or otherwise affect the
32 repeals of designated statutes made by section two
33 hundred twenty-five B point eight (225B.8), Code 1979.

34 Sec. 202.

35 1. Notwithstanding the provisions of section
36 seventy-four (74) of this Act, the governor shall
37 appoint the initial members of the mental health
38 commission no later than October 1, 1980. A commission
39 member whose initial term is longer than three years
40 by virtue of this section is eligible for reap-
41 pointment to a second consecutive term of three years.
42 The commission and other existing state agencies
43 affected by this Act shall then begin preparations
44 to implement this Act on January 1, 1981.

45 2. As soon as possible after the effective date
46 of this section, the director of the division of
47 mental health of the department of social services
48 shall undertake a study of possible alternatives to
49 the present method of supporting the state mental
50 health institutes with the objective of encouraging

1 the process of deinstitutionalization and containing
2 the cost to counties of mental health institute
3 services. The director shall inform the mental health
4 commission of the progress made toward completion
5 of the tasks mandated by this section when the
6 commission assumes office, and shall thereafter
7 continue to make periodic reports to the commission
8 as requested by the commission during the period while
9 the division of mental health remains a part of the
10 department of social services.

11 Sec. 203.

12 1. Sections seventy-one (71), seventy-two (72),
13 seventy-three (73), seventy-six (76) through eighty-
14 three (83), and ninety (90) through one hundred ninety-
15 eight (198) of this Act are effective January first
16 following its enactment.

17 2. Sections eighty-four (84) through eighty-eight
18 (88) of this Act are effective July first following
19 the effective date of the sections cited in subsection
20 one (1) of this section.

21 3. Notwithstanding the provisions of sections
22 two hundred twenty-five B point two (225B.2) and two
23 hundred twenty-five B point eight (225B.8), Code 1979,
24 as amended by Acts of the Sixty-eighth General
25 Assembly, 1979 Session, chapter fifty-four (54),
26 sections one (1) and two (2), the division of mental
27 health resources of the department of social services
28 and the Iowa mental health authority shall continue
29 to be governed respectively by sections two hundred
30 seventeen point ten (217.10) through two hundred
31 seventeen point twelve (217.12), Code 1979 and chapter
32 two hundred twenty-five B (225B), Code 1977, until
33 January 1, 1981, or until a date not later than July
34 1, 1981 if the governor delays implementation under
35 section two hundred twenty-five B point two (225B.2),
36 Code 1979, as amended by Acts of the Sixty-eighth
37 General Assembly, 1979 Session, chapter fifty-four
38 (54), section one (1).

39 4. The appropriation made to the Iowa mental
40 health authority by Acts of the Sixty-eighth General
41 Assembly, 1979 Session, chapter nine (9), section
42 three (3), subsection four (4), and any other
43 appropriation made to the Iowa mental health authority
44 by any Act of the Sixty-eighth General Assembly, and
45 the appropriations made to the division of mental
46 health resources of the department of social services
47 by Acts of the Sixty-eighth General Assembly, 1979
48 Session, chapter eight (8), section one (1), sub-
49 section one (1), and the appropriation made to the
50 state mental health institutes by any Acts of the

1 Sixty-eighth General Assembly, 1979 Session, chapter
2 eight (8), section six (6), subsection one (1), and
3 any other appropriation made to the division or to
4 the mental health institutes by any Acts of the Sixty-
5 eighth General Assembly, shall be deemed to be
6 appropriations to the department of mental health
7 as designated by section seventy-three (73) of this
8 Act, effective January 1, 1981, or on a date not later
9 than July 1, 1981 if the governor delays implementation
10 under section two hundred twenty-five B point two
11 (225B.2), Code 1979, as amended by Acts of the Sixty-
12 eighth General Assembly, 1979 Session, chapter fifty-
13 four (54), section one (1)."

14 6. Title, page 2, line 15, by inserting after
15 the word "services" the words ", and to establish
16 a state department of mental health, prescribe its
17 powers and duties, transfer to it certain
18 responsibilities presently imposed by law on the
19 division of mental health of the department of social
20 services and on the Iowa mental health authority,
21 provide a description of those responsibilities of
22 the department of social services which are now
23 assigned to the division of mental health and which
24 are to be left within the jurisdiction of the
25 department of social services, and make amendments
26 in conformity with these changes to various sections
27 to the Code as necessary".

S-5847 FILED
APRIL 23, 1980

BY TOM SLATER
SUE YENGER
JOHN JENSEN
BOB CARR

WILLARD HANSEN
DICK COMITO
CHARLES MILLER
STEPHEN BISENIUS
ARNE WALDSTEIN

JAMES BRILES
HOUSE FILE 2580
RICHARD DRAKE

S-5840

1 Amend House File 2580 as amended, passed and re-
2 printed by the House as follows:
3 1. Page 40, line 24, by inserting after the word
4 "copayment" the words "and to require that pharmacists
5 who reduce the total cost, including the reduction of
6 either the ingredient cost or the professional fee, or
7 both, of a prescription drug or insulin to persons, as
8 defined in section four point one (4.1), subsection
9 thirteen (13) of the Code, participating in a private,
10 third-party payor prescription drug insurance or benefit
11 plan or to the insurance or benefit plan, also reduce
12 by the same amount the total cost of the same prescription
13 drug or insulin to persons participating in the medical
14 assistance program established by chapter two hundred
15 forty-nine A (249A) of the Code or to the program".

S-5840 FILED
APRIL 23, 1980

BY BERL E. PRIEBE

U deposited 4/24 (J. 1675)

HOUSE FILE 2580

S-5825

1 Amend House File 2580 as amended, passed and
2 reprinted by the House, as follows:

3 1. Page 27, line 12, by inserting after the figure
4 "(3)," the word and figure "six (6),".

5 2. Page 28, by inserting after line 5 the
6 following:

7 "6. It is the intent of the general assembly that
8 the division of adult corrections in cooperation with
9 the Iowa merit employment commission study the cost
10 of raising the salaries of all corrections personnel,
11 the cost of making a greater distinction in salary
12 between corrections officers and supervisory personnel,
13 the costs of bringing the salaries of corrections
14 officers at Rockwell City into uniformity with the
15 salaries at the other adult corrections institutions,
16 and the cost of early retirement for correctional
17 officers, and that after study and consultation with
18 the Iowa merit employment system, the division report
19 its recommendations to the joint appropriations
20 subcommittee on social services not later than December
21 1, 1979, and that the division of adult corrections,
22 with a representative of the merit employment
23 commission, send a progress report to the chairpersons
24 of the joint appropriations subcommittee on social
25 services at least twice prior to December 1, 1979.
26 The division of adult corrections, in conjunction
27 with other appropriate state agencies, shall continue
28 its study of alternative means of making further
29 improvements in the salaries and retirement benefits
30 of corrections officers and supporting personnel,
31 and any job reclassifications necessary to implement
32 such improvements. The department of social services
33 shall include recommendations necessary to implement
34 these improvements in its 1982-83 budget request."

S-5825 FILED BY SUE YENGER
APRIL 23, 1980 *s/d*
Adopted out of order 4/24 (p. 1666)

HOUSE FILE 2580

S-5824

1 Amend House File 2580, as amended, passed and
2 reprinted by the House, as follows:
3 1. Page 15, by striking lines 10 through page 18,
4 line 27.

S-5824 FILED BY WILLIAM D. PALMER
APRIL 23, 1980
Lost 4/24 (p. 1666)

HOUSE FILE 2580

S-5826

1 Amend House File 2580 as amended, passed and re-
2 printed by the House as follows:

3 1. By striking page 29, line 30, through page 31,
4 line 14.

S-5826 FILED BY LUCAS J. DeKOSTER
APRIL 23, 1980
Adopted as amended by 5908 4/24 (p. 1669)
JOHN S. MURRAY

S-5821

1 Amend House File 2580 as amended, passed and
2 reprinted by the House as follows:

3 1. Page 1, by inserting before line 1 the
4 following:

5 "Section 1. There is appropriated from the general
6 fund of the state to the salary adjustment fund created
7 in section eight point forty-three (8.43) of the Code,
8 the following amount or so much thereof as is
9 necessary, to be used and distributed to the various
10 departments and agencies in the manner provided in
11 this Act:

12 For the fiscal year
13 beginning July 1, 1980..... \$ 8,700,000

14 Sec. 2. The funds appropriated in section one
15 (1) of this Act are in addition to the funds
16 appropriated in the Acts of the Sixty-eighth General
17 Assembly, 1979 Session, chapter two (2), section
18 twenty-two (22), subsection one (1), and shall be
19 used to fund the following and section six (6) of
20 this Act:

21 An annual pay adjustment of two percent for the
22 fiscal year beginning July 1, 1980, which shall be
23 available for adding to the funds appropriated in
24 the Acts of the Sixty-eighth General Assembly, 1979
25 Session, chapter two (2), section twenty-two (22),
26 subsection one (1) and making a combined adjustment
27 for employees who will receive adjustments in the
28 fiscal year beginning July 1, 1980 provided for in
29 this section and the Acts of the Sixty-eighth General
30 Assembly, 1979 Session, chapter two (2), section
31 twenty-two (22), subsections one (1) and two (2).
32 However, this section does not apply to employees
33 covered under section six (6) of this Act. Funds
34 appropriated by this section shall not be added to
35 the funds appropriated by the Acts of the Sixty-eighth
36 General Assembly, 1979 Session, chapter two (2),
37 sections twenty-three (23) and twenty-four (24).
38 However, employees covered under sections twenty-three
39 (23) and twenty-four (24) of that Act are eligible
40 to receive the two percent pay adjustment payable
41 from funds appropriated by those sections in the same
42 manner as other employees.

43 Sec. 3. There is appropriated from the general
44 fund of the state for the fiscal year beginning July
45 1, 1980 and ending June 30, 1981 to the state
46 comptroller for allocation as additional general state
47 financial aid for supplementary salary adjustment
48 purposes of merged areas as defined in section two
49 hundred eighty A point two (280A.2) of the Code, the
50 sum of one million three hundred thousand (1,300,000)

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1 dollars, or so much thereof as is necessary.

2 Sec. 4. Funds appropriated from the general fund
3 of the state in sections two (2) and three (3) of
4 this Act shall relate to salaries supported from gen-
5 eral fund appropriations and shall not be used to
6 replace revolving, federal, trust, or special funds
7 where applicable.

8 Sec. 5. To departmental revolving, trust, or
9 special funds, except for the primary road fund or
10 the road use tax fund, for which the general assembly
11 has established an operating budget, a supplemental
12 authorization is provided to use the funds in an
13 amount necessary to fund salary adjustments at the
14 level authorized in section two (2) of this Act.

15 Sec. 6. Acts of the Sixty-eighth General Assembly,
16 1979 Session, chapter two (2), section twenty-eight
17 (28), is amended by striking the section and inserting
18 in lieu thereof the following:

19 SEC. 28. For the fiscal year beginning July 1,
20 1980 and ending June 30, 1981, the funds allocated
21 to the state board of regents by chapter two (2) of
22 Acts of the Sixty-eighth General Assembly, 1979
23 Session, this Act, and other funds which may be
24 available for the purpose of providing increases for
25 employees not covered by a collective bargaining
26 agreement and employees in the university of northern
27 Iowa faculty bargaining unit, shall be used as follows:

28 1. Employees in the university of northern Iowa
29 faculty bargaining unit shall receive a one and three-
30 tenths percent increase in salary as their salaries
31 exist for the fiscal year ending June 30, 1980, and
32 an additional seven-tenths of one percent of such
33 salaries shall be available for salary increases for
34 such persons at the discretion of the state board
35 of regents. These increases shall be in addition
36 to salary increases otherwise authorized by Acts of
37 the Sixty-eighth General Assembly, 1979 Session,
38 chapter two (2), section twenty-two (22), subsection
39 two (2), paragraph g, and shall be paid at the same
40 time and administered in the same manner as other
41 salary adjustments provided for in section two (2)
42 of this Act. This subsection shall not be construed
43 as a violation of a collective bargaining agreement
44 negotiated pursuant to chapter twenty (20) of the
45 Code.

46 2. The amount necessary to fund for the fiscal
47 year an average base salary increase of nine percent
48 of base salaries for faculty members not covered in
49 a collective bargaining unit and paid during the
50 preceding fiscal year, to be allocated to faculty

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1 members at the discretion of the state board of
2 regents.

3 3. The amount necessary to fund for the fiscal
4 year a salary increase of five percent of the base
5 salary, plus an additional one percent to be allocated
6 at the discretion of the state board of regents, of
7 each professional and scientific staff member, except
8 board office employees, paid during the preceding
9 fiscal year. The percentage increases authorized
10 for salaries under this subsection do not preclude
11 a professional and scientific staff member from
12 receiving an additional salary increase authorized
13 by the state board of regents consistent with chapter
14 two (2) of Acts of the Sixty-eighth General Assembly,
15 1979 Session, and this Act and appropriations made
16 by the general assembly.

17 4. For employees under the state board of regents'
18 merit system who are not included in the collective
19 bargaining agreement made final under chapter twenty
20 (20) of the Code, except board office employees, the
21 amount necessary to increase the state board of
22 regents' merit pay plan as it exists for the fiscal
23 year ending June 30, 1980, an average amount equal
24 to seven and four-tenths percent. The percentage
25 increase authorized for the pay plan in this subsection
26 does not preclude an employee under the state board
27 of regents' merit system who is not under a collective
28 bargaining agreement and not a board office employee,
29 from receiving any additional salary increase
30 authorized under the state board of regents' merit
31 rules. The merit pay plan adjustment shall be rounded
32 to the nearest whole dollar for the fiscal year.

33 Sec. 7.

34 1. The state comptroller shall determine the
35 actual authorized employee positions in state
36 government payable in whole or in part from the general
37 fund or trust funds of the state, on July 1, 1980,
38 as authorized by the executive council or the board
39 of regents for the executive branch, by the chief
40 justice of the supreme court for the judicial branch,
41 by the legislative council or the appointing
42 authorities of the two houses for the legislative
43 branch. The positions shall be categorized as full-
44 time, intermittent, or part-time positions. During
45 the fiscal year beginning on July 1, 1980, the state
46 comptroller shall monitor the positions and shall
47 report to the governor, the chief justice of the
48 supreme court, the legislative council or the
49 appointing authorities of the two houses of the general
50 assembly, the applicable number of positions in each

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1 category authorized and filled on the last day of
2 each quarter.

3 2. a. As used in this subsection and subsection
4 three (3) of this section, "appropriate official or
5 agency" means the governor, for a position in the
6 executive branch of state government other than a
7 position which is at an institution governed by the
8 state board of regents and is not on the centralized
9 payroll system; the president or superintendent of
10 an institution governed by the state board of regents
11 for a position in that institution which is not on
12 the centralized payroll system; the chief justice
13 of the supreme court for a position in the judicial
14 branch of state government; the legislative council
15 or appointing authorities of the two houses of the
16 general assembly for a position in the legislative
17 branch of state government; or the superintendent
18 of a merged area school.

19 b. During the fiscal year beginning July 1, 1980,
20 a vacancy in an employee position in state government
21 or a merged area school, other than a position which
22 is independent of state funding, shall not be filled
23 unless the appropriate official or agency reviews
24 the need for filling the vacancy and gives written
25 authorization for it to be filled.

26 3. In reviewing need and authorizing the filling
27 of vacancies, the appropriate official or agency shall
28 consider, to the extent practicable, the following
29 criteria among others:

30 a. Recommendations of the governor's economy
31 committee '79.

32 b. Economic predictions for the economy of the
33 nation, this state, the general fund of the state
34 and other funds applicable to the agency or position
35 reviewed.

36 c. Work loads and job descriptions of other
37 positions in the agency.

38 d. Efficiency measures adopted by or recommended
39 for the agency.

40 e. Special skills or training required for the
41 position.

42 f. An increase or decrease in employees of the
43 agency during the preceding three fiscal years.

44 g. An increase or decrease in duties delegated
45 to the agency during the preceding three fiscal years.

46 h. An increase or decrease in the number of persons
47 served by the agency during the preceding three fiscal
48 years.

49 As used in this subsection, "agency" may mean a
50 commission, department or other division of the

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1 executive branch, an institution governed by the state
2 board of regents, a department or portion of the
3 judicial branch, either house of the legislature,
4 a legislative agency, or a merged area school, as
5 applicable.

6 4. Subsections one (1), two (2), and three (3)
7 of this section do not apply to positions held by
8 inmates, patients or students at state institutions.

9 5. The general assembly intends that the
10 implementation of this section either will reduce
11 the number of actual authorized employee positions
12 in state government payable in whole or in part from
13 the general fund or trust funds of the state, in each
14 category of full-time, intermittent, or part-time
15 positions, on June 30, 1981, by at least two percent
16 below the number of such positions on July 1, 1980
17 or will increase the average vacancy factor in
18 employment positions by at least one month.

19 6. Actions taken by the presidents or
20 superintendents of institutions governed by the state
21 board of regents for the purpose of implementing this
22 section shall be reported to the board of regents
23 and to the governor. Actions taken by superintendents
24 of merged area schools for the purpose of implementing
25 this section shall be reported to the state board
26 of public instruction and the governor. The reports
27 shall be made not less than quarterly.

28 Sec. 8. Section one hundred twenty-three point
29 fifty-three (123.53), Code 1979, is amended by striking
30 subsection seven (7).

31 Sec. 9. Section four hundred twenty-six A point
32 one (426A.1), Code 1979, is amended to read as follows:

33 426A.1 MILITARY SERVICE TAX CREDIT FUND. There
34 is hereby appropriated from any moneys in the state
35 treasury not otherwise appropriated, ~~the a sum of~~
36 ~~eight-hundred-thousand-dollars-to-establish-a-fund~~
37 ~~to-be-known-as-"the-military-service-tax-credit-fund"~~
38 ~~in-which-fund-shall-also-be-included-the-amounts~~
39 ~~credited-to-the-military-service-tax-fund-provided~~
40 ~~by-section-123-53--subsection-7~~ sufficient to pay
41 the military service tax credits in the manner provided
42 in this chapter.

43 Sec. 10. Section four hundred twenty-six A point
44 two (426A.2), Code 1979, is amended to read as follows:

45 426A.2 WHERE CREDIT GIVEN. The military service
46 tax credit fund shall be ~~apportioned~~ paid each year
47 as hereinafter provided so as to replace all or a
48 portion of the tax on property eligible for military
49 service tax exemption in the state, were such property
50 subject to taxation the amount of such credit to be

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1 equal to not more than six dollars and seventy-five
2 cents per thousand dollars of assessed value upon
3 the valuation of property subject to the tax which,
4 but for military service tax exemption, would be
5 payable upon such property in the taxing district
6 to which such property is located.

7 Sec. 11. Section four hundred twenty-six A point
8 four (426A.4), Code 1979, is amended to read as
9 follows:

10 426A.4 CERTIFICATION BY DIRECTOR OF REVENUE.

11 Sums distributable ~~from~~ for the military service tax
12 credit ~~fund~~ shall be allocated every six months to
13 the several counties of the state. On March 25 and
14 September 25 annually the director of revenue shall
15 certify to the comptroller the total credits claimed
16 by each county. Upon receipt of the certification
17 from the director of revenue, the comptroller shall
18 draw warrants to the treasurer of each county payable
19 from the ~~military-tax-service-credit~~ general fund
20 in the amount claimed, ~~provided that if the amount~~
21 ~~of money in said fund is insufficient to pay the~~
22 ~~credits claimed in full, then in that event they shall~~
23 ~~be paid on a pro-rata basis.~~

24 Sec. 12. Section four hundred twenty-six A point
25 six (426A.6), Code 1979, is amended to read as follows:

26 426A.6 SETTING ASIDE ALLOWANCE. Should the
27 director of revenue determine, upon investigation,
28 that any claim for military service tax exemption
29 has been allowed by any board of supervisors which
30 is not justifiable under the law and not substantiated
31 by proper facts, the director may, at any time within
32 twenty-four months from July 1 of the year in which
33 the claim is filed, set aside such allowance. Notice
34 of such disallowance shall be given to the county
35 auditor of the county in which such claim has been
36 improperly granted and a written notice of such
37 disallowance shall also be addressed to the claimant
38 at his last known address. Such claimant, or the
39 board of supervisors, may seek judicial review of
40 the action of the director of revenue in accordance
41 with the terms of the Iowa administrative procedure
42 Act. In any case, where a claim is so disallowed
43 by the director of revenue and no petition for judicial
44 review is filed with respect to such disallowance,
45 any amounts of credits allowed and paid ~~from the~~
46 ~~military-service-tax-credit-fund~~ shall become a lien
47 upon the property on which said credit was originally
48 granted, if still in the hands of the claimant, and
49 not in the hands of a bona fide purchaser, and any
50 amount so erroneously paid shall be collected by the

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1 county treasurer in the same manner as other taxes
2 and such collections shall be returned to the
3 department of revenue and credited to the ~~military~~
4 ~~service-tax-credit~~ general fund. The director of
5 revenue shall also have the authority to institute
6 legal proceedings against a military service tax
7 exemption claimant for the collection of all payments
8 made on such disallowed exemptions.

9 Sec. 13. Section four hundred twenty-six A point
10 eight (426A.8), Code 1979, is amended to read as
11 follows:

12 426A.8 EXCESS REMITTED--APPEALS. If the amount
13 of credit apportioned to any property eligible to
14 military service tax exemption under the provisions
15 of this chapter in any year shall exceed the total
16 tax, exclusive of any special assessments levied
17 against such property eligible for military service
18 tax exemption then such excess shall be remitted by
19 the county treasurer to the department of revenue
20 to be redeposited in the ~~military-service-tax-credit~~
21 general fund ~~and-reallocated-the-following-year-by~~
22 ~~the-department-as-provided-hereunder.~~

23 In the event any claim for exemption made hereunder
24 has been denied by the board of supervisors, and such
25 action is subsequently reversed on appeal, the same
26 credit shall be allowed on the assessed valuation,
27 not to exceed the amount of the military service tax
28 exemption involved in said appeal, as was allowed
29 on other military service tax exemption valuations
30 for the year or years in question, and the director
31 of revenue, the county auditor, and the county
32 treasurer are hereby authorized and directed to make
33 such credit and to change their books and records
34 accordingly.

35 In the event the appealing taxpayer has paid one
36 or both of the installments of the tax payable in
37 the year or years in question on such military service
38 tax exemption valuation, remittance shall be made
39 to the county treasurer in the amount of such credit.

40 The amount of such credit shall be allocated and
41 paid from the ~~surplus-redeposited-in-the-military~~
42 ~~tax-credit-fund-provided-for-in-the-first-paragraph~~
43 ~~of-this-section~~ general fund.

44 Sec. 14. Section four hundred twenty-six A point
45 nine (426A.9), Code 1979, is amended to read as
46 follows:

47 426A.9 ERRONEOUS CREDITS. In the event any claim
48 is allowed, and subsequently reversed on appeal, any
49 credit made thereunder shall be void, and the amount
50 of such credit shall be charged against the property

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1 in question, and the director of revenue, the county
2 auditor and the county treasurer are authorized and
3 directed to correct their books and records
4 accordingly. The amount of such erroneous credit,
5 when collected, shall be returned by the county
6 treasurer to the ~~military-service-tax-credit~~ general
7 ~~fund to-be-reallocated-the-following-year-as-provided~~
8 herein of the state.

9 Sec. 15. Section four hundred twenty-six A point
10 ten (426A.10), Code 1979, is repealed.

11 Sec. 16. The state comptroller shall report to
12 the legislative fiscal committee not less than
13 quarterly the results of implementing the provisions
14 of this Act. The state comptroller may provide
15 additional information which is deemed useful in
16 understanding the provisions of this Act and the
17 legislative fiscal committee may request such
18 information as it deems useful."

19 2. Page 1, line 11, by striking the word "may"
20 and inserting in lieu thereof the word "shall".

21 3. Page 3, line 20, by striking the figure
22 "4,751,000" and inserting in lieu thereof the figure
23 "4,801,000".

24 4. Page 3, by striking lines 21 through 27.

25 5. Page 12, by striking line 22 through page 14,
26 line 1.

27 6. Page 21, line 31, by inserting after the word
28 "property" the words "to be disposed of by a public
29 auction at Terrace Hill conducted by the department
30 of general services".

31 7. Page 22, by inserting after line 34 the
32 following:

33 "Sec. _____. There is appropriated from the general
34 fund of the state for the fiscal year beginning July
35 1, 1980 and ending June 30, 1981 the sum of fifty
36 thousand (50,000) dollars, or so much thereof as is
37 necessary, to the Iowa merit employment department
38 for conversion, design, testing, installation, and
39 implementation of a data processing system.

40 Sec. _____. Section two point forty-three (2.43),
41 unnumbered paragraph one (1), Code 1979, is amended
42 to read as follows:

43 The legislative council in co-operation with the
44 officers of the senate and house shall have the duty
45 and responsibility for preparing for each session
46 of the general assembly. Pursuant to such duty and
47 responsibility, the legislative council may assign
48 areas in the state capitol or other state buildings,
49 in consultation with the director of the department
50 of general services and the capitol planning

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1 commission, for use of the general assembly or
2 legislative agencies. The legislative council may
3 authorize the renovation, remodeling and preparation
4 of the physical facilities used or to be used by the
5 general assembly or legislative agencies subject to
6 the jurisdiction of the legislative council and award
7 contracts pursuant to such authority to carry out
8 such preparation. The legislative council may purchase
9 supplies and equipment deemed necessary for the proper
10 functioning of the legislative branch of government."

11 8. Page 25, by striking lines 7 and 8 and inserting #
12 in lieu thereof the following:

13 "Sec. 44. Sections forty-one (41), forty-two (42),
14 and forty-three (43) of this Act take effect July
15 1, 1981."

16 9. Page 29, by striking lines 1 through 13. J

17 10. Page 32, by striking from line 9 the figure J
18 "55,100,000" and inserting in lieu thereof the figure
19 "56,100,000".

20 11. Page 34, by striking lines 22 through 25 and K
21 inserting in lieu thereof the words "wide Title XX
22 plan."

23 12. Page 35, lines 8 and 9, by striking the words L
24 "subsections one (1) and four (4), are" and inserting
25 in lieu thereof the words "subsection four (4) is".

26 13. Page 35, by striking lines 10 through 15.

S-5821 FILED
APRIL 22, 1980

BY COMMITTEE ON APPROPRIATIONS
JOHN S. MURRAY, CHAIRPERSON

*Adopted with the exception of
Div. 5, #4. 4/24 (pp. 16 & 17 thru 1650)
Div. A, #1 ruled but not adopted 4/24*

HOUSE FILE 2580

S-5798

1 Amend House File 2580 as amended, passed, and
2 reprinted by the House as follows:

3 1. Page 4, by inserting after line 10, the follow-
4 ing:

5 "Sec. 9. Chapter two (2), Code 1979, is amended
6 by adding sections two (2) through four (4) of this
7 Act.

8 Sec. ____ NEW SECTION. DEFINITIONS. As used
9 in sections ten (10) and eleven (11) of this Act:

10 1. "State agency" means all state offices,
11 departments, boards, commissions, councils, committees,
12 institutions under the control of the state board
13 of regents, the governor's office, the courts and
14 offices of the legislative branch of state government.

15 2. "Federal funds" means financial assistance
16 available to a state agency from the United States
17 government, whether a loan, grant, subsidy,
18 augmentation, reimbursement or in any other form if
19 the financial assistance would have the effect of
20 creating a new program, increasing present programs,
21 duplicating existing programs, or requiring the
22 employment of additional persons. "Federal funds"
23 does not include federal pass-through funds to
24 governmental subdivisions as defined in section
25 eighteen point one (18.1), subsection three (3) of
26 the Code; and project grants for research and funds
27 for student aid programs carried on within institutions
28 under the control of the state board of regents or
29 the department of public instruction.

30 Sec. 10. NEW SECTION. RECEIPT OF FEDERAL FUNDS.

31 1. All federal funds shall be deposited in the
32 state treasury and are available for appropriation
33 by the general assembly as part of the state budget.
34 Detailed and accurate accounting records shall be
35 maintained for the federal funds.

36 2. The provisions of subsection one (1) of this
37 section do not apply if the general assembly has
38 created a special fund and has specifically provided
39 for the receipt of federal funds through the special
40 fund and for their use for a specific purpose.
41 However, funds deposited in the special fund shall
42 be used for the purpose designated by the general
43 assembly.

44 Sec. 11. NEW SECTION. APPROPRIATION OF FEDERAL
45 FUNDS.

46 1. Except as provided in subsection two (2) of
47 section ten (10) of this Act and subsection two (2)
48 of this section, a state agency shall not expend
49 federal funds for a purpose for which federal funds
50 have not been specifically appropriated whether the

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1 funds are advanced prior to expenditure or as
2 reimbursement.

3 2. When the general assembly is not in session,
4 state agencies may apply for, receive and administer
5 federal funds that were not appropriated by the general
6 assembly because they became available at a time which
7 precluded the possibility of their inclusion in the
8 budget enacted by the general assembly. However,
9 the state agency shall not apply for the federal funds
10 until the legislative council approves the application
11 for funds.

12 Sec. 12. Section seven point nine (7.9), Code
13 1979, is amended to read as follows:

14 7.9 FEDERAL FUNDS ACCEPTED. The governor ~~is~~
15 ~~authorized to~~ may accept for the state, the funds
16 provided by any an Act of Congress for the benefit
17 of the state of Iowa, or its political subdivisions,
18 provided there is no agency to accept and administer
19 such the funds, and he is authorized to the governor
20 may administer or designate an agency to administer
21 the funds until such time as an agency of the state
22 is established for that purpose, subject to the
23 provisions of sections ten (10) and eleven (11) of
24 this Act.

25 Sec. 13. Section seven point fifteen (7.15), Code
26 1979, is amended to read as follows:

27 7.15 FEDERAL FUNDS FOR HIGHWAY SAFETY. The
28 governor, in addition to other duties and
29 responsibilities conferred upon ~~him~~ the governor by
30 the Constitution and laws of this state, ~~is hereby~~
31 ~~empowered to~~ may contract for the benefits available
32 to this state under any an Act of Congress for highway
33 safety, law enforcement, or other related programs,
34 and in so doing, ~~to co-operate~~ may cooperate with
35 federal and state agencies, private and public
36 organizations, and with individuals, to effectuate
37 the purposes of these enactments. The governor shall
38 ~~be is~~ responsible for and ~~is hereby empowered to~~ may
39 administer, either through ~~his~~ the governor's office
40 or through one or more state departments or agencies
41 designated by ~~him or any combination of the foregoing~~
42 the governor the highway safety, law enforcement and
43 related programs of this state and those of its
44 political subdivisions, ~~all~~ in accordance with ~~said~~
45 the federal Acts, sections ten (10) and eleven (11)
46 of this Act and the Constitution of the state of Iowa,
47 ~~in implementation thereof.~~

48 Sec. 14. Section seven A point three (7A.3),
49 subsection twelve (12), Code 1979, is amended to read
50 as follows:

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1 12. Apply for, receive, administer, and ~~utilize~~
2 use federal or other funds available for achieving
3 the purposes of this chapter, subject to sections
4 ten (10) and eleven (11) of this Act.

5 Sec. 15. Section seven A point seven (7A.7),
6 subsection one (1), Code 1979, is amended to read
7 as follows:

8 1. ~~Utilize~~ Use grants or other financial assistance
9 made available by the state, federal government, or
10 any other public or private sources for performing
11 the functions of the division, subject to sections
12 ten (10) and eleven (11) of this Act. Nothing in
13 this subsection shall prevent or impair the powers
14 of other state agencies or local governments to
15 contract for, receive, or ~~utilize~~ use grants directly
16 from the federal or local governments or from any
17 ~~other~~ another public or private source, except that
18 state agencies applying for federal funds are subject
19 to sections ten (10) and eleven (11) of this Act.

20 Sec. 16. Section eight point twenty-two (8.22),
21 part one (I), subsection one (1), Code 1979, is amended
22 to read as follows:

23 1. His program for meeting all the expenditure
24 needs of the government for each of the years of the
25 biennium to which the budget relates, indicating the
26 classes of funds, general or special or federal, from
27 which such appropriations are to be made and the means
28 through which such expenditures shall be financed.

29 Sec. 17. Section eight point twenty-two (8.22),
30 part one (I), subsection two (2), paragraph d, Code
31 1979, is amended to read as follows:

32 d. A summary of the revenue, estimated to be
33 received by the government during each of the two
34 years of the biennium to which the budget relates,
35 classified according to sources, including all federal
36 sources, in comparison with the actual revenue re-
37 ceived by the government during the last completed
38 fiscal year and estimated income during the year in
39 progress.

40 Sec. 18. Section eight point twenty-two (8.22),
41 part three (III), unnumbered paragraph one (1), Code
42 1979, is amended to read as follows:

43 APPROPRIATION BILLS. Part III shall embrace a
44 draft or drafts of appropriation bills having for
45 their purpose to give legal sanction to the
46 appropriations recommended to be made in Parts I and
47 II. Such appropriation bills shall indicate the
48 funds, general or special or federal, from which such
49 appropriations shall be paid, but such appropriations
50 need not be in greater detail than to indicate the

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1 total appropriation to be made for:

2 Sec. 19. Section eighteen point one hundred forty-
3 five (18.145), Code 1979, is amended to read as
4 follows:

5 18.145 FEDERAL FUNDS. The board, the governor,
6 or the director may apply for and accept federal or
7 nonfederal gifts, loans, or grants of funds and ~~to~~
8 may use the same to pay all or part of the cost of
9 carrying out ~~any~~ a project under the provisions of
10 this chapter, subject to sections ten (10) and eleven
11 (11) of this Act.

12 Sec. 20. Section twenty-eight point ten (28.10),
13 subsection five (5), Code 1979, is amended to read
14 as follows:

15 5. Apply for, receive, contract for, and expend
16 federal funds and grants and funds and grants from
17 other sources, subject to sections ten (10) and eleven
18 (11) of this Act.

19 Sec. 21. Section twenty-eight point sixteen
20 (28.16), Code 1979, is amended to read as follows:

21 28.16 ACCEPTING GRANTS IN AID. The corporation
22 formed under sections 28.11, 28.14 and 28.15 ~~is hereby~~
23 ~~authorized to~~ may accept grants of money or property
24 from the federal government or ~~any other~~ another
25 source and may ~~upon its own order~~ use its money, prop-
26 erty, or other resources for any of the purposes herein,
27 subject to sections ten (10) and eleven (11) of this
28 Act.

29 Sec. 22. Section eighty point twenty-six (80.26),
30 Code 1979, is amended to read as follows:

31 80.26 FEDERAL FUNDS FOR HIGHWAY SAFETY. The
32 commissioner of public safety, when authorized by
33 the governor pursuant to section 7.15, may accept,
34 administer and expend funds provided by ~~any~~ an Act
35 of Congress for highway safety, law enforcement or
36 any activities generally related to the duties of
37 the department of public safety as provided in this
38 chapter, subject to sections ten (10) and eleven (11)
39 of this Act.

40 Sec. 23. Section eighty C point five (80C.5),
41 unnumbered paragraph one (1), Code 1979, is amended
42 to read as follows:

43 The commission with approval of the governor may
44 accept funds, grants, services, facilities and property
45 from any source, and all ~~such~~ receipts of the
46 commission, including gifts, grants-in-aid and other
47 revenue, ~~are hereby appropriated~~ shall be expended
48 for carrying out the purposes of this chapter, subject
49 to sections ten (10) and eleven (11) of this Act.

50 The expenditure of any funds available to the

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1 commission shall be by warrant to the treasurer of
2 the state, drawn by the state comptroller upon vouchers
3 authorized by the executive director of the commission.

4 Sec. 24. Section three hundred three point ten
5 (303.10), Code 1979, is amended to read as follows:

6 303.10 ACCEPTANCE AND USE OF MONEY GRANTS. All
7 federal grants to and the federal receipts of the
8 agencies receiving funds under this chapter are
9 appropriated shall be used for the purpose set forth
10 in the federal grants or receipts, subject to sections
11 ten (10) and eleven (11) of this Act.

12 Sec. 25. Section three hundred three A point seven
13 (303A.7), unnumbered paragraph one (1), Code 1979,
14 is amended to read as follows:

15 The commission ~~is authorized and empowered to~~ may
16 receive, accept, and administer ~~any money or~~ moneys
17 appropriated or granted to it, separate and apart
18 from the general library fund, by the federal
19 government or by any other public or private agencies,
20 subject to sections ten (10) and eleven (11) of this
21 Act.

22 Sec. 26. Section three hundred seven A point four
23 (307A.4), unnumbered paragraph one (1), Code 1979,
24 is amended to read as follows:

25 Where funds ~~have been~~ are allotted or appropriated
26 ~~or may hereafter be allotted or appropriated~~ by the
27 government of the United States for the improvement
28 of streets and highways in this state, and the federal
29 statutes or the rules and regulations of the federal
30 government provide or contemplate that ~~such the~~ work
31 ~~shall be~~ is under the supervision of the commission,
32 ~~said the~~ commission ~~is hereby authorized and empowered~~
33 ~~to may~~ let the necessary contracts for ~~such the~~
34 construction work, ~~to~~ supervise and direct ~~such the~~
35 construction work, ~~to~~ comply with the federal statutes
36 and rules, and ~~to co-operate~~ cooperate with the federal
37 government in the expenditures of ~~said the~~ federal
38 funds, subject to sections ten (10) and eleven (11)
39 of this Act.

40 Sec. 27. Section three hundred eight A point two
41 (308A.2), Code 1979, is amended to read as follows:

42 308A.2 FUNDS. The state conservation commission
43 may accept in the name of the state funds contributed
44 by ~~such groups, and such~~ county conservation boards,
45 boards of supervisors, city councils or private
46 organizations interested in bikeways. The funds shall
47 be used exclusively ~~in the establishment of to~~
48 establish bikeways as herein provided in this chapter.
49 Additional funds as may be necessary in purchasing
50 to purchase signs and otherwise carrying out implement

SENATE 22
APRIL 23, 1980

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- 1 the provisions of this chapter may be expended by
2 the conservation commission if authorized by the
3 general assembly pursuant to appropriations for such
4 purposes, ~~and the~~. ~~The commission shall be authorized~~
5 ~~to~~ may accept and expend federal funds made available
6 for the purposes of aiding in the implementation of
7 this chapter, subject to sections ten (10) and eleven
8 (11) of this Act.
9 Sec. 28. Sections nine (9) through twenty-seven
10 (27) of this Act are effective January first following
11 its enactment.
12 2. Renumbering as required.

S-5798 FILED
APRIL 22, 1980

BY BOB RUSH
LOWELL JUNKINS

Filed out of order 4/24 (p. 1659)

HOUSE FILE 2580

S-5814

- 1 Amend House File 2580 as amended, passed and re-
2 printed by the House as follows:
3 1. Page 30, line 13, by inserting after the word
4 "which" the words "hospital facility".

S-5814 FILED
APRIL 22, 1980

BY BOB RUSH

Adopted 4/24 (p. 1669)

SENATE AMENDMENT TO
HOUSE FILE 2580

H-6362

1 Amend House File 2580 as amended, passed and
2 reprinted by the House as follows: *

3 1. Page 1, line 11, by striking the word "may"
4 and inserting in lieu thereof the word "shall".

5 2. Page 3, line 20, by striking the figure
6 "4,751,000" and inserting in lieu thereof the figure
7 "4,801,000".

8 3. Page 4, by inserting after line 10 the following
9 new section:

10 "Sec. _____. Acts of the Sixty-eighth General
11 Assembly, 1979 Session, chapter thirteen (13) is
12 amended by adding the following new section:
13 NEW SECTION. The department shall employ a
14 consultant for gifted and talented children programs."

15 4. Page 4, by inserting after line 25 the
16 following:

17 "Sec. _____. Acts of the Sixty-eighth General
18 Assembly, 1979 Session, chapter nine (9), section
19 one (1), is amended by adding the following new
20 subsection:

21 5. For the older
22 Iowans model legis-
23 lature \$ \$ 14,000"

24 5. Page 5, line 1, by striking the figure
25 "\$540,943" and inserting in lieu thereof the figures
26 "\$540,943 547,943".

27 6. Page 12, by striking line 22 through page 14,
28 line 1.

29 7. Page 15, by inserting after line 9 the
30 following:

31 "It is the further intent of the general assembly
32 that all state liquor stores in operation as of March
33 1, 1980 shall continue in operation. If there is
34 more than one liquor store in a city only one must
35 continue in operation. Hours of operation of each
36 store shall remain substantially the same."

37 8. Page 21, line 31, by inserting after the word
38 "property" the words "to be disposed of by a public
39 auction at Terrace Hill conducted by the department
40 of general services".

41 9. Page 22, by inserting after line 34 the
42 following:

43 "Sec. _____. There is appropriated from the general
44 fund of the state for the fiscal year beginning July
45 1, 1980 and ending June 30, 1981 the sum of fifty
46 thousand (50,000) dollars, or so much thereof as is
47 necessary, to the Iowa merit employment department
48 for conversion, design, testing, installation, and
49 implementation of a data processing system.

50 Sec. _____. Section two point forty-three (2.43),

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1 unnumbered paragraph one (1), Code 1979, is amended
2 to read as follows:

3 The legislative council in co-operation with the
4 officers of the senate and house shall have the duty
5 and responsibility for preparing for each session
6 of the general assembly. Pursuant to such duty and
7 responsibility, the legislative council may assign
8 areas in the state capitol or other state buildings,
9 in consultation with the director of the department
10 of general services and the capitol planning
11 commission, for use of the general assembly or
12 legislative agencies. The legislative council may
13 authorize the renovation, remodeling and preparation
14 of the physical facilities used or to be used by the
15 general assembly or legislative agencies subject to
16 the jurisdiction of the legislative council and award
17 contracts pursuant to such authority to carry out
18 such preparation. The legislative council may purchase
19 supplies and equipment deemed necessary for the proper
20 functioning of the legislative branch of government."

21 10. Page 23, by striking lines 1 through 17 and
22 inserting in lieu thereof the following:

23 "Sec. ____ Acts of the Sixty-eighth General
24 Assembly, 1979 Session, chapter eleven (11), section
25 one (1), subsections one (1), two (2), and four (4),
26 are amended to read as follows:

27 1. For the purpose
28 of matching federal funds
29 available to the Iowa
30 crime commission for
31 state and court planning
32 programs, for salaries
33 and support of not more
34 than twenty-two full-
35 time equivalent posi-
36 tions, and for mainte-
37 nance and miscellaneous
38 purposes\$ 110,000 \$ ~~70,200~~
39 100,000

40 2. For the purpose of
41 providing funds for area
42 planning purposes to the Iowa
43 crime commission, and for
44 salaries, support, mainten-
45 ance and miscellaneous
46 purposes\$ 100,000 \$ ~~40,000~~
47 50,000

48 a. It is the intent
49 of the general assembly
50 that if federal law enforce-

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Page Three

1 ment assistance admin-
2 istration planning funds
3 are not appropriated for the
4 fiscal year beginning
5 October 1, 1980 and ending
6 September 30, 1981, the
7 appropriations subcommittee
8 on transportation and law
9 enforcement shall review the
10 budget needs of the Iowa
11 crime commission. If
12 federal law enforcement
13 assistance administration
14 planning funds are
15 appropriated, funds
16 appropriated under sub-
17 sections one (1) and two
18 (2) of this section which
19 are not required for match-
20 ing federal funds shall
21 revert to the general
22 fund of the state.

23 4. For the purpose of
24 matching federal funds avail-
25 able to the Iowa crime commis-
26 sion through the Juvenile
27 Justice and Delinquency
28 Prevention Act of 1974
29 as amended by the United
30 States Congress for
31 salaries and support of not
32 more than one full-time
33 equivalent position, and for
34 maintenance and miscellaneous
35 purposes \$ 6,600 \$ 44,000
36 19,000"

37 11. Page 25, by striking lines 7 and 8 and
38 inserting in lieu thereof the following:
39 "Sec. 44. Sections forty-one (41), forty-two (42),
40 and forty-three (43) of this Act take effect July
41 1, 1981."

42 12. Page 26, by inserting after line 30 the
43 following new section:

44 "Sec. _____. The legislative council may create
45 a crime commission study committee composed of three
46 members of the senate and the house of representatives
47 from the respective standing committees on state
48 government, two members from the house transportation
49 appropriations subcommittee and two members of the
50 senate transportation and law enforcement

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Page Four

1 appropriations subcommittee to review the
2 recommendations of the governor's economy committee
3 relating to the crime commission and the crime
4 commission program evaluation report prepared by the
5 legislative fiscal bureau. The committee shall include
6 as advisory nonvoting members two representatives
7 of the judicial branch of government, and two
8 representatives of local law enforcement agencies.
9 The study committee shall report its findings and
10 recommendations, with legislative bill drafts required
11 to implement its recommendations to the respective
12 standing committees on state government, the
13 legislative council, and the general assembly convening
14 in January, 1981."

15 13. Page 29, by striking lines 1 through 13.

16 14. Page 30, line 13, by inserting after the word
17 "which" the words "hospital facility".

18 15. Page 31, by inserting after line 14 the
19 following new lettered paragraph:

20 "d. There is appropriated from the general fund
21 of the state to the department of social services,
22 for the fiscal year beginning July 1, 1980, the sum
23 of three hundred ninety-four thousand (394,000)
24 dollars, or so much thereof as may be necessary, to
25 be used to reimburse counties for a portion of the
26 cost of local inpatient mental health treatment as
27 provided by this subsection."

28 16. Page 32, by striking from line 9 the figure
29 "55,100,000" and inserting in lieu thereof the figure
30 "56,100,000".

31 17. Page 34, by striking lines 22 through 25 and
32 inserting in lieu thereof the words "wide Title XX
33 plan."

34 18. Page 35, lines 8 and 9, by striking the words
35 "subsections one (1) and four (4), are" and inserting
36 in lieu thereof the words "subsection four (4) is".

37 19. Page 35, by striking lines 10 through 15.

38 20. Page 39, by inserting after line 31 the follow-
39 ing:

40 "Sec. _____. Section five hundred nine point one
41 (509.1), subsection one (1), Code 1979, is amended
42 by adding the following new lettered paragraph:

43 NEW LETTERED PARAGRAPH. The policy shall not
44 exclude from coverage an employee or an employee's
45 spouse or dependents on the basis of the eligibility
46 of the employee or the employee's spouse or dependents
47 for medical assistance under chapter two hundred
48 forty-nine A (249A) of the Code.

49 Sec. _____. Section five hundred nine point one
50 (509.1), subsection four (4), Code 1979, is amended

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1 by adding the following new lettered paragraph:

2 NEW LETTERED PARAGRAPH. The policy shall not
3 exclude from coverage a member or a member's spouse
4 or dependents on the basis of the eligibility of the
5 member or the member's spouse or dependents for medical
6 assistance under chapter two hundred forty-nine A
7 (249A) of the Code.

8 Sec. _____. Section five hundred nine point one
9 (509.1), subsection five (5), Code 1979, is amended
10 by adding the following new lettered paragraph:

11 NEW LETTERED PARAGRAPH. The policy shall not
12 exclude from coverage an employee or member or an
13 employee's or member's spouse or dependents on the
14 basis of the eligibility of the employee or member
15 or employee's or member's spouse or dependents for
16 medical assistance under chapter two hundred forty-
17 nine A (249A) of the Code.

18 Sec. _____. Section five hundred nine point one
19 (509.1), subsection six (6), Code 1979, is amended
20 by adding the following new lettered paragraph:

21 NEW LETTERED PARAGRAPH. The policy shall not
22 exclude from coverage an employee or an employee's
23 spouse or dependents on the basis of the eligibility
24 of the employee or the employee's spouse or dependents
25 for medical assistance under chapter two hundred
26 forty-nine A (249A) of the Code. This paragraph shall
27 also apply to corporations operating within the state
28 who provide insurance coverage for their employees
29 directly, and the commissioner shall have the authority
30 to enforce the provisions of this paragraph."

31 21. Page 40, line 6, by striking the word "drugs,"
32 and inserting in lieu thereof the words "drugs and".

33 22. Page 40, by striking line 7 and inserting
34 in lieu thereof the word "treatments."

35 23. Page 40, line 8, by inserting after the word
36 "orthodontia" the words "and posterior dental bridge-
37 work".

38 24. Page 40, line 24, by inserting after the word
39 "copayment" the words "and to require that pharmacists
40 who reduce the total cost, including the reduction
41 of either the ingredient cost or the professional
42 fee, or both, of a prescription drug or insulin to
43 persons, as defined in section four point one (4.1),
44 subsection thirteen (13) of the Code, participating
45 in a private, third-party payor prescription drug
46 insurance or benefit plan or to the insurance or
47 benefit plan, also reduce by the same amount the total
48 cost of the same prescription drug or insulin to
persons participating in the medical assistance program
established by chapter two hundred forty-nine A (249A)

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Page Six

- 1 of the Code or to the program".
- 2 25. Renumbering sections.

H-6362 FILED APRIL 26, 1980

RECEIVED FROM THE SENATE

House amended & concurred 4/26 (p. 2210)

HOUSE FILE 2580

H-6366

- 1 Amend Senate amendment H-6362 to House File
- 2 2580 as amended, passed and reprinted by the
- 3 House as follows:
- 4 1. Page 1, line 39, by striking the words
- 5 "at Terrace Hill".

H-6366 FILED APRIL 25, 1980 By SPEAR of Lee

Adopted 4/26 (p. 2209)

HOUSE FILE 2580

H-6381

- 1 Amend the Senate amendment H-6362 to House File
- 2 2580 as amended, passed and reprinted by the House as
- 3 follows:
- 4 1. Page 5, by striking lines 31 through 34 and
- 5 inserting in lieu thereof the following:
- 6 "21. Page 40, line 6 by striking the words "drugs,
- 7 podiatry" and inserting in lieu thereof the word "drugs.".
- 8 22. Page 40, by striking line 7."

H-6381 FILED APRIL 25, 1980 By HOLT of Clay
HORN of Linn

Adopted 4/26 (p. 2209)

HOUSE FILE 2580

H-6391

- 1 Amend the Senate amendment H-6362 to House File
- 2 2580 as follows:
- 3 1. Page 5, lines 36 and 37, by striking the words
- 4 "and posterior dental bridgework" and inserting in
- 5 lieu thereof the words "podiatry treatments and posterior
- 6 dental bridgework".

H-6391 FILED APRIL 25, 1980 By DAGGETT of Taylor

4/25 4/26 (p. 2210)

HOUSE FILE 2580

H-6401

- 1 Amend the Senate amendment H-6362 to House File 2580
- 2 as amended, passed and reprinted by the House, as follows:
- 3 1. Page 4, by striking line 15.

H-6401 FILED APRIL 25, 1980 By McKEAN OF Jones

Adopted 4/26 (p. 2209)

DAGGETT of Taylor
LLOYD-JONES of Johnson

H-6421

1 Amend the Senate amendment H-6362 to House File 2580
2 as amended, passed and reprinted by the House as follows:
3 1. Page 6, by inserting after line 2 the following:
4 "____. Second title page, by striking line 15 and
5 inserting in lieu thereof the following: "services,
6 prohibiting group policies of life, accident or health
7 insurance from excluding from coverage employees and
8 employees' spouses and dependents on the basis of their
9 eligibility for medical assistance under chapter two
10 hundred forty-nine A (249A) of the Code, and appropriating
11 funds for the merit employment commission and the older
12 Iowans' legislature.""

H-6421 FILED APRIL 26, 1980

ADOPTED BY UNANIMOUS CONSENT

BY SMALLEY of Polk

(p. 2210)

HOUSE AMENDMENT TO SENATE AMENDMENT

TO HOUSE FILE 2580

S-5981

1 Amend the Senate amendment H-6362 to House File
2 2580 as amended, passed and reprinted by the House
3 as follows:
4 1. Page 1, line 39, by striking the words "at
5 Terrace Hill".
6 2. Page 4, by striking line 15.
7 3. Page 5, by striking lines 31 through 34 and
8 inserting in lieu thereof the following:
9 "21. Page 40, line 6 by striking the words "drugs,
10 podiatry" and inserting in lieu thereof the word
11 "drugs."
12 22. Page 40, by striking line 7."
13 4. Page 6, by inserting after line 2 the following:
14 "____. Second title page, by striking line 15 and
15 inserting in lieu thereof the following: "services,
16 prohibiting group policies of life, accident or health
17 insurance from excluding from coverage employees and
18 employees' spouses and dependents on the basis of
19 their eligibility for medical assistance under chapter
20 two hundred forty-nine A (249A) of the Code, and
21 appropriating funds for the merit employment commission
22 and the older Iowans' legislature.""

S-5981 FILED RECEIVED FROM THE HOUSE
APRIL 26, 1980

Senate concurred 5/26 (p. 1841)



Office of the Governor

STATE CAPITOL
DES MOINES, IOWA 50319

ROBERT D. RAY
GOVERNOR

May 26, 1980

The Honorable Melvin D. Synhorst
Secretary of State
State Capitol Building
L O C A L

Dear Mr. Secretary:

X I hereby transmit House File 2580, an act appropriating funds to finance designated state programs and adding procedures and criteria for administering designated programs of the State Educational Radio and Television Facility Board; the School for the Deaf; the Iowa College Aid Commission; merged Area V; the State Board of Regents for capitation grants; the Commission on the Aging; the Iowa State Civil Rights Commission; the Spanish-Speaking Peoples Commission, the Commission on the Status of Women; the Board of Medical Examiners; the Iowa Mental Health Authority; the Mental Health Advisory Council; the health planning agency, personal and family health services, the Community Health Division, and in-home health care grants of the State Department of Health; the elderly care program; the Iowa Department of Substance Abuse; the European Office of the Iowa Development Commission; the Energy Policy Council; the Department of Soil Conservation; the Governor's Economy Committee recommendations; the State Board of Engineering Examiners; the Iowa Beer and Liquor Control Department; the Department of Revenue; the Iowa Public Employees' Retirement System; judicial salaries and the judicial retirement system; Terrace Hill; the census data center coordinating unit; the Communications Division of the Department of General Services; the Legislative Fiscal Bureau; the Iowa Crime Commission; the road use tax fund; the State Department of Transportation; governmental subdivisions and agencies required to record instruments; the Department of Public Safety; and the general administration, correctional personnel, community-based corrections, legal assistance program, substance abuse screening, mental health institutes, Division of Mental Health Resources, patients' personal deposit funds, Aid to Dependent Children, medical assistance, contractual services-medical carrier, children's services, state supplementary assistance, child support recoveries, Title XX, foster residential care, subsidized adoption, the Glenwood State

The Honorable Melvin D. Synhorst
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Hospital-School, cost reimbursement for skilled, residential, and intermediate care facilities, the community integrated youth services project, support for the poor for Indians residing on the Tama County settlement, and various rules of the Department of Social Services, prohibiting group policies of life, accident or health insurance from excluding from coverage employees and employees' spouses and dependents on the basis of their eligibility for medical assistance under Chapter Two Hundred Forty-nine A (249A) of the Code, and appropriating funds for the Merit Employment Commission and the Older Iowans' Legislature.

House File 2580 is approved May 26, 1980, with the following exceptions which I hereby disapprove.

I am unable to approve the item designated in the Act as Section 36 which reads as follows:

Sec. 36. Acts of the Sixty-eighth General Assembly, 1979 Session, chapter three (3), section four (4), subsection three (3), unnumbered paragraph two (2), is amended to read as follows:

There is established a census data center coordinating unit composed of the state librarian, a representative of the office for planning and programming, and three representatives each representing one of the state universities. The census data center coordinating unit shall provide for not less than fifty census data training sessions throughout the state, and shall negotiate a joint statistical agreement with the United States bureau of the census. The census data center coordinating unit shall be the agency designated in Iowa to approve all such agreements with the bureau of the census.

I am unable to approve that portion of Section 53 which reads as follows:

11. For a legal assistance program to provide civil legal assistance to inmates of the Iowa correctional system in matters of child custody, bankruptcy and dissolution of marriage \$ 25,000 \$ 25,000

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May 26, 1980

Expenditures shall be authorized by the citizens' aide office, and may include the costs of transporting prisoners, secretarial support and administrative oversight.

It was and is the intent of the general assembly that this program was established for and be continued for expenditure for civil matters of inmates, which matters occurred outside the state's institutions. Thus it is the intent of the general assembly that funds from the appropriation shall not be used for civil matters in which the inmate and the state of Iowa are adverse parties.

I am unable to approve the item designated in the Act as Section 54 which reads as follows:

Sec. 54. Acts of the Sixty-eighth General Assembly, 1979 Session, chapter eight (8), section five (5), subsection six (6), is amended by adding the following new unnumbered paragraph:

NEW UNNUMBERED PARAGRAPH. The division of adult corrections, in conjunction with other appropriate state agencies, shall continue its study of alternative means of making further improvements in the salaries and retirement benefits of corrections officers and supporting personnel, and any job reclassifications necessary to implement such improvements. The department of social services shall include recommendations necessary to implement these improvements in its 1982-1983 budget requests.

I am unable to approve that portion of Section 59 which reads as follows:

Notwithstanding the provisions of section eight point thirty-nine (8.39) of the Code, funds appropriated under this section are not subject to transfer to any other department, institution or agency. Any unencumbered or unobligated balance of any appropriation made under this section which exists on June 30, 1981 shall revert to the fund from which it was appropriated.

I am unable to approve the item designated in the Act as Section 66 which reads as follows:

Sec. 66. Acts of the Sixty-eighth General Assembly, 1979 Session, chapter eight (8), section sixteen (16), is amended to read as follows:

SEC. 16. It is the intent of the general assembly that, for the fiscal year beginning July 1, 1979, foster parent payments be increased by ten percent. It is further the intent of the general assembly that, for the fiscal year beginning July 1, 1980, foster residential care payments shall increase from fifty-five to fifty-eight dollars per day and foster group home payments shall increase from forty-four to forty-six dollars per day. It is also the intent of the general assembly that subsidized adoption rates shall be increased to the same level as the foster family home rates for the fiscal year beginning July 1, 1980.

Section 36 purports to grant to the census data center coordinating unit created last year the right to negotiate a joint federal/state statistical agreement in conjunction with the current census. This provision is both illegal and moot. Federal law provides that these agreements must be approved by the Governor--and state law cannot grant that authority to other officials. The issue is moot since such an agreement was executed by me on behalf of the State of Iowa and Daniel B. Levine, Acting Director, Bureau of the Census, U.S. Department of Commerce, on January 9, 1980. That agreement, which designated the Office for Planning and Programming as the agency to receive census information for public distribution in Iowa, cannot now be substituted with a new arrangement.

Section 53 revises several appropriations approved last year for adult corrections. One of these revisions would transfer certain administrative authority of an executive agency, the Department of Social Services, to a legislative agency, the Citizens' Aide Office, for the legal assistance program for inmates. Article III of the Iowa Constitution clearly sets forth the powers of each branch of state government. Granting administrative authority for the legal assistance program to a legislative agency would violate that separation. This item would remove from the Department of Social Services and its prison wardens a substantial amount of control over residents of their institutions.

In pursuing the civil legal assistance this section provides to inmates, the Citizens' Aide Office would be empowered to authorize expenditures for transporting prisoners, secretarial support and administrative oversight. An executive agency cannot operate effectively if it must first secure the approval of a legislative agency to carry out its day-to-day operations any more than the legislature could operate if an executive agency could step in daily to amend unilaterally bills that are being debated.

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As the initiator of the Citizens' Aide Office, I support and encourage its work. However, I do not believe that its duties include administration of the executive agencies. The administrators of the Department of Social Services indicate that they will be amenable to recommendations from the Citizens' Aide Office for the use of the legal assistance fund. This item veto leaves the original appropriation for the legal assistance program intact. With cooperation between the agencies, hopefully we will have the results desired without violating the separation of power.

Section 54 would require the Division of Adult Corrections in the Department of Social Services to conduct a study on improving salaries and retirement benefits for corrections officers and supporting personnel. Furthermore, the section would mandate the Department to include the recommendations of the study in their upcoming biennial budget request to the Governor and the General Assembly. This study would directly concern mandatory subjects of collective bargaining under Iowa law. Corrections employees, whose salaries and pension benefits would be reviewed, are members of a certified bargaining unit and are represented at the bargaining table by the American Federation of State, County and Municipal Employees, Council 61. In the upcoming months, the State will be actively negotiating with that union for a collective bargaining agreement to become effective July 1, 1981. Since there is little doubt the union will demand that the State bargain on salaries, it would be inappropriate to conduct a study which concludes with an automatic request for an appropriation of funds totally outside the bargaining process. With the adoption of collective bargaining, our lawmakers must be sensitive to the fact that they cannot selectively intervene in the process without disrupting and possibly harming the negotiations. This could be the case unless the legislature exempted corrections personnel from collective bargaining--which it hasn't done, and I don't think it wants to.

In recognition of the important work corrections personnel do and the need to retain a high level of staff morale and because I do appreciate the concerns of the legislators, I am directing a study be made relative to these items. I will ask the Office of Employment Relations in the Comptroller's Office to conduct the review with the assistance of the Department of Social Services and the Merit Employment Department.

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Section 59 would restrict the authority to transfer funds appropriated for Title XIX (medicaid). I have vetoed similar transfer limitations in previous appropriation bills, including the supplemental fiscal year 1979-80 appropriation bill for Title XIX.

As I have pointed out in other veto messages, current law contains safeguards giving the legislature the opportunity to review and comment on proposed transfers. We have been responsive to these comments--indeed, several transfers have been modified or eliminated following the receipt of recommendations from legislators.

As with the earlier item veto on Title XIX funds, we believe this provision to be severable from the appropriation. Its deletion will not in any manner alter the purposes of the original appropriation, the test suggested by the Supreme Court in reviewing the legality of item vetoes. We do not anticipate making transfers from the Title XIX appropriation. As a matter of fact, there are strong indications that, if anything, Title XIX has been underfunded by the legislature and will either require a transfer to the appropriation or a supplemental appropriation next year. Section 8.39 of the Code provides for the transfer authority by the Governor and the State Comptroller. This item's restriction is an attempt to circumvent the transfer law without following the proper legislative procedure.

Section 66 contains intent language to raise the maximum payments for foster residential care and foster group homes and to increase the rates paid for subsidized adoption. The Department of Social Services received from the General Assembly funds with the intent language to raise the rates to a maximum of \$58 per day for foster residential care, \$46 per day for foster group homes and by 10 percent for subsidized adoption.

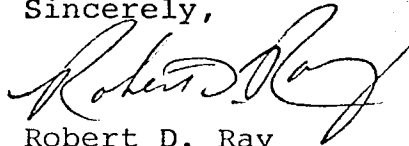
However, the wording in this section is ambiguous and probably would not accomplish the legislative intent. The language seems to establish uniform rates for the two foster care payments rather than maximum rates. These services currently have widely varying per diem rates based on their individual costs and charges. This cost-related reimbursement is appropriate and should continue. By deleting this provision, the Department, under existing authority, will follow the desired intent of the legislature and set the new maximum reimbursement rates effective July 1, 1980.

The Honorable Melvin D. Synhorst
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The language which was intended to raise subsidized adoption rates by a percentage actually raises the rates to equal foster parent payments. The adoptive family's income is taken into consideration when determining the amount of subsidy payment, thus these payments do not and should not equal foster family payment rates, which are based on the needs of the child rather than on foster family income. Since it has the funds to raise subsidized adoption rates by 10 percent and has the authority to do so, the Department will establish rules implementing the increase effective July 1, 1980.

For these reasons, I hereby disapprove these items in accordance with Amendment 4 of the Amendments of 1968 to the Constitution of the State of Iowa. All other items of House File 2580 are hereby approved this date.

Sincerely,



Robert D. Ray
Governor

RDR:cg

cc: Secretary of the Senate
Chief Clerk of the House

HOUSE FILE 2580

AN ACT

APPROPRIATING FUNDS TO FINANCE DESIGNATED STATE PROGRAMS AND ADDING PROCEDURES AND CRITERIA FOR ADMINISTERING DESIGNATED PROGRAMS OF THE STATE EDUCATIONAL RADIO AND TELEVISION FACILITY BOARD; THE SCHOOL FOR THE DEAF; THE IOWA COLLEGE AID COMMISSION; MERGED AREA V; THE STATE BOARD OF REGENTS FOR CAPITATION GRANTS; THE COMMISSION ON THE AGING; THE IOWA STATE CIVIL RIGHTS COMMISSION; THE SPANISH-SPEAKING PEOPLES COMMISSION; THE COMMISSION ON THE STATUS OF WOMEN; THE BOARD OF MEDICAL EXAMINERS; THE IOWA MENTAL HEALTH AUTHORITY; THE MENTAL HEALTH ADVISORY COUNCIL; THE HEALTH PLANNING AGENCY, PERSONAL AND FAMILY HEALTH SERVICES, THE COMMUNITY HEALTH DIVISION, AND IN-HOME HEALTH CARE GRANTS OF THE STATE DEPARTMENT OF HEALTH; THE ELDERLY CARE PROGRAM; THE IOWA DEPARTMENT OF SUBSTANCE ABUSE; THE EUROPEAN OFFICE OF THE IOWA DEVELOPMENT COMMISSION; THE ENERGY POLICY COUNCIL; THE DEPARTMENT OF SOIL CONSERVATION; THE GOVERNOR'S ECONOMY COMMITTEE RECOMMENDATIONS; THE STATE BOARD OF ENGINEERING EXAMINERS; THE IOWA BEER AND LIQUOR CONTROL DEPARTMENT; THE DEPARTMENT OF REVENUE; THE IOWA PUBLIC EMPLOYEES' RETIREMENT SYSTEM; JUDICIAL SALARIES AND THE JUDICIAL RETIREMENT SYSTEM; TERRACE HILL; THE CENSUS DATA CENTER COORDINATING UNIT; THE COMMUNICATIONS DIVISION OF THE DEPARTMENT OF GENERAL SERVICES; THE LEGISLATIVE FISCAL BUREAU; THE IOWA CRIME COMMISSION;

THE ROAD USE TAX FUND; THE STATE DEPARTMENT OF TRANSPORTATION; GOVERNMENTAL SUBDIVISIONS AND AGENCIES REQUIRED TO RECORD INSTRUMENTS; THE DEPARTMENT OF PUBLIC SAFETY; AND THE GENERAL ADMINISTRATION, CORRECTIONAL PERSONNEL, COMMUNITY-BASED CORRECTIONS, LEGAL ASSISTANCE PROGRAM, SUBSTANCE ABUSE SCREENING, MENTAL HEALTH INSTITUTES, DIVISION OF MENTAL HEALTH RESOURCES, PATIENTS' PERSONAL DEPOSIT FUNDS, AID TO DEPENDENT CHILDREN, MEDICAL ASSISTANCE, CONTRACTUAL SERVICES-MEDICAL CARRIER, CHILDREN'S SERVICES, STATE SUPPLEMENTARY ASSISTANCE, CHILD SUPPORT RECOVERIES, TITLE XX, FOSTER RESIDENTIAL CARE, SUBSIDIZED ADOPTION, THE GLENWOOD STATE HOSPITAL-SCHOOL, COST REIMBURSEMENT FOR SKILLED, RESIDENTIAL, AND INTERMEDIATE CARE FACILITIES, THE COMMUNITY INTEGRATED YOUTH SERVICES PROJECT, SUPPORT FOR THE POOR FOR INDIANS RESIDING ON THE TAMA COUNTY SETTLEMENT, AND VARIOUS RULES OF THE DEPARTMENT OF SOCIAL SERVICES, PROHIBITING GROUP POLICIES OF LIFE, ACCIDENT OR HEALTH INSURANCE FROM EXCLUDING FROM COVERAGE EMPLOYEES AND EMPLOYEES' SPOUSES AND DEPENDENTS ON THE BASIS OF THEIR ELIGIBILITY FOR MEDICAL ASSISTANCE UNDER CHAPTER TWO HUNDRED FORTY-NINE A (249A) OF THE CODE, AND APPROPRIATING FUNDS FOR THE MERIT EMPLOYMENT COMMISSION AND THE OLDER IOWANS' LEGISLATURE.

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

DIVISION I

Section 1. Chapter eighteen (18), division five (V), Code 1979, is amended by adding the following new section:

NEW SECTION. CAPITAL EQUIPMENT REPLACEMENT REVOLVING FUND.

1. Notwithstanding section eighteen point one hundred fifty-one (18.151) of the Code, the state educational radio and television facility board may provide noncommercial production or reproduction services for other public agencies,

nonprofit corporations or associations organized under state law, or other organizations which are not operated for a profit and shall collect the costs of providing such services from the public agency, nonprofit corporation, association, or organization plus a separate equipment usage fee in an amount determined by the board and based upon the equipment used. The costs shall be deposited to the credit of the state educational radio and television facility board. The separate equipment usage fee shall be deposited in the capital equipment replacement revolving fund.

2. The state educational radio and television facility board may establish a capital equipment replacement revolving fund into which shall be deposited equipment usage fees collected under subsection one (1) of this section and funds from other sources designated for deposit in the capital equipment replacement revolving fund. The state educational radio and television facility board may expend moneys from the capital equipment replacement revolving fund to purchase technical equipment for operating the educational radio and television facility.

Sec. 2. Chapter eighteen (18), division five (V), Code 1979, is amended by adding the following new section:

NEW SECTION. TRUSTS. Notwithstanding section six hundred thirty-three point sixty-three (633.63) of the Code, the state educational radio and television facility board may accept and administer trusts and may authorize nonprofit foundations acting solely for the support of the educational radio and television facility to accept and administer trusts deemed by the board to be beneficial to the operation of the educational radio and television facility. The board and such foundations may act as trustees in such instances.

Sec. 3. Section two hundred seventy point one (270.1), Code 1979, is amended to read as follows:

270.1 SUPERINTENDENT. The superintendent of the school for the deaf shall be a trained and experienced educator of the deaf. ~~His~~ The superintendent's salary may include residence in the institution ~~and-board-from-the-funds-or-supplies-thereof~~, but no such allowance shall be made except by express contract in advance.

Sec. 4. Acts of the Sixty-eighth General Assembly, 1979 Session, chapter thirteen (13), section two (2), subsection one (1), paragraph b, is amended to read as follows:

b. For administration of Iowa guaranteed student loan program for not more than five full-time equivalent positions for fiscal year 1980-1981 \$ 204,000 \$ 284,000

Sec. 5. Acts of the Sixty-eighth General Assembly, 1979 Session, chapter thirteen (13), section five (5), is amended to read as follows:

SEC. 5. There is appropriated from the general fund of the state to the Iowa college aid commission for the fiscal biennium beginning July 1, 1979, and ending June 30, 1981, the sum of fifty thousand (50,000) dollars, and for the fiscal year beginning July 1, 1980 and ending June 30, 1981, an additional sum of thirty thousand (30,000) dollars, or so much thereof as may be necessary, to provide for a national guard education program. Funds shall only be expended for Iowa residents who are enlisted members in good standing in the Iowa national guard and who are enrolled as an undergraduate undergraduates in an Iowa postsecondary educational institution institutions. Funds expended on behalf of each full-time undergraduate student shall not exceed two hundred fifty (250) dollars per year. Funds expended on behalf of each half-time undergraduate student shall not exceed one hundred twenty-five (125) dollars per year.

Sec. 6. Acts of the Sixty-eighth General Assembly, 1979 Session, chapter thirteen (13), section six (6), is amended to read as follows:

SEC. 6. There is appropriated from the general fund of the state for each year of the fiscal biennium beginning July 1, 1979 and ending June 30, 1981 to the state educational radio and television facility the following amounts, or so much thereof as may be necessary, to be used for the purposes designated:

	1979-1980 <u>Fiscal Year</u>	1980-1981 <u>Fiscal Year</u>
For salaries, support, maintenance and miscel- laneous purposes	\$ 4,492,000	\$ 4,697,000 4,801,000

Sec. 7. Acts of the Sixty-eighth General Assembly, 1979 Session, chapter thirteen (13), section seven (7), subsection eleven (11), is amended by adding the following new paragraph:

NEW PARAGRAPH. For merged
area V.

For operation of the radio
station \$ \$ 50,000

Sec. 8. Acts of the Sixty-eighth General Assembly, 1979 Session, chapter thirteen (13), section nine (9), is amended to read as follows:

SEC. 9. There is appropriated from the general fund of the state for the fiscal year beginning July 1, 1979 and ending June 30, 1980, to the state board of regents, subject to the conditions provided in this section, the sum of four hundred thousand (400,000) dollars, and for the fiscal year beginning July 1, 1980 and ending June 30, 1981, the sum of four hundred thousand (400,000) dollars, or so much thereof as may be necessary, to replace actual losses of federal funds for capitation grants by the colleges of dentistry, medicine,

veterinary medicine, pharmacy, and nursing. ~~The funds or any portion of the funds shall not be allocated unless there is actually a loss of federal funds for capitation grants and the state comptroller has reviewed the amount of the loss and approved the allocation of the funds appropriated by this section to replace the loss.~~

Sec. 9. Acts of the Sixty-eighth General Assembly, 1979 Session, chapter thirteen (13) is amended by adding the following new section:

NEW SECTION. The department shall employ a consultant for gifted and talented children programs.

DIVISION II

Sec. 10. Acts of the Sixty-eighth General Assembly, 1979 Session, chapter nine (9), section one (1), subsection one (1), is amended to read as follows:

1. For salaries and support of not more than ~~twenty-six~~ twenty-eight point twenty-five full-time equivalent positions annually, of which two care review positions are contingent upon the receipt of federal funds, maintenance and miscellaneous purposes \$ 171,051 \$ 167,900

Sec. 11. Acts of the Sixty-eighth General Assembly, 1979 Session, chapter nine (9), section one (1), is amended by adding the following new subsection:

5. For the older Iowans model legislature \$ \$ 14,000

Sec. 12. Acts of the Sixty-eighth General Assembly, 1979 Session, chapter nine (9), section two (2), subsection one

(1), is amended to read as follows:

1. IOWA STATE CIVIL
RIGHTS COMMISSION

a. For salaries and support of not more than thirty-five full-time equivalent positions annually, maintenance and miscellaneous purposes \$ 540,463 \$ 540,943
547,943

b. For salaries, support, maintenance, and miscellaneous purposes of the Spanish-speaking peoples commission, including not more than one full-time equivalent position and expenses of the commission \$ 31,000

Sec. 13. Acts of the Sixty-eighth General Assembly, 1979 Session, chapter nine (9), section two (2), subsection four (4), is amended to read as follows:

4. COMMISSION ON THE
STATUS OF WOMEN

For salaries and support of not more than three point twenty-five full-time equivalent positions annually, maintenance and miscellaneous purposes \$ 76,100 \$ 76,570

Sec. 14. Acts of the Sixty-eighth General Assembly, 1979 Session, chapter nine (9), section three (3), subsection one (1), is amended to read as follows:

1. BOARD OF MEDICAL
EXAMINERS

For salaries and support of not more than seven full-time equivalent positions annually, maintenance and miscellaneous purposes \$ 198,411 \$ 193,442
205,442

Sec. 15. Acts of the Sixty-eighth General Assembly, 1979 Session, chapter nine (9), section three (3), subsections four (4) and five (5), are amended to read as follows:

4. IOWA MENTAL HEALTH
AUTHORITY.

For salaries and support of not more than eight point five full-time equivalent positions annually, maintenance and miscellaneous purposes \$ 136,081 \$ 140,084
238,084

If legislation prescribing the title, administrative structure, and specific powers and duties of the unified state mental health agency has not been approved prior to July 1, 1980 and notwithstanding the provisions of sections two hundred twenty-five B point two (225B.2) and two hundred twenty-five B point eight (225B.8), Code 1979, as amended by Acts of the Sixty-eighth General Assembly, 1979 Session, chapter fifty-four (54), sections one (1) and two (2), the division of mental health resources of the department of social services and the Iowa mental health authority shall continue to be governed respectively by sections two hundred seventeen point ten (217.10) through two hundred seventeen point twelve (217.12), Code 1979 and chapter two hundred twenty-five B (225B), Code 1977, until July 1, 1981. The Iowa mental health authority shall continue to be the designated state agency

for the purpose of directing the benefits of United States Pub. L. No. 79-487, 60 Stat. L. 538 (1946) and amendments thereto.

5. MENTAL HEALTH ADVISORY COUNCIL

For salaries and support of not more than three full-time equivalent positions annually, maintenance and miscellaneous purposes \$ 64,269 \$ 50,000

Sec. 16. Acts of the Sixty-eighth General Assembly, 1979 Session, chapter nine (9), section four (4), subsection two (2), paragraph b, is amended to read as follows:

b. Health planning agency.

For salaries and support of not more than ~~eleven~~ thirteen full-time equivalent positions annually, maintenance and miscellaneous purposes \$ 66,940 \$ 66,407

Sec. 17. Acts of the Sixty-eighth General Assembly, 1979 Session, chapter nine (9), section four (4), subsection six (6), unnumbered paragraph one (1), is amended to read as follows:

For salaries and support of not more than sixty full-time equivalent positions annually, maintenance and miscellaneous purposes \$ 879,931 \$ 861,373
881,373

Sec. 18. Acts of the Sixty-eighth General Assembly, 1979 Session, chapter nine (9), section four (4), subsection seven

(7), paragraph a, is amended to read as follows:

a. Community health division.

(1) For salaries and support of not more than ~~forty-two~~ forty-four full-time equivalent positions annually of which two shall be for deaf services, maintenance and miscellaneous purposes \$ 982,111 \$ ~~1,701,537~~
1,445,376

(2) Of the appropriation for the 1980-1981 fiscal year, the sum of sixty thousand (60,000) dollars is allocated for deaf services, the sum of three hundred fifty thousand (350,000) dollars is allocated for the renal disease program, and the sum of twenty thousand (20,000) dollars is allocated for the emergency medical service program.

Sec. 19. Acts of the Sixty-eighth General Assembly, 1979 Session, chapter nine (9), section four (4), subsection seven (7), paragraph d, is amended to read as follows:

d. In-home health care grants. For grants to local boards of health or county health centers for programs to maintain or expand the availability of in-home health care to elderly persons in the state in accordance with section five (5) of this Act \$ 2,765,960 \$ 3,015,960

Sec. 20. Acts of the Sixty-eighth General Assembly, 1979 Session, chapter nine (9), section five (5), subsection four (4), is amended to read as follows:

4. The state department of health shall make the money allocated for use in each county under subsection three (3) of this section available to be expended in that county as provided in this subsection. The local board of health or county health centers having jurisdiction, after consultation with other in-home health care provider agencies in the jurisdiction, shall prepare a proposal for the use of the funds available for that jurisdiction that will provide the maximum benefits of expanded home health care to elderly persons in the jurisdiction, and that shall include a statement assuring that the appropriate local agencies have participated in the formulation of the proposal. After approval of the proposal by the department, the department shall enter into a contract with the local board of health or county health centers. The local board of health or county health centers may subcontract with a nonprofit nurses' association, an independent nonprofit agency, the department of social services or a suitable local governmental or nongovernmental body to use the funds to expand or maintain in-home health services. Local boards of health or county health centers shall make an effort to subcontract with agencies that are currently providing services to prevent duplication of services. In counties where a county health center has been established under chapter three hundred forty-six A (346A) of the Code, the board of supervisors may appoint itself to act as the county board of health.

Sec. 21. Acts of the Sixty-eighth General Assembly, 1979 Session, chapter nine (9), section nine (9), is amended to read as follows:

SEC. 9. Section sixteen point eight (16.8), Code 1979, is amended to read as follows:

16.8 ~~COMMISSION TERMINATION TRANSFERRED. Without affirmative action by the general assembly before June 30, 1980,~~ the The Spanish-speaking people's peoples commission shall

~~expire on June 30, 1981~~ be transferred to the Iowa state civil rights commission on July 1, 1980. The Spanish-speaking peoples commission shall continue to be appointed and function as provided in sections sixteen point one (16.1) through sixteen point seven (16.7) of the Code, but the Iowa state civil rights commission shall provide support services to the Spanish-speaking peoples commission including, but not limited to, office space, secretarial assistance, supplies, and similar services.

Sec. 22. Acts of the Sixty-eighth General Assembly, 1979 Session, chapter sixteen (16), section one (1), is amended to read as follows:

SECTION 1. There is appropriated from the general fund to the commission on the aging eight hundred thousand (800,000) dollars, or so much thereof as may be necessary, for the 1979-1980 fiscal year and eight hundred thousand (800,000) dollars, or so much thereof as is necessary, for the 1980-1981 fiscal year, for the elderly care program to be used for chore, telephone reassurance, adult day care, and home repair services, including the winterizing of homes, and for the construction of entrance ramps which meet the requirements of section one hundred four A point four (104A.4) of the Code and make residences accessible to the physically handicapped, for citizens of Iowa over sixty-five years of age. All funds appropriated under this section shall be received and disbursed by the commission and shall not be used for administrative purposes.

Sec. 23. Acts of the Sixty-eighth General Assembly, 1979 Session, chapter sixteen (16), section nine (9), is amended to read as follows:

SEC. 9. NEW SECTION. LOCAL MATCH. Funds appropriated to the commission from the general fund for the elderly care program shall only be awarded and distributed to local projects which provide significant matching effort either in cash or

in equivalent support. Funds appropriated to the commission from the general fund for the elderly care program shall only be used to establish new projects, ~~or~~ to expand existing programs and or to continue existing elderly care projects. Elderly care funds shall not be used to replace funds in existing programs or to free funds for other state supported services. The interagency coordinating committee may waive or modify the local match requirements of this section in accordance with the rules promulgated by the commission.

Sec. 24. Acts of the Sixty-eighth General Assembly, 1979 Session, chapter seventeen (17), section one (1), subsection two (2), is amended to read as follows:

2. For substance abuse		
program grants	\$ 2,265,000	~~\$ 2,265,000~~
		<u>2,475,000</u>

DIVISION III

Sec. 25. Acts of the Sixty-eighth General Assembly, 1979 Session, chapter twelve (12), section ten (10), subsection two (2), is amended to read as follows:

2. For salaries,
support of no more than
two full-time equivalent
positions, maintenance
and miscellaneous pur-
poses of the European
office \$ 178,000 \$ 200,000

Sec. 26. Acts of the Sixty-eighth General Assembly, 1979 Session, chapter twelve (12), section thirteen (13), subsection one (1), is amended to read as follows:

1. OPERATIONS

For salaries and support of ~~not more than~~ eleven full-time equivalent positions, and for

maintenance and miscel-			
laneous purposes	\$	230,192	\$ 233,683
			336,683

Sec. 27. Acts of the Sixty-eighth General Assembly, 1979 Session, chapter twelve (12), section nineteen (19), subsection one (1), is amended to read as follows:

1. For salaries and support of not more than one hundred seventy-three full-time equivalent positions and maintenance, assistance to soil conservation districts and for miscellaneous purposes \$ 2,544,670

\$ 2,528,876
2,549,476

It is the intent of the general assembly that twenty one hundred clerk-typist II positions be upgraded to that of secretary clerk-typist III, and that a position of director of conservancy districts be created.

Sec. 28. There is appropriated from the general fund of the state to the department of soil conservation for the fiscal period beginning July 1, 1980 and ending June 30, 1984 the amount of nine hundred seventy-nine thousand four hundred (979,400) dollars, or so much thereof as is necessary, to be used for and supplement the funds appropriated by Acts of the Sixty-eighth General Assembly, 1979 Session, chapter twelve (12), section nineteen (19), subsection five (5), for cost-sharing to provide state funding of not more than fifty percent of the approved cost of permanent soil conservation practices instituted under chapter four hundred sixty-seven A (467A) of the Code with priority given to projects on owner-operated and family-owned farms. However, not more than five percent of the amount appropriated in this section may be

used for compensation of production losses due to summer construction of permanent soil and water conservation practices.

DIVISION IV

Sec. 29. Acts of the Sixty-eighth General Assembly, 1979 Session, chapter four (4), section one (1), subsection five (5), is amended to read as follows:

5. STATE BOARD OF
ENGINEERING EXAMINERS

For salaries and wages
for not more than two
point fifty full-time
equivalent positions and
for support, maintenance,
and other operational
purposes \$ 88,044 \$ 92,771
96,771

It is the intent of the general assembly that the per diem and travel expenses of the members of the state board of engineering examiners be reduced to an amount not more than eighteen thousand eight hundred sixty-six (18,866) dollars for the fiscal year 1979-1980 and to not more than twenty thousand seven hundred fifty-three (20,753) dollars for the fiscal year 1980-1981.

The department of general services shall provide for security for the offices of the board of engineering examiners by providing the board with offices and file cabinets that can be locked to prevent unauthorized access to the files, documents and papers of the board of engineering examiners.

Sec. 30. Acts of the Sixty-eighth General Assembly, 1979 Session, chapter four (4), section two (2), subsection three (3), is amended to read as follows:

3. IOWA BEER AND LI-
QUOR CONTROL DEPARTMENT
For salaries and wages

for not more than nine
hundred five point four-
teen full-time equiv-
alent positions and for
support, maintenance, and

other operational purposes \$14,746,842 \$14,869,474
15,135,474

It is the intent of the general assembly that two hundred seventy-five thousand (275,000) dollars, or so much thereof as is necessary, for the fiscal year beginning July 1, 1980 and ending June 30, 1981 be used for outside warehousing and rent.

It is the further intent of the general assembly that all state liquor stores in operation as of March 1, 1980 shall continue in operation. If there is more than one liquor store in a city only one must continue in operation. Hours of operation of each store shall remain substantially the same.

Sec. 31. Chapter one hundred twenty-three (123), Code 1979, is amended by adding the following new sections as a new division:

NEW SECTION. 123.153 DEFINITIONS. As used in this division, unless the context otherwise requires:

1. "Project" means acquisition, construction, reconstruction, improvement, repair and equipment of land, buildings, facilities and property of every kind except inventory, deemed necessary by the council for use as a warehouse, which shall include office space.

2. "Gross revenue" means all income or receipts derived from the operation of liquor sale activities.

3. "Net revenues" means gross revenues less operating expense.

4. "Operating expense" means salaries, wages, costs of maintenance and operation, materials, supplies, inventories, insurance, and other items in relation to liquor sale ac-

tivities included under recognized public agency accounting practices, but does not include allowances for depreciation in the value of physical property.

5. "Revenue bond" or "bond" means a negotiable bond issued by the state and payable from the net revenues of liquor sale activities or of any part or project thereof.

6. "Liquor sale activities" means any activities conducted by the council and the department with reference to the sale of alcoholic liquor.

NEW SECTION. 123.154 PROJECT--REVENUE BONDS. On behalf of the state, the council shall carry out a project, issue revenue bonds in an amount not to exceed four million dollars to pay all or part of the cost of the project, or refund at or before maturity a like principal amount of revenue bonds or other obligations issued under this division and sell revenue bonds at public or private sale in the discretion of the council. The cost of the project may include interest on the bonds during construction and for one year after completion, costs of sale and issuance of bonds, professional services and provision for contingencies.

NEW SECTION. 123.155 PROCEEDINGS. Revenue bonds shall be issued pursuant to one or more resolutions of the council adopted at a regular or special meeting by a majority of the members in attendance. Revenue bonds may bear interest at such rates, be in one or more series, bear such dates, mature at times not exceeding thirty years from their respective dates, be payable at places within or without the state, carry registration privileges, be subject to terms of redemption, with or without premium, be executed and contain terms, limitations, covenants and conditions as the resolution provides.

The bonds shall be executed by the governor and attested by the treasurer of state. The facsimile signature of either the governor or treasurer of state may be printed on the face

of each bond in lieu of the manual signature of the officer. Interest coupons, if any, shall be executed by the original or facsimile signature of the treasurer of state. Bonds bearing the original or facsimile signature of an officer in office on the date of the signing are valid for all purposes, notwithstanding that before delivery the signer has ceased to hold the office. Each bond shall state on its face that it is payable solely from the revenues pledged thereto and that it does not constitute a debt or charge against the state of Iowa within the meaning or application of any constitutional or statutory limitation or provision.

The proceedings authorizing the issuance of the bonds may provide for the establishment of reserve funds or sinking funds as deemed necessary for the application of surplus net revenues, and for the continuation of liquor sale activities on a revenue producing basis and the maintenance of net revenues at levels at least sufficient to pay principal of and interest on the revenue bonds as they become due and to maintain reserves or sinking funds therefor.

NEW SECTION. 123.156 BONDS NOT DEBT OF STATE. Revenue bonds shall not be a debt of or charge upon the state of Iowa within the meaning of any constitutional or statutory limitation. Taxes or appropriations shall not be pledged for the payment of the revenue bonds. The sole remedy for any breach or default of the terms of any revenue bonds or proceedings authorizing the bonds shall be a proceeding in law or equity, to which consent is given, to enforce and compel performance of the duties required by this division and the terms of the resolutions under which the bonds are issued.

NEW SECTION. 123.157 ANTICIPATORY NOTES. The council may borrow money and issue notes in anticipation of the receipt of proceeds of the sale of revenue bonds. Any such loan shall be paid within three years. Notes issued for moneys so

borrowed may be renewed from time to time within the three-year limitation. Notes shall be issued and sold in the same manner as provided for the issuance of bonds.

NEW SECTION. 123.158 NOTICE. The council may publish a notice of its intention to issue revenue bonds in a newspaper published in and with general circulation in the state. The notice shall include a statement of the maximum amount of bonds proposed to be issued, and in general, what net revenues will be pledged to pay the revenue bonds and interest thereon. An action which questions the legality of revenue bonds or the power of the council to issue the bonds or the effectiveness of any proceedings adopted for the authorization or issuance of the bonds shall not be brought after sixty days from the date of publication of the notice.

NEW SECTION. 123.159 EXEMPTION FROM TAXATION. Bonds or notes issued under this division are exempt from taxation by the state of Iowa and the interest thereon is exempt from state income tax.

NEW SECTION. 123.160 BONDS AS INVESTMENTS. All banks, trust companies, savings and loan associations, investment companies and other persons carrying on a banking or investment business, all insurance companies, insurance associations, and other persons carrying on an insurance business and all executors, administrators, guardians, trustees, and other fiduciaries may legally invest any sinking funds, moneys, or other funds belonging to them or within their control in bonds issued pursuant to this division. However, this section does not relieve any persons from a duty of exercising reasonable care in selecting securities for purchase or investment.

NEW SECTION. 123.161 INDEPENDENT AUTHORIZATION. This division provides an independent method for the carrying out of a project and for the sale and issuance of revenue bonds and notes without reference to any other statute and is not

subject to the provisions of any other law relating to the issuance of bonds.

NEW SECTION. 123.162 LIMITATION. The council shall not carry out more than one project under this division.

Sec. 32. Acts of the Sixty-eighth General Assembly, 1979 Session, chapter four (4), section two (2), subsection fourteen (14), is amended to read as follows:

14. DEPARTMENT OF
REVENUE

For salaries and wages
for not more than six
hundred seventy-eight
point sixty-four full-
time equivalent posi-
tions and for support,
maintenance, and other

operational purposes	\$12,228,072	~~\$12,145,839~~
		12,200,832

It is the intent of the general assembly that fifty-five thousand (55,000) dollars, or so much thereof as is necessary, for the fiscal year beginning July 1, 1980 and ending June 30, 1981 be used for the capital assets pricing model program.

Sec. 33. Acts of the Sixty-eighth General Assembly, 1979 Session, chapter four (4), section seven (7), is amended to read as follows:

SEC. 7. There is appropriated from the Iowa public employees' retirement system fund for each fiscal year of the biennium beginning July 1, 1979 and ending June 30, 1981 to the Iowa department of job service, the following amounts, or so much thereof as is necessary, to be used for the following purposes:

1979-1980	1980-1981
<u>Fiscal Year</u>	<u>Fiscal Year</u>

For salaries and wages for not more than ~~thirty-eight~~ forty point fifty full-time equivalent positions and for support, maintenance, and other operational purposes to pay the costs of administration of the Iowa public employees' retirement system \$ 1,535,755 \$ ~~1,622,074~~
1,719,404

It is the intent of the general assembly that seventy-five thousand (75,000) dollars, or so much thereof as may be necessary, for the fiscal year beginning July 1, 1980 and ending June 30, 1981 be used to establish a systems development program.

DIVISION V

Sec. 34. Acts of the Sixty-eighth General Assembly, 1979 Session, chapter two (2), section three (3), is amended to read as follows:

SEC. 3. There is appropriated from the general fund of the state for each fiscal year of the fiscal biennium beginning July 1, 1979, and ending June 30, 1981, the following amounts, or so much thereof as is necessary, to be used to fund increases in judicial salaries as provided in section two (2) of this Act and for the state's contribution to the

judicial retirement system provided for in chapter six hundred five A (605A) of the Code required because of the increased salaries

	1979-1980	1980-1981
	<u>Fiscal Year</u>	<u>Fiscal Year</u>
	\$ 650,000	\$ ~~650,000~~ 733,000

Sec. 35. Acts of the Sixty-eighth General Assembly, 1979 Session, chapter three (3), section one (1), subsection three (3), is amended to read as follows:

3. For salaries and support of not more than eight point five full-time equivalent positions and maintenance of the Terrace Hill governor's mansion which shall be open for ~~the public tours by individuals or groups of ten or fewer persons~~ without prior appointment, and for groups of more than ten persons with a prior appointment, a minimum of twenty hours per week and a minimum of five days per week, ~~in-addition-to-arranged-special group-tours,-and.~~ The visiting hours and tour arrangements may be adjusted in order to provide access to Terrace Hill which will best serve the public and also cause the least inconvenience to the governor and the governor's family.
The final tour in any day

when requested shall begin not
earlier than 2:00 p.m.
Terrace Hill shall be closed
during the months of January
and February except for special
tours which may be conducted
at the discretion of the

Terrace Hill site coordinator	\$	174,570	\$	171,580
-------------------------------------	----	---------	----	---------

Notwithstanding the provisions of subsection eight (8) of section eighteen point twelve (18.12) of the Code, proceeds received from the sale of excess Terrace Hill personal property to be disposed of by a public auction conducted by the department of general services shall be added to the funds appropriated by Acts of the Sixty-eighth General Assembly, 1979 Session, chapter fourteen (14), section fifteen (15), subsection five (5), and shall be used for the restoration of Terrace Hill in the same manner as the funds appropriated in that subsection.

Sec. 36. Acts of the Sixty-eighth General Assembly, 1979 Session, chapter three (3), section four (4), subsection three (3), unnumbered paragraph two (2), is amended to read as follows:

There is established a census data center coordinating unit composed of the state librarian, a representative of the office for planning and programming, and three representatives each representing one of the state universities. The census data center coordinating unit shall provide for not less than fifty census data training sessions throughout the state, and shall negotiate a joint statistical agreement with the United States bureau of the census. The census data center coordinating unit shall be the agency designated in Iowa to approve all such agreements with the bureau of the census.

Sec. 37. Acts of the Sixty-eighth General Assembly, 1979 Session, chapter three (3), section ten (10), subsection one (1), paragraph f, is amended to read as follows:

f. COMMUNICATIONS

DIVISION

For salaries and support of not more than seventeen eighteen point seventy full-time equivalent positions, maintenance, and miscellaneous purposes \$ 336,670 \$ ~~336,051~~ 364,051

Sec. 38. Notwithstanding the Acts of the Sixty-eighth General Assembly, 1979 Session, chapter three (3), section six (6), subsection ten (10), the full-time equivalent positions for the legislative fiscal bureau for the fiscal year beginning July 1, 1980, shall be thirteen.

Sec. 39. There is appropriated from the general fund of the state for the fiscal year beginning July 1, 1980 and ending June 30, 1981 the sum of fifty thousand (50,000) dollars, or so much thereof as is necessary, to the Iowa merit employment department for conversion, design, testing, installation, and implementation of a data processing system.

Sec. 40. Section two point forty-three (2.43), unnumbered paragraph one (1), Code 1979, is amended to read as follows:

The legislative council in co-operation with the officers of the senate and house shall have the duty and responsibility for preparing for each session of the general assembly. Pursuant to such duty and responsibility, the legislative council may assign areas in the state capitol or other state buildings, in consultation with the director of the department of general services and the capitol planning commission, for use of the general assembly or legislative agencies. The

legislative council may authorize the renovation, remodeling and preparation of the physical facilities used or to be used by the general assembly or legislative agencies subject to the jurisdiction of the legislative council and award contracts pursuant to such authority to carry out such preparation. The legislative council may purchase supplies and equipment deemed necessary for the proper functioning of the legislative branch of government.

DIVISION VI

Sec. 41. Acts of the Sixty-eighth General Assembly, 1979 Session, chapter eleven (11), section one (1), subsections one (1), two (2), and four (4), are amended to read as follows:

1. For the purpose of matching federal funds available to the Iowa crime commission for state and court planning programs, for salaries and support of not more than twenty-two full-time equivalent positions, and for maintenance and miscellaneous purposes \$ 110,000 \$ 70,200
100,000

2. For the purpose of providing funds for area planning purposes to the Iowa crime commission, and for salaries, support, maintenance and miscellaneous purposes \$ 100,000 \$ 40,000
50,000

a. It is the intent

of the general assembly that if federal law enforcement assistance administration planning funds are not appropriated for the fiscal year beginning October 1, 1980 and ending September 30, 1981, the appropriations subcommittee on transportation and law enforcement shall review the budget needs of the Iowa crime commission. If federal law enforcement assistance administration planning funds are appropriated, funds appropriated under subsections one (1) and two (2) of this section which are not required for matching federal funds shall revert to the general fund of the state.

4. For the purpose of matching federal funds available to the Iowa crime commission through the Juvenile Justice and Delinquency Prevention Act of 1974 as amended by the United States Congress for salaries and support of not more than one full-time

equivalent position, and for
maintenance and miscellaneous

purposes	\$	6,600	\$	14,000
				<u>19,000</u>

Sec. 42. Acts of the Sixty-eighth General Assembly, 1979 Session, chapter eleven (11), is amended by adding the following new section:

NEW SECTION. There is appropriated from the general fund of the state to the road use tax fund for the fiscal year beginning July 1, 1980 and ending June 30, 1981 the amount of one million (1,000,000) dollars.

Sec. 43. Section three hundred twelve point two (312.2), subsection six (6), Code 1979, as the section is amended by Acts of the Sixty-eighth General Assembly, 1980 Session, House File seven hundred forty-seven (747), section one (1), is amended to read as follows:

6. The treasurer of state shall before making the allotments provided for in this section credit monthly to the ~~division-of-motor-vehicle-registration-of-the~~ state department of transportation funds sufficient in amount to pay the costs of purchasing certificate of title and registration forms, and supplies and materials and for the cost of prison labor used in manufacturing motor vehicle registration plates, decalcomania emblems, and validation stickers at the prison industries.

Sec. 44. Section three hundred thirteen point five (313.5), unnumbered paragraph one (1), Code 1979, is amended to read as follows:

The department shall submit to the comptroller, as provided by chapter 8, a detailed estimate of the amount required by the department during each succeeding biennium for the support of the department and for engineering and administration of highway work and maintenance of the primary road system. Such estimate shall be in the same general form and detail

as is required by chapter 8 and said chapter shall apply to the budgeting, appropriation, and expenditure of funds in the primary road fund in the same manner as such chapter applies to other departments. However, the amount of contracts for bituminous resurfacing, bridge painting and repair, concrete-paving pavement and shoulder repair, and agreements with municipalities cities for maintenance on primary road extensions and agreements with counties, cities, and institutions for maintenance on state park, state institution, and other state land roads need not be included in the amount appropriated for maintenance.

Sec. 45. Section three hundred twenty-eight point twenty-four (328.24), Code 1979, is amended to read as follows:

328.24 REFUNDS OF FEES. If, during the year for which an aircraft, except nonresident aircraft used for the application of herbicides and pesticides, was registered and the required fee paid ~~therefor~~, such the aircraft is destroyed by fire or accident or junked, and its identity as an aircraft entirely eliminated, or it is removed and continuously used beyond the boundaries of the state, then the owner in whose name it was registered at the time of ~~such~~ destruction, dismantling, or removal from the state shall return the certificate of registration to the ~~commission department~~ within ten days and make affidavit of such destruction, dismantling, or removal and make claim for ~~such the~~ refund. The refund shall be paid from the state aviation fund.

The registration fee for the unexpired portion of the year shall ~~thereupon~~ be refunded pro rata to the nearest full calendar month.

Sec. 46. Sections forty-three (43), forty-four (44), and forty-five (45) of this Act take effect July 1, 1981.

Sec. 47. Notwithstanding the provisions of chapters three hundred ten (310) and three hundred thirteen (313) of the

Code, if in the judgment of the state department of transportation the anticipated claims against the primary road fund or farm-to-market road fund for any month are in excess of funds available, a temporary transfer for construction costs may be made between funds providing there will remain in the transferring fund a sufficient balance to meet the anticipated obligations. Fund transfers shall be repaid when anticipated balances for any month are in excess of anticipated obligations. All such transfers shall be repaid prior to January 31, 1981. Any transfer shall be made with the approval of the state comptroller and shall comply with the state comptroller's rules relating to the transfer of funds.

This section is applicable only for the period July 1, 1980 through January 31, 1981.

Sec. 48. Section five hundred fifty-eight point fifty-eight (558.58), Code 1979, is amended to read as follows:

558.58 RECORDER TO COLLECT AND DELIVER TO AUDITOR.

1. At the time of filing ~~any a~~ deed or other instrument mentioned in section 558.57, the recorder shall collect from the person filing the same deed or instrument the recording fee provided by law, ~~also~~ and the auditor's transfer fee, ~~and forthwith except as provided in subsection two (2) of this section. The recorder shall~~ deliver the deed or instrument and the transfer fee to the county auditor, after endorsing upon said instrument the following:

Filed for record, indexed, and delivered to county auditor
this day of, 19 .., at
o'clock ..M. Recorder's and auditor's fee \$ paid.

Recorder

2. When the person required to pay a fee relating to a real estate transaction is a governmental subdivision or agency, the recorder, at the request of the governmental

subdivision or agency, shall bill the governmental subdivision or agency for the fees required to be paid. The governmental subdivision or agency shall pay the fees and taxes due within thirty days after the date of filing.

Sec. 49. It is the intent of the general assembly that the state department of transportation may construct a hangar addition if sufficient funds, not to exceed eighteen thousand (18,000) dollars, are available for transfer from any funds appropriated to the state department of transportation from the general fund of the state for the fiscal biennium beginning July 1, 1979 and ending June 30, 1981.

Sec. 50. Acts of the Sixty-eighth General Assembly, 1979 Session, chapter fourteen (14), section eighteen (18), subsection two (2), paragraph b, is amended by adding the following new unnumbered paragraph:

NEW UNNUMBERED PARAGRAPH. It is the intent of the general assembly that the department of public safety shall not dismantle the lower portion of the radio tower located on Second Avenue in Des Moines until further consideration by the general assembly. However, the department may expend the necessary funds to maintain the structural safety of the tower.

Sec. 51. The legislative council may create a crime commission study committee composed of three members of the senate and the house of representatives from the respective standing committees on state government, two members from the house transportation appropriations subcommittee and two members of the senate transportation and law enforcement appropriations subcommittee to review the recommendations of the governor's economy committee relating to the crime commission and the crime commission program evaluation report prepared by the legislative fiscal bureau. The committee shall include as advisory nonvoting members two representatives of the judicial branch of government, and two representatives of local law enforcement agencies. The study committee shall

report its findings and recommendations, with legislative bill drafts required to implement its recommendations to the respective standing committees on state government, the legislative council, and the general assembly convening in January, 1981.

DIVISION VII

Sec. 52. Acts of the Sixty-eighth General Assembly, 1979 Session, chapter eight (8), section one (1), subsection one (1), is amended to read as follows:

1. For general administration, including salaries and support, maintenance and miscellaneous purposes

\$ 6,140,000 \$ 6,220,000
6,628,584

It is the intent of the general assembly that up to one hundred twelve thousand (112,000) dollars of the fiscal year 1981 appropriation may be used to continue the implementation of an integrated client information system.

Sec. 53. Acts of the Sixty-eighth General Assembly, 1979 Session, chapter eight (8), section five (5), subsections two (2), three (3), eight (8), eleven (11), and thirteen (13) are amended to read as follows:

2. During the fiscal year biennium beginning July 1, 1979 and ending June 30, 1981, the department is authorized to expand staffing, in order to provide additional correctional personnel required by unitization, by twenty-five thirty-six new positions at Fort Madison and thirty-three new positions at Anamosa. Within the limitations of the funds appropriated by this section and the provisions of Acts of the Sixty-eighth General Assembly, 1979 Session, chapter eight (8), section thirty (30) of this Act, the department may expand staffing at the John Bennett Center by adding seven new correctional personnel.

3. It is the intent of the general assembly that a concentrated training program for correctional officers personnel at Fort Madison be established as soon as possible, and that a continuing in-service training program be established for correctional officers-at-all-correctional institutions personnel under the division of adult corrections. There may be used for this purpose up to two hundred ten thousand (210,000) dollars of the appropriation made by subsection one (1) of this section for the fiscal year beginning July 1, 1979, and up to one hundred forty thousand (140,000) dollars of the appropriation made by subsection one (1) of this section for the fiscal year beginning July 1, 1980. The general assembly also recommends that in addition to using existing staff for training, the department utilize other community and state resources in the development and implementation of a comprehensive training program.

8. Community-based corrections \$ 8,747,250 \$ 9,359,557
9,775,557

Each judicial district which uses funds appropriated under this subsection may contract for services from or provide funds to private agencies which provide to ex-offenders education, job placement or counseling services intended to facilitate the transition of the ex-offenders from incarceration to free society.

11. For a legal assistance program to provide civil legal assistance to inmates of the Iowa correctional system in matters of child custody, bankruptcy and dis-

solution of marriage \$ 25,000 \$ 25,000

Expenditures shall be authorized by the citizens' aide office, and may include the costs of transporting prisoners, secretarial support and administrative oversight.

It was and is the intent of the general assembly that this program was established for and be continued for expenditure for civil matters of inmates, which matters occurred outside the state's institutions. Thus it is the intent of the general assembly that funds from the appropriation shall not be used for civil matters in which the inmate and the state of Iowa are adverse parties.

13. For substance
abuse screening \$ 200,000 \$ ~~200,000~~

Sec. 54. Acts of the Sixty-eighth General Assembly, 1979 Session, chapter eight (8), section five (5), subsection six (6), is amended by adding the following new unnumbered paragraph:

NEW UNNUMBERED PARAGRAPH. The division of adult corrections, in conjunction with other appropriate state agencies, shall continue its study of alternative means of making further improvements in the salaries and retirement benefits of corrections officers and supporting personnel, and any job reclassifications necessary to implement such improvements. The department of social services shall include recommendations necessary to implement these improvements in its 1982-1983 budget request.

Sec. 55. Acts of the Sixty-eighth General Assembly, 1979 Session, chapter eight (8), section six (6), subsections one (1) and six (6), are amended to read as follows:

1. For salaries and support, maintenance and miscellaneous purposes \$28,150,000 ~~\$28,365,000~~
28,265,000

6. It is the intent of the general assembly that not more than one hundred thousand (100,000) dollars of the

appropriation provided under subsection one (1) of this section for each of the fiscal years year beginning July 1, 1979 and ~~July 1, 1980~~ ending June 30, 1980 shall be used by the division of mental health resources to contract for mental health and mental retardation screening services for inmates of the state's adult correctional system and juvenile offenders at the state's juvenile institutions.

Sec. 56. Acts of the Sixty-eighth General Assembly, 1979 Session, chapter eight (8), section six (6), is amended by adding the following new subsection:

NEW SUBSECTION.

a. It is the intent of the general assembly that from the funds appropriated by this section for the fiscal year beginning July 1, 1980, reimbursement be provided to counties for a portion of the cost of local inpatient mental health treatment as provided by this subsection.

b. Each county which pays, from county funds budgeted under section four hundred forty-four point twelve (444.12) of the Code, the cost of care and treatment of a mentally ill person who is admitted pursuant to a preliminary diagnostic evaluation under sections two hundred twenty-five B point four (225B.4) through two hundred twenty-five B point seven (225B.7) of the Code as an inpatient of an Iowa hospital facility, other than a state mental health institute, which has a distinct psychiatric program of twenty or more beds and which hospital facility is accredited by the joint commission on accreditation of hospitals, is entitled to reimbursement from the state for a portion of daily cost so incurred by the county. However, a county is not entitled to reimbursement under this subsection for any cost incurred in connection with the hospitalization of a person who is eligible for medical assistance under chapter two hundred forty-nine A (249A) of the Code, or who is entitled to have his or her care or treatment paid for by any other third party

payer, or who is admitted for preliminary diagnostic evaluation under sections two hundred twenty-five B point four (225B.4) through two hundred twenty-five B point seven (225B.7) of the Code. The amount of reimbursement for the cost of care and treatment of a local inpatient to which a county is entitled under this subsection, on a per-patient-per-day basis, is an amount equal to twenty percent of the average daily patient costs in the most recent calendar quarter for the program in which the local inpatient would have been served if he or she had been admitted to a state mental health institute.

c. Each county may claim the reimbursement provided for by paragraph a of this subsection by filing with the department a claim in a form prescribed by the director of the division of mental health by administrative rule. Claims may be filed on a quarterly basis, and when received shall be verified expeditiously by the director. The director shall certify to the state comptroller the amount to which each county claiming reimbursement under this section is entitled, and the comptroller shall issue warrants to the respective counties drawn upon funds appropriated by the general assembly for the purpose of this subsection. Each county shall place funds received under this subsection in the county mental health and institutions fund. If the appropriation for any fiscal year is insufficient to pay all claims arising under this subsection, the comptroller shall prorate the funds appropriated for that year among the claimant counties so that an equal proportion of each county's claim is paid in each quarter for which proration is necessary.

d. There is appropriated from the general fund of the state to the department of social services, for the fiscal year beginning July 1, 1980, the sum of three hundred ninety-four thousand (394,000) dollars, or so much thereof as may be necessary, to be used to reimburse counties for a portion

of the cost of local inpatient mental health treatment as provided by this subsection.

Sec. 57. Acts of the Sixty-eighth General Assembly, 1979 Session, chapter eight (8), section seven (7), is amended by adding the following new subsection:

NEW SUBSECTION. If more than two hundred dollars is on deposit to the credit of a patient at a hospital school or mental health institute, in a patients' personal deposit fund established pursuant to section two hundred twenty-two point eighty-six (222.86) or two hundred twenty-six point forty-three (226.43) of the Code, and that patient has no county of legal settlement in this state, the business manager of the hospital school or mental health institute may transfer from the patients' personal deposit fund to a central account all money in excess of two hundred dollars on deposit to the credit of that patient, up to an amount equal to the patient's accumulated liability to the state for the cost of that patient's care, support and maintenance. The funds transferred to a central account pursuant to this subsection may be used by the department of social services during the fiscal year beginning July 1, 1980 to provide community based care for mentally retarded or mentally ill persons who do not have a county of legal settlement in this state. Any funds transferred to a central account and not expended as authorized by this subsection shall revert to the general fund of the state on June 30, 1981.

Sec. 58. Acts of the Sixty-eighth General Assembly, 1979 Session, chapter eight (8), section eight (8), subsection two (2), is amended to read as follows:

2. For aid to de-		
pendent children	\$47,130,000	~~\$47,100,000~~
		<u>56,100,000</u>

Sec. 59. Acts of the Sixty-eighth General Assembly, 1979 Session, chapter eight (8), section eight (8), subsection

four (4), paragraph d, is amended to read as follows:

d. Any spontaneous abortion, commonly known as a miscarriage, wherein not all of the products of conception are expelled \$88,260,000 ~~\$95,350,000~~
97,750,000

Notwithstanding the provisions of section eight point thirty-nine (8.39) of the Code, funds appropriated under this section are not subject to transfer to any other department, institution or agency. Any unencumbered or unobligated balance of any appropriation made under this section which exists on June 30, 1981 shall revert to the fund from which it was appropriated.

Sec. 60. Acts of the Sixty-eighth General Assembly, 1979 Session, chapter eight (8), section eight (8), subsections five (5), six (6), nine (9) and eleven (11) are amended to read as follows:

5. For contractual services-medical carrier \$ 1,084,000 ~~\$ 1,232,000~~
1,120,000

6. For children's services \$20,455,000 ~~\$21,250,000~~
22,030,000

Notwithstanding section eight point thirty-three (8.33) of the Code, unencumbered or unobligated funds remaining in the allocation made by Acts of the Sixty-eighth General Assembly, 1979 Session, chapter eight (8), section seventeen (17), subsection two (2), from the appropriation made by this subsection for the fiscal year beginning July 1, 1979, shall not revert to the general fund of the state until June 30, 1981, and shall be governed by the provisions of Acts of the Sixty-eighth General Assembly, chapter eight (8), section

four (4), subsection two (2), as added by Acts of the Sixty-eighth General Assembly, Senate File two thousand two hundred forty-one (2241), section sixteen (16), which relate to use by the department of social services of delayed reversion funds.

9. For state supplementary assistance, including state supplementary assistance for the blind \$ 6,090,000 \$ 6,520,000

It is the intent of the general assembly that the department of social services shall increase the maximum cost-related reimbursement for residential care facility services for the fiscal year beginning July 1, 1980 to ~~thirteen~~ fourteen dollars and ~~fifty-cents~~ per day and the flat rate to ~~eight~~ nine dollars and ~~twenty~~ fifty cents per day.

11. For child support recoveries, including salary and support, maintenance and miscellaneous purposes \$ 428,219 ~~\$ 435,160~~
520,160

The commissioner of social services, within the limitations of the funds appropriated in this subsection or funds transferred from the aid to dependent children program for this purpose, and subject to the staffing limitations imposed by Acts of the Sixty-eighth General Assembly, 1979 Session, chapter eight (8), section thirty (30), may add additional child support recovery workers when the commissioner determines that additional workers can reasonably be expected to recover for the aid to dependent children program more than twice the amount of money required to pay the salary and support for those additional workers.

Sec. 61. Acts of the Sixty-eighth General Assembly, 1979 Session, chapter eight (8), section eight (8), subsection thirteen (13), as amended by Acts of the Sixty-eighth General Assembly, 1980 Session, Senate File two thousand two hundred forty-one (2241), section twenty-two (22), is amended to read as follows:

13. State supplementation to Title

XX	\$ 1,000,000	\$ 1,000,000
		2,200,000

It is the intent of the general assembly that funds appropriated under this subsection be used for local purchase of service contracts for services listed in the overall statewide Title XX plan.

Sec. 62. Acts of the Sixty-eighth General Assembly, 1979 Session, chapter eight (8), section ten (10), is amended by adding the following new subsection:

NEW SUBSECTION. It is the intent of the general assembly that assistance shall be granted under chapter two hundred thirty-nine (239) of the Code to an expectant mother in the last trimester of pregnancy if she meets all other eligibility requirements of the aid to dependent children program. The mother and fetus together shall be treated as a one-person family with assistance payable to the expectant mother as an eligible group of one, and a payment of ten dollars per month shall also be made for the fetus. The department of social services shall continue in effect, or update as may be necessary, the rules adopted as required by Acts of the Sixty-eighth General Assembly, 1979 Session, chapter seven (7), section one (1), subsection two (2).

Sec. 63. Acts of the Sixty-eighth General Assembly, 1979 Session, chapter eight (8), section ten (10), subsection four (4) is amended to read as follows:

4. It is the intent of the general assembly that the department shall maintain a system of current needs budgeting in computing monthly assistance grants for ADC recipients until the department has presented to the governor and the joint social services appropriations subcommittee of the Sixty-eighth General Assembly a study and report including a cost-benefit comparison and client impact comparison between prior-month budgeting and current needs budgeting. The report shall be submitted on December 3, 1979. Further, the department shall not implement a prior-month budgeting system on a statewide basis without first establishing its cost-effectiveness through at least a one-year pilot program employing prior-month budgeting in selected Iowa counties.

Sec. 64. Acts of the Sixty-eighth General Assembly, 1979 Session, chapter eight (8), section twelve (12), is amended by adding the following new unnumbered paragraph:

NEW UNNUMBERED PARAGRAPH. Beginning July 1, 1980, the basis for establishing the maximum medical assistance reimbursement rate for intermediate care facilities shall be the seventy-fourth percentile of all facilities' per diems as calculated from the March 31, 1980 compilation of unaudited financial and statistical reports. This compilation is composed of facility cost reports received prior to February 1, 1980. Beginning January 1, 1981, the basis for establishing the maximum reimbursement rate for intermediate care facilities shall be the seventy-fourth percentile of all facilities' per diems as calculated from the December 31, 1980 compilation of unaudited financial and statistical reports. This compilation is composed of facility cost reports received prior to November 1, 1980.

Sec. 65. Acts of the Sixty-eighth General Assembly, 1979 Session, chapter eight (8), section fourteen (14), is amended to read as follows:

SEC. 14. It is the intent of the general assembly that medical assistance shall be made available to any person who is an inpatient of a hospital, skilled nursing facility or intermediate care facility; who is eligible for supplemental security income in all respects except income; and whose income does not exceed ~~six-hundred-dollars-per-month~~ three hundred percent of the maximum monthly payment to an individual who is a recipient under the federal supplementary security income program as defined in section two hundred forty-nine point one (249.1), subsection one (1), of the Code.

Sec. 66. Acts of the Sixty-eighth General Assembly, 1979 Session, chapter eight (8), section sixteen (16), is amended to read as follows:

SEC. 16. It is the intent of the general assembly that, for the fiscal year beginning July 1, 1979, foster parent payments be increased by ten percent. It is further the intent of the general assembly that, for the fiscal year beginning July 1, 1980, foster residential care payments shall increase from fifty-five to fifty-eight dollars per day and foster group home payments shall increase from forty-four to forty-six dollars per day. It is also the intent of the general assembly that subsidized adoption rates shall be increased to the same level as the foster family home rates for the fiscal year beginning July 1, 1980.

Sec. 67. Acts of the Sixty-eighth General Assembly, 1979 Session, chapter eight (8), is amended by adding the following new sections:

NEW SECTION. Notwithstanding sections two hundred eighteen point seventy-eight (218.78) and two hundred eighteen point one hundred one (218.101) of the Code, all receipts of the Glenwood state hospital-school attributable to billings for laundry services furnished the Iowa school for the deaf shall be available to the hospital-school.

NEW SECTION. The department of social services shall arrange for a study of alternative methods of cost reimbursement for skilled, intermediate and residential care facilities and congregate housing and independent group residents. The study shall be conducted by an independent consulting firm which shall be employed by the department of social services after consultation with the governor, and the joint appropriations subcommittee on social services. The co-chairpersons of the joint appropriations subcommittee on social services shall select three members of that subcommittee to sit on a committee organized by the department of social services to set study parameters, receive consultant study proposals, select the consultant, and receive periodic progress reports. Progress reports shall be given to the governor, the commissioner of social services, and the joint appropriations subcommittee on social services at least twice prior to the final report which shall be submitted to the governor, the department of social services, and the joint appropriations subcommittee on social services no later than January 15, 1981. The department may use not more than seventy-five thousand dollars of the appropriation made by Acts of the Sixty-eighth General Assembly, 1979 Session, chapter eight (8), section eight (8), subsection four (4), as amended by this Act, for the fiscal year beginning July 1, 1980 and ending June 30, 1981, to pay the costs of the study mandated by this section.

Sec. 68. Section two hundred thirty-nine point one (239.1), subsection three (3), Code 1979, is amended to read as follows:

3. A "dependent child" means a needy child under the age of ~~sixteen~~ eighteen years, ~~or under the age of twenty years who is a student regularly attending a high school in pursuance of a course of study leading to a high school diploma or its equivalent, or who is, in lieu of pursuing a course of study leading to a high school diploma or its equivalent, regularly~~

~~attending-a-course-of-vocational-or-technical-training-designed to-fit-him-for-gainful-employment,~~ who has been deprived of parental support and care by reason of death, continued absence from home, physical or mental incapacity or unfitness of either parent, or partial or total unemployment of the father, and who is living with his or her father or mother, or both, or with his or her grandfather, grandmother, brother, sister, stepfather, stepmother, stepbrother, stepsister, uncle or aunt, in a place of residence maintained by one or more of such relatives as his or her or their home or has been placed in a licensed foster home or with a public or nonprofit child care agency by the state division or by the county department of social welfare in lieu of living with any relative designated in this subsection.

Sec. 69. Acts of the Sixty-eighth General Assembly, 1980 Session, Senate File two thousand two hundred forty-one (2241), section twenty (20), is amended to read as follows:

SEC. 20. There is appropriated from the general fund of the state to the department of social services for the fiscal year beginning July 1, 1979 and ending June 30, 1980, the sum of one hundred thirty-eight thousand (138,000) dollars, or so much thereof as may be necessary, to supplement funds appropriated by the Acts of the Sixty-eighth General Assembly, 1979 Session, chapter eight (8), section eight (8), subsection six (6). The money appropriated by this section shall be used for the purpose provided by Acts of the Sixty-eighth General Assembly, 1979 Session, chapter eight (8), section seventeen (17), subsection two (2). Notwithstanding section eight point thirty-three (8.33) of the Code, unencumbered or unobligated funds appropriated by this section shall not revert to the general fund of the state until June 30, 1981, and shall be governed by the provisions of Acts of the Sixty-eighth General Assembly, chapter eight (8), section four (4), subsection two (2), as added by Acts of the Sixty-eighth

General Assembly, Senate File two thousand two hundred forty-one (2241), section sixteen (16), which relate to use by the department of social services of delayed reversion funds.

Sec. 70. Section two hundred thirty-nine point four (239.4), unnumbered paragraph two (2), Code 1979, is amended by striking the unnumbered paragraph.

Sec. 71. Section two hundred fifty-two point forty-three (252.43), unnumbered paragraph three (3), Code 1979, is amended to read as follows:

The expense of support for the poor for Indians residing in the settlement ~~referred-to-in-section-1-12~~ located in Tama county shall be paid from funds ~~of-the-state-division-of-child-and-family-services-of~~ appropriated for that purpose to the department of social services. To The tribal council of the settlement shall administer such support for Indians residing on a the settlement, such state division shall have the powers and duties assigned to county officials by this chapter, or the state division or director of same may designate the director of social welfare in the county where such Indians reside to administer such relief. The tribal council shall submit a report annually to the department delineating program expenditures.

Sec. 72. Section five hundred nine point one (509.1), subsection one (1), Code 1979, is amended by adding the following new lettered paragraph:

NEW LETTERED PARAGRAPH. The policy shall not exclude from coverage an employee or an employee's spouse or dependents on the basis of the eligibility of the employee or the employee's spouse or dependents for medical assistance under chapter two hundred forty-nine A (249A) of the Code.

Sec. 73. Section five hundred nine point one (509.1), subsection four (4), Code 1979, is amended by adding the following new lettered paragraph:

NEW LETTERED PARAGRAPH. The policy shall not exclude from coverage a member or a member's spouse or dependents on the basis of the eligibility of the member or the member's spouse or dependents for medical assistance under chapter two hundred forty-nine A (249A) of the Code.

Sec. 74. Section five hundred nine point one (509.1), subsection five (5), Code 1979, is amended by adding the following new lettered paragraph:

NEW LETTERED PARAGRAPH. The policy shall not exclude from coverage an employee or member or an employee's or member's spouse or dependents on the basis of the eligibility of the employee or member or employee's or member's spouse or dependents for medical assistance under chapter two hundred forty-nine A (249A) of the Code.

Sec. 75. Section five hundred nine point one (509.1), subsection six (6), Code 1979, is amended by adding the following new lettered paragraph:

NEW LETTERED PARAGRAPH. The policy shall not exclude from coverage an employee or an employee's spouse or dependents on the basis of the eligibility of the employee or the employee's spouse or dependents for medical assistance under chapter two hundred forty-nine A (249A) of the Code. This paragraph shall also apply to corporations operating within the state who provide insurance coverage for their employees directly, and the commissioner shall have the authority to enforce the provisions of this paragraph.

Sec. 76. The department of social services shall adopt rules under section seventeen A point four (17A.4), subsection two (2) of the Code, which may become effective under section seventeen A point five (17A.5), subsection two (2), paragraph b of the Code as follows:

1. To change the effective date of assistance provided under chapter two hundred thirty-nine (239) of the Code from the date of application to not more than seven days after the date of application.

2. To eliminate payment for laxative drugs.

3. To limit orthodontia and posterior dental bridgework, except that assistance shall be available for injuries requiring emergency treatment.

4. To limit the types of eyeglass frames provided.

5. To extend the time period which must elapse before a person may obtain new eyeglasses, except that provision shall be made for emergency needs.

6. To provide that dentures shall be replaced no oftener than once every five years, except that allowance shall be made for emergency needs.

7. To provide reimbursement for hearing aids at factory cost plus a dispensing fee covering ear mold fitting and service for six months, and payment for batteries as requested by recipient.

8. To provide co-payment for the following optional services--dental, optometry, optical, audiology, orthopedic shoes, hearing aids and medical equipment.

9. To provide for a fifty cent drug co-payment and to require that pharmacists who reduce the total cost, including the reduction of either the ingredient cost or the professional fee, or both, of a prescription drug or insulin to persons, as defined in section four point one (4.1), subsection thirteen (13) of the Code, participating in a private, third-party payor prescription drug insurance or benefit plan or to the insurance or benefit plan, also reduce by the same amount the total cost of the same prescription drug or insulin to persons participating in the medical assistance program established by chapter two hundred forty-nine A (249A) of the Code or to the program.

Sec. 77. The department of social services is authorized to promulgate rules under section seventy-six (76) of this Act subsequent to the approval of that section by the governor and prior to the effective date of this Act, and those rules

shall not be declared unlawful under section seventeen A point nineteen (17A.19), subsection eight (8), paragraph d of the Code for failure to comply with section seventeen A point four (17A.4), subsections one (1) or two (2) or section seventeen A point five (17A.5) of the Code.

WILLIAM H. HARBOR
Speaker of the House

TERRY E. BRANSTAD
President of the Senate

I hereby certify that this bill originated in the House and is known as House File 2580, Sixty-eighth General Assembly.

BRUCE GRAHAM
Assistant Chief Clerk of the House

Approved May 26, 1980

ROBERT D. RAY
Governor