

Reprinted

SENATE FILE 2304

BY COMMITTEE ON APPROPRIATIONS
Approved 4/14 (p. 1209)

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Passed Senate, Date 4-22-82 (p. 1370) Passed House, Date 4-23-82 (P. 1744)

Vote: Ayes 48 Nays 1 Vote: Ayes 69 Nays 27

Approved Item Voted 5-19-86

A BILL FOR

1 An Act relating to and making supplemental appropriations for
2 the fiscal year beginning July 1, 1982 and ending
3 June 30, 1983.

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

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S. 2304

DIVISION I

1
2 Section 1. Acts of the Sixty-ninth General Assembly, 1981
3 Session, chapter 11, section 2, subsections 1 and 4, are
4 amended to read as follows:

	1981-1982	1982-1983
	<u>Fiscal Year</u>	<u>Fiscal Year</u>
7 1. For the operation of		
8 the training schools for de-		
9 linquent juveniles and the		
10 Iowa juvenile home at Toledo,		
11 including salaries and sup-		
12 port, maintenance, and mis-		
13 cellaneous purposes	\$ 7,000,000	\$ 7,000,000
14		<u>6,476,481</u>

15 The Mitchellville training school shall be closed no later
16 than June 1, 1982 and its female juvenile population shall
17 be transferred to the Iowa juvenile home at Toledo.
18 Notwithstanding any provision of the Code to the contrary,
19 both children in need of assistance and juveniles adjudicated
20 to have committed a delinquent act may be placed at the Iowa
21 juvenile home at Toledo. That portion of the juvenile home
22 housing delinquent juveniles shall be considered a second
23 campus of the Eldora training school. Chapter 242 applies
24 to that portion of the juvenile home and the delinquent
25 juveniles housed in that portion. Chapter 244 applies to
26 children in need of assistance placed at the juvenile home
27 and the portion of the juvenile home housing those children.

28 4. For operation of the Iowa		
29 veterans home, including sal-		
30 aries and support, maintenance,		
31 and miscellaneous purposes	\$ 11,750,000	\$ 14,500,000
32		<u>15,100,000</u>

33 Sec. 2. There is appropriated from the general fund of
34 the state for the fiscal year beginning July 1, 1982, and
35 ending June 30, 1983, to the department of social services,

1 three million eight hundred ninety-five thousand (3,895,000)
2 dollars, or so much thereof as is necessary, to be used for
3 the same purposes and to supplement funds appropriated by
4 Acts of the Sixty-ninth General Assembly, 1981 Session, chapter
5 11, section 3, subsection 1, except that the funds may be
6 used for the women's reformatory at Mitchellville and provided
7 that the Luster Heights correctional work camp shall serve
8 as the primary minimum security correctional work camp.

9 Of the funds appropriated under this section eighty thousand
10 (80,000) dollars, or so much thereof as is necessary, shall
11 be used for a correctional officers training academy and one
12 hundred fifty thousand (150,000) dollars, or so much thereof
13 as is necessary, shall be used for an inmate classification
14 system.

15 Notwithstanding Acts of the Sixty-ninth General Assembly,
16 1981 Session, chapter 11, section 3, subsection 1, unnumbered
17 paragraph 2, relating to a criminal justice improvement fund,
18 the funds appropriated by Acts of the Sixty-ninth General
19 Assembly, 1981 Session, chapter 11, section 3, subsection
20 1 and the funds appropriated under this section shall not
21 be reduced.

22 Inmates in state prisons who have cable television in their
23 cells shall reimburse the department out of the inmates'
24 personal funds for the cost of providing the cable television.

25 Sec. 3. Acts of the Sixty-ninth General Assembly, 1981
26 Session, chapter 11, section 3, subsection 3, is amended to
27 read as follows:

28	3. Community-based correc-		
29	tions	\$ 10,620,000	\$ 11,150,000
30			<u>11,535,000</u>

31 Notwithstanding section 8.33, one hundred fifty thousand
32 (150,000) dollars of the unencumbered or unobligated funds
33 appropriated by this subsection for the fiscal year beginning
34 July 1, 1981, and ending June 30, 1982, may be carried forward
35 and expended during the fiscal year beginning July 1, 1982,

1 and ending June 30, 1983, as provided in this subsection.

2 For the purpose of preventing the reversion of unencumbered
3 or unobligated funds on June 30, 1982, this section takes
4 effect retroactively to June 30, 1982.

5 A judicial district which uses funds appropriated under
6 this subsection may contract for services from or provide
7 funds to private agencies to provide education, job placement,
8 or counseling services to ex-offenders intended to facilitate
9 the transition from incarceration to living in a free society.

10 Notwithstanding Acts of the Sixty-ninth General Assembly,
11 1981 Session, chapter 11, section 13, funds appropriated under
12 this subsection for the fiscal year beginning July 1, 1982,
13 and ending June 30, 1983, may be used for the acquisition
14 or improvement of residential correctional facilities as
15 provided in section 8.45.

16 Sec. 4. Acts of the Sixty-ninth General Assembly, 1981
17 Session, chapter 11, section 10, is amended to read as follows:

18 SEC. 10. Notwithstanding section 227.17, there is
19 appropriated from the general fund of the state for each the
20 ~~fiscal year of the biennium~~ beginning July 1, 1981, and ending
21 June 30, ~~1983~~ 1982, to the state mental aid fund four hundred
22 forty thousand (440,000) dollars, or so much thereof as may
23 be necessary.

24 Sec. 5. Acts of the Sixty-ninth General Assembly, 1981
25 Session, chapter 11, section 11, subsection 1, is amended
26 to read as follows:

	1981-1982	1982-1983
	<u>Fiscal Year</u>	<u>Fiscal Year</u>
29 1. For capital improve-		
30 ments at institutions under		
31 the department of social ser-		
32 vices	\$ 650,000	\$ 800,000
33		<u>1,225,000</u>

34 Sec. 6. Acts of the Sixty-ninth General Assembly, 1981
35 Session, chapter 11, section 11, is amended by adding the

1 following new subsections:

2 NEW SUBSECTION. For municipal
3 waste treatment facilities at
4 the Glenwood state hospital-school,
5 the Eldora training school, and
6 the Independence mental health
7 institute \$ \$ 470,769

8 NEW SUBSECTION. For capital
9 improvements at the Iowa state
10 penitentiary \$ \$ 500,000

11 The appropriation under this subsection is contingent upon
12 action of the executive council to rescind five hundred
13 thousand (500,000) dollars of the one million one hundred
14 thirty-five thousand (1,135,000) dollars set aside from the
15 general fund by the executive council, pursuant to sections
16 19.29 and 29C.20, to pay for equipment replacement, repair,
17 rebuilding, rewiring, glass replacement, and overtime at the
18 Iowa state penitentiary due to the inmate disturbance of
19 September 2, 1981.

20 Sec. 7. Acts of the Sixty-ninth General Assembly, 1981
21 Session, chapter 11, section 11, subsection 7, is amended
22 to read as follows:

23 ~~7. Unobligated-or-unencumbered-funds-appropriated-by-this~~
24 ~~section-remaining-on-June-30,-1985,-shall-revert-to-the-general~~
25 ~~fund-on-September-30,-1985-~~ Unobligated or unencumbered funds
26 appropriated by this section for the fiscal year beginning
27 July 1, 1981, and ending June 30, 1982, remaining on June
28 30, 1985, shall revert to the general fund on September 30,
29 1985. However, if the projects for which these funds are
30 appropriated are completed prior to June 30, 1985, the
31 remaining unobligated or unencumbered funds shall revert to
32 the general fund on September 30 following the end of the
33 fiscal year in which the projects are completed.

34 Unobligated or unencumbered funds appropriated by this
35 section for the fiscal year beginning July 1, 1982, and ending

1 June 30, 1983, remaining on June 30, 1986, shall revert to
2 the general fund on September 30, 1986. However, if the
3 projects for which these funds are appropriated are completed
4 prior to June 30, 1986, the remaining unobligated or
5 unencumbered funds shall revert to the general fund on
6 September 30 following the end of the fiscal year in which
7 the projects are completed.

8 Sec. 8. Acts of the Sixty-ninth General Assembly, 1981
9 Session, chapter 75, section 1, is amended to read as follows:

10 SECTION 1. Section 218.74, Code 1981, is amended by
11 striking the section and inserting in lieu thereof the
12 following:

13 218.74 REVOLVING FARM FUND. A revolving farm fund is
14 created in the state treasury in which the department of
15 social services shall deposit receipts from agricultural
16 products, nursery stock, agricultural land rentals, and the
17 sale of livestock. However, before any agricultural operation
18 is phased out, the department which proposes to discontinue
19 this operation shall notify the governor, chairpersons and
20 ranking members of the house and senate appropriations
21 committees, and co-chairpersons and ranking members of the
22 subcommittee in the senate and house of representatives which
23 has handled the appropriation for this department in the past
24 session of the legislature. Before any department sells
25 farmland under the control of the department, that department
26 shall notify the governor, chairpersons and ranking members
27 of the house and senate appropriations committees, and co-
28 chairpersons and ranking members of the joint appropriations
29 subcommittee that handled the appropriation for the department
30 during the past legislative session. The department may pay
31 from the fund for the operation, maintenance, and improvement
32 of farms and agricultural or nursery property under the control
33 of the department. A purchase order for ten thousand dollars
34 or less payable from the fund is exempt from the general
35 purchasing requirements of chapter 18. Notwithstanding section

1 8.33, unencumbered or unobligated receipts in the revolving
2 farm fund at the end of a fiscal year shall not revert to
3 the general fund of the state.

4 The department of social services shall annually prepare
5 a financial statement to provide for an accounting of the
6 funds in the revolving farm fund. The financial statement
7 shall be filed with the legislative fiscal bureau on or before
8 February 1 each year.

9 Sec. 9. Notwithstanding Acts of the Sixty-ninth General
10 Assembly, 1981 Session, chapter 78, section 12, counties are
11 not entitled to reimbursement for local inpatient mental
12 health care and treatment for the fiscal year beginning July
13 1, 1982, and ending June 30, 1983.

14 Sec. 10. Acts of the Sixty-ninth General Assembly, 1981
15 Session, chapter 78, section 53, is amended to read as follows:

16 SEC. 53. There is appropriated from the general fund of
17 the state for each the fiscal year ~~of the biennium~~ beginning
18 July 1, 1981, and ending June 30, ~~1983~~ 1982, to the department
19 of social services three hundred seventy thousand (370,000)
20 dollars, or so much thereof as is necessary for reimbursement
21 to counties for local inpatient mental health care and
22 treatment as provided in section 12 of this Act.

23 Sec. 11. If the general allocation of the state community
24 mental health and mental retardation services fund for fiscal
25 year 1982-1983 does not provide a county with an equal or
26 greater amount of state funds as the county received for
27 fiscal year 1980-1981 from both the state mental aid fund
28 under sections 227.16 through 227.18 and the partial
29 reimbursement for local inpatient mental health care under
30 Acts of the Sixty-ninth General Assembly, 1981 Session, chapter
31 78, sections 12 and 53, the difference shall be allocated
32 from the special allocation of the state community mental
33 health and mental retardation services fund to the county
34 by the mental health and mental retardation commission under
35 Acts of the Sixty-ninth General Assembly, 1981 Session, chapter

1 78, section 6, subsection 1, paragraph g.

2 Sec. 12. There is appropriated from the general fund of
3 the state for the fiscal year beginning July 1, 1982 and
4 ending June 30, 1983, to the state community mental health
5 and mental retardation services fund established in Acts of
6 the Sixty-ninth General Assembly, 1981 Session, chapter 78,
7 section 7, one million three hundred sixty thousand (1,360,000)
8 dollars, or so much thereof as is necessary, for the purposes
9 authorized by Acts of the Sixty-ninth General Assembly, 1981
10 Session, chapter 78, sections 7 through 11.

11 Sec. 13. The mental health and mental retardation
12 commission and the commission on substance abuse shall
13 establish a memorandum of understanding including provisions
14 to coordinate compatible administrative activities. These
15 activities include but are not limited to the utilization
16 of management information systems, local and statewide fiscal
17 and program planning, licensure and accreditation of community
18 programs, and provision of training and technical assistance
19 to local programs and governmental subdivisions.

20 The memorandum shall be developed by the commissions in
21 consultation with the legislative fiscal bureau and a copy
22 of the memorandum shall be sent to the legislative fiscal
23 director by October 1, 1982. The legislative fiscal bureau
24 shall report to the joint corrections and mental health and
25 human resources appropriations subcommittees during the 1983
26 Session of the Seventieth General Assembly regarding the
27 status of the memorandum and the coordination of activities.

28 Sec. 14. In order to further long-range correctional
29 planning, the director of the division of adult corrections
30 of the department of social services shall advise the joint
31 corrections and mental health appropriations subcommittee
32 of the general assembly of the approximate costs of developing
33 and updating a corrections master plan for the next five
34 years.

35 Sec. 15. Section 110.24, unnumbered paragraph 7, Code

1 1981, is amended to read as follows:

2 No license shall be required of minor pupils of the state
3 school for the blind, state school for the deaf, nor of minor
4 inmates of other state institutions under the control of a
5 director of a division of the department of social services,
6 except that this provision shall not apply to the inmates
7 of the men's penitentiary at Fort Madison, the men's
8 reformatory at Anamosa, and the women's reformatory at ~~Reekweil~~
9 ~~City~~, nor shall any person who is on active duty with the
10 Armed Forces of the United States, on authorized leave, and
11 a legal resident of the state of Iowa, be required to have
12 a license to hunt or fish in this state. No license shall
13 be required of inmates of county care facilities or any person
14 who is receiving old-age assistance under chapter 249.

15 Sec. 16. Section 217.8, Code 1981, as amended by Acts
16 of the Sixty-ninth General Assembly, 1981 Session, chapter
17 27, section 2, is amended to read as follows:

18 217.8 DIVISION OF CHILD AND FAMILY SERVICES. The director
19 of the division of child and family services shall be qualified
20 by training, experience and education in the field of welfare
21 and social problems. The director shall be entrusted with
22 the administration of programs involving neglected, dependent
23 and delinquent children, child welfare, aid to dependent
24 children, and aid to disabled persons and shall administer
25 and be in control of the Iowa juvenile home, the state training
26 ~~seheels~~ school, and other related programs established for
27 the general welfare of families, adults and children as
28 directed by the commissioner.

29 Sec. 17. Section 218.1, subsections 9 through 13, Code
30 1981, are amended to read as follows:

- 31 9. ~~Mitchellville-Training-School~~ Iowa Juvenile Home.
- 32 10. ~~Juvenile-Home~~ Women's Reformatory.
- 33 11. ~~Wemen's~~ Men's Reformatory.
- 34 12. ~~Men's-Reformatory~~ State Penitentiary.
- 35 13. ~~State-Penitentiary~~ Men's Medium Security Correctional

1 Facility at Rockwell City.

2 Sec. 18. Section 218.3, subsection 1, Code 1981, is amended
3 to read as follows:

4 1. The director of the division of child and family
5 services of the department of social services shall have
6 primary authority and responsibility relative to the following
7 institutions: Iowa veterans home, ~~the-Mitchellville-training~~
8 ~~school~~, the Eldora state training school, and the Iowa juvenile
9 home.

10 Sec. 19. Section 218.9, unnumbered paragraph 3, Code 1981,
11 as amended by Acts of the Sixty-ninth General Assembly, 1981
12 Session, chapter 27, section 3, is amended to read as follows:

13 The director of the division of child and family services
14 of the department of social services, subject to the approval
15 of the commissioner of social services shall appoint the
16 superintendents of the juvenile home, and the Eldora state
17 training school, ~~-and-the-Mitchellville-training-school~~.

18 Sec. 20. Section 218.91, Code 1981, is amended to read
19 as follows:

20 218.91 BOYS TRANSFERRED FROM TRAINING SCHOOL TO
21 REFORMATORY. The director of the division of child and family
22 services with the consent and approval of the director of
23 the division of corrections of the department of social
24 services may order the transfer of male inmates of the Eldora
25 ~~ex-Mitchellville~~ state training ~~schools~~ school to the men's
26 reformatory for custodial care whenever it is determined that
27 such action will be conducive to the welfare of the other
28 inmates of the school from which the transfer is made. The
29 transfer shall be effected by application in writing to the
30 district court, or any judge thereof, of the county in which
31 the training school is situated. Upon the granting of the
32 order of transfer, the transfer shall take place. The county
33 attorney of the county shall appear in support of the
34 application. The cost of the transfer shall be paid from
35 the funds of the training school from which the transfer is

1 made. Subsequent to a transfer made under this section, the
 2 person transferred shall be subject to all the provisions
 3 of law and regulations of the institution to which he is
 4 transferred, and for the purposes of section 719.4 that person
 5 shall be regarded as having been committed to the institution.

6 Sec. 21. Section 232.52, subsection 2, paragraph e,
 7 unnumbered paragraph 1, Code 1981, is amended to read as
 8 follows:

9 An order transferring the guardianship of the child, subject
 10 to the continuing jurisdiction of the court for the purposes
 11 of section 232.54, to the commissioner of the department of
 12 social services for purposes of placement in the Eldora state
 13 ~~training school; -the-Mitchellville-training-school;~~ or other
 14 facility provided that:

15 Sec. 22. Section 232.102, subsection 4, Code 1981, is
 16 amended to read as follows:

17 4. The child shall not be placed in the Iowa state training
 18 ~~school for boys or the Iowa training school for girls.~~

19 Sec. 23. Section 232.127, subsection 7, Code 1981, is
 20 amended to read as follows:

21 7. The court may not order the child placed on probation,
 22 in a foster home or in a nonsecure facility unless the child
 23 requests and agrees to such supervision or placement. In
 24 no event shall the court order the child placed in the Iowa
 25 state training school for boys or the Iowa training school
 26 ~~for girls~~ or other secure facility.

27 Sec. 24. Section 242.1, Code 1981, is amended to read
 28 as follows:

29 242.1 OFFICIAL DESIGNATION. The state training school
 30 for juvenile delinquents at Eldora and the unit for delinquent
 31 juveniles at the Iowa juvenile home at Toledo shall together
 32 be known as the "Eldora State Training School". ~~The state~~
 33 ~~training school at Mitchellville shall be known as the~~
 34 ~~"Mitchellville Training School"~~. For the purpose of this
 35 chapter the word "director" or "state director" shall mean

1 the director of the division of child and family services
2 of the department of social services.

3 Sec. 25. Section 242.3, Code 1981, is amended to read
4 as follows:

5 242.3 SALARY. The ~~salaries~~ salary of the ~~superintendents~~
6 superintendent of the state training schools school shall
7 be determined by the state director.

8 Sec. 26. Section 242.4, Code 1981, is amended to read
9 as follows:

10 242.4 INSTRUCTION AND EMPLOYMENT. The state director
11 shall cause the boys and girls in ~~said-schools~~ the state
12 training school to be instructed in piety and morality, in
13 such instruction on the Constitutions of the United States
14 and of this state as is required in the common schools, and
15 in such branches of useful knowledge as are adapted to their
16 age and capacity, including the effect of alcoholic liquors,
17 stimulants, and narcotics on the human system, and in some
18 regular course of labor, either mechanical, agricultural,
19 or manufactural, as is best suited to their age, strength,
20 disposition, capacity, reformation, and well-being.

21 Sec. 27. Section 242.6, Code 1981, is amended to read
22 as follows:

23 242.6 CONVICTION FOR CRIME. When a boy or girl over
24 twelve and under seventeen years of age, of sound mind, is
25 found guilty in the district court of any crime except murder,
26 the court may order the child sent to the ~~Eldora-or~~
27 ~~Mitchellville~~ state training school.

28 Sec. 28. Section 242.7, Code 1981, is amended to read
29 as follows:

30 242.7 PLACING IN FAMILIES. All children committed to
31 and received in the state training schools school may be
32 placed by the department under foster care arrangements, with
33 any persons or in families of good standing and character
34 where they will be properly cared for and educated. The cost
35 of foster care provided under these arrangements shall be

1 paid as provided in sections 234.35 and 234.36.

2 Sec. 29. Section 242.15, unnumbered paragraph 1, Code
3 1981, is amended to read as follows:

4 The state director may detail boys and girls, classed as
5 trustworthy, from the state training school at Eldora and
6 at Mitchellville, to perform services for the state
7 conservation commission within the state parks, state game
8 and forest areas and other lands under the jurisdiction of
9 ~~said~~ the commission. The conservation commission shall provide
10 permanent housing and work guidance supervision, but the care
11 and custody of the boys and girls so detailed shall remain
12 under employees of the division of child and family services
13 of the department of social services. All such programs shall
14 have as their primary purpose and shall provide for inculcation
15 or the activation of attitudes, skills and habit patterns
16 which will be conducive to the habilitation of the youths
17 involved.

18 Sec. 30. Section 244.3, subsection 2, Code 1981, is amended
19 to read as follows:

20 2. Neglected, or dependent ~~or delinquent~~ children committed
21 ~~thereto~~ by the juvenile court.

22 Sec. 31. Section 245.1, Code 1981, is amended to read
23 as follows:

24 245.1 ~~DEFINITIONS--OBJECTS OFFICIAL DESIGNATION--~~
25 DEFINITIONS. The state correctional facility for women at
26 Mitchellville shall be known as the "Women's Reformatory".
27 For the purpose of this chapter "director" or "state director"
28 shall mean the director of the division of adult corrections
29 of the department of social services.

30 Sec. 32. Section 245.5, Code 1981, is amended to read
31 as follows:

32 245.5 OPTIONAL COMMITMENTS FOR LIFE. Any unmarried female
33 over ten and under eighteen years of age convicted of an
34 offense punishable by life imprisonment may be committed
35 either to ~~one of~~ the state training schools at Eldora or

1 ~~Mitchellville~~ school or to the women's reformatory.

2 Sec. 33. Section 245.10, Code 1981, is amended to read
3 as follows:

4 245.10 TRANSFER OF INMATES--COSTS. The state director
5 in co-operation with the commissioner of the department of
6 social services and the directors of the other divisions of
7 the department of social services may transfer inmates from
8 the ~~said women's~~ reformatory to the ~~Eldora-or-Mitchellville~~
9 state training school, and from ~~either~~ the state training
10 school to the reformatory, whenever such course will be
11 conducive to the welfare of the institution or of the other
12 inmates ~~therein~~ in the institution, or of the inmates so
13 transferred. The costs of ~~such~~ the transfer shall be paid
14 from the funds of the institution from which the transfer
15 is made.

16 Sec. 34. Section 245.11, Code 1981, is amended to read
17 as follows:

18 245.11 EFFECT OF TRANSFER. After a transfer to either
19 institution is made, under section 245.10, the person
20 transferred shall be subject to all the provisions of law
21 and regulations of the institution to which she is transferred,
22 and for the purposes of section 719.4, a person transferred
23 from the state training school ~~at-Eldora-or-Mitchellville~~
24 to the women's reformatory shall be regarded as having been
25 committed thereto.

26 Sec. 35. Chapter 246, Code 1981, is amended by adding
27 the following new section:

28 NEW SECTION. MEN'S MEDIUM SECURITY CORRECTIONAL FACILITY
29 AT ROCKWELL CITY. The state correctional facility at Rockwell
30 City shall be utilized as a medium security correctional
31 facility for men and shall be operated by the director in
32 accordance with the applicable provisions of this chapter.

33 Sec. 36. Section 690.4, unnumbered paragraph 1, Code 1981,
34 is amended to read as follows:

35 It shall be the duty of the wardens of the penitentiary

1 and men's reformatory, and superintendents of the women's
 2 reformatory, and the Edessa state training school, ~~and the~~
 3 ~~Mitchellville training school,~~ to take or procure the taking
 4 of the fingerprints, and, in the case of the penitentiary,
 5 men's reformatory, and women's reformatory only, Bertillon
 6 photographs of any person received on commitment to their
 7 respective institutions, and to forward such fingerprint
 8 records and photographs within ten days after the same are
 9 taken to the division of criminal investigation and bureau
 10 of identification, Iowa department of public safety, and to
 11 the federal bureau of investigation.

12 DIVISION II

13 Sec. 37. Acts of the Sixty-ninth General Assembly, 1981
 14 Session, chapter 8, section 2, is amended to read as follows:

15 SEC. 2. There is appropriated from the general fund of
 16 the state to the Iowa college aid commission for each fiscal
 17 year of the fiscal biennium beginning July 1, 1981 and ending
 18 June 30, 1983, the following amounts, or so much thereof as
 19 may be necessary, to be used for the funding of the following
 20 programs for the purposes designated:

21	1981-1982	1982-1983
22	<u>Fiscal Year</u>	<u>Fiscal Year</u>
23 1. IOWA COLLEGE AID		
24 COMMISSION		
25 For salaries, support, main-		
26 tenance, and miscellaneous pur-		
27 poses	\$ 317,595	\$ 341,704
28		<u>343,809</u>

29 2. TUITION GRANT PROGRAM

30 To supplement the appro-
 31 priation provided in subsec-
 32 tion 1 of section 261.25 for
 33 tuition grants to full-time
 34 resident students attending
 35 accredited private institutions

1 of higher education in Iowa			
2 under sections 261.9 to			
3 261.16	\$ 2,071,500	\$	2,750,000
4			<u>3,650,000</u>

5 3. VOCATIONAL TECHNI-
6 CAL TUITION GRANT PROGRAM

7 To supplement the ap-
8 propriation provided in
9 subsection 3 of section
10 261.25 for tuition grants
11 to full-time resident
12 students in a vocational-
13 technical program in Iowa as
14 provided in section 261.17

15	\$ 79,300	\$	100,000
			<u>200,000</u>

16 Sec. 38. Acts of the Sixty-ninth General Assembly, 1981
17 Session, chapter 8, section 8, subsection 10, is amended by
18 adding the following new paragraph:

19 NEW PARAGRAPH. To be
20 allocated to the merged area
21 schools for training programs
22 for employees of companies
23 locating or expanding within
24 Iowa

	\$	\$	275,000
--	----	----	---------

25 Sec. 39. Acts of the Sixty-ninth General Assembly, 1981
26 Session, chapter 8, section 9, subsection 2, paragraph a,
27 is amended to read as follows:

28 a. General university,
29 including lakeside labora-
30 tory.

31 For salaries, support,
32 maintenance, equipment,
33 and miscellaneous purposes
34 and for the pediatric de-
35 partment of the college of

1 establish additional sections of classes that are experiencing
2 increasing enrollments.

3 Sec. 42. Acts of the Sixty-ninth General Assembly, 1981
4 Session, chapter 8, section 9, subsection 4, is amended to
5 read as follows:

6 4. UNIVERSITY OF
7 NORTHERN IOWA

8 For salaries, support,
9 maintenance, equipment,
10 and miscellaneous purposes \$ 29,985,397 \$ ~~31,428,042~~
11 31,595,042

12 It is the intent of the general assembly that from funds
13 appropriated in this subsection, twenty-five thousand (25,000)
14 dollars shall be expended each fiscal year to support stipends
15 for graduate students in the doctoral programs.

16 It is the intent of the general assembly that from funds
17 appropriated in this subsection, one hundred sixty-seven
18 thousand (167,000) dollars shall be expended during the fiscal
19 year beginning July 1, 1982 and ending June 30, 1983 to
20 establish additional sections of courses that are experiencing
21 increasing enrollments.

22 Sec. 43. Acts of the Sixty-ninth General Assembly, 1981
23 Session, chapter 8, section 16, is amended to read as follows:

24 SEC. 16. Notwithstanding section 267.8, Code 1981, the
25 standing appropriation in that section is limited to one
26 hundred thousand (100,000) dollars for the fiscal year begin-
27 ning July 1, 1981 and ending June 30, 1982 and is limited
28 to one hundred ~~fifty-thousand-(150,000)~~ ninety-four thousand
29 five hundred (194,500) dollars for the fiscal year beginning
30 July 1, 1982 and ending June 30, 1983.

31 Sec. 44. Acts of the Sixty-ninth General Assembly, 1981
32 Session, chapter 8, section 18, unnumbered paragraph 1, is
33 amended to read as follows:

34 Notwithstanding section 285.2, unnumbered paragraph 2,
35 Code 1981, the standing appropriation in that section is

1 limited to four million four hundred thirty-seven thousand
 2 (4,437,000) dollars for the fiscal year beginning July 1,
 3 1981 and ending June 30, 1982 and to ~~four-million-six-hundred~~
 4 ~~fifty-thousand-nine-hundred-(4,650,900)~~ five million four
 5 hundred fifty thousand nine hundred (5,450,900) dollars for
 6 the fiscal year beginning July 1, 1982 and ending June 30,
 7 1983.

8 Sec. 45. There is appropriated from the general fund of
 9 the state to the state board of regents for the fiscal year
 10 beginning July 1, 1982 and ending June 30, 1983, the sum of
 11 one million two hundred seventy-seven thousand three hundred
 12 thirty-seven (1,277,337) dollars, or as much thereof as may
 13 be necessary, for the purchase of fuel and electricity for
 14 the institutions under its control.

15 DIVISION III

16 Sec. 46. Acts of the Sixty-ninth General Assembly, 1981
 17 Session, chapter 5, section 2, subsection 4, is amended to
 18 read as follows:

19 4. BOARD OF PAROLE

20 For salaries and support

21 of not more than ~~fourteen~~

22 fifteen full-time equivalent

23 positions annually, maintenance,

24 and miscellaneous purposes \$ 311,247 \$ 324,440

25 341,855

26 Thirty-two thousand four hundred (32,400) dollars of the
 27 funds appropriated under this subsection for each fiscal year
 28 of the biennium shall be available to the board of parole
 29 only for the purpose of providing salaries and support for
 30 two additional members of the board of parole if the two
 31 additional members are approved by the general assembly for
 32 each fiscal year of the biennium.

33 Sec. 47. Acts of the Sixty-ninth General Assembly, 1981
 34 Session, chapter 5, section 4, subsection 5, is amended to
 35 read as follows:

1 5. LICENSING AND CERTIFICA-
2 TION DIVISION

3 For salaries and support
4 of not more than ~~sixteen~~
5 eighteen full-time equivalent
6 positions annually, rent, main-
7 tenance, and miscellaneous

8 purposes	\$	525,068	\$	542,648
9				<u>611,478</u>

10 Of the funds appropriated under this subsection for the
11 fiscal year beginning July 1, 1982, and ending June 30, 1983,
12 sixty-one thousand seven hundred thirty (61,730) dollars is
13 appropriated to the board of dental examiners, five thousand
14 (5,000) dollars is appropriated to the board of physical and
15 occupational therapy examiners, and two thousand one hundred
16 (2,100) dollars is appropriated to the board of mortuary
17 science examiners.

18 The licensing and certification division shall prepare
19 estimates of projected revenues to be generated by the
20 licensing, certification, and examination fees of each board
21 as well as a projection of the fairly apportioned admin-
22 istrative costs and rental expenses attributable to each
23 board. Each board shall annually review and adjust its
24 schedule of fees so that, as nearly as possible, projected
25 revenues equal projected costs and any imbalance in revenues
26 and costs in a fiscal year is offset in a subsequent fiscal
27 year.

28 Sec. 48. There is appropriated from the general fund of
29 the state for the fiscal year beginning July 1, 1982, and
30 ending June 30, 1983, to the state board of regents for the
31 specialized child health services program at the university
32 of Iowa hospitals, seventeen thousand (17,000) dollars, or
33 so much thereof as is necessary, for the phenylketonuria
34 program to be used only to cover the cost of lofenalac. The
35 specialized child health services program shall develop a

1 sliding fee schedule to determine the amount of payments to
 2 be made by persons receiving lofenalac. The specialized child
 3 health services program shall report to the joint human
 4 resources appropriations subcommittee by January 31, 1983,
 5 regarding the status of the phenylketonuria program.

6 Sec. 49. Acts of the Sixty-ninth General Assembly, 1981
 7 Session, chapter 5, section 4, subsection 7, paragraph a,
 8 unnumbered paragraph 1, is amended to read as follows:

9 For salaries and support of
 10 not more than ~~forty-eight-point~~
 11 ~~forty-five~~ forty-nine full-time
 12 equivalent positions annually,
 13 maintenance, and miscellaneous
 14 purposes \$ 1,445,824 \$ ~~1,484,092~~
 15 1,734,092

16 Sec. 50. Acts of the Sixty-ninth General Assembly, 1981
 17 Session, chapter 5, section 4, subsection 7, paragraph d,
 18 subparagraphs (1) and (2), are amended to read as follows:

19 (1) Homemaker-home health
 20 aide program \$ 1,562,207 \$ ~~1,621,862~~
 21 (2) Public health nursing
 22 program \$ 1,640,019 \$ ~~1,719,098~~

23 Sec. 51. Acts of the Sixty-ninth General Assembly, 1981
 24 Session, chapter 5, section 4, subsection 7, is amended by
 25 adding the following new paragraphs:

26 NEW PARAGRAPH. PUBLIC HEALTH
 27 NURSING PROGRAM.

28 For grants to local boards
 29 of health for the public health
 30 nursing program \$ \$ 1,719,098

31 Funds appropriated under this paragraph shall be used to
 32 maintain and expand the existing public health nursing program
 33 for elderly and low-income persons with the objective of
 34 preventing or reducing inappropriate institutionalization.
 35 The funds shall not be used for any other purpose. As used

1 in this paragraph, "elderly person" means a person who is
2 sixty years of age or older and low-income person means a
3 person whose income and resources are below the guidelines
4 established by the department.

5 The department may retain not more than one percent of
6 the amount appropriated under this paragraph to be used to
7 pay the costs of administering the public health nursing
8 program. The remainder of the amount appropriated shall be
9 allocated for use in the counties of the state. One-fourth
10 of the total amount to be allocated shall be divided so that
11 an equal amount is available for use in each county in the
12 state. Three-fourths of the total amount to be allocated
13 shall be divided so that the share available for use in each
14 county is proportionate to the number of elderly and low-
15 income persons living in that county in relation to the total
16 number of elderly and low-income persons living in the state.

17 In order to receive allocations under this paragraph, the
18 local board of health having jurisdiction, after consultation
19 with other in-home health care provider agencies in the
20 jurisdiction, shall prepare a proposal for the use of the
21 allocated funds available for that jurisdiction that will
22 provide the maximum benefits of expanded public health nursing
23 care to elderly and low-income persons in the jurisdiction.
24 The proposal shall include a statement assuring that the
25 appropriate local agencies have participated in the formulation
26 of the proposal. After approval of the proposal by the
27 department, the department shall enter into a contract with
28 the local board of health. The local board of health may
29 subcontract with a nonprofit nurses' association, an
30 independent nonprofit agency, a suitable local governmental
31 body, or a person as defined in section 4.1, subsection 13,
32 to use the allocated funds to provide public health nursing
33 care. Local boards of health shall make an effort to
34 subcontract with agencies that are currently providing services
35 to prevent duplication of services.

1 If by July 30, 1982, the department is unable to conclude
 2 contracts for use of the allocated funds in a county, the
 3 department shall consider the unused funds appropriated under
 4 this paragraph an unallocated pool. The department shall
 5 prior to December 31, 1982, reallocate the funds in the
 6 unallocated pool among the counties in which the department
 7 has concluded contracts under this paragraph. The reallocation
 8 shall be made to those counties in substantially the same
 9 manner as the original allocations. The reallocated funds
 10 are available for use in those counties during the period
 11 beginning January 1, 1983, and ending June 30, 1983.

12 The department shall adopt rules defining eligibility for
 13 public health nursing care paid for from funds appropriated
 14 by this paragraph. The rules shall require each local agency
 15 receiving funds to establish and use a sliding fee scale for
 16 those persons able to pay for all or a portion of the cost
 17 of the care.

18 The department shall evaluate the success of the public
 19 health nursing program. The evaluation shall include the
 20 extent to which the program reduced or prevented inappropriate
 21 institutionalization, the extent to which the program increased
 22 the availability of public health nursing care to elderly
 23 and low-income persons, and the extent of public health nursing
 24 care provided to elderly and low-income persons. The
 25 department shall submit a report of the evaluation to the
 26 governor and the general assembly by January 10, 1983.

27 NEW PARAGRAPH. HOMEMAKER-HOME
 28 HEALTH AIDE PROGRAM.

29 For grants to county boards
 30 of supervisors for the home-

31 maker-home health aide program \$ \$ 6,387,862

32 Funds appropriated under this paragraph shall be used to
 33 provide homemaker-home health aide services with emphasis
 34 on services to elderly and low-income persons and children
 35 and adults in need of protective services with the objective

1 of preventing or reducing inappropriate institutionalization.
2 In addition, up to fifteen percent of the funds appropriated
3 under this paragraph may be used to provide chore services.
4 The funds shall not be used for any other purposes. As used
5 in this paragraph:

6 (1) "Chore services" means services provided to individuals
7 or families, who, due to absence, incapacity, or illness,
8 are unable to perform certain home maintenance functions.
9 The services include but are not limited to yard work such
10 as mowing lawns, raking leaves, and shoveling walks; window
11 and door maintenance such as hanging screen windows and doors,
12 replacing window panes, and washing windows; and minor repairs
13 to walls, floors, stairs, railings, and handles.

14 (2) "Elderly person" means a person who is sixty years
15 of age or older.

16 (3) "Homemaker-home health aide services" means services
17 intended to enhance the capacity of household members to
18 attain or maintain the independence of the household members
19 and provided by trained and supervised workers to individuals
20 or families, who, due to the absence, incapacity, or
21 limitations of the usual homemaker, are experiencing stress
22 or crisis. The services include but are not limited to
23 essential shopping, housekeeping, meal preparation, child
24 care, respite care, money management and consumer education,
25 family management, personal services, transportation and
26 providing information, assistance, household management and
27 learning experiences.

28 (4) "Low-income person" means a person whose income and
29 resources are below the guidelines established by the
30 department.

31 (5) "Protective services" means those homemaker-home
32 health aide services intended to stabilize a child's or an
33 adult's residential environment and relationships with
34 relatives, caretakers, and other persons or household members
35 in order to alleviate a situation involving abuse or neglect

1 or to otherwise protect the child or adult from a threat of
2 abuse or neglect.

3 The amount appropriated under this paragraph shall be
4 allocated for use in the counties of the state. Ten percent
5 of the amount shall be divided so that an equal amount is
6 available for use in each county in the state. Of the
7 remaining amount each county shall be allocated an amount
8 equal to seventy-five percent of state expenditures for
9 homemaker services in that county during the fiscal year
10 beginning July 1, 1981, and ending June 30, 1982. After
11 allocation of the seventy-five percent to each county, the
12 following percentages of the remaining amount shall be
13 allocated to each county according to that county's proportion
14 of residents with the following demographic characteristics
15 compared to all state residents with the same demographic
16 characteristics: sixty percent according to the number of
17 elderly persons living in the county; twenty percent according
18 to the number of low-income persons living in the county;
19 and twenty percent according to the number of substantiated
20 cases of child abuse in the county during the 1980-1981 fiscal
21 year.

22 It is intended that the seventy-five percent allocation,
23 based on state expenditures for homemaker services in each
24 county during the 1981-1982 fiscal year, shall be reduced
25 to fifty percent for the 1983-1984 fiscal year and to twenty-
26 five percent for the 1984-1985 fiscal year. For the 1985-
27 1986 fiscal year it is intended that no allocation be made
28 based on those state expenditures for homemaker services but
29 that the entire amount appropriated be allocated by dividing
30 ten percent of the amount equally among the counties and by
31 dividing the remaining amount according to the percentages
32 and demographic characteristics stipulated above.

33 In order to receive allocations under this paragraph, the
34 county board of supervisors, after consultation with the local
35 boards of health, county board of social welfare, area agency

1 on aging advisory council, local office of the department
2 of social services, and other in-home health care provider
3 agencies in the jurisdiction, shall prepare a proposal for
4 the use of the allocated funds available for that jurisdiction
5 that will provide the maximum benefits of expanded homemaker-
6 home health aide services to elderly and low-income persons
7 and children and adults in need of protective services in
8 the jurisdiction. The proposal may provide that a maximum
9 of fifteen percent of the allocated funds will be used to
10 provide chore services. The proposal shall include a statement
11 assuring that children and adults in need of protective
12 services are given priority for homemaker-home health aide
13 services and that the appropriate local agencies have
14 participated in the formulation of the proposal. After
15 approval of the proposal by the department, the department
16 shall enter into a contract with the county board of
17 supervisors or a governmental body designated by the county
18 board of supervisors. The county board of supervisors or
19 its designee may subcontract with a nonprofit nurses'
20 association, an independent nonprofit agency, the department
21 of social services, a suitable local governmental body, or
22 a person as defined in section 4.1, subsection 13, to use
23 the allocated funds to provide homemaker-home health aide
24 services and chore services providing that the subcontract
25 requires any service provided away from the home to be
26 documented in a report available for review by the department.

27 If by July 30, 1982, the department is unable to conclude
28 contracts for use of the allocated funds in a county, the
29 department shall consider the unused funds appropriated under
30 this paragraph an unallocated pool. The department shall
31 also identify any allocated funds which the counties do not
32 anticipate spending during the fiscal year ending June 30,
33 1983. If the anticipated excess funds to any county are
34 substantial, the department and the county may agree to return
35 those excess funds, if the funds are other than program

1 revenues, to the department, and if returned, the department
2 shall consider the returned funds a part of the unallocated
3 pool. The department shall prior to February 1, 1983,
4 reallocate the funds in the unallocated pool among the counties
5 in which the department has concluded contracts under this
6 paragraph.

7 The department shall adopt rules defining eligibility for
8 homemaker-home health aide services and chore services paid
9 for from funds appropriated by this paragraph. The rules
10 shall require each local agency receiving funds to establish
11 and use a sliding fee scale for those persons able to pay
12 for all or a portion of the cost of the services and shall
13 require the payments to be applied to the cost of the services.
14 The department shall also adopt rules for standards regarding
15 training, supervision, recordkeeping, appeals, program
16 evaluation, cost analysis, and financial audits, and rules
17 specifying reporting requirements.

18 The department shall evaluate the success of the homemaker-
19 home health aide program. The evaluation shall include a
20 description of the program and its implementation, the extent
21 of local participation, the extent to which the program reduced
22 or prevented inappropriate institutionalization, the extent
23 to which the program provided or increased the availability
24 of homemaker-home health aide services to elderly and low-
25 income persons and children and adults in need of protective
26 services, any problems and recommendations concerning the
27 program, and an analysis of the costs of services across the
28 state. The department shall submit a report of the evaluation
29 to the governor and the general assembly by January 10, 1983.

30 Sec. 52. Section 135.11, Code 1981, is amended by adding
31 the following new subsection:

32 NEW SUBSECTION. Administer the statewide public health
33 nursing and homemaker-home health aide programs by approving
34 grants of state funds to the local boards of health and the
35 county boards of supervisors and by providing guidelines for

1 the approval of the grants and allocation of the state funds.
2 Sec. 53. Acts of the Sixty-ninth General Assembly, 1981
3 Session, chapter 5, section 6, subsections 1 and 2, are amended
4 to read as follows:

	1981-1982	1982-1983
	<u>Fiscal Year</u>	<u>Fiscal Year</u>
5		
6		
7 1. For salaries and support		
8 of not more than fourteen <u>nine-</u>		
9 <u>teen point one</u> full-time		
10 equivalent positions an-		
11 nually, maintenance, and mis-		
12 cellaneous purposes	\$ 142,967	\$ 0
13		<u>142,968</u>
14 2. For program grants	\$ 2,361,150	\$ 0
15		<u>2,361,150</u>

16 Sec. 54. The commission on substance abuse and the mental
17 health and mental retardation commission shall establish a
18 memorandum of understanding including provisions to coordinate
19 compatible administrative activities. These activities include
20 but are not limited to the utilization of management
21 information systems, local and statewide fiscal and program
22 planning, licensure and accreditation of community programs,
23 and provision of training and technical assistance to local
24 programs and governmental subdivisions.

25 The memorandum shall be developed by the commissions in
26 consultation with the legislative fiscal bureau and a copy
27 of the memorandum shall be sent to the legislative fiscal
28 director by October 1, 1982. The legislative fiscal bureau
29 shall report to the joint human resources and corrections
30 and mental health appropriations subcommittees during the
31 1983 Session of the Seventieth General Assembly regarding
32 the status of the memorandum and the coordination of
33 activities.

34 Sec. 55. Acts of the Sixty-ninth General Assembly, 1981
35 Session, chapter 9, section 14, subsection 1, paragraph b,

1 is amended to read as follows:

2 b. For the fiscal year beginning July 1, 1982, ~~686,999,000~~
3 586,599,000.

4 Sec. 56. Acts of the Sixty-ninth General Assembly, 1981
5 Session, chapter 9, section 26, subsection 4, is amended to
6 read as follows:

7 4. To the substance abuse
8 treatment facilities receiving
9 substance abuse program grants
10 as provided in section 125.25 \$ 200,000 \$ 400,000

11 The state comptroller shall allocate and distribute the
12 funds appropriated by this subsection to each local substance
13 abuse treatment facility in the same proportion that the
14 substance abuse treatment facility's annual payroll for its
15 employees for the fiscal year ending June 30, 1981 is to the
16 annual payroll for the employees of all local substance abuse
17 treatment facilities receiving substance abuse program grants
18 for that fiscal year. Moneys received by a local substance
19 abuse facility under this subsection shall be used to pay
20 the state's share of the authorized salary increases for the
21 local substance abuse program employees for the designated
22 fiscal years.

23 DIVISION IV

24 Sec. 57. Acts of the Sixty-ninth General Assembly, Second
25 Extraordinary 1981 Session, chapter 3, section 24, is amended
26 to read as follows:

27 SEC. 24. NEW SECTION. TAX IMPOSED. For the privilege
28 of operating railway vehicles in this state, an excise tax
29 is imposed at the rate of three cents per gallon beginning
30 October 1, 1981 and is imposed at the rate of eight cents
31 per gallon beginning July 1, 1982 upon the use of fuel for
32 the propulsion of a railway vehicle within the state. The
33 tax attaches at the time of use and shall be paid monthly
34 to the department by the railroad company using the fuel.
35 Fuel dispensed in this state shall only be through meters

1 which have been approved for accuracy by the department of
2 agriculture Iowa railway finance authority and sealed by the
3 department authority. The authority may contract the
4 responsibility for approving and sealing meters to another
5 state agency under chapter 28E. Fuel dispensed through sealed
6 meters shall be presumed taxable unless the railroad company
7 proves otherwise.

8 Sec. 58. The provisions of Acts of the Sixty-eighth General
9 Assembly, 1979 Session, chapter 12, section 6, subsection
10 3, shall apply to the state fish and game protection fund
11 for the fiscal biennium beginning July 1, 1981 and ending
12 June 30, 1983. This section is to be retroactive to July
13 1, 1981.

14 Sec. 59. Acts of the Sixty-ninth General Assembly, 1981
15 Session, chapter 12, section 7, is amended by adding the
16 following new subsection:

17 NEW SUBSECTION. Of the funds appropriated by subsection
18 1 for the fiscal year beginning July 1, 1982, the Iowa
19 development commission shall allocate a sum not exceeding
20 forty thousand (40,000) dollars for a tourism survey and plan
21 and a sum not exceeding sixty-seven thousand five hundred
22 (67,500) dollars for one-stop permitting and high risk capital
23 clearinghouse. It is the intent of the general assembly that
24 each two dollars provided by the state for the tourism survey
25 and plan will be matched by one dollar provided by nonstate
26 sources.

27 Sec. 60. Acts of the Sixty-ninth General Assembly, 1981
28 Session, chapter 12, section 7, subsections 1 and 3, are
29 amended to read as follows:

	1981-1982	1982-1983
	<u>Fiscal Year</u>	<u>Fiscal Year</u>
32 1. For salaries, support,		
33 maintenance, and miscellaneous		
34 purposes	\$ 2,222,351	\$ 2,285,725
35		<u>2,393,225</u>

1 3. It is the intent of the general assembly that the Iowa
2 development commission shall ~~exercise~~ actively solicit benefited
3 industries and firms for voluntary donations to support at
4 least thirty percent of the annual cost of the international
5 office ~~within the funds approved for the commission.~~ The
6 commission shall report on the success of soliciting donations
7 for the international office to the committee on appropriations
8 by January 1, 1983.

9 Sec. 61. Acts of the Sixty-ninth General Assembly, 1981
10 Session, chapter 12, section 9, subsection 1, unnumbered para-
11 graph 1, is amended to read as follows:

	1981-1982	1982-1983
	<u>Fiscal Year</u>	<u>Fiscal Year</u>
14 For salaries, support,		
15 maintenance, and for miscel-		
16 laneous purposes	\$ 1,961,402	\$ 2,070,190
17		<u>2,182,413</u>

18 Sec. 62. It is the intent of the general assembly that
19 the fee schedule required by section 455B.32, subsection 6,
20 be implemented. The fees shall be deposited in the general
21 fund of the state.

22 Sec. 63. There is appropriated from the general fund of
23 the state to the Iowa natural resources council for the fiscal
24 year beginning July 1, 1982 and ending June 30, 1983 the
25 amount of forty-eight thousand (48,000) dollars, or so much
26 thereof as is necessary for the salary, support, and mainte-
27 nance of the Missouri river coordinator and the support of
28 the Missouri basin states association and the upper Mississippi
29 river basin association.

30 Sec. 64. Acts of the Sixty-ninth General Assembly, 1981
31 Session, chapter 12, section 3, subsection 4, is amended by
32 striking the subsection.

33 Sec. 65. There is appropriated from the general fund of
34 the state to the Iowa state water resource research insti-
35 tute for the fiscal year beginning July 1, 1982 and ending

1 June 30, 1983, the sum of one hundred thirty-five thousand
2 (135,000) dollars or so much thereof as is necessary for re-
3 search approved by the panel provided in section 66 of this
4 Act.

5 Sec. 66. A panel is established to determine the areas
6 of research to be conducted with the funds appropriated by
7 section 65 of this Act. The panel is composed of the admin-
8 istrative head of the following agencies or that person's
9 representative: Iowa geological survey, Iowa natural resources
10 council, department of soil conservation, energy policy coun-
11 cil, and department of agriculture. The representative of
12 the Iowa geological survey shall serve as the chairperson
13 and call the meetings of the panel.

14 DIVISION V

15 Sec. 67. Acts of the Sixty-ninth General Assembly, 1981
16 Session, chapter 6, section 2, subsection 3, unnumbered para-
17 graph 1, is amended to read as follows:

18 3. IOWA BEER AND LIQUOR CON-
19 TROL DEPARTMENT

20 For salaries, support, mainte-		
21 nance, and other operational pur-		
22 poses	\$ 15,786,931	\$ 16,539,864
23		<u>16,719,864</u>

24 Sec. 68. Acts of the Sixty-ninth General Assembly, 1981
25 Session, chapter 6, section 2, subsection 13, is amended to
26 read as follows:

27 13. IOWA REAL ESTATE COMMIS-
28 SION

29 For salaries, support, mainte-		
30 nance, rental fees, and other		
31 operational purposes	\$ 256,980	\$ 269,160
32		<u>272,668</u>

33 DIVISION VI

34 Sec. 69. Acts of the Sixty-ninth General Assembly, 1981
35 Session, chapter 10, section 1, subsection 1, is amended to

1 read as follows:

2 1. OFFICE OF THE STATE APPELLATE
3 DEFENDER

4 For deposit in the appellate

5 defender operating account \$ 100,000 \$ 50,000

6 ~~Funds-appropriated-by-this-subsection-to-the-office-of~~
7 ~~the-appellate-defender-are-appropriated-only-if-the-office~~
8 ~~of-the-appellate-defender-is-in-existence-for-the-fiscal-year~~
9 ~~beginning-July-1,-1981-and-ending-June-30,-1982.~~

10 Sec. 70. Acts of the Sixty-ninth General Assembly, 1981
11 Session, chapter 10, section 1, subsection 2, is amended to
12 read as follows:

13 2. IOWA STATE ARTS COUNCIL

14 For salaries, support, main-
15 tenance, and miscellaneous pur-
16 poses including funds to match

17 federal grants \$ 291,113 \$ ~~305,150~~
18 343,150

19 Sec. 71. Acts of the Sixty-ninth General Assembly, 1981
20 Session, chapter 10, section 1, subsection 3, paragraphs a
21 and b, are amended to read as follows:

22 a. For the general office of
23 attorney general for salaries,
24 support, maintenance, and miscel-

25 laneous purposes \$ 2,191,472 \$ ~~2,298,361~~
26 2,335,217

27 b. Prosecuting attorney
28 training program

29 For salaries, support, main-
30 tenance and miscellaneous pur-
31 poses which funds shall be used
32 to attract federal and county

33 funding \$ 59,058 \$ ~~62,164~~
34 70,164

35 Sec. 72. Acts of the Sixty-ninth General Assembly, 1981

1 Session, chapter 10, section 2, subsection 1, is amended by
2 adding the following new lettered paragraph:

3 NEW LETTERED PARAGRAPH. c. STATE-
4 HOUSE RENOVATION

5 For the payment of statehouse
6 renovation costs \$ \$ 600,000

7 Notwithstanding other provisions of this section or section
8 8.33, unencumbered funds appropriated by this paragraph shall
9 be available and shall not revert to the general fund of the
10 state until July 1, 1986.

11 Sec. 73. Acts of the Sixty-ninth General Assembly, 1981
12 Session, chapter 10, section 7, subsection 1, is amended to
13 read as follows:

14 1. BUREAU OF LABOR

15 For salaries, support, main-
16 tenance, and miscellaneous pur-
17 poses \$ 1,214,659 \$ ~~1,273,035~~
18 1,342,885

19 Sec. 74. Acts of the Sixty-ninth General Assembly, 1981
20 Session, chapter 10, section 7, subsection 8, paragraph a,
21 is amended by adding the following new subparagraphs:

22 NEW SUBPARAGRAPH. (1) For
23 the intergovernmental assistance
24 function which includes the com-
25 munity services block grant, com-
26 munity development block grant,
27 local government assistance, and
28 city development board \$ \$ 372,450

29 NEW SUBPARAGRAPH. (2) For
30 the interagency planning and coor-
31 dination function which includes
32 the state occupational information
33 coordinating committee, highway
34 safety office, statistical analysis
35 center, and office for state resource

1 planning which includes staff for
2 the Iowa council for children,
3 youth, and families \$ \$ 1,074,850

4 NEW SUBPARAGRAPH. (3) For
5 the administrative function which
6 includes the state demographic
7 center and federal funds clearing-
8 house \$ \$ 121,800

9 It is the intent of the general assembly that in expending
10 the funds appropriated under subparagraphs 1 through 3, the
11 office for planning and programming shall comply with
12 recommendation 5 of the legislative fiscal bureau program
13 evaluation of the office for planning and programming, dated
14 February, 1982.

15 Sec. 75. Acts of the Sixty-ninth General Assembly, 1981
16 Session, chapter 10, section 7, subsection 8, paragraph e,
17 is amended to read as follows:

18 e. For the juvenile victim
19 restitution program pursuant to
20 section 7A.10 \$ 100,000 \$

21 Notwithstanding other provisions of this section or section
22 8.33, unencumbered funds appropriated by this paragraph shall
23 be available and shall not revert to the general fund of the
24 state until July 1, 1983.

25 Sec. 76. Acts of the Sixty-ninth General Assembly, 1981
26 Session, chapter 10, section 7, subsection 6, is amended to
27 read as follows:

28 6. IOWA MERIT EMPLOYMENT DE-
29 PARTMENT

30 For the general office for
31 salaries, maintenance, and
32 miscellaneous purposes \$ 1,176,346 \$ ~~1,158,526~~
33 1,235,786

34 It is the intention of the general assembly that the Iowa
35 merit employment department may add an additional full-time

1 equivalent position for the fiscal year beginning July 1,
2 1982 for administration of testing services throughout the
3 state to replace the testing services previously provided
4 for the Iowa merit employment department by the Iowa department
5 of job services.

6 Sec. 77. Acts of the Sixty-ninth General Assembly, 1981
7 Session, chapter 189, section 6, unnumbered paragraph 2, is
8 amended to read as follows:

9 There is appropriated from the state general fund to the
10 supreme court for the fiscal year commencing July 1, 1982
11 and ending June 30, 1983, the sum of one hundred fifty thousand
12 (150,000) dollars or so much thereof as is necessary to fund
13 the additional judgeships created by section 1 of this Act.
14 There is appropriated from the state general fund to the
15 supreme court for the fiscal year commencing July 1, 1982
16 and ending June 30, 1983, the sum of ~~eight~~ one million two
17 hundred forty-five thousand (1,245,000) dollars or so much
18 thereof as is necessary to fund the expenses of operation
19 of the offices of district court administrators as provided
20 in section 605.35. However, notwithstanding section 605.35,
21 the counties of a judicial district in which an office of
22 district court administrator is established shall furnish
23 the district court administrator with appropriate office space
24 and related utilities. The cost of furnishing the office
25 space and related utilities shall be apportioned among the
26 counties in the judicial district in the same manner as the
27 expenses of shorthand reporters are apportioned under section
28 605.9. Except for the cost of office space and related
29 utilities, a county shall not contribute to the salaries,
30 support, maintenance, or any other direct or indirect cost
31 for the office of district court administrator. As used in
32 this paragraph, "related utilities" mean heating, cooling,
33 electricity and water services. Of the sum appropriated to
34 fund the expenses of the operation of the offices of district
35 court administrators, three hundred twenty thousand (320,000)

1 dollars shall be used to employ sixteen law clerks.

2 Sec. 78. DISPUTE RESOLUTION PROGRAMS.

3 1. There is appropriated from the general fund of the
4 state to the office of the court administrator of the judicial
5 department for the fiscal year beginning July 1, 1982 and
6 ending June 30, 1983, the sum of one hundred thousand (100,000)
7 dollars or so much thereof as necessary for the payment of
8 grants authorized in subsection 2. The court administrator
9 may expend an amount not exceeding six thousand (6,000) dollars
10 for administrative expenses.

11 2. Except for administrative expenses, the funds
12 appropriated under subsection 1 shall be used for grants to
13 establish or improve dispute resolution programs that are
14 designed to provide mediation and conciliation services for
15 the parties to a dispute. The dispute resolution programs
16 shall encourage and enable the parties to a dispute to achieve
17 a mutually satisfactory resolution of the dispute in an
18 informal and nonadversary setting that assures confidentiality
19 to the parties.

20 3. A county, city or nonprofit corporation may submit
21 an application to the court administrator of the judicial
22 department for a dispute resolution program grant on forms
23 prescribed and furnished by the administrator. The court
24 administrator with the advice of the judicial coordinating
25 committee established by the supreme court shall allocate
26 the funds to the dispute resolution programs that provide
27 nonjudicial resolution of disputes at the community or county
28 level. At least twenty-five percent of the amount budgeted
29 for the annual operation of a newly-established dispute
30 resolution program or that portion of a dispute resolution
31 program which is improved shall be obtained from sources other
32 than the grant provided under this section. Moneys
33 appropriated under this section shall not be used to fund
34 that portion of a dispute resolution program established
35 before the effective date of this Act.

1 4. The court administrator shall submit a progress report
2 on the operation of the dispute resolution programs funded
3 under this section to the senate state government
4 appropriations subcommittee and the house state departments
5 appropriations subcommittee prior to February 1, 1983.

6 Sec. 79. LEGAL SERVICES CORPORATION FUNDING STUDY.

7 1. The court administrator of the judicial department
8 shall conduct a study of the effect of the loss of federal
9 funds on the legal services provided by the legal services
10 corporation. The justices of the supreme court may participate
11 in the conduct of the study. The study shall include the
12 following:

13 a. An examination of the efficiency of the legal services
14 corporation.

15 b. An examination of the feasibility of attaching a
16 client's income or assets for services rendered.

17 c. Consideration of alternative sources of funds for legal
18 services to low-income persons.

19 The court administrator shall submit a report of the study
20 to the state government appropriations subcommittee before
21 February 1, 1983.

22 2. There is appropriated from the general fund of the
23 state to the office of the court administrator of the judicial
24 department for the fiscal year beginning July 1, 1982, and
25 ending June 30, 1983, the sum of ten thousand dollars or so
26 much thereof as necessary to conduct the study as provided
27 in subsection 1.

28 DIVISION VII

29 Sec. 80. Acts of the Sixty-ninth General Assembly, 1981
30 Session, chapter 7, section 1, is amended to read as follows:

31 SECTION 1. There is appropriated from the general fund
32 of the state for each fiscal year of the biennium beginning
33 July 1, 1981, and ending June 30, 1983, to the department
34 of social services for general administration, including
35 salaries and support, maintenance, and miscellaneous purposes

1 the following amounts, or so much thereof as may be necessary:

2	1981-1982	1982-1983
3	<u>Fiscal Year</u>	<u>Fiscal Year</u>
4	\$ 7,000,000	\$ 7,000,000
5		<u>6,509,000</u>

6 Sec. 81. Acts of the Sixty-ninth General Assembly, 1981
 7 Session, chapter 7, section 2, unnumbered paragraph 5, is
 8 amended to read as follows:

9 The reorganization required by this subsection becomes
 10 effective on July 1, 1982, unless the joint social services
 11 appropriations subcommittee recommends an alternative plan
 12 to the general assembly during the 1982 session of the general
 13 assembly. If the department determines that an alternative
 14 reorganization plan would best serve its clients, the
 15 department shall report the alternative plan to the joint
 16 social services appropriations subcommittee by February 1,
 17 1982:

18	1981-1982	1982-1983
19	<u>Fiscal Year</u>	<u>Fiscal Year</u>
20	\$ 15,779,000	\$ 15,779,000
21		<u>14,740,700</u>

22 Sec. 82. Acts of the Sixty-ninth General Assembly, 1981
 23 Session, chapter 7, section 2, subsection 1, is amended by
 24 striking the subsection.

25 Sec. 83. Acts of the Sixty-ninth General Assembly, 1981
 26 Session, chapter 7, section 3, subsection 1, unnumbered
 27 paragraph 1, is amended to read as follows:

28	For aid to families with	
29	dependent children	\$ 55,327,000 \$ 55,327,000
30		<u>52,387,000</u>

31 Sec. 84. Acts of the Sixty-ninth General Assembly, 1981
 32 Session, chapter 7, section 3, subsection 1, is amended by
 33 adding the following new paragraphs:

34 NEW PARAGRAPH. The department of social services shall
 35 exercise the option allowed by federal law to provide benefits

1 under the aid to families with dependent children program
2 to eighteen year old students, notwithstanding section 239.1,
3 subsection 3, as amended by Acts of the Sixty-ninth General
4 Assembly, 1981 Session, chapter 7, section 12.

5 NEW PARAGRAPH. The department of social services shall
6 establish a new schedule of basic needs, effective July 1,
7 1982, under the aid to families with dependent children
8 program, which will increase by fifteen percent the schedule
9 of basic needs, in effect for the fiscal year ending June
10 30, 1982, for eligible groups of two or more persons. The
11 level of grant payments under the aid to families with
12 dependent children program shall not be increased.

13 NEW PARAGRAPH. The department of social services shall
14 request a waiver from the United States department of health
15 and human services to exclude from the monthly reporting
16 requirements those recipients under the aid to families with
17 dependent children program who have no income or a very
18 constant income. The department shall review its monthly
19 reporting forms for readability, clarity, and simplicity and
20 modify the forms to attain efficiency. The department shall
21 account for any cost savings attributable to the waiver or
22 the form modifications and shall report the cost savings to
23 the joint social services appropriations subcommittee by
24 February 1, 1983.

25 NEW PARAGRAPH. Of the funds appropriated in this subsection
26 for the fiscal year beginning July 1, 1982, and ending June
27 30, 1983, one hundred fifty thousand (150,000) dollars, or
28 so much thereof as is necessary, is appropriated to the
29 department of social services to contract with Iowa state
30 university of science and technology to update the schedule
31 of basic needs under the aid to families with dependent
32 children program according to expenditure patterns in Iowa
33 for basic needs.

34 NEW PARAGRAPH. Of the funds appropriated in this subsection
35 for the fiscal year beginning July 1, 1982, and ending June

1 30, 1983, three hundred thirty-four thousand (334,000) dollars,
2 or so much thereof as is necessary, is appropriated to the
3 department of social services to establish a coordinated
4 manpower services demonstration project for recipients of
5 aid to families with dependent children in two of the
6 department's districts. One demonstration project shall be
7 located in Sioux City and one shall be located in Marshalltown.
8 The department shall consult with the department of job
9 service, knowledgeable economists, community college educators
10 and administrators, and other knowledgeable persons concerning
11 the availability of job training, job search skill training,
12 assistance in job placement, mass transportation, and child
13 care to potential participants in a demonstration project.

14 In addition to the basic grant under the aid to families
15 with dependent children program, a recipient shall receive
16 a monthly allowance for costs incurred while participating
17 in a community work experience demonstration project. The
18 allowance shall be twenty-five dollars plus fifteen percent
19 of the recipient's basic grant. However, the allowance shall
20 not exceed ninety-five dollars and may be reduced to take
21 absences or partial participation into consideration. The
22 department shall report the results of the project to the
23 general assembly in January, 1983.

24 Sec. 85. Acts of the Sixty-ninth General Assembly, 1981
25 Session, chapter 7, section 3, subsection 2, unnumbered
26 paragraph 1, is amended to read as follows:

27 For medical assistance, provided that the funds appropriated
28 in this subsection shall not be transferred or used for any
29 other purpose than specified in this subsection, notwithstand-
30 ing section 8.39, including reimbursement for abortion
31 services, which shall be available under the medical assistance
32 program only for those abortions which are medically necessary.
33 Medically necessary abortions are those performed under any
34 of the following conditions:

35 Sec. 86. Acts of the Sixty-ninth General Assembly, 1981

1 Session, chapter 7, section 3, subsection 2, paragraph e,
2 is amended to read as follows:

3 e. Any spontaneous abor-
4 tion, commonly known as a mis-
5 carriage, if not all of the
6 products of conception are ex-

7	pelled	\$101,235,000	\$100,206,000
8			<u>112,380,000</u>

9 Sec. 87. Acts of the Sixty-ninth General Assembly, 1981
10 Session, chapter 7, section 3, subsection 2, unnumbered para-
11 graphs 2 and 5, are amended to read as follows:

12 Medical assistance shall be made available, beginning July
13 1, 1981, and ending ~~March 31, 1982~~ June 30, 1983, to children
14 under twenty-one years of age who meet all eligible criteria
15 of the aid to families with dependent children program except
16 that the children are not deprived of parental support.

17 Beginning July 1, 1981, the basis for establishing the
18 maximum medical assistance reimbursement rate for intermediate
19 care facilities shall be the seventy-fourth percentile of
20 all facilities' per diems as calculated from the June 30,
21 1981 compilation of unaudited financial and statistical
22 reports. This compilation is composed of facility cost reports
23 received prior to May 1, 1981. If the department of social
24 services determines that adequate funding is available, the
25 department may, on January 1, ~~1982~~ 1983, establish the maximum
26 reimbursement rate for intermediate care facilities at the
27 seventy-fourth percentile of all facilities' per diems as
28 calculated from the December 31, ~~1981~~ 1982 compilation of
29 unaudited financial and statistical reports. This compilation
30 is composed of facility cost reports received prior to November
31 1, ~~1981~~ 1982.

32 Sec. 88. Acts of the Sixty-ninth General Assembly, 1981
33 Session, chapter 7, section 3, subsection 2, is amended by
34 adding the following new unnumbered paragraphs:

35 NEW UNNUMBERED PARAGRAPH. Medical assistance payments

1 shall not be made for inpatient hospital services which can
2 effectively and safely be performed on an outpatient basis.

3 NEW UNNUMBERED PARAGRAPH. Inpatient hospital reimbursements
4 under the medical assistance program shall be limited to
5 lengths of stays which do not exceed the fiftieth percentile
6 of lengths of stays for various diagnoses and medical and
7 surgical procedures, as determined annually by the professional
8 activities study for the north central region of the United
9 States, unless utilization review determines that a longer
10 length of stay is medically necessary.

11 NEW UNNUMBERED PARAGRAPH. Medical assistance payments
12 to hospitals, skilled nursing facilities, and intermediate
13 care facilities shall be limited to the rate applicable to
14 the lowest level of care medically required by the patient,
15 including the rate for residential care facilities, rather
16 than to the level of care for which the hospital or facility
17 is certified to provide under the medical assistance program.

18 NEW UNNUMBERED PARAGRAPH. The medical assistance
19 reimbursement rate for reserve bed days for intermediate care
20 facility residents who are hospitalized or on a home stay
21 shall be reduced from eighty percent to seventy-five percent
22 of the allowable audited costs for those beds, which costs
23 shall not exceed the maximum daily reimbursement rate for
24 intermediate care facilities under the medical assistance
25 program.

26 NEW UNNUMBERED PARAGRAPH. Medical assistance reimbursement
27 rates for physicians shall be established on the basis of
28 statewide, prevailing physician fees and on the basis of a
29 maximum five percent annual increase in the fees.

30 NEW UNNUMBERED PARAGRAPH. The maximum co-payments allowed
31 by federal law or regulation shall be placed on all optional
32 services under the medical assistance program. A fixed co-
33 payment shall be established for each optional service by
34 computing the average or typical payment for each optional
35 service. The co-pay requirement shall not apply to the ser-

1 vices provided under the early and periodic screening,
2 diagnosis, and treatment program and to services provided
3 to recipients in hospitals, skilled nursing facilities,
4 intermediate care facilities, intermediate care facilities
5 for the mentally retarded, residential care facilities, and
6 state mental health institutes.

7 NEW UNNUMBERED PARAGRAPH. Criteria for prior authorization
8 of specified services under the medical assistance program
9 shall be scrutinized to determine whether the current review
10 process results in the most effective provision of needed
11 services. If a change in the review process would be
12 beneficial, the criteria shall be modified to change the
13 review process or to subject additional services to prior
14 authorization.

15 NEW UNNUMBERED PARAGRAPH. One or more pilot projects to
16 provide medical assistance for in-home care to persons who
17 would otherwise be institutionalized may be established.
18 Before establishing a pilot project, the department of social
19 services shall document the cost-effectiveness of the project,
20 structure the project to be in the best interests of the
21 persons involved, and ensure federal approval and financial
22 participation in the establishment and operation of the
23 project.

24 Sec. 89. Acts of the Sixty-ninth General Assembly, 1981
25 Session, chapter 7, section 3, subsection 3, is amended to
26 read as follows:

27 3. For contractual ser-

28 vices-medical carrier	\$ 1,318,000	\$ 1,318,000
29		<u>1,693,000</u>

30 Sec. 90. Acts of the Sixty-ninth General Assembly, 1981
31 Session, chapter 7, section 3, subsection 5, is amended by
32 adding the following new unnumbered paragraph:

33 NEW UNNUMBERED PARAGRAPH. Notwithstanding section 252B.4,
34 if federal law or regulation requires the imposition of a
35 fee on an individual who owes a support obligation for the

1 support collection services provided under chapter 252B to
2 a resident parent not otherwise eligible as a public assistance
3 recipient, the commissioner of the department of social
4 services shall charge the individual the fee required by
5 federal law or regulation which may be in addition to the
6 actual amount of support owed by the individual.

7 Sec. 91. Acts of the Sixty-ninth General Assembly, 1981
8 Session, chapter 7, section 3, subsection 6, unnumbered
9 paragraphs 1 and 3, are amended to read as follows:

10 For state supplementary
11 assistance, including state
12 supplementary assistance for

13 the blind \$ 6,731,000 \$ ~~6,731,000~~
14 6,881,000

15 The department of social services shall increase the maximum
16 cost-related reimbursement rate for residential care facility
17 services to fifteen dollars per day and the flat rate to ten
18 dollars per day. Beginning July 1, 1982, the department of
19 social services shall establish the maximum reimbursement
20 rate for residential care facilities utilizing the cost-related
21 reimbursement system at the point where forty-nine percent
22 of all state supplementary assistance recipients who are
23 residential care facility residents are receiving full cost
24 coverage for care. The forty-ninth percentile shall be
25 calculated from the December 10, 1981 compilation of all
26 allowable per diems on file. Beginning July 1, 1982, the
27 department of social services shall increase the flat rate
28 to ten dollars and ninety cents per day.

29 Sec. 92. Acts of the Sixty-ninth General Assembly, 1981
30 Session, chapter 7, section 3, subsection 8, is amended to
31 read as follows:

32 8. For home-based services
33 as allocated in paragraph a of

34 this subsection \$ 7,351,000 \$ ~~7,351,000~~
35 2,922,000

1 a. Of the funds appropriated for home-based services by
2 this subsection for the fiscal year beginning July 1, 1981,
3 and ending June 30, 1982, four million seven hundred sixty-
4 six thousand (4,766,000) dollars is appropriated for chore
5 and homemaker services ~~for each fiscal year of the biennium.~~
6 The department of social services shall not provide homemaker
7 services during the ~~biennium~~ fiscal year beginning July 1,
8 1981, and ending June 30, 1982, to clients who are above the
9 income and resource guidelines established by the department
10 for adult protective services.

11 b. The department shall by rule define the homemaker and
12 chore services to be delivered, the eligibility for services,
13 and the providers delivering the services during the fiscal
14 year beginning July 1, 1981, and ending June 30, 1982. The
15 department shall explore with homemaker agencies the
16 possibility of expanding purchase of service contracts to
17 include the provision of chore services. The decision to
18 purchase chore services should be based on the ability of
19 an agency to provide the continuum of services at rates
20 commensurate with the levels of service to be provided.

21 c. The department shall by rule develop a fee schedule,
22 effective for the fiscal year beginning July 1, 1981, and
23 ending June 30, 1982, for chore services made available to
24 clients who meet adult protective services criteria and who
25 are above the income and resource guidelines for chore
26 services.

27 Sec. 93. Acts of the Sixty-ninth General Assembly, 1981
28 Session, chapter 7, section 3, subsection 9, unnumbered para-
29 graph 1, is amended to read as follows:

30	For foster care	\$ 17,558,000	\$ 17,558,000
31			<u>22,477,000</u>

32 Sec. 94. Acts of the Sixty-ninth General Assembly, 1981
33 Session, chapter 7, section 3, subsection 9, is amended by
34 adding the following new paragraphs:

35 NEW PARAGRAPH. For the fiscal year beginning July 1, 1982,

1 and ending June 30, 1983, no more than fifty percent of all
2 children in foster care funded under Title IV, Part E of the
3 federal Social Security Act shall have been in foster care
4 for more than twenty-four months.

5 NEW PARAGRAPH. In placing a child in foster care, the
6 department of social services shall first consider placing
7 the child in a private foster care home, unless the court
8 orders an alternative placement or the department documents
9 a compelling reason for an alternative placement.

10 Sec. 95. Acts of the Sixty-ninth General Assembly, 1981
11 Session, chapter 7, section 3, subsection 10, unnumbered para-
12 graph 1, is amended to read as follows:

13	For community-based		
14	services	\$ 1,508,000	\$ 1,508,000
15			<u>1,639,000</u>

16 Sec. 96. There is appropriated from the general fund of
17 the state for the fiscal period beginning July 1, 1982, and
18 ending June 30, 1983, to the department of social services
19 two million six hundred fifty-seven thousand (2,657,000)
20 dollars, or so much thereof as is necessary, for a program
21 to provide shelter cost assistance to families with children
22 deprived of support due to the unemployment of one or both
23 parents. Assistance to each family is limited to a maximum
24 vendor payment of two hundred fifteen dollars per month for
25 a maximum of six months. The department shall by rule
26 establish the shelter cost assistance program in accordance
27 with this section. The eligibility criteria for the program
28 need not be more restrictive than the criteria established
29 by Title IV, Part A of the federal Social Security Act in
30 effect on September 30, 1981. However, the department of
31 social services shall disregard as allowable work expenses
32 up to seventy-five dollars of the gross earned income of each
33 family applying for or receiving shelter cost assistance,
34 and shall disregard as a work incentive an amount of up to
35 thirty dollars plus one-third of the family's net earned

1 income.

2 The department of social services shall conduct a study
3 of the shelter cost assistance program in December, 1982,
4 to determine actual rent and mortgage costs for families
5 receiving assistance under the program and to project usage
6 of the funds available for the program for the remainder of
7 the fiscal year ending June 30, 1983. If the study indicates
8 that the program will not expend all of its funds for the
9 fiscal year, the general assembly may increase the amount
10 and duration of rent and mortgage grants under the program,
11 in order to more adequately reflect the actual rent and
12 mortgage costs for families receiving assistance under the
13 program, and to expend all program funds for the fiscal year.

14 Sec. 97. The department of social services shall study
15 the feasibility of providing adoption services entirely through
16 purchase of service contracts with licensed private providers
17 and make recommendations to the general assembly by January
18 15, 1983. In preparing the study the department shall invite
19 the participation of outside interested groups including
20 private providers and interested consumers.

21 Sec. 98. There is appropriated from the general fund of
22 this state for the fiscal year beginning July 1, 1982, and
23 ending June 30, 1983, to the department of social services
24 four million four hundred fifteen thousand (4,415,000) dollars,
25 or so much thereof as is necessary, for supplementation of
26 federal social services block grant funds and for allocation
27 to the various districts of the department of social services
28 for the purchase of local day care services and other local
29 services for eligible individuals and for allocation to the
30 various counties for local administration. Federal social
31 services block grant funds received by this state and funds
32 appropriated in this section which are available for local
33 administration costs and purchase of day care and other local
34 services shall be allocated to the counties through the
35 district offices of the department of social services. The

1 district administrator shall advise the county boards of
2 supervisors within the district of the funding which will
3 be available to each county. The district administrator shall
4 assist the counties in planning for the use of the funds and
5 in coordinating the use of the funds among the counties in
6 the district.

7 County boards of supervisors shall determine, after re-
8 ceiving appropriate advice from interested parties, the
9 services which the counties wish to fund. The county boards
10 of supervisors may choose to fund only those services which
11 are listed as services which can be locally purchased in the
12 fiscal year 1981-1982 state plan for the use of funds received
13 under Title XX of the federal Social Security Act. The county
14 boards of supervisors shall advise the district administrator
15 by a date specified by the district administrator of those
16 services the counties wish to fund. The county boards of
17 supervisors shall match every three dollars of funds allocated
18 to the counties under this section with one dollar of local
19 funds. If a county in the district does not use all funds
20 allocated to the county under this section, the district
21 administrator may transfer funds to other counties in the
22 district. The counties shall not be responsible for client
23 eligibility determinations, case management, or contracting
24 with providers for services; the department of social services
25 shall retain those responsibilities.

26 The department of social services shall maintain and utilize
27 the state and district advisory committees established pursuant
28 to Title XX of the federal Social Security Act for the purpose
29 of providing recommendations on the allocation and uses of
30 federal social services block grant funds received by this
31 state during the fiscal year ending June 30, 1983.

32 Sec. 99. The eligibility level for services under Title
33 XX of the federal Social Security Act, also referred to as
34 services provided with social services block grant funds,
35 for the fiscal year beginning July 1, 1982, and ending June

1 30, 1983, shall not be reduced below forty-one and two-tenths
2 percent of the federal median income as established in the
3 fiscal year 1981-1982 state plan for use of funds received
4 under Title XX of the federal Social Security Act. The
5 eligiblity priorities for income maintenance recipients
6 established for the fiscal year ending June 30, 1982, shall
7 be maintained during the fiscal year ending June 30, 1983.

8 Sec. 100. The department of social services shall examine
9 cost containment alternatives for reimbursing purchase of
10 service providers. The department shall report the
11 alternatives to the social services appropriations subcommittee
12 during the 1983 session of the general assembly.

13 Sec. 101. The department of social services, in conjunction
14 with representatives of provider and consumer groups, shall
15 examine alternatives for disregarding income in the form of
16 workshop earnings received by individuals participating in
17 sheltered work and work activity services. The department
18 shall report the alternatives to the social services appro-
19 priations subcommittee by January 15, 1983.

20 Sec. 102. There is appropriated from the general fund
21 of the state for the fiscal period beginning July 1, 1982,
22 and ending June 30, 1983, to the department of social services
23 three hundred thousand (300,000) dollars, or so much thereof
24 as is necessary, to be allocated to the counties through the
25 department's district offices for sheltered work and work
26 activity services, provided all of the following conditions
27 are met:

28 1. The counties shall match every three dollars of funds
29 allocated to the counties under this section with one dollar
30 of local funds.

31 2. The funds shall not be used for other than sheltered
32 work and work activity services.

33 3. The department of social services, in establishing
34 eligibility standards for sheltered work and work activity
35 services, shall disregard the first sixty-five dollars of

1 income from sheltered work or work activity services and fifty
2 percent of any income from sheltered work or work activity
3 services above sixty-five dollars.

4 The district administrator may transfer funds among the
5 counties in the district if a county does not use all of the
6 funds allocated to the county under this section. The funds
7 shall not be used for other than sheltered work and work ac-
8 tivity services.

9 Sec. 103. Section 232.80, Code 1981, is amended to read
10 as follows:

11 232.80 HOMEMAKER SERVICES. A homemaker-home health aide
12 may be assigned to give care to a child in the child's place
13 of residence. Whenever possible, ~~sueh~~ the services shall
14 be provided in preference to removal of the child from the
15 home. ~~Sueh~~ The care may be provided under this Act on an
16 emergency basis for up to twenty-four hours without court
17 order, and may be ordered by the court for a period of time
18 extending until dismissal or disposition of the case. Expenses
19 ~~incurred-under-this-section-shall-be-paid-for-according-to-~~
20 ~~and-reimbursement-from-the-parent,-guardian-or-custodian-may~~
21 ~~be-sought-under,-the-provisions-of-section-232-141-~~

22 Sec. 104. Section 232.141, subsection 2, Code 1981, is
23 amended to read as follows:

24 2. Whenever legal custody of a minor is transferred by
25 the court or whenever the minor is placed by the court with
26 someone other than the parents ~~or-when-ever-homemaker-home~~
27 ~~health-aide-service-is-provided-under-section-232-80,~~ or
28 whenever a minor is given physical or mental examinations
29 or treatment under order of the court and no provision is
30 otherwise made by law for payment for the care, examination,
31 or treatment of the minor, the costs shall be charged upon
32 the funds of the county in which the proceedings are held
33 upon certification of the judge to the board of supervisors.
34 Except where the parent-child relationship is terminated,
35 the court may inquire into the ability of the parents to

1 support the minor and after giving the parents a reasonable
2 opportunity to be heard may order the parents to pay in the
3 manner and to whom the court may direct, such sums as will
4 cover in whole or in part the cost of care, examination, or
5 treatment of the minor. An order entered under this section
6 shall not obligate a parent paying child support under a
7 custody decree, except that any part of such a monthly support
8 payment may be used to satisfy the obligations imposed by
9 an order entered under this section. If the parents fail
10 to pay the sum without good reason, the parents may be
11 proceeded against for contempt or the court may inform the
12 county attorney who shall proceed against the parents to
13 collect the unpaid sums or both. Any such sums ordered by
14 the court shall be a judgment against each of the parents
15 and a lien as provided in section 624.23. If all or any part
16 of the sums that the parents are ordered to pay is subsequently
17 paid by the county, the judgment and lien shall thereafter
18 be against each of the parents in favor of the county to the
19 extent of such payments.

20 Sec. 105. Section 234.13, Code 1981, is amended by adding
21 the following new subsection:

22 NEW SUBSECTION. Acquires, alters, transfers, or redeems
23 food stamp coupons or possesses coupons, knowing that the
24 coupons have been received, transferred, or used in violation
25 of this section or the provisions of the federal food stamp
26 program under 7 U.S.C. ch. 51 or the federal regulations
27 issued pursuant to that chapter.

28 Sec. 106. Section 249A.4, subsection 1, Code 1981, is
29 amended to read as follows:

30 1. Determine the greatest amount, duration, and scope
31 of assistance which may be provided, and the broadest range
32 of eligible individuals to whom assistance may effectively
33 be provided, under this chapter within the limitations of
34 available funds. In so doing, ~~he~~ the commissioner shall at
35 least every six months evaluate the scope of the program

1 currently being provided under this chapter, project the
2 probable cost of continuing a like program, compare such
3 probable cost with the remaining balance of the state
4 appropriation made for payment of assistance under this chapter
5 during the current appropriation period, and expand or curtail
6 the program accordingly; provided that ~~in no event~~
7 reimbursement for medical and health services shall the scope
8 of the program be less than payment of all costs of the care
9 and services to which reference is made in section 249A.2,
10 subsection 5, which are provided to the individuals and
11 families described in section 249A.3, subsection 1 made in
12 accordance with section 249A.4, subsection 9 in section 107
13 of this Act. After each evaluation of the scope of the
14 program, the commissioner shall report ~~his conclusions and~~
15 ~~his action thereon~~ to the general assembly through the
16 legislative council or in ~~such other~~ another manner as the
17 general assembly may by resolution direct.

18 Sec. 107. Section 249A.4, subsection 9, Code 1981, is
19 amended by striking the subsection and inserting in lieu
20 thereof the following:

21 9. Determine the method and level of reimbursement for
22 all medical and health services referred to in section 249A.2,
23 subsection 5 or 6, after considering all of the following:

24 a. The promotion of efficient and cost-effective delivery
25 of medical and health services.

26 b. Compliance with federal law and regulations.

27 c. The level of state and federal appropriations for medi-
28 cal assistance.

29 d. Reimbursement at a level as near as possible to actual
30 costs and charges after priority is given to the considerations
31 in paragraphs a, b, and c.

32 Sec. 108. Section 252B.5, Code 1981, is amended by adding
33 the following new subsection:

34 NEW SUBSECTION. Determine periodically whether an
35 individual receiving unemployment compensation benefits under

1 chapter 96 owes a support obligation which is being enforced
2 by the unit, and enforce the support obligation through court
3 proceedings in the absence of a voluntary agreement by the
4 individual to have specified amounts withheld from the
5 individual's unemployment compensation benefits.

6 Sec. 109. NEW SECTION. ATTORNEY FEES FOR CHILD SUPPORT
7 ENFORCEMENT. The court, in its discretion, may award a
8 reasonable attorney's fee in favor of a prevailing party and
9 against an opposing party in a court proceeding to establish
10 or enforce a child support obligation under but not limited
11 to chapters 239, 252A, 252B, 598, and 675, unless the award
12 is unjust under the circumstances.

13 Sec. 110. The department of social services shall adopt
14 administrative rules under section 17A.4, subsection 2 and
15 section 17A.5, subsection 2, paragraph b relating to the
16 coordinated manpower services demonstration project, the
17 limitations on lengths of hospital stays, physician
18 reimbursements based on prevailing fees, social services block
19 grant allocations to the counties, and allocations to the
20 counties for sheltered work and work activity services in
21 sections 84, 88, 98, and 102 of this Act, and may adopt
22 administrative rules under section 17A.4, subsection 2 and
23 section 17A.5, subsection 2, paragraph b relating to
24 residential care facility reimbursements and the shelter cost
25 assistance program in sections 91 and 96 of this Act, and
26 the rules shall become effective immediately upon filing,
27 unless a later effective date is specified in the rules.

28 DIVISION VIII

29 Sec. 111. Acts of the Sixty-ninth General Assembly, 1981
30 Session, chapter 14, section 1, subsection 1, and subsection
31 2, paragraph a, are amended to read as follows:

32 1. IOWA LAW ENFORCEMENT
33 ACADEMY

34 For salaries, support, main-
35 tenance, and miscellaneous pur-

1 poses \$ 665,750 \$ 686,442
 2 690,342

3 If legislation creating a criminal justice improvement
 4 fund is enacted and becomes law, the funds appropriated by
 5 this subsection for the Iowa law enforcement academy are
 6 reduced for the fiscal year beginning July 1, 1981 and ending
 7 June 30, 1982 by one hundred thirty-nine thousand nine hundred
 8 sixty-two (139,962) dollars and for the fiscal year beginning
 9 July 1, 1982 and ending June 30, 1983 by one hundred forty-
 10 eight thousand eight hundred seventy-one (148,871) dollars.

11 a. Military division

12 For salaries except salaries
 13 provided for in paragraph b of
 14 this subsection, support, main-
 15 tenance, and miscellaneous pur-
 16 poses \$ 2,256,288 \$ ~~2,352,918~~
 17 2,592,862

18 Sec. 112. Acts of the Sixty-ninth General Assembly, 1981
 19 Session, chapter 14, section 2, subsection 2, is amended to
 20 read as follows:

21 2. INSPECTION AND SECURITY
 22 FUNCTION

23 For salaries, support, main-
 24 tenance, and miscellaneous pur-
 25 poses of fire marshal's inspec-
 26 tions, administration of the
 27 state building code, and arson
 28 investigators including the
 29 state's contribution to the
 30 peace officers' retirement,
 31 accident, and disability sys-
 32 tem provided in chapter 97A
 33 in the amount of sixteen per-
 34 cent of the salaries for
 35 which the funds are appropri-

1	ated, and capital security		
2	divisions	\$ 1,281,347	\$ 1,340,250
3			<u>1,493,020</u>

4 EXPLANATION

5 This bill appropriates funds for the fiscal year beginning
6 July 1, 1982 and ending June 30, 1983 to supplement
7 appropriations made by the 1981 General Assembly. The bill
8 is divided into eight divisions representing the various
9 appropriation subcommittees of the senate. Division I contains
10 the recommendations of the corrections and mental health
11 subcommittee; Division II contains the recommendations of
12 the education subcommittee; Division III contains the
13 recommendations of the human resources subcommittee; Division
14 IV contains the recommendations of the natural resources
15 subcommittee; Division V contains the recommendations of the
16 regulatory and finance subcommittee; Division VI contains
17 the recommendations of the state government subcommittee;
18 Division VII contains the recommendations of the social
19 services subcommittee; and Division VIII contains the
20 recommendations of the transportation subcommittee.

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SENATE FILE 2304

S-5592

- 1 Amend Senate File 2304 as follows:
- 2 1. Page 55, by inserting after line 3 the following
- 3 new section:
- 4 "Sec. ____ Acts of the Sixty-ninth General
- 5 Assembly, 1981 Session, chapter 14, section 5,
- 6 subsection 2, is amended to read as follows:
- 7 2. For public transit
- 8 purposes to implement a
- 9 state assistance plan \$ 1,908,000 \$ ~~1,908,000~~
- 10 2,033,000".
- 11 2. Renumber sections and correct internal
- 12 references as are necessary in accordance with this
- 13 amendment.

S-5592 FILED

APRIL 14, 1982

Placed out of order 4/22 (p. 1263)

BY RICHARD F. DRAKE

BILL HUTCHINS

JOHN JENSEN

BOB CARR

BILL PALMER

SENATE FILE 2304

S-5594

- 1 Amend Senate File 2304 as follows:
- 2 1. Page 41, by striking line 8, and inserting
- 3 in lieu thereof the figure "112,666,000".
- 4 2. Page 41, line 17, by striking the figure "1981"
- 5 and inserting in lieu thereof the figures "~~1981~~ 1982".
- 6 3. Page 41, line 22, by inserting after the word
- 7 "reports" the words "which rate shall be increased
- 8 by a factor of two and twenty-six hundredths percent".
- 9 4. Page 53, line 23, by inserting after the word
- 10 "to" the words "intermediate care facility
- 11 reimbursements,".
- 12 5. Page 53, line 25, by inserting after the word
- 13 "sections" the figure "87,".

S-5594 FILED

APRIL 14, 1982

Placed out of order 4/22 (p. 1261)

BY BERL E. PRIEBE

SENATE FILE 2304

S-5596

- 1 Amend Senate File 2304 as follows:
- 2 1. Page 29, line 20, by striking the words and
- 3 figure "forty thousand (40,000)" and inserting in
- 4 lieu thereof the words and figure "fifty thousand
- 5 (50,000)".
- 6 2. Page 29, lines 21 and 22, by striking the words
- 7 and figure "sixty-seven thousand five hundred (67,500)"
- 8 and inserting in lieu thereof the words and figure
- 9 "fifty thousand (50,000)".
- 10 3. Page 29, line 35, by striking the figure
- 11 "2,393,225" and inserting in lieu thereof the figure
- 12 "2,385,725".

S-5596 FILED

APRIL 14, 1982

Placed out of order 4/22 (p. 1256)

BY BERL E. PRIEBE

SENATE FILE 2304

S-5588

- 1 Amend Senate File 2304 as follows:
2 1. Page 18, by inserting after line 14 the
3 following:
4 "Sec. 45a. There is appropriated from the general
5 fund of the state to the school budget review committee
6 for the fiscal year beginning July 1, 1982 and ending
7 June 30, 1983 the sum of two hundred thousand (200,000)
8 dollars, or so much thereof as is necessary, to be
9 used for grants to public schools and for nonpublic
10 school pupils for special instruction for non-English-
11 speaking students as provided in section 280.4 in
12 section 45b of this Act.
13 Sec. 45b. Section 280.4, subsection 1, Code 1981,
14 is amended to read as follows:
15 1. The board of directors of a school district
16 may submit an application to the school budget review
17 committee for funds provided by ~~Acts of the Sixty-~~
18 ~~eighth-General-Assembly, chapter 13, section 7,~~
19 ~~subsection 10~~ section 45a of this Act, for instruction
20 in the English language, a transitional bilingual,
21 or other special instruction program when support
22 for the program from other federal, state or local
23 sources is not available or is inadequate. The
24 department of public instruction shall review all
25 applications for funding and provide recommendations
26 to the school budget review committee regarding their
27 disposition. The school budget review committee shall
28 not grant funds to a public school for instruction
29 in the English language, a transitional bilingual
30 or other special instruction program unless the program
31 offered by the public school is available to nonpublic
32 school students in the district."
33 2. By numbering and renumbering sections and
34 correcting internal references as necessary.

S-5588 FILED

BY GARY L. BAUGHER

APRIL 14, 1982

Adopted 4/21 (j.1341)

SENATE FILE 2304

S-5590

- 1 Amend Senate File 2304 as follows:
2 1. By striking page 28, line 24 through page 29,
3 line 7.
4 2. Renumber sections and correct internal
5 references as are necessary in accordance with this
6 amendment.

S-5590 FILED

BY RICHARD F. DRAKE

APRIL 14, 1982

Out of order 4/22 (j.1360)

SENATE FILE 2304

S-5609

1 Amend Senate File 2304 as follows:

2 1. Page 29, line 28, by striking the words and
3 figures "subsections 1 and 3" and inserting in lieu
thereof the word and figure "subsection 1".

4 2. Page 29, line 35, by striking the figure
6 "2,393,225" and inserting in lieu thereof the figure
7 "2,488,840".

8 3. Page 30, by striking lines 1 through 8, and
9 inserting in lieu thereof the following:

10 "3. It is the intent of the general assembly that
11 the Iowa development commission shall operate the
12 international office within the funds approved for the
13 commission."

S-5609 FILED

APRIL 15, 1982

Placed out of order 4/22 (p. 1355)

BY CLARENCE S. CARNEY

TED ANDERSON

SENATE FILE 2304

S-5612

1 Amend Senate File 2304 as follows:

2 1. Page 39, by inserting after line 12 the
3 following:

4 "NEW UNNUMBERED PARAGRAPH. The department of
5 social services shall provide current recipients under
6 the aid to families with dependent children program
7 with opportunities to receive instruction on
8 retrospective budgeting and monthly reporting and
9 shall provide applicants under the program with indivi-
dualized instruction on retrospective budgeting and
monthly reporting during the application process."

S-5612 FILED

APRIL 15, 1982

Adopted 4/22 (p. 1362)

BY TOM SLATER

ARNE WALDSTEIN

SENATE FILE 2304

S-5615

1 Amend Senate File 2304 as follows:

2 1. Page 41, by inserting after line 34 the
3 following:

4 "NEW UNNUMBERED PARAGRAPH. Medical assistance
5 reimbursement rates for hospitals shall be established
6 on a prospective basis. The department of social
7 services shall not change the method of reimbursement
8 for the state mental health institutes."

9 2. Page 53, line 16, by inserting after the word
10 "project," the words "hospital reimbursements based
11 on a prospective basis,".

S-5615 FILED

APRIL 15, 1982

Out of order 4/22 (p. 1367)

BY ARNE WALDSTEIN

SENATE FILE 2304

S-5600

1 Amend Senate File 2304 as follows:

- 2 1. Page 41, by striking line 8, and inserting
3 in lieu thereof the figure "113,203,000".
4 2. Page 41, line 17, by striking the figure "1981"
5 and inserting in lieu thereof the figures "1981 1982".
6 3. Page 41, line 22, by inserting after the word
7 "reports" the words ", which rate shall be increased
8 by a factor of three and four-tenths percent".
9 4. Page 53, line 23, by inserting after the word
10 "to" the words "intermediate care facility
11 reimbursements,".
12 5. Page 53, line 25, by inserting after the word
13 "sections" the figure "87,".

S-5600 FILED

BY BERL E. PRIEBE

APRIL 14, 1982

Out of order 4/22 (p 1361)

1 Amend Senate File 2304 as follows:

2 1. Page 41, line 11, by striking the word and
3 figure "and 5" and inserting in lieu thereof the word
4 and figures ", 5, and 7".

5 2. Page 41, by inserting after line 31 the
6 following:

7 "~~Pharmacists~~ Pharmacies in this state ~~who~~ which
8 reduce the charges of prescription drugs to persons
9 participating in private, third-party payor
10 prescription drug insurance or benefit plans or to
11 the insurance or benefit plans shall also reduce by
12 the same amount the charges to persons participating
13 in the medical assistance program or to the program.
14 For the purpose of this unnumbered paragraph, the
15 reduction of charges includes the discounting of
16 deductibles or coinsurance payable by plan participants
17 or the distribution of free merchandise directly or
18 indirectly through coupon or rebate programs to plan
19 participants. The board of pharmacy examiners shall
20 adopt rules under section 17A.4, subsection 2 and
21 section 17A.5, subsection 2, paragraph b to insure
22 that pharmacists reduce charges by the same amount
23 to both third-party payors and the medical assistance
24 program and that copayment requirements are applied
25 equally to both third-party payors and the medical
26 assistance program. The rules shall become effective
27 immediately upon filing, unless a later effective
28 date is specified in the rules.

29 Effective October 1, 1982, a professional dispensing
30 fee reimbursement of fifty cents per prescription,
31 in addition to the ordinary professional dispensing
32 fee reimbursement, shall be made for the selection
33 of equivalent drug products which are less expensive
34 than those prescribed by the physician and which
35 result in a cost savings to the medical assistance
36 program of at least one dollar and fifty cents per
37 prescription."

38 3. Page 42, by inserting after line 29 the
39 following:

40 "NEW UNNUMBERED PARAGRAPH. Notwithstanding Acts
41 of the Sixty-ninth General Assembly, 1981 Session,
42 chapter 7, section 3, subsection 2, unnumbered para-
43 graph 6, medical assistance payments for all mandatory
44 and optional services, except for intermediate care
45 facility services, intermediate care facility services
46 for the mentally retarded, services provided to
47 recipients in state mental health institutes, and
48 medical transportation services other than ambulance
49 services, shall be reduced by a factor of two and
50 one-half percent. However, the two and one-half

S-5616
PAGE 2

1 percent reduction shall not apply to reimbursements
2 for the ingredient cost of prescription drugs or to
3 hospital reimbursements or to physician
4 reimbursements."

5 4. Page 53, line 16, by inserting after the word
6 "project," the words "percentage reductions of
7 reimbursements for most mandatory and optional
8 services,".

9 5. Page 53, line 23, by inserting after the word
10 "to" the words "professional prescription drug
11 dispensing fee reimbursements,".

12 6. Page 53, line 25, by inserting after the word
13 "sections" the figure "87,".

S-5616 FILED
APRIL 15, 1982

BY ARNE WALDSTEIN

Out of order 4/22 (p. 1361)

SENATE FILE 2304

S-5620

1 Amend Senate File 2304 as follows:

2 1. Page 11, lines 12 and 13, by striking the words
3 "in piety and morality, in such instruction" and
4 inserting in lieu thereof the words "in-piety-and
5 ~~morality-in-such-instruction~~".

S-5620 FILED
APRIL 15, 1982

BY TOM SLATER

Adopted 4/21 (p. 1338)

S-5638

1 Amend Senate File 2304 as follows:
 2 1. Page 35, by inserting after line 5 the
 3 following:
 4 "Sec. ____ Acts of the Sixty-ninth General
 5 Assembly, 1981 Session, chapter 10, section 7, is
 6 amended by adding the following new subsection:
 7 NEW SUBSECTION. LEGISLATIVE COUNCIL.
 8 To fund research projects and
 9 studies executed with the legislative
 10 extended assistance group \$ \$ 44,339
 11 Notwithstanding other provisions of this section
 12 or section 8.33, unencumbered funds appropriated by
 13 this subsection shall be available and shall not
 14 revert to the general fund of the state until January
 15 1, 1984."
 16 2. By numbering sections to conform to this
 17 amendment.

S-5638 FILED BY FORREST V. SCHWENGELS
 APRIL 19, 1982

4/15 4/22 (p. 1358)

S-5642

1 Amend Senate File 2304 as follows:
 2 1. Page 29, line 28, by striking the words and
 3 figures "subsections 1 and 3, are" and inserting in
 4 lieu thereof the words and figure "subsection 1, is".
 5 2. Page 29, line 35, by striking the figure
 6 "2,393,225" and inserting in lieu thereof the figure
 7 "2,488,840".
 8 3. Page 30, by striking lines 1 through 8.

S-5642 FILED BY CLARENCE CARNEY
 APRIL 19, 1982 TED ANDERSON

Placed out of order 4/22 (p. 1356)

S-5645

1 Amend Senate File 2304 as follows:
 2 1. Page 17, by inserting after line 2 the
 3 following:
 4 "Sec. ____ Acts of the Sixty-ninth General
 5 Assembly, 1981 Session, chapter 8, section 9,
 6 subsection 3, is amended by adding the following new
 7 paragraph:
 8 NEW PARAGRAPH. Planning
 9 For planning for
 10 veterinary medicine clinic
 11 conversion for use by
 12 industrial education \$ \$ 200,000".
 13 2. By numbering and renumbering sections and
 14 correcting internal references as necessary.

S-5645 FILED BY JOHN NYSTROM
 APRIL 19, 1982 BASS VAN GILST

Lost 4/21 (p. 1340)

SENATE FILE 2304

S-5623

1 Amend Senate File 2304 as follows:

2 1. Page 2, line 6, by striking the words "women's
3 reformatory" and inserting in lieu thereof the words
4 "Iowa correctional institution for women".

5 2. Page 8, line 8, by striking the words "women's
6 reformatory" and inserting in lieu thereof the words
7 "~~women's-reformatory~~".

8 3. Page 8, line 9, by inserting after the words
9 "~~city~~" the words "Iowa correctional institution for
10 women".

11 4. Page 8, line 32, by striking the words "Women's
12 Reformatory" and inserting in lieu thereof the words
13 "Iowa Correctional Institution For Women".

14 5. Page 12, line 26, by striking the words "Women's
15 Reformatory" and inserting in lieu thereof the words
16 "Iowa Correctional Institution For Women".

17 6. Page 13, line 1, by striking the words "women's
18 reformatory" and inserting in lieu thereof the words
19 "women's-reformatory Iowa correctional institution
20 for women".

21 7. Page 13, line 8, by striking the words "women's
22 reformatory" and inserting in lieu thereof the words
23 "reformatory Iowa correctional institution for women".

24 8. Page 13, line 10, by striking the word
25 "reformatory" and inserting in lieu thereof the words
26 "reformatory Iowa correctional institution for women".

27 9. Page 13, line 11, by inserting after the word
28 "institution" the words "or school".

29 10. Page 13, line 12, by inserting after the word
30 "institution" the words "or school".

31 11. Page 13, line 14, by inserting after the word
32 "institution" the words "or school".

33 12. Page 13, line 21, by inserting after the word
34 "institution" the words "or school".

35 13. Page 13, line 24, by striking the words
36 "women's reformatory" and inserting in lieu thereof
37 the words "women's-reformatory Iowa correctional
38 institution for women".

39 14. Page 14, lines 1 and 2, by striking the words
40 "women's reformatory" and inserting in lieu thereof
41 the words "women's-reformatory Iowa correctional
42 institution for women".

43 15. Page 14, line 5, by striking the words "women's
44 reformatory" and inserting in lieu thereof the words
45 "women's-reformatory Iowa correctional institution
46 for women".

S-5623 FILED
APRIL 15, 1982
Adopted 4/21 (p 1337)

BY GARY BAUGHER
TOM SLATER
RAY TAYLOR

MICK LURA
JULIA B. GENTLEMAN

SENATE FILE 2304

S-5675

Amend Senate File 2304 as follows:

1. Page 17, by inserting after line 21 the following:

"Sec. 42a. Section 262.9, Code 1981, is amended by adding the following new subsection:

NEW SUBSECTION. Set tuition rates for the institutions of higher learning under its control as provided in section 42b of this Act.

Sec. 42b. Chapter 262, Code 1981, is amended by adding the following new section:

NEW SECTION. TUITION RATES. The state board of regents shall establish tuition rates for each institution of higher learning under its control based upon the actual cost of providing the educational program at the institution. Separate tuition rates may be established for graduate programs for which the actual cost exceeds the cost of undergraduate programs at the institution. A student shall pay the amount of tuition established by the state board except as otherwise provided in this section.

The state board shall establish criteria for determining financial need of students. For the purpose of this section, "financial need" means the difference between the student's available financial resources, including those available from the student's parents, and the tuition rate established by the state board. A student may pay a lesser amount for tuition during a school year, based upon the student's financial need as determined by the state board, and the difference between the tuition set by the state board and the amount of tuition paid by the student is a loan to the student with repayment made in the manner provided in section 42c of this Act. However, a student must pay at least twenty percent of the tuition rate set by the state board.

Sec. 42c. Chapter 262, Code 1981, is amended by adding the following new section:

NEW SECTION. TUITION LOAN PROGRAM. The general assembly has determined that the annual revenues of the state of Iowa are insufficient to finance the operating and utilities requirements of the institutions of higher learning under the state board and in order to provide these funds it is necessary to establish a tuition loan fund. The state board shall establish a tuition loan fund into which shall be placed funds appropriated to the fund and moneys received from students for repayment of loans. The state board shall adopt rules under chapter 17A for the administration of the tuition loan program and the allocation and repayment of tuition loans. A

S-5675

(PAGE 2

1 student shall commence repayment of the loan one year
2 after the student has terminated enrollment at the
3 institution of higher learning under the control of
4 the state board of regents. However, if the student
5 has transferred to another institution of higher
6 learning for additional study, the student is not
7 required to commence repayment of the loan until one
8 year after the student has terminated enrollment at
9 the institution of higher learning. Fifty percent
10 of a tuition loan is canceled five years after the
11 student has terminated enrollment at an institution
12 of higher learning if the loan recipient has been
13 employed in this state for the five-year period.
14 Additional terms and conditions of tuition loans shall
15 be established by the state board."

16 2. By numbering and renumbering sections and
17 correcting internal references as necessary.

S-5675 FILED

BY STEPHEN W. BIENIUS

APRIL 20, 1982

Revised out of order 4/21 (p. 1341)

SENATE FILE 2304

S-5661

1 Amend Senate File 2304 as follows:

- 2 1. Page 37, by striking lines 7 through 12 and
3 inserting in lieu thereof the following:
4 "1. The legislative service bureau shall conduct
5 a study of the effect of the loss of federal funds
6 on the legal services provided by the legal services
7 corporation. In the conduct of the study the
8 legislative service bureau shall consult with the
9 following persons including but not limited to the
10 supreme court, the court administrator of the judicial
11 department, and representatives of the Iowa bar
12 association, the legal services corporation of Iowa,
13 and the legal aid society of Polk county. The study
14 shall include the following:"
- 15 2. Page 37, line 19, by striking the words "court
16 administrator" and inserting in lieu thereof the words
17 "legislative service bureau".
- 18 3. Page 37, by striking lines 23 and 24 and
19 inserting in lieu thereof the following: "state to
20 the legislative service bureau for the fiscal year
21 beginning July 1, 1982, and".

S-5661 FILED

BY BOB RUSH

APRIL 19, 1982

ARTHUR A. SMALL, JR.

4/15/82 (p. 1358)

S-5677

1 Amend Senate File 2304 as follows:

2 1. Page 50, by inserting after line 8 the
3 following:

4 "Sec. 103. Section 230.15, unnumbered paragraph
5 1, Code 1981, is amended to read as follows:

6 Mentally A mentally ill persons person and persons
7 a person legally liable for their the person's support
8 shall remain liable for the support of such the
9 mentally ill person as provided in this section.

10 Persons legally liable for the support of a mentally
11 ill person shall include the spouse of the mentally
12 ill person, any person, ~~firm, or corporation~~ bound
13 by contract for support of the mentally ill person,
14 and, with respect to mentally ill persons under
15 eighteen years of age only, the father and mother
16 of the mentally ill person. The county auditor,
17 subject to the direction of the board of supervisors,
18 shall enforce the obligation ~~herein~~ created in this
19 section as to all sums advanced by the county. The
20 liability to the county incurred by a mentally ill
21 person or a person legally liable for the person's
22 support under this section ~~on account of any mentally~~
23 ~~ill person shall be~~ is limited to an amount equal
24 to one hundred percent of the cost of care and
25 treatment of the mentally ill person at a state mental
26 health institute for one hundred twenty days of
27 hospitalization, ~~whether occurring subsequent to a~~
28 ~~single admission or accumulated as a consequence of~~
29 ~~two or more separate admissions, and thereafter to.~~
30 This limit of liability may be reached by payment
31 of the cost of care and treatment of the mentally
32 ill person subsequent to a single admission or multiple
33 admissions to a state mental health institute or,
34 if the person is not discharged as cured, subsequent
35 to a single transfer or multiple transfers to a county
36 care facility pursuant to section 227.11. After
37 reaching this limit of liability, a mentally ill
38 person or a person legally liable for the person's
39 support is liable to the county for the care and
40 treatment of the mentally ill person at a state mental
41 health institute or, if transferred but not discharged
42 as cured, at a county care facility in an amount not
43 in excess of the average minimum cost of the
44 maintenance of a physically and mentally healthy
45 individual residing in his the individual's own home,
46 which standard shall be established and may from time
47 to time be revised by the department of social
48 services. No A lien imposed by section 230.25 shall
49 not exceed the amount of the liability which may be
50 incurred under this section on account of any mentally

- 1 ill person.
 2 Sec. 104. Section 230.15, unnumbered paragraph
 3 3, Code 1981, is amended by striking the unnumbered
 4 paragraph.
 5 Sec. 105. Section 103 of this Act applies to all
 6 payments made by a mentally ill person or a person
 7 legally liable for the person's support for the cost
 8 of care and treatment of the mentally ill person at
 9 a state mental health institute or, if transferred
 10 but not discharged from a state mental health
 11 institute, at a county care facility before, on, or
 12 after the effective date of this Act. However, if
 13 such payments exceed the liability limitations in
 14 section 103 of this Act on the effective date of this
 15 Act, a county is not liable for repayment of the
 16 excess payments."
 17 2. By renumbering as necessary.

S-5677 FILED

BY RAY TAYLOR

APRIL 20, 1982

Adopted 4/20 (p. 1362)

SENATE FILE 2304

S-5672

- 1 Amend the Amendment S-5615 to Senate File 2304 as
 2 follows:
 3 1. Page 1, line 6, by inserting after the word
 4 "basis" the words "to be effective after January 1,
 5 1983".
 6 2. Page 1, by striking lines 9 through 11.

S-5672 FILED

BY BOB RUSH

APRIL 20, 1982

Out of order 4/20 (p. 1367)

SENATE FILE 2304

S-5678

- 1 Amend Senate File 2304 as follows:
 2 1. Page 2, by inserting after line 8 the following:
 3 "Notwithstanding the prison system population
 4 figures in Acts of the Sixty-ninth General Assembly,
 5 1981 Session, chapter 11, section 3, subsection 1,
 6 only a prison system population exceeding two thousand
 7 seven hundred eighty shall require the declaration
 8 of a prison overcrowding state of emergency, and a
 9 prison system population below two thousand six hundred
 10 eighty shall require the termination of a state of
 11 emergency. The ninety-day reductions in tentative
 12 discharge dates provided for in Acts of the Sixty-
 13 ninth General Assembly, 1981 Session, chapter 11,
 14 section 3, subsection 1, shall only be required if
 15 the prison system population equals or exceeds two
 16 thousand six hundred eighty for ninety days after
 17 a state of emergency has been in effect. The new
 18 prison system population figures in this unnumbered
 19 paragraph apply retroactively to a state of emergency
 20 declared prior to the effective date of this Act."

S-5678 FILED

BY DICK RAMSEY

APRIL 20, 1982

Adopted 4/21 (p. 1357)

STEPHEN W. BIENIUS

BERL E. PRIEBE

J. V. GALLAGHER

SENATE FILE 2304

S-5681

1 Amend Senate File 2304 as follows:

2 1. Page 39, by inserting before line 13 the
3 following:

4 "NEW PARAGRAPH. The department of social services
5 shall only require written verification of the earned
6 income under the monthly reporting requirement of
7 the aid to families with dependent children program.
8 Written verification is not required under monthly
9 reporting for work expenses and child care expenses,
10 unless the department of social services has reason
11 to believe that the reported information is inaccurate
12 or the grant recipient has a record of failure to
13 accurately report changes in circumstances. For
14 recipients who are unable to obtain necessary
15 verification of earned income, work expenses, or child
16 care expenses, the department of social services shall
17 assist the recipients in obtaining the required
18 verification."

S-5681 FILED

BY TOM SLATER

APRIL 20, 1982

Adopted 4/22 (p. 1362) SENATE FILE 2304

S-5686

1 Amend Senate File 2304 as follows:

2 1. Page 37, line 11, by inserting after the word
3 "include" the words "but not be limited to".

S-5686 FILED

BY JOHN W. JENSEN

APRIL 20, 1982

Adopted 4/22 (p. 1358)

SENATE FILE 2304

S-5687

1 Amend Senate File 2304 as follows:

2 1. Page 31, line 5, by striking the word
3 "determine" and inserting in lieu thereof the words
4 "advise the Iowa state water resource research
5 institute on".

S-5687 FILED

BY DALE TIEDEN

APRIL 20, 1982

Adopted 4/22 (p. 1356)

SENATE FILE 2304

S-5679

1 Amend Senate File 2304 as follows:

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

4 "Sec. _____. Acts of the Sixty-ninth General
5 Assembly, 1981 Session, chapter 11, section 3,
6 subsection 1, unnumbered paragraph 2, is amended by
7 striking the unnumbered paragraph."

8 2. Page 32, by inserting after line 34 the
9 following new section:

10 "Sec. _____. Acts of the Sixty-ninth General
11 Assembly, 1981 Session, chapter 10, section 1,
12 subsection 3, paragraph d, is amended by striking
13 the paragraph."

14 3. Page 33, by inserting after line 10 the
15 following new section:

16 "Sec. _____. Acts of the Sixty-ninth General
17 Assembly, 1981 Session, chapter 10, section 6,
18 subsection 1, unnumbered paragraph 2, is amended by
19 striking the unnumbered paragraph."

20 4. Page 54, by striking lines 3 through 10 and
21 inserting in lieu thereof the following:

22 ~~"If legislation creating a criminal justice
23 improvement fund is enacted and becomes law, the funds
24 appropriated by this subsection for the Iowa law
25 enforcement academy are reduced for the fiscal year
26 beginning July 1, 1981 and ending June 30, 1982 by
27 one hundred thirty-nine thousand nine hundred sixty-
28 two (139,962) dollars and for the fiscal year beginning
29 July 1, 1982 and ending June 30, 1983 by one hundred
30 forty-eight thousand eight hundred seventy-one
31 (148,871) dollars."~~

32 5. Page 55, by inserting after line 3 the following
33 new sections:

34 "Sec. _____. Acts of the Sixty-ninth General
35 Assembly, 1981 Session, chapter 14, section 2,
36 subsection 3, paragraph d, is amended by striking
37 the paragraph.

38 Sec. _____. Acts of the Sixty-ninth General Assembly,
39 1981 Session, chapter 14, section 3, subsection 3,
40 is amended by striking the subsection."

41 6. Renumber sections and correct internal
42 references as are necessary in accordance with this
43 amendment.

S-5679 FILED

BY JOHN S. MURRAY

APRIL 20, 1982

*Adopted as amended by S-5694
4/21 (p. 1334)*

SENATE FILE 2304

S-5708

1 Amend Senate File 2304 as follows:
2 1. Page 28, by striking line 24 through page 29,
3 line 7 and inserting in lieu thereof the following:
4 "Sec. 57. NEW SECTION. PAYMENT OF TAX.
5 Notwithstanding the requirement for monthly payment
6 of the excise tax in Acts of the Sixty-ninth General
7 Assembly, Second Extraordinary 1981 Session, chapter
8 3, sections 24 and 26, if it is reasonably expected,
9 as determined by rules prescribed by the director,
10 that a railroad company's annual tax liability will
11 not exceed one thousand two hundred dollars for a
12 calendar year, the railroad company may request and
13 the director may grant permission, in lieu of the
14 requirement for monthly payment of tax, that the tax
15 shall be payable on a calendar year basis. The tax
16 is due and payable no later than January 31 following
17 each calendar year in which the railroad company
18 carried on business."

S-5708 FILED

APRIL 20, 1982

Res of order 4/22 (p 1360)

BY RICHARD F. DRAKE

DALE L. TIEDEN

SENATE FILE 2304

S-5709

1 Amend Senate File 2304 as follows:
2 1. Page 24, line 4, by striking the word "Ten"
3 and inserting in lieu thereof the word "Fifteen".
4 2. Page 24, line 30, by striking the word "ten"
5 and inserting in lieu thereof the word "fifteen".

S-5709 FILED

APRIL 20, 1982

Loss 4/21 (p 1342)

BY SUE YENGER

5696

Amend Senate File 2304 as follows:

1. Page 41, by striking line 8 and inserting in lieu thereof the figure "112,840,000".

2. Page 41, line 11, by striking the word and figure "and 5" and inserting in lieu thereof the word and figures ", 5, and 7".

3. Page 41, by inserting after line 31 the following:

"~~Pharmaeists~~ Pharmacies in this state ~~whe~~ which reduce the charges of prescription drugs to persons participating in private, third-party payor prescription drug insurance or benefit plans or to the insurance or benefit plans shall also reduce by the same amount the charges to persons participating in the medical assistance program or to the program. For the purpose of this unnumbered paragraph, the reduction of charges includes the discounting of deductibles or coinsurance payable by plan participants or the distribution of free merchandise directly or indirectly through coupon or rebate programs to plan participants. The board of pharmacy examiners shall adopt rules under section 17A.4, subsection 2 and section 17A.5, subsection 2, paragraph b to insure that pharmacists reduce charges by the same amount to both third-party payors and the medical assistance program and that copayment requirements are applied equally to both third-party payors and the medical assistance program. The rules shall become effective immediately upon filing, unless a later effective date is specified in the rules.

Effective October 1, 1982, a professional dispensing fee reimbursement of fifty cents per prescription, in addition to the ordinary professional dispensing fee reimbursement, shall be made for the selection of equivalent drug products which are less expensive than those prescribed by the physician and which result in a cost savings to the medical assistance program of at least one dollar and fifty cents per prescription."

4. Page 41, by inserting after line 34 the following:

"NEW UNNUMBERED PARAGRAPH. Effective October 1, 1982, medical assistance reimbursement rates for hospitals shall be established on a prospective basis. The department of social services shall not change the method of reimbursement for the state mental health institutes."

5. Page 42, by inserting after line 29 the following:

"NEW UNNUMBERED PARAGRAPH. Notwithstanding Acts

S-5696

PAGE 2

1 of the Sixty-ninth General Assembly, 1981 Session,
2 chapter 7, section 3, subsection 2, unnumbered para-
3 graph 6, medical assistance payments for all mandatory
4 and optional services, except for intermediate care
5 facility services, intermediate care facility services
6 for the mentally retarded, services provided to
7 recipients in state mental health institutes, and
8 medical transportation services other than ambulance
9 services, shall be reduced by a factor of two and
10 one-half percent. However, the two and one-half
11 percent reduction shall not apply to reimbursements
12 for the ingredient cost of prescription drugs or to
13 physician reimbursements or to hospital reimburse-
14 ments beginning October 1, 1982."

15 6. Page 53, line 16, by inserting after the word
16 "project," the words "hospital reimbursements based
17 on a prospective basis, percentage reductions of
18 reimbursements for most mandatory and optional
19 services,".

20 7. Page 53; line 23, by inserting after the word
21 "to" the words "professional prescription drug
22 dispensing fee reimbursements,".

23 8. Page 53, line 25, by inserting after the word
24 "sections" the figure "87,".

S-5696 FILED

APRIL 20, 1982

Sub of am. 4/20 (p. 1341)

BY ARNE WALDSTEIN

TOM SLATER

RICHARD VANDE HOEF

JOE BROWN

SENATE FILE 2304

S-5694

1 Amend the Murray amendment, S-5679, to Senate
2 File 2304 as follows:

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

5 "____. Page 2, by striking lines 15 through 21.

S-5694 FILED

APRIL 20, 1982

Adopted 4/21 (p. 1337)

BY JOHN S. MURRAY

SENATE 6
APRIL 22, 1982

SENATE FILE 2304

S-5720 Amend Senate File 2304 as follows:

1. Page 53, by striking lines 6 through 12.

S-5720 FILED BY LUCAS J. DE KOSTER
APRIL 21, 1982

Adopted 4/22 (p. 1362)

SENATE FILE 2304

S-5721

1 Amend Senate File 2304 as follows:

- 2 1. Page 37, by striking line 7, and inserting in
3 lieu thereof the words "The office of the governor".
- 4 2. Page 37, line 10, by striking the words
5 "justices of the supreme court" and inserting in lieu
6 thereof the words "office of the governor".
- 7 3. Page 37, line 19, by striking the words
8 "court administrator" and inserting in lieu thereof
9 the words "office of the governor".
- 10 4. Page 37, lines 23 and 24, by striking the words
11 "court administrator of the judicial department" and
12 inserting in lieu thereof the words "office of the
13 governor".

S-5721 FILED BY BOB RUSH
APRIL 21, 1982 ARTHUR A. SMALL, JR.

Adopted 4/22 (p. 1358)

SENATE FILE 2304

S-5722

1 Amend Senate File 2304 as follows:

- 2 1. Page 5, lines 33, 34 and 35, by striking the
3 words "A purchase order for ten thousand dollars or
4 less payable from the fund is exempt from the
5 general purchasing requirements of chapter 18."

S-5722 FILED BY BERL E. PRIEBE
APRIL 21, 1982
RULED OUT OF ORDER

SENATE FILE 2304

S-5723

1 Amend the amendment, S-5719, to Senate File 2304,
2 as follows:

- 3 1. Page 2, by striking lines 4 and 5.

S-5723 FILED BY SUE YENGER
APRIL 21, 1982

Lost 4/22 (p. 1261)

Approved for introduction
SENATE LEGAL COUNSEL

S-5719

1 Amend Senate File 2304 as follows:

2 1. Page 38, by striking line 21 and inserting
3 in lieu thereof the figure "14,674,700".

4 2. Page 38, by striking line 30 and inserting
5 in lieu thereof the words and figures "54,554,000

6 Sec. 84. Acts of the Sixty-ninth General Assembly,
7 1981 Session, chapter 7, section 3, subsection 1,
8 paragraph c, is amended by striking the paragraph
9 and inserting in lieu thereof the following:

10 c. For the fiscal period beginning July 1, 1982,
11 and ending March 31, 1983, the department of social
12 services shall provide benefits under an unemployed
13 parent program under the aid to families with dependent
14 children program. In determining the amount of a
15 grant under the program, the spouse of an unemployed
16 parent shall be excluded from the eligible group.
17 Medical assistance shall be available to the spouse
18 of an unemployed parent. The department of social
19 services shall require income maintenance workers
20 to monitor the job search requirements under the
21 program which shall at a minimum require unemployed
22 parents to meet the job search requirements necessary
23 to receive unemployment compensation benefits under
24 the Iowa administrative code 370-4.22(1)"c". The
25 department of social services shall request a waiver
26 from the United States department of health and human
27 services to limit grants under the unemployed parent
28 program to six months for any eligible group. Upon
29 approval of the waiver, the department of social
30 services shall immediately implement the six-month
31 limitation."

32 3. By striking page 38, line 34 through page 39,
33 line 4.

34 4. Page 39, by striking lines 25 through 33.

35 5. Page 41, by striking line 8 and inserting in
36 lieu thereof the figure "113,834,000".

37 6. Page 41, lines 10 and 11, by striking the words
38 and figures "paragraphs 2 and 5, are" and inserting
39 in lieu thereof the words and figure "paragraph 5,
40 is".

41 7. Page 41, by striking lines 12 through 16.

42 8. Page 43, by striking line 29 and inserting
43 in lieu thereof the figure "1,739,000".

44 9. Page 43, by inserting after line 29 the
45 following:

46 "Sec. ____ . Acts of the Sixty-ninth General
47 Assembly, 1981 Session, chapter 7, section 3,
48 subsection 4, is amended to read as follows:

49 4. For work and training

50 programs \$ 62,000 \$ 62,000

S-5719

E 2

- 1
2 10. By striking page 46, line 16 through page 47, ^{9,000"}
3 line 13.
4 11. By striking page 49, line 20 through page 50,
5 line 8.
6 12. Page 53, by striking lines 24 and 25 and
7 inserting in lieu thereof the following:
8 "the unemployed parent program under the
9 aid to families with dependent children program and
10 residential care facility reimbursements in sections
11 84 and 91 of this Act, and".
12 13. By numbering and renumbering
13 as necessary.

S-5719 FILED
APRIL 21, 1982
Adopted 4/22 (p. 1361)

BY ARNE WALDSTEIN
JOHN MURRAY
TOM SLATER
SUE YENGER
ROBERT M. CARR

SENATE FILE 2304

S-5718

- 1 Amend Senate File 2304 as follows:
2 1. Page 49, line 7, by inserting after the figure
3 "1983." the words "However, if the social services
4 block grant funds received from the federal government
5 are less than the amounts appropriated in Acts of
6 the Sixty-ninth General Assembly, 1982 Session, House
7 File 2274, division III for the fiscal year beginning
8 July 1, 1982, and ending June 30, 1983, the eligibility
9 level and priorities established in this section shall
10 be adjusted by the department of social services in
11 accordance with the procedure for reduced federal
12 funds in Acts of the Sixty-ninth General Assembly,
13 1982 Session, House File 2274, division VI "

S-5718 FILED
APRIL 21, 1982

BY ARNE WALDSTEIN

*Adopted 4/22 (p. 1362)
Revised 4/22 (p. 1362) - Cf. 5754 & Adopted 4/22 (p. 1368)*

SENATE FILE 2304

S-5716

- 1 Amend Senate File 2304 as follows:
2 1. Page 29, by striking lines 14 through 26.
3 2. Page 29, line 28, by striking the words
4 "subsections 1 and 3, are" and inserting in lieu
5 thereof the words "subsection 1, is".
6 3. Page 30, by striking lines 1 through 8.

S-5716 FILED
APRIL 21, 1982

BY CLARENCE CARNEY
TED ANDERSON

Adopted 4/22 (p. 1355)

S-5711

1 Amend Senate File 2304 as follows:

2 1. Page 17, by inserting after line 2 the
3 following:

4 "Sec. _____ Acts of the Sixty-ninth General
5 Assembly, 1981 Session, chapter 8, section 9,
6 subsection 3, paragraph c, is amended to read as
7 follows:

8 c. Cooperative extension
9 service in agriculture and home
10 economics

11 For salaries, support,
12 maintenance, and miscellaneous
13 purposes

13 \$ 8,048,331 \$ 8,436,406
14 8,646,406

15 It is the intent of the general assembly that from
16 funds appropriated in this paragraph, two hundred
17 ten thousand (210,000) dollars shall be expended
18 during the fiscal year beginning July 1, 1982 and
19 ending June 30, 1983 to match federal funds to be
20 used to fund the center for industrial research and
21 services."

22 2. By numbering and renumbering sections and
23 correcting internal references as necessary.

S-5711 FILED & LOS BY FORREST V. SCHWENGELS
APRIL 21, 1982

S-5714

1 Amend Senate File 2304 as follows:

2 1. Page 15, by inserting after line 15 the
3 following:

4 "Sec. _____ Acts of the Sixty-ninth General
5 Assembly, chapter 8, section 8, subsection 1, is amended
6 by adding the following new paragraph:

7 NEW PARAGRAPH. For
8 allocation to the area
9 education agency 7 teacher

10 center \$ \$ 75,000

11 The department of public instruction shall review
12 the function and operation of the teacher center in
13 area education agency 7 and make a recommendation
14 to the general assembly not later than January 15,
15 1983 as to whether additional teacher centers should
16 be established in other area education agencies."

17 2. By numbering and renumbering sections and
18 correcting internal references as necessary.

S-5714 FILED BY TED ANDERSON
APRIL 21, 1982

LOST

S-5724

SENATE FILE 2304

1 Amend Senate File 2304 as follows:

2 1. Page 36, by inserting after line 1 the
3 following:

4 "Sec. _____. The membership of district judicial
5 nominating commissions for judicial election districts
6 5A and 5C, as those judicial election districts are
7 established by Acts of the Sixty-ninth General
8 Assembly, 1982 Session, Senate File 276, section ____
9 (referred to in this section as Senate File 276),
10 shall be as provided in chapter 46, subject to the
11 following transition provisions:

12 1. Those judicial nominating commissioners of
13 judicial election district 5A who are residents of
14 Polk County on the effective date of Senate File 276
15 shall be disqualified from serving in that judicial
16 election district as of the effective date of Senate
17 File 276 and their offices shall be deemed vacant.
18 These vacancies shall be filled as provided in sec-
19 tion 46.5 and for the remainder of the unexpired
20 terms.

21 2. The governor shall appoint five eligible
22 electors of judicial election district 5C to the
23 district judicial nominating commission for that
24 district for terms commencing on the effective date
25 of Senate File 276. Two of the appointees shall serve
26 terms ending April 30, 1984, two of the appointees
27 shall serve terms ending April 30, 1986, and the
28 remaining appointee shall serve a term ending April
29 30, 1988. At the end of each of these terms the
30 governor shall appoint commissioners for six-year
31 terms pursuant to section 46.3.

32 3. Elective judicial nominating commissioners
33 shall be elected for judicial election district 5A
34 in the manner provided in chapter 46 and for terms
35 commencing on the effective date of Senate File 276.
36 Two of those elected shall serve terms ending April
37 30, 1984, two shall serve terms ending April 30, 1986,
38 and the remaining member shall serve a term ending
39 April 30, 1988, as determined by the drawing of lots
40 by the persons elected. At the end of these terms,
41 elective commissioners shall be elected for six-year
42 terms pursuant to chapter 46.

43 4. An appointment or election required by
44 subsection 1, 2, or 3 may be done at any time after
45 the effective date of this Act, but persons so
46 appointed or elected shall not take office until the
47 effective date of Senate File 276.

48 5. As soon as practicable after the effective
49 date of Senate File 276 the supreme court administrator
50 shall recompute, as provided in section 602.18, the

S-5724
PAGE 2

number of judgeships to which each of the judicial
election districts as redefined in Senate File 276
is entitled. The administrator shall submit the
results of this recomputation to the members of the
supreme court as soon as it has been completed. The
supreme court shall reassign judges between judicial
election districts as necessary to maintain continuity
of judicial business within the judicial election
districts that are affected by Senate File 276.
Commencing on the effective date of Senate File 276,
vacancies in judicial election districts as redefined
in Senate File 276 shall be filled according to section
602.18.

For purposes of the recomputations required by
this subsection, the supreme court administrator shall
determine the average case filings for the latest
available three-year period by reallocating the actual
case filings during the three-year period used to
the judicial election districts as they would have
existed during the three-year period if Senate File
276 had been in effect throughout that period."

2. By renumbering sections.

S-5724 FILED BY DICK RAMSEY

APRIL 21, 1982

4/22 (p 1357)

SENATE FILE 2304

S-5725

Amend Senate File 2304 as follows:
1. Page 5, line 33, by striking the word "ten"
and inserting in lieu thereof the word "five".

S-5725 FILED & ADOPTED
APRIL 21, 1982

BY BERL E. PRIEBE
ARNE WALDSTEIN

SENATE FILE 2304

S-5726

Amend the amendment, S-5696, to Senate File 2304,
as follows:
1. Page 1, line 3, by striking the figure
"112,840,000" and inserting in lieu thereof the figure
"113,310,000".
2. Page 1, lines 42 and 43, by striking the word
and figures "October 1, 1982" and inserting in lieu
thereof the word and figures "January 1, 1983".
3. Page 2, line 14, by striking the word and
figures "October 1, 1982" and inserting in lieu thereof
the word and figures "January 1, 1983".
4. Page 2, line 16 and 17, by striking the words
"hospital reimbursements based on a prospective
basis,".

S-5726 FILED
APRIL 21, 1982

BY BOB RUSH
BERL E. PRIEBE

Out of order 4/22 (p 1361)

SENATE FILE 2304

S-5741

- 1 Amend Senate File 2304 as follows:
- 2 1. Page 18, by striking lines 3 through 7 and
- 3 inserting in lieu thereof the following: "1981 and
- 4 ending June 30, 1982 and ~~to four million six hundred~~
- 5 ~~fifty thousand nine hundred (4,650,900) dollars for~~
- 6 ~~the fiscal year beginning July 1, 1982 and ending~~
- 7 ~~June 30, 1983."~~

S-5741 FILED & LOST BY C. W. BILL HUTCHINS
APRIL 22, 1982 (p. 1352)

SENATE FILE 2304

S-5742

- 1 Amend Senate File 2304 as follows:
- 2 1. Page 17, by inserting after line 21 the
- 3 following:
- 4 "Sec. ____ The state board of regents is directed
- 5 to add two hundred dollars to the amount of fees paid
- 6 by each nonresident student at an institution of
- 7 higher education under the control of the state board
- 8 of regents for the fiscal year beginning July 1, 1982
- 9 and ending June 30, 1983. Moneys received from the
- 10 amount added to fees under this section shall be
- 11 deposited in the general fund of the state."
- 12 2. By numbering and renumbering sections and
- 13 correcting internal references as necessary.

S-5742 FILED BY JULIA B. GENTLEMAN
APRIL 22, 1982 STEPHEN W. BISENIUS
RULED OUT OF ORDER (p. 1356)

SENATE FILE 2304

S-5746

- 1 Amend Senate File 2304 as follows:
- 2 1. Page 37, by inserting after line 27 the
- 3 following:
- 4 "1. Notwithstanding the provisions of section
- 5 8.31 or any other provision of chapter 8, the authority
- 6 of the governor to modify allotments in cases where
- 7 the governor finds the estimated budget resources
- 8 during the fiscal year beginning July 1, 1982 are
- 9 insufficient to pay all appropriations in full, shall
- 10 not extend to appropriations made in section 442.26
- 11 and such appropriations shall be paid in full."

S-5746 FILED BY EDGAR H. WOLDEN
APRIL 22, 1982
RULED OUT OF ORDER (p. 1360)

SENATE FILE 2304

S-5738

1 Amend Senate File 2304 as follows:

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

4 "Sec. ____ The legislative council is urged to
5 establish a joint subcommittee composed of members
6 of both political parties of the house and senate
7 subcommittees on education appropriations to conduct
8 a study of the present and future funds of the
9 institutions under the control of the state board
10 of regents. The joint subcommittee shall make a
11 report of its recommendations, accompanied by
12 legislative bill drafts to implement the
13 recommendations, to the legislative council and to
14 the general assembly meeting in 1983."

15 2. By numbering and renumbering sections and
16 correcting internal references as necessary.

S-5738 FILED & LOST

BY STEPHEN W. BISENIUS

APRIL 22, 1982 (p. 1357)

ELVIE DREESZEN

SENATE FILE 2304

S-5740

1 Amend Senate File 2304 as follows:

2 1. Page 37, by inserting after line 27 the
3 following:

4 "Sec. ____ DELAYED SALARY, EXPENSE AND BENEFIT
5 ADJUSTMENTS. The annual salary rates or ranges,
6 annual pay adjustments, expense reimbursement, and
7 benefits provided for under Acts of the Sixty-ninth
8 General Assembly, 1981 Session, chapter 9, for the
9 fiscal year beginning July 1, 1982, and ending June
10 30, 1983, shall not take effect unless, as of May
11 1, 1983, the state comptroller projects that the
12 unobligated balance including the amount required
13 to fund the pay adjustments, expense reimbursement,
14 and benefits under the Acts of the Sixty-ninth General
15 Assembly, 1981 Session, Chapter 9, in the general
16 fund of the state on June 30, 1983 will be sixty
17 million dollars or more. If the state comptroller
18 projects an unobligated balance of sixty million
19 dollars or more in the general fund of the state on
20 June 30, 1983, the annual salary rates or ranges,
21 annual pay adjustments, expense reimbursement and
22 benefits provided for the fiscal year beginning July
23 1, 1982 and ending June 30, 1983, in Acts of the
24 Sixty-ninth General Assembly, 1981 Session, chapter
25 9, shall take effect on May 1, 1983 and be retroactive
26 to July 1, 1982."

27 2. By numbering sections to conform to this
28 amendment.

S-5740 FILED

BY EDGAR H. HOLDEN

APRIL 22, 1982

RULED OUT OF ORDER

(p. 1360)

SENATE 10
APRIL 22, 1982

SENATE FILE 2304

S-5730

- 1 Amend Senate File 2304 as follows:
- 2 1. Page 37, by inserting after line 27 the
- 3 following:
- 4 "Sec. _____ DELAYED SALARY, EXPENSE AND BENEFIT
- 5 ADJUSTMENTS. The annual salary rates or ranges,
- 6 annual pay adjustments, expense reimbursement, and
- 7 benefits provided for under Acts of the Sixty-ninth
- 8 General Assembly, 1981 Session, chapter 9, for the
- 9 fiscal year beginning July 1, 1982, and ending June
- 10 30, 1983, shall not take effect unless, as of May
- 11 1, 1983, the state comptroller projects that the
- 12 unobligated balance in the general fund of the state
- 13 on June 30, 1983 will be sixty million dollars or
- 14 more. If the state comptroller projects an unobligated
- 15 balance of sixty million dollars or more in the general
- 16 fund of the state on June 30, 1983, the annual salary
- 17 rates or ranges, annual pay adjustments, expense
- 18 reimbursement and benefits provided for the fiscal
- 19 year beginning July 1, 1982 and ending June 30, 1983,
- 20 in Acts of the Sixty-ninth General Assembly, 1981
- 21 Session, chapter 9, shall take effect on May 1, 1983
- 22 and be retroactive to July 1, 1982."
- 23 2. By numbering sections to conform to this
- 24 amendment.

S-5730 FILED

BY EDGAR H. HOLDEN

APRIL 21, 1982

Edgar H. Holden 4/22/82 (p. 1365)

SENATE FILE 2304

S-5735

- 1 Amend Senate File 2304 as follows:
- 2 1. Page 9, line 7, by striking the words
- 3 "Iowa veterans home," and inserting in lieu thereof
- 4 the words "Iowa-veterans-home".

S-5735 FILED & ADOPTED

BY GARY L. BAUGHER

APRIL 22, 1982 *(p. 1365)*

SENATE FILE 2304

S-5737

- 1 Amend the Amendment S-5592 to Senate File 2304
- 2 as follows:
- 3 1. Page 1, by inserting after line 10 the following:
- 4 "Of the money appropriated for this purpose for
- 5 fiscal 1982-83, one hundred twenty-five thousand
- 6 (125,000) dollars of it shall be obtained from the
- 7 road use fund."

S-5737 FILED & LOST

BY STEPHEN W. BIENIUS

APRIL 22, 1982 *(p. 1365)*

SENATE 9
APRIL 22, 1982

SENATE FILE 2304

S-5727

- 1 Amend the amendment, S-5696, to Senate File 2304,
- 2 as follows:
- 3 1. Page 2, line 13, by striking the word "or"
- 4 and inserting in lieu thereof the words "and shall
- 5 not apply".

S-5727 FILED

BY ARNE WALDSTEIN

APRIL 21, 1982

Out of order 4/22 (p. 136)

SENATE FILE 2304

S-5729

- 1 Amend Senate File 2304 as follows:
- 2 1. Page 34, by striking line 3 and inserting in
- 3 lieu thereof the following:
- 4 "youth, and families \$ \$ 1,099,850".
- 5 2. Page 34, by striking line 8 and inserting in
- 6 lieu thereof the following:
- 7 "house \$ \$ 129,400".
- 8 3. Page 34, line 14, by inserting after the date
- 9 "1982." the following: "Of the funds appropriated
- 10 under subparagraph 3, seven thousand six hundred
- 11 (7,600) dollars shall be used to pay the mileage,
- 12 meals or other necessary expenses of the advisory
- 13 commission on intergovernmental relations."

S-5729 FILED

BY DICK RAMSEY

APRIL 21, 1982

FORREST V. SCHWENGELS

Adopted 4/22 (p. 135)

S-5728

SENATE FILE 2304

- 1 Amend Senate File 2304 as follows:
- 2 1. Page 35, by striking lines 28 through 33 and
- 3 inserting in lieu thereof the following: "605.9.
- 4 Of the sum appropriated to".

S-5728 FILED

BY PATRICK J. DELUHERY

APRIL 21, 1982

EDGAR H. HOLDEN

Lost 4/22 (p. 135)

S-5754

Amend Senate File 2304 as follows:

1. Page 41, by inserting after line 8 the following:

"Sec. 86A. There is appropriated from the general fund of the state for the fiscal year beginning July 1, 1982, and ending June 30, 1983, to the department of social services four hundred sixty thousand (460,000) dollars, or so much thereof as is necessary, for the medical assistance program.

Sec. 86B. Acts of the Sixty-ninth General Assembly, 1981 Session, chapter 7, section 3, subsection 2, unnumbered paragraph 7, is amended to read as follows:

Pharmacists Pharmacies in this state who which
reduce the charges of prescription drugs to persons participating in private, third-party payor prescription drug insurance or benefit plans or to the insurance or benefit plans shall also reduce by the same amount the charges to persons participating in the medical assistance program or to the program. For the purpose of this unnumbered paragraph, the reduction of charges includes the discounting of deductibles or coinsurance payable by plan participants or the distribution of free merchandise directly or indirectly through coupon or rebate programs to plan participants. The board of pharmacy examiners shall adopt rules under section 17A.4, subsection 2 and section 17A.5, subsection 2, paragraph b to insure that pharmacists reduce charges by the same amount to both third-party payors and the medical assistance program and that copayment requirements are applied equally to both third-party payors and the medical assistance program. The rules shall become effective immediately upon filing, unless a later effective date is specified in the rules.

Effective October 1, 1982, a professional dispensing fee reimbursement of fifty cents per prescription, in addition to the ordinary professional dispensing fee reimbursement, shall be made for the selection of equivalent drug products which are less expensive than those prescribed by the physician and which result in a cost savings to the medical assistance program of at least one dollar and fifty cents per prescription."

2. Page 41, by inserting after line 34 the following:

"NEW UNNUMBERED PARAGRAPH. Effective October 1, 1982, medical assistance reimbursement rates for hospitals shall be established on a prospective basis. The department of social services shall not change the method of reimbursement for the state mental

S-5754

PAGE 2

health institutes."

3. Page 42, by inserting after line 29 the following:

"NEW UNNUMBERED PARAGRAPH. Notwithstanding Acts of the Sixty-ninth General Assembly, 1981 Session, chapter 7, section 3, subsection 2, unnumbered paragraph 6, medical assistance payments for all mandatory and optional services, except for intermediate care facility services, intermediate care facility services for the mentally retarded, services provided to recipients in state mental health institutes, and medical transportation services other than ambulance services, shall be reduced by a factor of two and one-half percent. However, the two and one-half percent reduction shall not apply to reimbursements for the ingredient cost of prescription drugs or to physician reimbursements and shall not apply to hospital reimbursements beginning October 1, 1982."

4. Page 53, line 16, by inserting after the word "project," the words "hospital reimbursements based on a prospective basis, percentage reductions of reimbursements for most mandatory and optional services,".

5. Page 53, line 23, by inserting after the word "to" the words "professional prescription drug dispensing fee reimbursements,".

6. Page 53, line 26, by inserting before the word "the" the words and figure "in section 86A of this Act and".

S-5754 FILED & ADOPTED BY ARNE WALDSTEIN
APRIL 22, 1982 (p. 1367)

SENATE FILE 2304

S-5755

Amend Senate File 2304 as follows:

1. Page 55, by inserting after line 3 the following:

"Sec. ____ . If the appropriations made by this Act create a general fund balance that results in the state comptroller having to delay or consider delaying making any payments authorized by this Act, or any other Act making appropriations, the state comptroller shall make a monthly report to members of the general assembly relating to the fiscal condition of the state and the report shall include, but not be limited to, the revenue growth for the previous month, and the general fund balance, which shall reflect the total general fund obligations not satisfied at the end of the month."

2. By renumbering as required

S-5755 FILED BY C. W. BILL HUTCHINS
APRIL 22, 1982
RULED OUT OF ORDER (p. 1369)

S-5745

1 Amend Senate File 2304 as follows:

2 1. Page 28, by striking line 24 through page 29,
3 line 7 and inserting in lieu thereof the following:
4 "Sec. 57. Acts of the Sixty-ninth General Assembly,
5 Second Extraordinary 1981 Session, chapter 3, section
6 24, is amended to read as follows:

7 SEC. 24. NEW SECTION. TAX IMPOSED. For the
8 privilege of operating railway vehicles in this state,
9 an excise tax is imposed at the rate of three cents
10 per gallon beginning October 1, 1981 and is imposed
11 at the rate of eight cents per gallon beginning July
12 1, 1982 upon the use of fuel for the propulsion of
13 a railway vehicle within the state. The tax attaches
14 at the time of use and shall be paid monthly to the
15 department by the railroad company using the fuel.
16 Fuel At such time the Iowa railway finance authority
17 deems necessary, it may require that fuel dispensed
18 in this state shall only be through meters which have
19 been approved for accuracy by the department of
20 agriculture Iowa railway finance authority and sealed
21 by the department authority. The authority may
22 contract the responsibility for approving and sealing
23 meters to the department of agriculture. Fuel dispensed
24 through sealed meters shall be presumed taxable unless
25 the railroad company proves otherwise.

26 Sec. 58. NEW SECTION. PAYMENT OF TAX.
27 Notwithstanding the requirement for monthly payment
28 of the excise tax in Acts of the Sixty-ninth General
29 Assembly, Second Extraordinary 1981 Session, chapter
30 3, sections 24 and 26, if it is reasonably expected,
31 as determined by rules prescribed by the director,
32 that a railroad company's annual tax liability will
33 not exceed one thousand two hundred dollars for a
34 calendar year, the railroad company may request and
35 the director may grant permission, in lieu of the
36 requirement for monthly payment of tax, that the tax
37 shall be payable on a calendar year basis. The tax
38 is due and payable no later than January 31 following
39 each calendar year in which the railroad company
40 carried on business."

41 2. By renumbering the sections to conform with
42 this amendment.

S-5745 FILED
APRIL 22, 1982
ADOPTED (p. 1360)

BY RICHARD F. DRAKE
DALE TIEDEN

SENATE FILE 2304

S-5756

Amend the amendment, S-5754, to Senate File 2304,
as follows:

- 3 1. Page 1, lines 7 and 8, by striking the words
- 4 and figure "four hundred sixty thousand (460,000)"
- 5 and inserting in lieu thereof the words and figure
- 6 "nine hundred thirty thousand (930,000)".
- 7 2. Page 1, lines 46 and 47, by striking the word
- 8 and figures "October 1, 1982" and inserting in lieu
- 9 thereof the word and figures "January 1, 1983".
- 10 3. Page 2, line 18, by striking the word and
- 11 figures "October 1, 1982" and inserting in lieu thereof
- 12 the word and figures "January 1, 1983".
- 13 4. Page 2, lines 20 and 21, by striking the words
- 14 "hospital reimbursements based on a prospective
- 15 basis,".

S-5756 FILED BY BOB RUSH
 APRIL 22, 1982 BERL E. PRIEBE
 DIVISION A - LOST (p 1366)
 DIVISION B - LOST (p 1367)

SENATE FILE 2304

S-5757

1 Amend the amendment S-5718 to Senate File 2304
as follows:

- 2 1. Page 1, line 7, by striking the figure "2274"
- 3 and inserting in lieu thereof the figure "2477".
- 4 2. Page 1, line 13, by striking the figure "2274"
- 5 and inserting in lieu thereof the figure "2477".
- 6

S-5757 FILED & ADOPTED BY ARNE WALDSTEIN
 APRIL 22, 1982 (p 1368) JOE BROWN

SENATE FILE 2304

S-5760

1 Amend Senate File 2304 as follows:

- 2 1. Page 53, line 27, by inserting after the word
- 3 "rules." the words "However, it is the intent of the
- 4 general assembly that the rules be adopted pursuant to the
- 5 provisions of chapter 17A and that the emergency
- 6 rule-making process be used only if the procedures
- 7 specified in chapter 17A can not be completed in time."

S-5760 FILED & ADOPTED BY BERL E. PRIEBE
 APRIL 22, 1982 (p 1370) EDGAR H. HOLDEN
 DALE L. TIEDEN

S-5752

1 Amend Senate File 2304 as follows:

2 1. Page 37, by inserting after line 27 the
3 following:4 "Sec. _____. If the estimated funds in the general
5 fund of the state, as a result of appropriations made
6 by this Act, reach a level that the governor finds
7 estimated budget resources for the fiscal year
8 beginning July 1, 1982, are insufficient to pay all
9 appropriations in full and the governor modifies
10 allotments of appropriations pursuant to the authority
11 in section 8.31 and chapter 8, the appropriations
12 made in section 442.26 shall not be modified,
13 notwithstanding the provisions of section 8.31 and
14 chapter 8.15 If the governor modifies allotments of
16 appropriations, the governor in the order or
17 proclamation modifying the allotments shall identify
18 the dollar impact for each state and local government
19 agency affected."20 2. Page 55, by inserting after line 2 the
21 following:22 "Sec. _____. If the appropriations made by this
23 Act create a general fund balance that results in
24 the state comptroller having to delay or consider
25 delaying making any payments authorized by this Act,
26 or any other Act making appropriations, the state
27 comptroller shall make a monthly report to members
28 of the general assembly relating to the fiscal
29 condition of the state and the report shall include,
30 but not be limited to, the revenue growth for the
31 previous month, and the general fund balance, which
32 shall reflect the total general fund obligations not
33 satisfied at the end of the month."

34 3. By renumbering as required.

S-5752 FILED

APRIL 22, 1982

RULED OUT OF ORDER

BY EDGAR H. HOLDEN

BILL HUTCHINS

cp 1363

S-5750

1 Amend Senate File 2304 as follows:

2 1. Page 53, by striking lines 25 through 27 and
3 inserting in lieu thereof the following "assistance
4 program in sections 91 and 96 of this Act."

S-5750 FILED

APRIL 22, 1982

RULED OUT OF ORDER (*f 1367*)

BY BOB RUSH

SENATE 24
APRIL 23, 1982

SENATE FILE 2304

S-5758

Amend Senate File 2304 as follows:

1. Page 41, by inserting after line 31 the
3 following:
4 "Sec. _____. There is appropriated from the general
5 fund of the state for the fiscal year beginning July
6 1, 1982, and ending June 30, 1983, to the department
7 of social services two hundred eighty-six thousand
8 (286,000) dollars, or so much thereof as is necessary,
9 for the medical assistance program. Beginning July
10 1, 1982, the basis for establishing the maximum medical
11 assistance reimbursement rate for intermediate care
12 facilities shall be the seventy-fourth percentile
13 of all facilities' per diems as calculated from the
14 June 30, 1981 compilation of unaudited financial and
15 statistical reports, which rate shall be increased
16 by a factor of two and twenty-six hundredths percent,
17 notwithstanding Acts of the Sixty-ninth General
18 Assembly, 1981 Session, chapter 7, section 3,
19 subsection 2, unnumbered paragraph 5.

S-5758 FILED & LOST BY BERL E. PRIEBE
APRIL 22, 1982 (7/1369)

SENATE FILE 2304

S-5759

Amend Senate File 2304 as follows:

1. Page 41, by inserting after line 31 the
3 following:
4 "Sec. _____. There is appropriated from the general
5 fund of the state for the fiscal year beginning July
6 1, 1982, and ending June 30, 1983, to the department
7 of social services eight hundred twenty-three thousand
8 (823,000) dollars, or so much thereof as is necessary,
9 for the medical assistance program. Beginning July
10 1, 1982, the basis for establishing the maximum medical
11 assistance reimbursement rate for intermediate care
12 facilities shall be the seventy-fourth percentile
13 of all facilities' per diems as calculated from the
14 June 30, 1981 compilation of unaudited financial and
15 statistical reports, which rate shall be increased
16 by a factor of three and four-tenths percent,
17 notwithstanding Acts of the Sixty-ninth General
18 Assembly, 1981 Session, chapter 7, section 3,
19 subsection 2, unnumbered paragraph 5.

S-5759 FILED & WITHDRAWN BY BERL E. PRIEBE
APRIL 22, 1982 (7/1364)

*The Appropriations 4/22
Amended per 5991 & Do Pass 4/23 (p 1704)*

SENATE FILE 2304

BY COMMITTEE ON APPROPRIATIONS

(AS AMENDED AND PASSED BY THE SENATE APRIL 22, 1982)

RePassed Senate, Date 4-24-82 (p. 1461) Passed House, Date 4-23-82 (p. 1744)

Vote: Ayes 47 Nays 1 Vote: Ayes 69 Nays 27

Approved Stam veto 5-18-82

Motion to reconsider (p. 1468) w/d

*Repassed House no further amended by Senate
4-24-82 (p. 1860)*

95-2

A BILL FOR

1 An Act relating to and making supplemental appropriations for
2 the fiscal year beginning July 1, 1982 and ending
3 June 30, 1983.

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

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_____ = New Language
by the Senate

* = Language Stricken
by the Senate

DIVISION I

Section 1. Acts of the Sixty-ninth General Assembly, 1981 Session, chapter 11, section 2, subsections 1 and 4, are amended to read as follows:

	1981-1982	1982-1983
	<u>Fiscal Year</u>	<u>Fiscal Year</u>

<p>1. For the operation of the training schools for delinquent juveniles and the Iowa juvenile home at Toledo, including salaries and support, maintenance, and miscellaneous purposes</p>	\$ 7,000,000	\$ 7,000,000 <u>6,476,481</u>
--	--------------	---

The Mitchellville training school shall be closed no later than June 1, 1982 and its female juvenile population shall be transferred to the Iowa juvenile home at Toledo. Notwithstanding any provision of the Code to the contrary, both children in need of assistance and juveniles adjudicated to have committed a delinquent act may be placed at the Iowa juvenile home at Toledo. That portion of the juvenile home housing delinquent juveniles shall be considered a second campus of the Eldora training school. Chapter 242 applies to that portion of the juvenile home and the delinquent juveniles housed in that portion. Chapter 244 applies to children in need of assistance placed at the juvenile home and the portion of the juvenile home housing those children.

<p>4. For operation of the Iowa veterans home, including salaries and support, maintenance, and miscellaneous purposes</p>	\$ 11,750,000	\$ 14,500,000 <u>15,100,000</u>
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Sec. 2. There is appropriated from the general fund of the state for the fiscal year beginning July 1, 1982, and ending June 30, 1983, to the department of social services,

1 three million eight hundred ninety-five thousand (3,895,000)
2 dollars, or so much thereof as is necessary, to be used for
3 the same purposes and to supplement funds appropriated by
4 Acts of the Sixty-ninth General Assembly, 1981 Session, chapter
5 11, section 3, subsection 1, except that the funds may be
6 used for the Iowa correctional institution for women at
7 Mitchellville and provided that the Luster Heights correctional
8 work camp shall serve as the primary minimum security
9 correctional work camp.

10 Notwithstanding the prison system population figures in
11 Acts of the Sixty-ninth General Assembly, 1981 Session, chapter
12 11, section 3, subsection 1, only a prison system population
13 exceeding two thousand seven hundred eighty shall require
14 the declaration of a prison overcrowding state of emergency,
15 and a prison system population below two thousand six hundred
16 eighty shall require the termination of a state of emergency.
17 The ninety-day reductions in tentative discharge dates provided
18 for in Acts of the Sixty-ninth General Assembly, 1981 Session,
19 chapter 11, section 3, subsection 1, shall only be required
20 if the prison system population equals or exceeds two thousand
21 six hundred eighty for ninety days after a state of emergency
22 has been in effect. The new prison system population figures
23 in this unnumbered paragraph apply retroactively to a state
24 of emergency declared prior to the effective date of this
25 Act.

26 Of the funds appropriated under this section eighty thousand
27 (80,000) dollars, or so much thereof as is necessary, shall
28 be used for a correctional officers training academy and one
29 hundred fifty thousand (150,000) dollars, or so much thereof
30 as is necessary, shall be used for an inmate classification
31 system.

32 Inmates in state prisons who have cable television in their
33 cells shall reimburse the department out of the inmates'
34 personal funds for the cost of providing the cable television.

35 Sec. 3. Acts of the Sixty-ninth General Assembly, 1981

1 Session, chapter 11, section 3, subsection 1, unnumbered
2 paragraph 2, is amended by striking the unnumbered paragraph.

3 Sec. 4. Acts of the Sixty-ninth General Assembly, 1981
4 Session, chapter 11, section 3, subsection 3, is amended to
5 read as follows:

6 3. Community-based correc-
7 tions \$ 10,620,000 \$ ~~11,150,000~~
8 11,535,000

9 Notwithstanding section 8.33, one hundred fifty thousand
10 (150,000) dollars of the unencumbered or unobligated funds
11 appropriated by this subsection for the fiscal year beginning
12 July 1, 1981, and ending June 30, 1982, may be carried forward
13 and expended during the fiscal year beginning July 1, 1982,
14 and ending June 30, 1983, as provided in this subsection.
15 For the purpose of preventing the reversion of unencumbered
16 or unobligated funds on June 30, 1982, this section takes
17 effect retroactively to June 30, 1982.

18 A judicial district which uses funds appropriated under
19 this subsection may contract for services from or provide
20 funds to private agencies to provide education, job placement,
21 or counseling services to ex-offenders intended to facilitate
22 the transition from incarceration to living in a free society.

23 Notwithstanding Acts of the Sixty-ninth General Assembly,
24 1981 Session, chapter 11, section 13, funds appropriated under
25 this subsection for the fiscal year beginning July 1, 1982,
26 and ending June 30, 1983, may be used for the acquisition
27 or improvement of residential correctional facilities as
28 provided in section 8.45.

29 Sec. 5. Acts of the Sixty-ninth General Assembly, 1981
30 Session, chapter 11, section 10, is amended to read as follows:

31 SEC. 10. Notwithstanding section 227.17, there is
32 appropriated from the general fund of the state for each the
33 fiscal year ~~of-the-biennium~~ beginning July 1, 1981, and ending
34 June 30, ~~1983~~ 1982, to the state mental aid fund four hundred
35 forty thousand (440,000) dollars, or so much thereof as may

1 be necessary.

2 Sec. 6. Acts of the Sixty-ninth General Assembly, 1981
3 Session, chapter 11, section 11, subsection 1, is amended
4 to read as follows:

	1981-1982	1982-1983
	<u>Fiscal Year</u>	<u>Fiscal Year</u>
7 1. For capital improve-		
8 ments at institutions under		
9 the department of social ser-		
10 vices	\$ 650,000	\$ 800,000
11		<u>1,225,000</u>

12 Sec. 7. Acts of the Sixty-ninth General Assembly, 1981
13 Session, chapter 11, section 11, is amended by adding the
14 following new subsections:

15 NEW SUBSECTION. For municipal
16 waste treatment facilities at
17 the Glenwood state hospital-school,
18 the Eldora training school, and
19 the Independence mental health
20 institute \$ \$ 470,769

21 NEW SUBSECTION. For capital
22 improvements at the Iowa state
23 penitentiary \$ \$ 500,000

24 The appropriation under this subsection is contingent upon
25 action of the executive council to rescind five hundred
26 thousand (500,000) dollars of the one million one hundred
27 thirty-five thousand (1,135,000) dollars set aside from the
28 general fund by the executive council, pursuant to sections
29 19.29 and 29C.20, to pay for equipment replacement, repair,
30 rebuilding, rewiring, glass replacement, and overtime at the
31 Iowa state penitentiary due to the inmate disturbance of
32 September 2, 1981.

33 Sec. 8. Acts of the Sixty-ninth General Assembly, 1981
34 Session, chapter 11, section 11, subsection 7, is amended
35 to read as follows:

1 7. ~~Unobligated or unencumbered funds appropriated by this~~
2 ~~section remaining on June 30, 1985, shall revert to the general~~
3 ~~fund on September 30, 1985.~~ Unobligated or unencumbered funds
4 appropriated by this section for the fiscal year beginning
5 July 1, 1981, and ending June 30, 1982, remaining on June
6 30, 1985, shall revert to the general fund on September 30,
7 1985. However, if the projects for which these funds are
8 appropriated are completed prior to June 30, 1985, the
9 remaining unobligated or unencumbered funds shall revert to
10 the general fund on September 30 following the end of the
11 fiscal year in which the projects are completed.

12 Unobligated or unencumbered funds appropriated by this
13 section for the fiscal year beginning July 1, 1982, and ending
14 June 30, 1983, remaining on June 30, 1986, shall revert to
15 the general fund on September 30, 1986. However, if the
16 projects for which these funds are appropriated are completed
17 prior to June 30, 1986, the remaining unobligated or
18 unencumbered funds shall revert to the general fund on
19 September 30 following the end of the fiscal year in which
20 the projects are completed.

21 Sec. 9. Acts of the Sixty-ninth General Assembly, 1981
22 Session, chapter 75, section 1, is amended to read as follows:

23 SECTION 1. Section 218.74, Code 1981, is amended by
24 striking the section and inserting in lieu thereof the
25 following:

26 218.74 REVOLVING FARM FUND. A revolving farm fund is
27 created in the state treasury in which the department of
28 social services shall deposit receipts from agricultural
29 products, nursery stock, agricultural land rentals, and the
30 sale of livestock. However, before any agricultural operation
31 is phased out, the department which proposes to discontinue
32 this operation shall notify the governor, chairpersons and
33 ranking members of the house and senate appropriations
34 committees, and co-chairpersons and ranking members of the
35 subcommittee in the senate and house of representatives which

1 has handled the appropriation for this department in the past
2 session of the legislature. Before any department sells
3 farmland under the control of the department, that department
4 shall notify the governor, chairpersons and ranking members
5 of the house and senate appropriations committees, and co-
6 chairpersons and ranking members of the joint appropriations
7 subcommittee that handled the appropriation for the department
8 during the past legislative session. The department may pay
9 from the fund for the operation, maintenance, and improvement
10 of farms and agricultural or nursery property under the control
11 of the department. A purchase order for five thousand dollars
12 or less payable from the fund is exempt from the general
13 purchasing requirements of chapter 18. Notwithstanding section
14 8.33, unencumbered or unobligated receipts in the revolving
15 farm fund at the end of a fiscal year shall not revert to
16 the general fund of the state.

17 The department of social services shall annually prepare
18 a financial statement to provide for an accounting of the
19 funds in the revolving farm fund. The financial statement
20 shall be filed with the legislative fiscal bureau on or before
21 February 1 each year.

22 Sec. 10. Notwithstanding Acts of the Sixty-ninth General
23 Assembly, 1981 Session, chapter 78, section 12, counties are
24 not entitled to reimbursement for local inpatient mental
25 health care and treatment for the fiscal year beginning July
26 1, 1982, and ending June 30, 1983.

27 Sec. 11. Acts of the Sixty-ninth General Assembly, 1981
28 Session, chapter 78, section 53, is amended to read as follows:

29 SEC. 53. There is appropriated from the general fund of
30 the state for each the fiscal year ~~of the biennium~~ beginning
31 July 1, 1981, and ending June 30, ~~1983~~ 1982, to the department
32 of social services three hundred seventy thousand (370,000)
33 dollars, or so much thereof as is necessary for reimbursement
34 to counties for local inpatient mental health care and
35 treatment as provided in section 12 of this Act.

1 Sec. 12. If the general allocation of the state community
2 mental health and mental retardation services fund for fiscal
3 year 1982-1983 does not provide a county with an equal or
4 greater amount of state funds as the county received for
5 fiscal year 1980-1981 from both the state mental aid fund
6 under sections 227.16 through 227.18 and the partial
7 reimbursement for local inpatient mental health care under
8 Acts of the Sixty-ninth General Assembly, 1981 Session, chapter
9 78, sections 12 and 53, the difference shall be allocated
10 from the special allocation of the state community mental
11 health and mental retardation services fund to the county
12 by the mental health and mental retardation commission under
13 Acts of the Sixty-ninth General Assembly, 1981 Session, chapter
14 78, section 6, subsection 1, paragraph g.

15 Sec. 13. There is appropriated from the general fund of
16 the state for the fiscal year beginning July 1, 1982 and
17 ending June 30, 1983, to the state community mental health
18 and mental retardation services fund established in Acts of
19 the Sixty-ninth General Assembly, 1981 Session, chapter 78,
20 section 7, one million three hundred sixty thousand (1,360,000)
21 dollars, or so much thereof as is necessary, for the purposes
22 authorized by Acts of the Sixty-ninth General Assembly, 1981
23 Session, chapter 78, sections 7 through 11.

24 Sec. 14. The mental health and mental retardation
25 commission and the commission on substance abuse shall
26 establish a memorandum of understanding including provisions
27 to coordinate compatible administrative activities. These
28 activities include but are not limited to the utilization
29 of management information systems, local and statewide fiscal
30 and program planning, licensure and accreditation of community
31 programs, and provision of training and technical assistance
32 to local programs and governmental subdivisions.

33 The memorandum shall be developed by the commissions in
34 consultation with the legislative fiscal bureau and a copy
35 of the memorandum shall be sent to the legislative fiscal

1 director by October 1, 1982. The legislative fiscal bureau
 2 shall report to the joint corrections and mental health and
 3 human resources appropriations subcommittees during the 1983
 4 Session of the Seventieth General Assembly regarding the
 5 status of the memorandum and the coordination of activities.

6 Sec. 15. In order to further long-range correctional
 7 planning, the director of the division of adult corrections
 8 of the department of social services shall advise the joint
 9 corrections and mental health appropriations subcommittee
 10 of the general assembly of the approximate costs of developing
 11 and updating a corrections master plan for the next five
 12 years.

13 Sec. 16. Section 110.24, unnumbered paragraph 7, Code
 14 1981, is amended to read as follows:

15 No license shall be required of minor pupils of the state
 16 school for the blind, state school for the deaf, nor of minor
 17 inmates of other state institutions under the control of a
 18 director of a division of the department of social services,
 19 except that this provision shall not apply to the inmates
 20 of the men's penitentiary at Fort Madison, the men's
 21 reformatory at Anamosa, and the women's reformatory at Rockwell
 22 City Iowa correctional institution for women, nor shall any
 23 ~~person who is on active duty with the Armed Forces of the~~
 24 ~~United States, on authorized leave, and a legal resident of~~
 25 ~~the state of Iowa, be required to have a license to hunt or~~
 26 ~~fish in this state. No license shall be required of inmates~~
 27 ~~of county care facilities or any person who is receiving old-~~
 28 ~~age assistance under chapter 249.~~

29 ~~Sec. 17. Section 217.8, Code 1981, as amended by Acts~~
 30 ~~of the Sixty-ninth General Assembly, 1981 Session, chapter~~
 31 ~~27, section 2, is amended to read as follows:~~

32 ~~217.8--DIVISION OF CHILD AND FAMILY SERVICES--The director~~
 33 ~~of the division of child and family services shall be qualified~~
 34 ~~by training, experience and education in the field of welfare~~
 35 ~~and social problems.--The director shall be entrusted with~~

1 ~~the-administration-of-programs-involving-neglected,-dependent~~
2 ~~and-delinquent-children,-child-welfare,-aid-to-dependent~~
3 ~~children,-and-aid-to-disabled-persons-and-shall-administer~~
4 ~~and-be-in-control-of-the-Iowa-juvenile-home,-the-state-training~~
5 ~~schools~~ school, and other related programs established for
6 the general welfare of families, adults and children as
7 directed by the commissioner.

8 Sec. 18. Section 218.1, subsections 9 through 13, Code
9 1981, are amended to read as follows:

- 10 9. ~~Mitchellville-Training-School~~ Iowa Juvenile Home.
11 10. ~~Juvenile-Home~~ Iowa Correctional Institution For Women.
12 11. ~~Women's~~ Men's Reformatory.
13 12. ~~Men's-Reformatory~~ State Penitentiary.
14 13. ~~State-Penitentiary~~ Men's Medium Security Correctional
15 Facility at Rockwell City.

16 Sec. 19. Section 218.3, subsection 1, Code 1981, is amended
17 to read as follows:

18 1. The director of the division of child and family
19 services of the department of social services shall have
20 primary authority and responsibility relative to the following
21 institutions: ~~Iowa-veterans-home,-the-Mitchellville-training~~
22 ~~school,-~~ the Eldora state training school, and the Iowa juvenile
23 home.

24 Sec. 20. Section 218.9, unnumbered paragraph 3, Code 1981,
25 as amended by Acts of the Sixty-ninth General Assembly, 1981
26 Session, chapter 27, section 3, is amended to read as follows:

27 The director of the division of child and family services
28 of the department of social services, subject to the approval
29 of the commissioner of social services shall appoint the
30 superintendents of the juvenile home, and the Eldora state
31 training school,-and-the-Mitchellville-training-school.

32 Sec. 21. Section 218.91, Code 1981, is amended to read
33 as follows:

34 218.91 BOYS TRANSFERRED FROM TRAINING SCHOOL TO
35 REFORMATORY. The director of the division of child and family

1 services with the consent and approval of the director of
2 the division of corrections of the department of social
3 services may order the transfer of male inmates of the Eldora
4 ~~ex-Mitchellville~~ state training schools school to the men's
5 reformatory for custodial care whenever it is determined that
6 such action will be conducive to the welfare of the other
7 inmates of the school from which the transfer is made. The
8 transfer shall be effected by application in writing to the
9 district court, or any judge thereof, of the county in which
10 the training school is situated. Upon the granting of the
11 order of transfer, the transfer shall take place. The county
12 attorney of the county shall appear in support of the
13 application. The cost of the transfer shall be paid from
14 the funds of the training school from which the transfer is
15 made. Subsequent to a transfer made under this section, the
16 person transferred shall be subject to all the provisions
17 of law and regulations of the institution to which he is
18 transferred, and for the purposes of section 719.4 that person
19 shall be regarded as having been committed to the institution.

20 Sec. 22. Section 232.52, subsection 2, paragraph e,
21 unnumbered paragraph 1, Code 1981, is amended to read as
22 follows:

23 An order transferring the guardianship of the child, subject
24 to the continuing jurisdiction of the court for the purposes
25 of section 232.54, to the commissioner of the department of
26 social services for purposes of placement in the Eldora state
27 ~~training school, the Mitchellville training school,~~ or other
28 facility provided that:

29 Sec. 23. Section 232.102, subsection 4, Code 1981, is
30 amended to read as follows:

31 4. The child shall not be placed in the Iowa state training
32 ~~school for boys or the Iowa training school for girls.~~

33 Sec. 24. Section 232.127, subsection 7, Code 1981, is
34 amended to read as follows:

35 7. The court may not order the child placed on probation,

1 in a foster home or in a nonsecure facility unless the child
2 requests and agrees to such supervision or placement. In
3 no event shall the court order the child placed in the Iowa
4 ~~state training school for boys or the Iowa training school~~
5 ~~for girls~~ or other secure facility.

6 Sec. 25. Section 242.1, Code 1981, is amended to read
7 as follows:

8 242.1 OFFICIAL DESIGNATION. The state training school
9 for juvenile delinquents at Eldora and the unit for delinquent
10 juveniles at the Iowa juvenile home at Toledo shall together
11 be known as the "Eldora State Training School". ~~The state~~
12 ~~training school at Mitchellville shall be known as the~~
13 ~~"Mitchellville Training School"~~. For the purpose of this
14 chapter the word "director" or "state director" shall mean
15 the director of the division of child and family services
16 of the department of social services.

17 Sec. 26. Section 242.3, Code 1981, is amended to read
18 as follows:

19 242.3 SALARY. The ~~salaries~~ salary of the ~~superintendents~~
20 superintendent of the state training schools school shall
21 be determined by the state director.

22 Sec. 27. Section 242.4, Code 1981, is amended to read
23 as follows:

24 242.4 INSTRUCTION AND EMPLOYMENT. The state director
25 shall cause the boys and girls in ~~said schools~~ the state
26 training school to be instructed in piety and morality, in
27 such instruction on the Constitutions of the United States
28 and of this state as is required in the common schools, and
29 in such branches of useful knowledge as are adapted to their
30 age and capacity, including the effect of alcoholic liquors,
31 stimulants, and narcotics on the human system, and in some
32 regular course of labor, either mechanical, agricultural,
33 or manufactural, as is best suited to their age, strength,
34 disposition, capacity, reformation, and well-being.

35 Sec. 28. Section 242.6, Code 1981, is amended to read

1 as follows:

2 242.6 CONVICTION FOR CRIME. When a boy or girl over
3 twelve and under seventeen years of age, of sound mind, is
4 found guilty in the district court of any crime except murder,
5 the court may order the child sent to the ~~Eldora-~~
6 ~~Mitchellville~~ state training school.

7 Sec. 29. Section 242.7, Code 1981, is amended to read
8 as follows:

9 242.7 PLACING IN FAMILIES. All children committed to
10 and received in the state training school may be
11 placed by the department under foster care arrangements, with
12 any persons or in families of good standing and character
13 where they will be properly cared for and educated. The cost
14 of foster care provided under these arrangements shall be
15 paid as provided in sections 234.35 and 234.36.

16 Sec. 30. Section 242.15, unnumbered paragraph 1, Code
17 1981, is amended to read as follows:

18 The state director may detail boys and girls, classed as
19 trustworthy, from the state training school ~~at-Eldora-and~~
20 ~~at-Mitchellville~~, to perform services for the state
21 conservation commission within the state parks, state game
22 and forest areas and other lands under the jurisdiction of
23 ~~said~~ the commission. The conservation commission shall provide
24 permanent housing and work guidance supervision, but the care
25 and custody of the boys and girls so detailed shall remain
26 under employees of the division of child and family services
27 of the department of social services. All such programs shall
28 have as their primary purpose and shall provide for inculcation
29 or the activation of attitudes, skills and habit patterns
30 which will be conducive to the habilitation of the youths
31 involved.

32 Sec. 31. Section 244.3, subsection 2, Code 1981, is amended
33 to read as follows:

34 2. Neglected, or dependent ~~ex-delinquent~~ children committed
35 ~~thereto~~ by the juvenile court.

1 Sec. 32. Section 245.1, Code 1981, is amended to read
2 as follows:

3 245.1 ~~DEFINITIONS--OBJECTS~~ OFFICIAL DESIGNATION--
4 DEFINITIONS. The state correctional facility for women at
5 Mitchellville shall be known as the " Iowa Correctional
6 Institution For Women". For the purpose of this chapter
7 "director" or "state director" shall mean the director of
8 the division of adult corrections of the department of social
9 services.

10 Sec. 33. Section 245.5, Code 1981, is amended to read
11 as follows:

12 245.5 OPTIONAL COMMITMENTS FOR LIFE. Any unmarried female
13 over ten and under eighteen years of age convicted of an
14 offense punishable by life imprisonment may be committed
15 either to ~~one of the~~ state training schools at Eldora or
16 Mitchellville school or to the ~~women's reformatory~~ Iowa
17 correctional institution for women.

18 Sec. 34. Section 245.10, Code 1981, is amended to read
19 as follows:

20 245.10 TRANSFER OF INMATES--COSTS. The state director
21 in co-operation with the commissioner of the department of
22 social services and the directors of the other divisions of
23 the department of social services may transfer inmates from
24 the ~~said reformatory~~ Iowa correctional institution for women
25 to the ~~Eldora or Mitchellville~~ state training school, and
26 from ~~either the state training school to the reformatory~~ Iowa
27 correctional institution for women, whenever such course will
28 be conducive to the welfare of the institution or school or
29 of the other inmates ~~therein~~ in the institution or school,
30 or of the inmates so transferred. The costs of ~~such the~~
31 transfer shall be paid from the funds of the institution or
32 school from which the transfer is made.

33 Sec. 35. Section 245.11, Code 1981, is amended to read
34 as follows:

35 245.11 EFFECT OF TRANSFER. After a transfer to either

1 institution is made, under section 245.10, the person
2 transferred shall be subject to all the provisions of law
3 and regulations of the institution or school to which she
4 is transferred, and for the purposes of section 719.4, a
5 person transferred from the state training school at Eldera
6 or Mitchellville to the women's reformatory Iowa correctional
7 institution for women shall be regarded as having been
8 committed thereto.

9 Sec. 36. Chapter 246, Code 1981, is amended by adding
10 the following new section:

11 NEW SECTION. MEN'S MEDIUM SECURITY CORRECTIONAL FACILITY
12 AT ROCKWELL CITY. The state correctional facility at Rockwell
13 City shall be utilized as a medium security correctional
14 facility for men and shall be operated by the director in
15 accordance with the applicable provisions of this chapter.

16 Sec. 37. Section 690.4, unnumbered paragraph 1, Code 1981,
17 is amended to read as follows:

18 It shall be the duty of the wardens of the penitentiary
19 and men's reformatory, and superintendents of the women's
20 reformatory Iowa correctional institution for women, and the
21 Eldera state training school, and the Mitchellville training
22 school, to take or procure the taking of the fingerprints,
23 and, in the case of the penitentiary, men's reformatory, and
24 women's reformatory Iowa correctional institution for women
25 only, Bertillon photographs of any person received on
26 commitment to their respective institutions, and to forward
27 such fingerprint records and photographs within ten days after
28 the same are taken to the division of criminal investigation
29 and bureau of identification, Iowa department of public safety,
30 and to the federal bureau of investigation.

31 DIVISION II

32 Sec. 38. Acts of the Sixty-ninth General Assembly, 1981
33 Session, chapter 8, section 2, is amended to read as follows:

34 SEC. 2. There is appropriated from the general fund of
35 the state to the Iowa college aid commission for each fiscal

1 year of the fiscal biennium beginning July 1, 1981 and ending
 2 June 30, 1983, the following amounts, or so much thereof as
 3 may be necessary, to be used for the funding of the following
 4 programs for the purposes designated:

	1981-1982	1982-1983
	<u>Fiscal Year</u>	<u>Fiscal Year</u>
5		
6		
7 1. IOWA COLLEGE AID		
8 COMMISSION		
9 For salaries, support, main-		
10 tenance, and miscellaneous pur-		
11 poses	\$ 317,595	\$ <u>341,704</u>
12		<u>343,809</u>
13 2. TUITION GRANT PROGRAM		
14 To supplement the appro-		
15 priation provided in subsec-		
16 tion 1 of section 261.25 for		
17 tuition grants to full-time		
18 resident students attending		
19 accredited private institutions		
20 of higher education in Iowa		
21 under sections 261.9 to		
22 261.16	\$ 2,071,500	\$ <u>2,750,000</u>
23		<u>3,650,000</u>
24 3. VOCATIONAL TECHNI-		
25 CAL TUITION GRANT PROGRAM		
26 To supplement the ap-		
27 propriation provided in		
28 subsection 3 of section		
29 261.25 for tuition grants		
30 to full-time resident		
31 students in a vocational-		
32 technical program in Iowa as		
33 provided in section 261.17	\$ 79,300	\$ <u>100,000</u>
34		<u>200,000</u>
35 Sec. 39. Acts of the Sixty-ninth General Assembly, 1981		

1 Session, chapter 8, section 8, subsection 10, is amended by
2 adding the following new paragraph:

3 NEW PARAGRAPH. To be
4 allocated to the merged area
5 schools for training programs
6 for employees of companies
7 locating or expanding within
8 Iowa \$ 275,000

9 Sec. 40. Acts of the Sixty-ninth General Assembly, 1981
10 Session, chapter 8, section 9, subsection 2, paragraph a,
11 is amended to read as follows:

12 a. General university,
13 including lakeside labora-
14 tory.

15 For salaries, support,
16 maintenance, equipment,
17 and miscellaneous purposes
18 and for the pediatric de-
19 partment of the college of
20 medicine to continue to
21 fund the program of re-
22 search at the current level
23 in the cause, course, treat-
24 ment, cure, and management

25 of diabetes mellitus \$ 92,397,351 \$ ~~97,294,990~~
26 98,294,990

27 It is the intent of the general assembly that from funds
28 appropriated in this paragraph one million (1,000,000) dollars
29 shall be expended during the fiscal year beginning July 1,
30 1982 and ending June 30, 1983 to stabilize instructional
31 funding at the college of medicine.

32 Sec. 41. Acts of the Sixty-ninth General Assembly, 1981
33 Session, chapter 8, section 9, subsection 2, paragraph b,
34 is amended to read as follows:

35 b. University hospitals

1 For salaries, support, main-
 2 tenance, equipment, and miscel-
 3 laneous purposes; for medical
 4 and surgical treatment of indi-
 5 gent patients as provided in
 6 chapter 255 \$ 20,819,800 \$ 22,046,392
 7 22,211,392

8 Sec. 42. Acts of the Sixty-ninth General Assembly, 1981
 9 Session, chapter 8, section 9, subsection 3, paragraph a,
 10 is amended to read as follows:

11 a. General university
 12 For salaries, support,
 13 maintenance, equipment,
 14 and miscellaneous purposes \$ 76,208,384 \$ 80,161,263
 15 80,994,263

16 It is the intent of the general assembly that from funds
 17 appropriated in this paragraph eight hundred thirty-three
 18 thousand (833,000) dollars shall be expended during the fiscal
 19 year beginning July 1, 1982 and ending June 30, 1983 to
 20 establish additional sections of classes that are experiencing
 21 increasing enrollments.

22 Sec. 43. Acts of the Sixty-ninth General Assembly, 1981
 23 Session, chapter 8, section 9, subsection 4, is amended to
 24 read as follows:

25 4. UNIVERSITY OF
 26 NORTHERN IOWA
 27 For salaries, support,
 28 maintenance, equipment,
 29 and miscellaneous purposes \$ 29,985,397 \$ 31,428,042
 30 31,595,042

31 It is the intent of the general assembly that from funds
 32 appropriated in this subsection, twenty-five thousand (25,000)
 33 dollars shall be expended each fiscal year to support stipends
 34 for graduate students in the doctoral programs.

35 It is the intent of the general assembly that from funds

1 appropriated in this subsection, one hundred sixty-seven
2 thousand (167,000) dollars shall be expended during the fiscal
3 year beginning July 1, 1982 and ending June 30, 1983 to
4 establish additional sections of courses that are experiencing
5 increasing enrollments.

6 Sec. 44. Acts of the Sixty-ninth General Assembly, 1981
7 Session, chapter 8, section 16, is amended to read as follows:

8 SEC. 16. Notwithstanding section 267.8, Code 1981, the
9 standing appropriation in that section is limited to one
10 hundred thousand (100,000) dollars for the fiscal year
11 beginning July 1, 1981 and ending June 30, 1982 and is limited
12 to one hundred ~~fifty-thousand-(150,000)~~ ninety-four thousand
13 five hundred (194,500) dollars for the fiscal year beginning
14 July 1, 1982 and ending June 30, 1983.

15 Sec. 45. Acts of the Sixty-ninth General Assembly, 1981
16 Session, chapter 8, section 18, unnumbered paragraph 1, is
17 amended to read as follows:

18 Notwithstanding section 285.2, unnumbered paragraph 2,
19 Code 1981, the standing appropriation in that section is
20 limited to four million four hundred thirty-seven thousand
21 (4,437,000) dollars for the fiscal year beginning July 1,
22 1981 and ending June 30, 1982 and to ~~four-million-six-hundred~~
23 ~~fifty-thousand-nine-hundred-(4,650,900)~~ five million four
24 hundred fifty thousand nine hundred (5,450,900) dollars for
25 the fiscal year beginning July 1, 1982 and ending June 30,
26 1983.

27 Sec. 46. There is appropriated from the general fund of
28 the state to the state board of regents for the fiscal year
29 beginning July 1, 1982 and ending June 30, 1983, the sum of
30 one million two hundred seventy-seven thousand three hundred
31 thirty-seven (1,277,337) dollars, or as much thereof as may
32 be necessary, for the purchase of fuel and electricity for
33 the institutions under its control.

34 Sec. 47. There is appropriated from the general fund of
35 the state to the school budget review committee for the fiscal

1 year beginning July 1, 1982 and ending June 30, 1983 the sum
2 of two hundred thousand (200,000) dollars, or so much thereof
3 as is necessary, to be used for grants to public schools and
4 for nonpublic school pupils for special instruction for non-
5 English-speaking students as provided in section 280.4 in
6 section 48 of this Act.

7 Sec. 48. Section 280.4, subsection 1, Code 1981, is amended
8 to read as follows:

9 1. The board of directors of a school district may submit
10 an application to the school budget review committee for funds
11 provided by Acts-of-the-Sixty-eighth-General-Assembly,-chapter
12 13,-section-7,-subsection-10 section 47 of this Act, for
13 instruction in the English language, a transitional bilingual,
14 or other special instruction program when support for the
15 program from other federal, state or local sources is not
16 available or is inadequate. The department of public
17 instruction shall review all applications for funding and
18 provide recommendations to the school budget review committee
19 regarding their disposition. The school budget review
20 committee shall not grant funds to a public school for
21 instruction in the English language, a transitional bilingual
22 or other special instruction program unless the program offered
23 by the public school is available to nonpublic school students
24 in the district.

25 DIVISION III

26 Sec. 49. Acts of the Sixty-ninth General Assembly, 1981
27 Session, chapter 5, section 2, subsection 4, is amended to
28 read as follows:

29 4. BOARD OF PAROLE

30 For salaries and support
31 of not more than ~~fourteen~~
32 fifteen full-time equivalent
33 positions annually, maintenance,

34 and miscellaneous purposes \$ 311,247 \$ ~~324,440~~
35 341,855

1 Thirty-two thousand four hundred (32,400) dollars of the
2 funds appropriated under this subsection for each fiscal year
3 of the biennium shall be available to the board of parole
4 only for the purpose of providing salaries and support for
5 two additional members of the board of parole if the two
6 additional members are approved by the general assembly for
7 each fiscal year of the biennium.

8 Sec. 50. Acts of the Sixty-ninth General Assembly, 1981
9 Session, chapter 5, section 4, subsection 5, is amended to
10 read as follows:

11 5. LICENSING AND CERTIFICA-
12 TION DIVISION

13 For salaries and support
14 of not more than ~~sixteen~~
15 eighteen full-time equivalent
16 positions annually, rent, main-
17 tenance, and miscellaneous

18 purposes	\$	525,068	\$	542,648
19				<u>611,478</u>

20 Of the funds appropriated under this subsection for the
21 fiscal year beginning July 1, 1982, and ending June 30, 1983,
22 sixty-one thousand seven hundred thirty (61,730) dollars is
23 appropriated to the board of dental examiners, five thousand
24 (5,000) dollars is appropriated to the board of physical and
25 occupational therapy examiners, and two thousand one hundred
26 (2,100) dollars is appropriated to the board of mortuary
27 science examiners.

28 The licensing and certification division shall prepare
29 estimates of projected revenues to be generated by the
30 licensing, certification, and examination fees of each board
31 as well as a projection of the fairly apportioned
32 administrative costs and rental expenses attributable to each
33 board. Each board shall annually review and adjust its
34 schedule of fees so that, as nearly as possible, projected
35 revenues equal projected costs and any imbalance in revenues

1 and costs in a fiscal year is offset in a subsequent fiscal
2 year.

3 Sec. 51. There is appropriated from the general fund of
4 the state for the fiscal year beginning July 1, 1982, and
5 ending June 30, 1983, to the state board of regents for the
6 specialized child health services program at the university
7 of Iowa hospitals, seventeen thousand (17,000) dollars, or
8 so much thereof as is necessary, for the phenylketonuria
9 program to be used only to cover the cost of lofenalac. The
10 specialized child health services program shall develop a
11 sliding fee schedule to determine the amount of payments to
12 be made by persons receiving lofenalac. The specialized child
13 health services program shall report to the joint human
14 resources appropriations subcommittee by January 31, 1983,
15 regarding the status of the phenylketonuria program.

16 Sec. 52. Acts of the Sixty-ninth General Assembly, 1981
17 Session, chapter 5, section 4, subsection 7, paragraph a,
18 unnumbered paragraph 1, is amended to read as follows:

19 For salaries and support of
20 not more than ~~forty-eight-point~~
21 ~~forty-five~~ forty-nine full-time
22 equivalent positions annually,
23 maintenance, and miscellaneous
24 purposes \$ 1,445,824 \$ ~~1,484,092~~
25 1,734,092

26 Sec. 53. Acts of the Sixty-ninth General Assembly, 1981
27 Session, chapter 5, section 4, subsection 7, paragraph d,
28 subparagraphs (1) and (2), are amended to read as follows:

29 (1) Homemaker-home health
30 aide program \$ 1,562,207 \$ ~~1,621,862~~
31 (2) Public health nursing
32 program \$ 1,640,019 \$ ~~1,719,098~~

33 Sec. 54. Acts of the Sixty-ninth General Assembly, 1981
34 Session, chapter 5, section 4, subsection 7, is amended by
35 adding the following new paragraphs:

1 NEW PARAGRAPH. PUBLIC HEALTH
2 NURSING PROGRAM.

3 For grants to local boards
4 of health for the public health
5 nursing program \$ \$ 1,719,098

6 Funds appropriated under this paragraph shall be used to
7 maintain and expand the existing public health nursing program
8 for elderly and low-income persons with the objective of
9 preventing or reducing inappropriate institutionalization.
10 The funds shall not be used for any other purpose. As used
11 in this paragraph, "elderly person" means a person who is
12 sixty years of age or older and low-income person means a
13 person whose income and resources are below the guidelines
14 established by the department.

15 The department may retain not more than one percent of
16 the amount appropriated under this paragraph to be used to
17 pay the costs of administering the public health nursing
18 program. The remainder of the amount appropriated shall be
19 allocated for use in the counties of the state. One-fourth
20 of the total amount to be allocated shall be divided so that
21 an equal amount is available for use in each county in the
22 state. Three-fourths of the total amount to be allocated
23 shall be divided so that the share available for use in each
24 county is proportionate to the number of elderly and low-
25 income persons living in that county in relation to the total
26 number of elderly and low-income persons living in the state.

27 In order to receive allocations under this paragraph, the
28 local board of health having jurisdiction, after consultation
29 with other in-home health care provider agencies in the
30 jurisdiction, shall prepare a proposal for the use of the
31 allocated funds available for that jurisdiction that will
32 provide the maximum benefits of expanded public health nursing
33 care to elderly and low-income persons in the jurisdiction.
34 The proposal shall include a statement assuring that the
35 appropriate local agencies have participated in the formulation

1 of the proposal. After approval of the proposal by the
2 department, the department shall enter into a contract with
3 the local board of health. The local board of health may
4 subcontract with a nonprofit nurses' association, an
5 independent nonprofit agency, a suitable local governmental
6 body, or a person as defined in section 4.1, subsection 13,
7 to use the allocated funds to provide public health nursing
8 care. Local boards of health shall make an effort to
9 subcontract with agencies that are currently providing services
10 to prevent duplication of services.

11 If by July 30, 1982, the department is unable to conclude
12 contracts for use of the allocated funds in a county, the
13 department shall consider the unused funds appropriated under
14 this paragraph an unallocated pool. The department shall
15 prior to December 31, 1982, reallocate the funds in the
16 unallocated pool among the counties in which the department
17 has concluded contracts under this paragraph. The reallocation
18 shall be made to those counties in substantially the same
19 manner as the original allocations. The reallocated funds
20 are available for use in those counties during the period
21 beginning January 1, 1983, and ending June 30, 1983.

22 The department shall adopt rules defining eligibility for
23 public health nursing care paid for from funds appropriated
24 by this paragraph. The rules shall require each local agency
25 receiving funds to establish and use a sliding fee scale for
26 those persons able to pay for all or a portion of the cost
27 of the care.

28 The department shall evaluate the success of the public
29 health nursing program. The evaluation shall include the
30 extent to which the program reduced or prevented inappropriate
31 institutionalization, the extent to which the program increased
32 the availability of public health nursing care to elderly
33 and low-income persons, and the extent of public health nursing
34 care provided to elderly and low-income persons. The
35 department shall submit a report of the evaluation to the

1 governor and the general assembly by January 10, 1983.

2 NEW PARAGRAPH. HOMEMAKER-HOME

3 HEALTH AIDE PROGRAM.

4 For grants to county boards

5 of supervisors for the home-

6 maker-home health aide program \$ \$ 6,387,862

7 Funds appropriated under this paragraph shall be used to
8 provide homemaker-home health aide services with emphasis
9 on services to elderly and low-income persons and children
10 and adults in need of protective services with the objective
11 of preventing or reducing inappropriate institutionalization.
12 In addition, up to fifteen percent of the funds appropriated
13 under this paragraph may be used to provide chore services.
14 The funds shall not be used for any other purposes. As used
15 in this paragraph:

16 (1) "Chore services" means services provided to individuals
17 or families, who, due to absence, incapacity, or illness,
18 are unable to perform certain home maintenance functions.

19 The services include but are not limited to yard work such
20 as mowing lawns, raking leaves, and shoveling walks; window
21 and door maintenance such as hanging screen windows and doors,
22 replacing window panes, and washing windows; and minor repairs
23 to walls, floors, stairs, railings, and handles.

24 (2) "Elderly person" means a person who is sixty years
25 of age or older.

26 (3) "Homemaker-home health aide services" means services
27 intended to enhance the capacity of household members to
28 attain or maintain the independence of the household members
29 and provided by trained and supervised workers to individuals
30 or families, who, due to the absence, incapacity, or
31 limitations of the usual homemaker, are experiencing stress
32 or crisis. The services include but are not limited to
33 essential shopping, housekeeping, meal preparation, child
34 care, respite care, money management and consumer education,
35 family management, personal services, transportation and

1 providing information, assistance, household management and
2 learning experiences.

3 (4) "Low-income person" means a person whose income and
4 resources are below the guidelines established by the
5 department.

6 (5) "Protective services" means those homemaker-home
7 health aide services intended to stabilize a child's or an
8 adult's residential environment and relationships with
9 relatives, caretakers, and other persons or household members
10 in order to alleviate a situation involving abuse or neglect
11 or to otherwise protect the child or adult from a threat of
12 abuse or neglect.

13 The amount appropriated under this paragraph shall be
14 allocated for use in the counties of the state. Ten percent
15 of the amount shall be divided so that an equal amount is
16 available for use in each county in the state. Of the
17 remaining amount each county shall be allocated an amount
18 equal to seventy-five percent of state expenditures for
19 homemaker services in that county during the fiscal year
20 beginning July 1, 1981, and ending June 30, 1982. After
21 allocation of the seventy-five percent to each county, the
22 following percentages of the remaining amount shall be
23 allocated to each county according to that county's proportion
24 of residents with the following demographic characteristics
25 compared to all state residents with the same demographic
26 characteristics: sixty percent according to the number of
27 elderly persons living in the county; twenty percent according
28 to the number of low-income persons living in the county;
29 and twenty percent according to the number of substantiated
30 cases of child abuse in the county during the 1980-1981 fiscal
31 year.

32 It is intended that the seventy-five percent allocation,
33 based on state expenditures for homemaker services in each
34 county during the 1981-1982 fiscal year, shall be reduced
35 to fifty percent for the 1983-1984 fiscal year and to twenty-

1 five percent for the 1984-1985 fiscal year. For the 1985-
2 1986 fiscal year it is intended that no allocation be made
3 based on those state expenditures for homemaker services but
4 that the entire amount appropriated be allocated by dividing
5 ten percent of the amount equally among the counties and by
6 dividing the remaining amount according to the percentages
7 and demographic characteristics stipulated above.

8 In order to receive allocations under this paragraph, the
9 county board of supervisors, after consultation with the local
10 boards of health, county board of social welfare, area agency
11 on aging advisory council, local office of the department
12 of social services, and other in-home health care provider
13 agencies in the jurisdiction, shall prepare a proposal for
14 the use of the allocated funds available for that jurisdiction
15 that will provide the maximum benefits of expanded homemaker-
16 home health aide services to elderly and low-income persons
17 and children and adults in need of protective services in
18 the jurisdiction. The proposal may provide that a maximum
19 of fifteen percent of the allocated funds will be used to
20 provide chore services. The proposal shall include a statement
21 assuring that children and adults in need of protective
22 services are given priority for homemaker-home health aide
23 services and that the appropriate local agencies have
24 participated in the formulation of the proposal. After
25 approval of the proposal by the department, the department
26 shall enter into a contract with the county board of
27 supervisors or a governmental body designated by the county
28 board of supervisors. The county board of supervisors or
29 its designee may subcontract with a nonprofit nurses'
30 association, an independent nonprofit agency, the department
31 of social services, a suitable local governmental body, or
32 a person as defined in section 4.1, subsection 13, to use
33 the allocated funds to provide homemaker-home health aide
34 services and chore services providing that the subcontract
35 requires any service provided away from the home to be

1 documented in a report available for review by the department.

2 If by July 30, 1982, the department is unable to conclude
3 contracts for use of the allocated funds in a county, the
4 department shall consider the unused funds appropriated under
5 this paragraph an unallocated pool. The department shall
6 also identify any allocated funds which the counties do not
7 anticipate spending during the fiscal year ending June 30,
8 1983. If the anticipated excess funds to any county are
9 substantial, the department and the county may agree to return
10 those excess funds, if the funds are other than program
11 revenues, to the department, and if returned, the department
12 shall consider the returned funds a part of the unallocated
13 pool. The department shall prior to February 1, 1983,
14 reallocate the funds in the unallocated pool among the counties
15 in which the department has concluded contracts under this
16 paragraph.

17 The department shall adopt rules defining eligibility for
18 homemaker-home health aide services and chore services paid
19 for from funds appropriated by this paragraph. The rules
20 shall require each local agency receiving funds to establish
21 and use a sliding fee scale for those persons able to pay
22 for all or a portion of the cost of the services and shall
23 require the payments to be applied to the cost of the services.
24 The department shall also adopt rules for standards regarding
25 training, supervision, recordkeeping, appeals, program
26 evaluation, cost analysis, and financial audits, and rules
27 specifying reporting requirements.

28 The department shall evaluate the success of the homemaker-
29 home health aide program. The evaluation shall include a
30 description of the program and its implementation, the extent
31 of local participation, the extent to which the program reduced
32 or prevented inappropriate institutionalization, the extent
33 to which the program provided or increased the availability
34 of homemaker-home health aide services to elderly and low-
35 income persons and children and adults in need of protective

1 services, any problems and recommendations concerning the
2 program, and an analysis of the costs of services across the
3 state. The department shall submit a report of the evaluation
4 to the governor and the general assembly by January 10, 1983.

5 Sec. 55. Section 135.11, Code 1981, is amended by adding
6 the following new subsection:

7 NEW SUBSECTION. Administer the statewide public health
8 nursing and homemaker-home health aide programs by approving
9 grants of state funds to the local boards of health and the
10 county boards of supervisors and by providing guidelines for
11 the approval of the grants and allocation of the state funds.

12 Sec. 56. Acts of the Sixty-ninth General Assembly, 1981
13 Session, chapter 5, section 6, subsections 1 and 2, are amended
14 to read as follows:

	1981-1982	1982-1983
	<u>Fiscal Year</u>	<u>Fiscal Year</u>
17 1. For salaries and support		
18 of not more than fourteen <u>nine-</u>		
19 <u>teen point one</u> full-time		
20 equivalent positions an-		
21 nually, maintenance, and mis-		
22 cellaneous purposes	\$ 142,967	\$ 0
23		<u>142,968</u>
24 2. For program grants	\$ 2,361,150	\$ 0
25		<u>2,361,150</u>

26 Sec. 57. The commission on substance abuse and the mental
27 health and mental retardation commission shall establish a
28 memorandum of understanding including provisions to coordinate
29 compatible administrative activities. These activities include
30 but are not limited to the utilization of management
31 information systems, local and statewide fiscal and program
32 planning, licensure and accreditation of community programs,
33 and provision of training and technical assistance to local
34 programs and governmental subdivisions.

35 The memorandum shall be developed by the commissions in

1 consultation with the legislative fiscal bureau and a copy
2 of the memorandum shall be sent to the legislative fiscal
3 director by October 1, 1982. The legislative fiscal bureau
4 shall report to the joint human resources and corrections
5 and mental health appropriations subcommittees during the
6 1983 Session of the Seventieth General Assembly regarding
7 the status of the memorandum and the coordination of
8 activities.

9 Sec. 58. Acts of the Sixty-ninth General Assembly, 1981
10 Session, chapter 9, section 14, subsection 1, paragraph b,
11 is amended to read as follows:

12 b. For the fiscal year beginning July 1, 1982, ~~686,999,000~~
13 \$86,599,000.

14 Sec. 59. Acts of the Sixty-ninth General Assembly, 1981
15 Session, chapter 9, section 26, subsection 4, is amended to
16 read as follows:

17 4. To the substance abuse
18 treatment facilities receiving
19 substance abuse program grants
20 as provided in section 125.25 \$ 200,000 \$ 400,000

21 The state comptroller shall allocate and distribute the
22 funds appropriated by this subsection to each local substance
23 abuse treatment facility in the same proportion that the
24 substance abuse treatment facility's annual payroll for its
25 employees for the fiscal year ending June 30, 1981 is to the
26 annual payroll for the employees of all local substance abuse
27 treatment facilities receiving substance abuse program grants
28 for that fiscal year. Moneys received by a local substance
29 abuse facility under this subsection shall be used to pay
30 the state's share of the authorized salary increases for the
31 local substance abuse program employees for the designated
32 fiscal years.

33

DIVISION IV

34 Sec. 60. Acts of the Sixty-ninth General Assembly, Second
35 Extraordinary 1981 Session, chapter 3, section 24, is amended

1 to read as follows:

2 SEC. 24. NEW SECTION. TAX IMPOSED. For the privilege
3 of operating railway vehicles in this state, an excise tax
4 is imposed at the rate of three cents per gallon beginning
5 October 1, 1981 and is imposed at the rate of eight cents
6 per gallon beginning July 1, 1982 upon the use of fuel for
7 the propulsion of a railway vehicle within the state. The
8 tax attaches at the time of use and shall be paid monthly
9 to the department by the railroad company using the fuel.
10 Fuel At such time the Iowa railway finance authority deems
11 necessary, it may require that fuel dispensed in this state
12 shall only be through meters which have been approved for
13 accuracy by the department-of-agriculture Iowa railway finance
14 authority and sealed by the department authority. The
15 authority may contract the responsibility for approving and
16 sealing meters to the department of agriculture. Fuel dispensed
17 through sealed meters shall be presumed taxable unless the
18 railroad company proves otherwise.

19 Sec. 61. NEW SECTION. PAYMENT OF TAX. Notwithstanding
20 the requirement for monthly payment of the excise tax in Acts
21 of the Sixty-ninth General Assembly, Second Extraordinary
22 1981 Session, chapter 3, sections 24 and 26, if it is
23 reasonably expected, as determined by rules prescribed by
24 the director, that a railroad company's annual tax liability
25 will not exceed one thousand two hundred dollars for a calendar
26 year, the railroad company may request and the director may
27 grant permission, in lieu of the requirement for monthly
28 payment of tax, that the tax shall be payable on a calendar
29 year basis. The tax is due and payable no later than January
30 31 following each calendar year in which the railroad company
31 carried on business.

32 Sec. 62. The provisions of Acts of the Sixty-eighth General
33 Assembly, 1979 Session, chapter 12, section 6, subsection
34 3, shall apply to the state fish and game protection fund
35 for the fiscal biennium beginning July 1, 1981 and ending

1 June 30, 1983. This section is to be retroactive to July
2 1, 1981.

* 3 Sec. 63. Acts of the Sixty-ninth General Assembly, 1981
4 Session, chapter 12, section 7, subsection 1, is amended to
5 read as follows:

6	1981-1982	1982-1983
7	<u>Fiscal Year</u>	<u>Fiscal Year</u>
8	1. For salaries, support,	
9	maintenance, and miscellaneous	
10	purposes \$ 2,222,351	\$ 2,285,725
11		<u>2,393,225</u>

* 12 Sec. 64. Acts of the Sixty-ninth General Assembly, 1981
13 Session, chapter 12, section 9, subsection 1, unnumbered
14 paragraph 1, is amended to read as follows:

15	1981-1982	1982-1983
16	<u>Fiscal Year</u>	<u>Fiscal Year</u>
17	For salaries, support,	
18	maintenance, and for miscel-	
19	laneous purposes \$ 1,961,402	\$ 2,070,190
20		<u>2,182,413</u>

21 Sec. 65. It is the intent of the general assembly that
22 the fee schedule required by section 455B.32, subsection 6,
23 be implemented. The fees shall be deposited in the general
24 fund of the state.

25 Sec. 66. There is appropriated from the general fund of
26 the state to the Iowa natural resources council for the fiscal
27 year beginning July 1, 1982 and ending June 30, 1983 the
28 amount of forty-eight thousand (48,000) dollars, or so much
29 thereof as is necessary for the salary, support, and
30 maintenance of the Missouri river coordinator and the support
31 of the Missouri basin states association and the upper
32 Mississippi river basin association.

33 Sec. 67. Acts of the Sixty-ninth General Assembly, 1981
34 Session, chapter 12, section 3, subsection 4, is amended by
35 striking the subsection.

1 Sec. 68. There is appropriated from the general fund of
2 the state to the Iowa state water resource research institute
3 for the fiscal year beginning July 1, 1982 and ending June
4 30, 1983, the sum of one hundred thirty-five thousand (135,000)
5 dollars or so much thereof as is necessary for research
6 approved by the panel provided in section 66 of this Act.

7 Sec. 69. A panel is established to advise the Iowa state
8 water resource research institute on the areas of research
9 to be conducted with the funds appropriated by section 65
10 of this Act. The panel is composed of the administrative
11 head of the following agencies or that person's representative:
12 Iowa geological survey, Iowa natural resources council,
13 department of soil conservation, energy policy council, and
14 department of agriculture. The representative of the Iowa
15 geological survey shall serve as the chairperson and call
16 the meetings of the panel.

17 DIVISION V

18 Sec. 70. Acts of the Sixty-ninth General Assembly, 1981
19 Session, chapter 6, section 2, subsection 3, unnumbered
20 paragraph 1, is amended to read as follows:

21 3. IOWA BEER AND LIQUOR CON-
22 TROL DEPARTMENT

23 For salaries, support, mainte-
24 nance, and other operational pur-
25 poses \$ 15,786,931 \$ ~~16,539,864~~
26 16,719,864

27 Sec. 71. Acts of the Sixty-ninth General Assembly, 1981
28 Session, chapter 6, section 2, subsection 13, is amended to
29 read as follows:

30 13. IOWA REAL ESTATE COMMIS-
31 SION

32 For salaries, support, mainte-
33 nance, rental fees, and other
34 operational purposes \$ 256,980 \$ ~~269,168~~
35 272,668

DIVISION VI

1
2 Sec. 72. Acts of the Sixty-ninth General Assembly, 1981
3 Session, chapter 10, section 1, subsection 1, is amended to
4 read as follows:

5 1. OFFICE OF THE STATE APPELLATE
6 DEFENDER

7 For deposit in the appellate
8 defender operating account \$ 100,000 \$ 50,000

9 ~~Funds-appropriated-by-this-subsection-to-the-office-of~~
10 ~~the-appellate-defender-are-appropriated-only-if-the-office~~
11 ~~of-the-appellate-defender-is-in-existence-for-the-fiscal-year~~
12 ~~beginning-July-1,-1981-and-ending-June-30,-1982-~~

13 Sec. 73. Acts of the Sixty-ninth General Assembly, 1981
14 Session, chapter 10, section 1, subsection 2, is amended to
15 read as follows:

16 2. IOWA STATE ARTS COUNCIL

17 For salaries, support, main-
18 tenance, and miscellaneous pur-
19 poses including funds to match
20 federal grants \$ 291,113 \$ 305,150
21 343,150

22 Sec. 74. Acts of the Sixty-ninth General Assembly, 1981
23 Session, chapter 10, section 1, subsection 3, paragraphs a
24 and b, are amended to read as follows:

25 a. For the general office of
26 attorney general for salaries,
27 support, maintenance, and miscel-
28 laneous purposes \$ 2,191,472 \$ 2,298,361
29 2,335,217

30 b. Prosecuting attorney
31 training program
32 For salaries, support, main-
33 tenance and miscellaneous pur-
34 poses which funds shall be used
35 to attract federal and county

1 funding \$ 59,058 \$ 627164
2 70,164

3 Sec. 75. Acts of the Sixty-ninth General Assembly, 1981
4 Session, chapter 10, section 1, subsection 3, paragraph d,
5 is amended by striking the paragraph.

6 Sec. 76. Acts of the Sixty-ninth General Assembly, 1981
7 Session, chapter 10, section 2, subsection 1, is amended by
8 adding the following new lettered paragraph:

9 NEW LETTERED PARAGRAPH. c. STATE-
10 HOUSE RENOVATION

11 For the payment of statehouse
12 renovation costs \$ \$ 600,000

13 Notwithstanding other provisions of this section or section
14 8.33, unencumbered funds appropriated by this paragraph shall
15 be available and shall not revert to the general fund of the
16 state until July 1, 1986.

17 Sec. 77. Acts of the Sixty-ninth General Assembly, 1981
18 Session, chapter 10, section 6, subsection 1, unnumbered
19 paragraph 2, is amended by striking the unnumbered paragraph.

20 Sec. 78. Acts of the Sixty-ninth General Assembly, 1981
21 Session, chapter 10, section 7, subsection 1, is amended to
22 read as follows:

23 1. BUREAU OF LABOR

24 For salaries, support, main-
25 tenance, and miscellaneous pur-
26 poses \$ 1,214,659 \$ 1,273,035
27 1,342,885

28 Sec. 79. Acts of the Sixty-ninth General Assembly, 1981
29 Session, chapter 10, section 7, subsection 8, paragraph a,
30 is amended by adding the following new subparagraphs:

31 NEW SUBPARAGRAPH. (1) For
32 the intergovernmental assistance
33 function which includes the com-
34 munity services block grant, com-
35 munity development block grant,

1 local government assistance, and
 2 city development board \$ \$ 372,450
 3 NEW SUBPARAGRAPH. (2) For
 4 the interagency planning and coor-
 5 dination function which includes
 6 the state occupational information
 7 coordinating committee, highway
 8 safety office, statistical analysis
 9 center, and office for state resource
 10 planning which includes staff for
 11 the Iowa council for children,
 12 youth, and families \$ \$ 1,099,850

13 NEW SUBPARAGRAPH. (3) For
 14 the administrative function which
 15 includes the state demographic
 16 center and federal funds clearing-
 17 house \$ \$ 129,400

18 It is the intent of the general assembly that in expending
 19 the funds appropriated under subparagraphs 1 through 3, the
 20 office for planning and programming shall comply with
 21 recommendation 5 of the legislative fiscal bureau program
 22 evaluation of the office for planning and programming, dated
 23 February, 1982. Of the funds appropriated under subparagraph
 24 3, seven thousand six hundred (7,600) dollars shall be used
 25 to pay the mileage, meals or other necessary expenses of the
 26 advisory commission on intergovernmental relations.

27 Sec. 80. Acts of the Sixty-ninth General Assembly, 1981
 28 Session, chapter 10, section 7, subsection 8, paragraph e,
 29 is amended to read as follows:

30 e. For the juvenile victim
 31 restitution program pursuant to
 32 section 7A.10 \$ 100,000 \$

33 Notwithstanding other provisions of this section or section
 34 8.33, unencumbered funds appropriated by this paragraph shall
 35 be available and shall not revert to the general fund of the

1 state until July 1, 1983.

2 Sec. 81. Acts of the Sixty-ninth General Assembly, 1981
3 Session, chapter 10, section 7, subsection 6, is amended to
4 read as follows:

5 6. IOWA MERIT EMPLOYMENT DE-
6 PARTMENT

7 For the general office for
8 salaries, maintenance, and
9 miscellaneous purposes \$ 1,176,346 \$ ~~1,158,526~~
10 1,235,786

11 It is the intention of the general assembly that the Iowa
12 merit employment department may add an additional full-time
13 equivalent position for the fiscal year beginning July 1,
14 1982 for administration of testing services throughout the
15 state to replace the testing services previously provided
16 for the Iowa merit employment department by the Iowa department
17 of job services.

18 Sec. 82. Acts of the Sixty-ninth General Assembly, 1981
19 Session, chapter 189, section 6, unnumbered paragraph 2, is
20 amended to read as follows:

21 There is appropriated from the state general fund to the
22 supreme court for the fiscal year commencing July 1, 1982
23 and ending June 30, 1983, the sum of one hundred fifty thousand
24 (150,000) dollars or so much thereof as is necessary to fund
25 the additional judgeships created by section 1 of this Act.
26 There is appropriated from the state general fund to the
27 supreme court for the fiscal year commencing July 1, 1982
28 and ending June 30, 1983, the sum of ~~eight~~ one million two
29 hundred forty-five thousand (1,245,000) dollars or so much
30 thereof as is necessary to fund the expenses of operation
31 of the offices of district court administrators as provided
32 in section 605.35. However, notwithstanding section 605.35,
33 the counties of a judicial district in which an office of
34 district court administrator is established shall furnish
35 the district court administrator with appropriate office space

1 and related utilities. The cost of furnishing the office
2 space and related utilities shall be apportioned among the
3 counties in the judicial district in the same manner as the
4 expenses of shorthand reporters are apportioned under section
5 605.9. Except for the cost of office space and related
6 utilities, a county shall not contribute to the salaries,
7 support, maintenance, or any other direct or indirect cost
8 for the office of district court administrator. As used in
9 this paragraph, "related utilities" mean heating, cooling,
10 electricity and water services. Of the sum appropriated to
11 fund the expenses of the operation of the offices of district
12 court administrators, three hundred twenty thousand (320,000)
13 dollars shall be used to employ sixteen law clerks.

14 Sec. 83. DISPUTE RESOLUTION PROGRAMS.

15 1. There is appropriated from the general fund of the
16 state to the office of the court administrator of the judicial
17 department for the fiscal year beginning July 1, 1982 and
18 ending June 30, 1983, the sum of one hundred thousand (100,000)
19 dollars or so much thereof as necessary for the payment of
20 grants authorized in subsection 2. The court administrator
21 may expend an amount not exceeding six thousand (6,000) dollars
22 for administrative expenses.

23 2. Except for administrative expenses, the funds
24 appropriated under subsection 1 shall be used for grants to
25 establish or improve dispute resolution programs that are
26 designed to provide mediation and conciliation services for
27 the parties to a dispute. The dispute resolution programs
28 shall encourage and enable the parties to a dispute to achieve
29 a mutually satisfactory resolution of the dispute in an
30 informal and nonadversary setting that assures confidentiality
31 to the parties.

32 3. A county, city or nonprofit corporation may submit
33 an application to the court administrator of the judicial
34 department for a dispute resolution program grant on forms
35 prescribed and furnished by the administrator. The court

1 administrator with the advice of the judicial coordinating
2 committee established by the supreme court shall allocate
3 the funds to the dispute resolution programs that provide
4 nonjudicial resolution of disputes at the community or county
5 level. At least twenty-five percent of the amount budgeted
6 for the annual operation of a newly-established dispute
7 resolution program or that portion of a dispute resolution
8 program which is improved shall be obtained from sources other
9 than the grant provided under this section. Moneys
10 appropriated under this section shall not be used to fund
11 that portion of a dispute resolution program established
12 before the effective date of this Act.

13 4. The court administrator shall submit a progress report
14 on the operation of the dispute resolution programs funded
15 under this section to the senate state government
16 appropriations subcommittee and the house state departments
17 appropriations subcommittee prior to February 1, 1983.

18 Sec. 84. LEGAL SERVICES CORPORATION FUNDING STUDY.

19 1. The office of the governor shall conduct a study of the effect
20 of the loss of federal funds on the legal services provided
21 by the legal services corporation. The office of the governor
22 may participate in the conduct of the study. The study shall
23 include but not be limited to the following:

24 a. An examination of the efficiency of the legal services
25 corporation.

26 b. An examination of the feasibility of attaching a
27 client's income or assets for services rendered.

28 c. Consideration of alternative sources of funds for legal
29 services to low-income persons.

30 The office of the governor shall submit a report of the
31 study to the state government appropriations subcommittee
32 before February 1, 1983.

33 2. There is appropriated from the general fund of the
34 state to the office of the office of the governor for the
35 fiscal year beginning July 1, 1982, and ending June 30, 1983,

1 the sum of ten thousand dollars or so much thereof as necessary
2 to conduct the study as provided in subsection 1.

3 DIVISION VII

4 Sec. 85. Acts of the Sixty-ninth General Assembly, 1981
5 Session, chapter 7, section 1, is amended to read as follows:

6 SECTION 1. There is appropriated from the general fund
7 of the state for each fiscal year of the biennium beginning
8 July 1, 1981, and ending June 30, 1983, to the department
9 of social services for general administration, including
10 salaries and support, maintenance, and miscellaneous purposes
11 the following amounts, or so much thereof as may be necessary:

12	1981-1982	1982-1983
13	<u>Fiscal Year</u>	<u>Fiscal Year</u>
14	\$ 7,000,000	\$ 7,000,000
15		<u>6,509,000</u>

16 Sec. 86. Acts of the Sixty-ninth General Assembly, 1981
17 Session, chapter 7, section 2, unnumbered paragraph 5, is
18 amended to read as follows:

19 The reorganization required by this subsection becomes
20 effective on July 1, 1982, unless the joint social services
21 appropriations subcommittee recommends an alternative plan
22 to the general assembly during the 1982 session of the general
23 assembly. If the department determines that an alternative
24 reorganization plan would best serve its clients, the
25 department shall report the alternative plan to the joint
26 social services appropriations subcommittee by February 1,
27 1982:

28	1981-1982	1982-1983
29	<u>Fiscal Year</u>	<u>Fiscal Year</u>
30	\$ 15,779,000	\$ 15,779,000
31		<u>14,674,700</u>

32 Sec. 87. Acts of the Sixty-ninth General Assembly, 1981
33 Session, chapter 7, section 2, subsection 1, is amended by
34 striking the subsection.

35 Sec. 88. Acts of the Sixty-ninth General Assembly, 1981

1 Session, chapter 7, section 3, subsection 1, unnumbered
2 paragraph 1, is amended to read as follows:

3 For aid to families with
4 dependent children \$ 55,327,000 \$ 55,327,000
5 54,554,000

6 Sec. 89. Acts of the Sixty-ninth General Assembly, 1981
7 Session, chapter 7, section 3, subsection 1, paragraph c,
8 is amended by striking the paragraph and inserting in lieu
9 thereof the following:

10 c. For the fiscal period beginning July 1, 1982, and
11 ending March 31, 1983, the department of social services shall
12 provide benefits under an unemployed parent program under
13 the aid to families with dependent children program. In
14 determining the amount of a grant under the program, the
15 spouse of an unemployed parent shall be excluded from the
16 eligible group. Medical assistance shall be available to
17 the spouse of an unemployed parent. The department of social
18 services shall require income maintenance workers to monitor
19 the job search requirements under the program which shall
20 at a minimum require unemployed parents to meet the job search
21 requirements necessary to receive unemployment compensation
22 benefits under the Iowa administrative code 370-4.22(1)"c".
23 The department of social services shall request a waiver from
24 the United States department of health and human services
25 to limit grants under the unemployed parent program to six
26 months for any eligible group. Upon approval of the waiver,
27 the department of social services shall immediately implement
28 the six-month limitation.

29 Sec. 90. Acts of the Sixty-ninth General Assembly, 1981
30 Session, chapter 7, section 3, subsection 1, is amended by
31 adding the following new paragraphs:

* 32 NEW PARAGRAPH. The department of social services shall
33 establish a new schedule of basic needs, effective July 1,
34 1982, under the aid to families with dependent children
35 program, which will increase by fifteen percent the schedule

1 of basic needs, in effect for the fiscal year ending June
2 30, 1982, for eligible groups of two or more persons. The
3 level of grant payments under the aid to families with
4 dependent children program shall not be increased.

5 NEW UNNUMBERED PARAGRAPH. The department of social services
6 shall provide current recipients under the aid to families
7 with dependent children program with opportunities to receive
8 instruction on retrospective budgeting and monthly reporting
9 and shall provide applicants under the program with
10 individualized instruction on retrospective budgeting and
11 monthly reporting during the application process.

12 NEW PARAGRAPH. The department of social services shall
13 only require written verification of the earned income under
14 the monthly reporting requirement of the aid to families with
15 dependent children program. Written verification is not
16 required under monthly reporting for work expenses and child
17 care expenses, unless the department of social services has
18 reason to believe that the reported information is inaccurate
19 or the grant recipient has a record of failure to accurately
20 report changes in circumstances. For recipients who are
21 unable to obtain necessary verification of earned income,
22 work expenses, or child care expenses, the department of
23 social services shall assist the recipients in obtaining the
24 required verification.

25 NEW PARAGRAPH. The department of social services shall
26 request a waiver from the United States department of health
27 and human services to exclude from the monthly reporting
28 requirements those recipients under the aid to families with
29 dependent children program who have no income or a very
30 constant income. The department shall review its monthly
31 reporting forms for readability, clarity, and simplicity and
32 modify the forms to attain efficiency. The department shall
33 account for any cost savings attributable to the waiver or
34 the form modifications and shall report the cost savings to
35 the joint social services appropriations subcommittee by

1 February 1, 1983.

* 2 NEW PARAGRAPH. Of the funds appropriated in this subsection
3 for the fiscal year beginning July 1, 1982, and ending June
4 30, 1983, three hundred thirty-four thousand (334,000) dollars,
5 or so much thereof as is necessary, is appropriated to the
6 department of social services to establish a coordinated
7 manpower services demonstration project for recipients of
8 aid to families with dependent children in two of the
9 department's districts. One demonstration project shall be
10 located in Sioux City and one shall be located in Marshalltown.
11 The department shall consult with the department of job
12 service, knowledgeable economists, community college educators
13 and administrators, and other knowledgeable persons concerning
14 the availability of job training, job search skill training,
15 assistance in job placement, mass transportation, and child
16 care to potential participants in a demonstration project.

17 In addition to the basic grant under the aid to families
18 with dependent children program, a recipient shall receive
19 a monthly allowance for costs incurred while participating
20 in a community work experience demonstration project. The
21 allowance shall be twenty-five dollars plus fifteen percent
22 of the recipient's basic grant. However, the allowance shall
23 not exceed ninety-five dollars and may be reduced to take
24 absences or partial participation into consideration. The
25 department shall report the results of the project to the
26 general assembly in January, 1983.

27 Sec. 91. Acts of the Sixty-ninth General Assembly, 1981
28 Session, chapter 7, section 3, subsection 2, unnumbered
29 paragraph 1, is amended to read as follows:

30 For medical assistance, provided that the funds appropriated
31 in this subsection shall not be transferred or used for any
32 other purpose than specified in this subsection,
33 notwithstanding section 8.39, including reimbursement for
34 abortion services, which shall be available under the medical
35 assistance program only for those abortions which are medically

1 and the medical assistance program. The rules shall become
2 effective immediately upon filing, unless a later effective
3 date is specified in the rules.

4 Effective October 1, 1982, a professional dispensing fee
5 reimbursement of fifty cents per prescription, in addition
6 to the ordinary professional dispensing fee reimbursement,
7 shall be made for the selection of equivalent drug products
8 which are less expensive than those prescribed by the physician
9 and which result in a cost savings to the medical assistance
10 program of at least one dollar and fifty cents per
11 prescription.

12 Sec. 95. Acts of the Sixty-ninth General Assembly, 1981
13 Session, chapter 7, section 3, subsection 2, unnumbered
14 paragraph 5, is amended to read as follows:

* 15 Beginning July 1, 1981, the basis for establishing the
16 maximum medical assistance reimbursement rate for intermediate
17 care facilities shall be the seventy-fourth percentile of
18 all facilities' per diems as calculated from the June 30,
19 1981 compilation of unaudited financial and statistical
20 reports. This compilation is composed of facility cost reports
21 received prior to May 1, 1981. If the department of social
22 services determines that adequate funding is available, the
23 department may, on January 1, ~~1982~~ 1983, establish the maximum
24 reimbursement rate for intermediate care facilities at the
25 seventy-fourth percentile of all facilities' per diems as
26 calculated from the December 31, ~~1981~~ 1982 compilation of
27 unaudited financial and statistical reports. This compilation
28 is composed of facility cost reports received prior to November
29 1, ~~1981~~ 1982.

30 Sec. 96. Acts of the Sixty-ninth General Assembly, 1981
31 Session, chapter 7, section 3, subsection 2, is amended by
32 adding the following new unnumbered paragraphs:

33 NEW UNNUMBERED PARAGRAPH. Effective October 1, 1982,
34 medical assistance reimbursement rates for hospitals shall
35 be established on a prospective basis. The department of

1 social services shall not change the method of reimbursement
2 for the state mental health institutes.

3 NEW UNNUMBERED PARAGRAPH. Medical assistance payments
4 shall not be made for inpatient hospital services which can
5 effectively and safely be performed on an outpatient basis.

6 NEW UNNUMBERED PARAGRAPH. Inpatient hospital reimbursements
7 under the medical assistance program shall be limited to
8 lengths of stays which do not exceed the fiftieth percentile
9 of lengths of stays for various diagnoses and medical and
10 surgical procedures, as determined annually by the professional
11 activities study for the north central region of the United
12 States, unless utilization review determines that a longer
13 length of stay is medically necessary.

14 NEW UNNUMBERED PARAGRAPH. Medical assistance payments
15 to hospitals, skilled nursing facilities, and intermediate
16 care facilities shall be limited to the rate applicable to
17 the lowest level of care medically required by the patient,
18 including the rate for residential care facilities, rather
19 than to the level of care for which the hospital or facility
20 is certified to provide under the medical assistance program.

21 NEW UNNUMBERED PARAGRAPH. The medical assistance
22 reimbursement rate for reserve bed days for intermediate care
23 facility residents who are hospitalized or on a home stay
24 shall be reduced from eighty percent to seventy-five percent
25 of the allowable audited costs for those beds, which costs
26 shall not exceed the maximum daily reimbursement rate for
27 intermediate care facilities under the medical assistance
28 program.

29 NEW UNNUMBERED PARAGRAPH. Medical assistance reimbursement
30 rates for physicians shall be established on the basis of
31 statewide, prevailing physician fees and on the basis of a
32 maximum five percent annual increase in the fees.

33 NEW UNNUMBERED PARAGRAPH. Notwithstanding Acts of the
34 Sixty-ninth General Assembly, 1981 Session, chapter 7, section
35 3, subsection 2, unnumbered paragraph 6, medical assistance

1 payments for all mandatory and optional services, except for
2 intermediate care facility services, intermediate care facility
3 services for the mentally retarded, services provided to
4 recipients in state mental health institutes, and medical
5 transportation services other than ambulance services, shall
6 be reduced by a factor of two and one-half percent. However,
7 the two and one-half percent reduction shall not apply to
8 reimbursements for the ingredient cost of prescription drugs
9 or to physician reimbursements and shall not apply to hospital
10 reimbursements beginning October 1, 1982.

11 NEW UNNUMBERED PARAGRAPH. The maximum co-payments allowed
12 by federal law or regulation shall be placed on all optional
13 services under the medical assistance program. A fixed co-
14 payment shall be established for each optional service by
15 computing the average or typical payment for each optional
16 service. The co-pay requirement shall not apply to the
17 services provided under the early and periodic screening,
18 diagnosis, and treatment program and to services provided
19 to recipients in hospitals, skilled nursing facilities,
20 intermediate care facilities, intermediate care facilities
21 for the mentally retarded, residential care facilities, and
22 state mental health institutes.

23 NEW UNNUMBERED PARAGRAPH. Criteria for prior authorization
24 of specified services under the medical assistance program
25 shall be scrutinized to determine whether the current review
26 process results in the most effective provision of needed
27 services. If a change in the review process would be
28 beneficial, the criteria shall be modified to change the
29 review process or to subject additional services to prior
30 authorization.

31 NEW UNNUMBERED PARAGRAPH. One or more pilot projects to
32 provide medical assistance for in-home care to persons who
33 would otherwise be institutionalized may be established.
34 Before establishing a pilot project, the department of social
35 services shall document the cost-effectiveness of the project.

1 structure the project to be in the best interests of the
2 persons involved, and ensure federal approval and financial
3 participation in the establishment and operation of the
4 project.

5 Sec. 97. Acts of the Sixty-ninth General Assembly, 1981
6 Session, chapter 7, section 3, subsection 3, is amended to
7 read as follows:

8	3. For contractual ser-		
9	vices-medical carrier	\$ 1,318,000	\$ 1,318,000
10			<u>\$1,739,000</u>

11 Sec. 98. Acts of the Sixty-ninth General Assembly, 1981
12 Session, chapter 7, section 3, subsection 4, is amended to
13 read as follows:

14	<u>4. For work and training</u>		
15	<u>programs</u>	<u>\$ 62,000</u>	<u>\$ 62,000</u>
16			<u>9,000</u>

17 Sec. 99. Acts of the Sixty-ninth General Assembly, 1981
18 Session, chapter 7, section 3, subsection 5, is amended by
19 adding the following new unnumbered paragraph:

20 NEW UNNUMBERED PARAGRAPH. Notwithstanding section 252B.4,
21 if federal law or regulation requires the imposition of a
22 fee on an individual who owes a support obligation for the
23 support collection services provided under chapter 252B to
24 a resident parent not otherwise eligible as a public assistance
25 recipient, the commissioner of the department of social
26 services shall charge the individual the fee required by
27 federal law or regulation which may be in addition to the
28 actual amount of support owed by the individual.

29 Sec. 100. Acts of the Sixty-ninth General Assembly, 1981
30 Session, chapter 7, section 3, subsection 6, unnumbered
31 paragraphs 1 and 3, are amended to read as follows:

32	For state supplementary		
33	assistance, including state		
34	supplementary assistance for		
35	the blind	\$ 6,731,000	\$ 6,731,000

1 6,881,000

2 The department of social services shall increase the maximum
3 cost-related reimbursement rate for residential care facility
4 services to fifteen dollars per day and the flat rate to ten
5 dollars per day. Beginning July 1, 1982, the department of
6 social services shall establish the maximum reimbursement
7 rate for residential care facilities utilizing the cost-related
8 reimbursement system at the point where forty-nine percent
9 of all state supplementary assistance recipients who are
10 residential care facility residents are receiving full cost
11 coverage for care. The forty-ninth percentile shall be
12 calculated from the December 10, 1981 compilation of all
13 allowable per diems on file. Beginning July 1, 1982, the
14 department of social services shall increase the flat rate
15 to ten dollars and ninety cents per day.

16 Sec. 101. Acts of the Sixty-ninth General Assembly, 1981
17 Session, chapter 7, section 3, subsection 8, is amended to
18 read as follows:

19 8. For home-based services
20 as allocated in paragraph a of
21 this subsection \$ 7,351,000 \$ ~~7,351,000~~
22 2,922,000

23 a. Of the funds appropriated for home-based services by
24 this subsection for the fiscal year beginning July 1, 1981,
25 and ending June 30, 1982, four million seven hundred sixty-
26 six thousand (4,766,000) dollars is appropriated for chore
27 and homemaker services ~~for each fiscal year of the biennium.~~
28 The department of social services shall not provide homemaker
29 services during the ~~biennium~~ fiscal year beginning July 1,
30 1981, and ending June 30, 1982, to clients who are above the
31 income and resource guidelines established by the department
32 for adult protective services.

33 b. The department shall by rule define the homemaker and
34 chore services to be delivered, the eligibility for services,
35 and the providers delivering the services during the fiscal

1 year beginning July 1, 1981, and ending June 30, 1982. The
2 department shall explore with homemaker agencies the
3 possibility of expanding purchase of service contracts to
4 include the provision of chore services. The decision to
5 purchase chore services should be based on the ability of
6 an agency to provide the continuum of services at rates
7 commensurate with the levels of service to be provided.

8 c. The department shall by rule develop a fee schedule,
9 effective for the fiscal year beginning July 1, 1981, and
10 ending June 30, 1982, for chore services made available to
11 clients who meet adult protective services criteria and who
12 are above the income and resource guidelines for chore
13 services.

14 Sec. 102. Acts of the Sixty-ninth General Assembly, 1981
15 Session, chapter 7, section 3, subsection 9, unnumbered
16 paragraph 1, is amended to read as follows:

17	For foster care	\$ 17,558,000	\$ 17,558,000
18			<u>22,477,000</u>

19 Sec. 103. Acts of the Sixty-ninth General Assembly, 1981
20 Session, chapter 7, section 3, subsection 9, is amended by
21 adding the following new paragraphs:

22 NEW PARAGRAPH. For the fiscal year beginning July 1, 1982,
23 and ending June 30, 1983, no more than fifty percent of all
24 children in foster care funded under Title IV, Part E of the
25 federal Social Security Act shall have been in foster care
26 for more than twenty-four months.

27 NEW PARAGRAPH. In placing a child in foster care, the
28 department of social services shall first consider placing
29 the child in a private foster care home, unless the court
30 orders an alternative placement or the department documents
31 a compelling reason for an alternative placement.

32 Sec. 104. Acts of the Sixty-ninth General Assembly, 1981
33 Session, chapter 7, section 3, subsection 10, unnumbered
34 paragraph 1, is amended to read as follows:

35 For community-based

1	services	\$ 1,508,000	\$ 1,508,000
2			<u>1,639,000</u>

* 3 Sec. 105. The department of social services shall study
 4 the feasibility of providing adoption services entirely through
 5 purchase of service contracts with licensed private providers
 6 and make recommendations to the general assembly by January
 7 15, 1983. In preparing the study the department shall invite
 8 the participation of outside interested groups including
 9 private providers and interested consumers.

10 Sec. 106. There is appropriated from the general fund
 11 of this state for the fiscal year beginning July 1, 1982,
 12 and ending June 30, 1983, to the department of social services
 13 four million four hundred fifteen thousand (4,415,000) dollars,
 14 or so much thereof as is necessary, for supplementation of
 15 federal social services block grant funds and for allocation
 16 to the various districts of the department of social services
 17 for the purchase of local day care services and other local
 18 services for eligible individuals and for allocation to the
 19 various counties for local administration. Federal social
 20 services block grant funds received by this state and funds
 21 appropriated in this section which are available for local
 22 administration costs and purchase of day care and other local
 23 services shall be allocated to the counties through the
 24 district offices of the department of social services. The
 25 district administrator shall advise the county boards of
 26 supervisors within the district of the funding which will
 27 be available to each county. The district administrator shall
 28 assist the counties in planning for the use of the funds and
 29 in coordinating the use of the funds among the counties in
 30 the district.

31 County boards of supervisors shall determine, after
 32 receiving appropriate advice from interested parties, the
 33 services which the counties wish to fund. The county boards
 34 of supervisors may choose to fund only those services which
 35 are listed as services which can be locally purchased in the

1 fiscal year 1981-1982 state plan for the use of funds received
2 under Title XX of the federal Social Security Act. The county
3 boards of supervisors shall advise the district administrator
4 by a date specified by the district administrator of those
5 services the counties wish to fund. The county boards of
6 supervisors shall match every three dollars of funds allocated
7 to the counties under this section with one dollar of local
8 funds. If a county in the district does not use all funds
9 allocated to the county under this section, the district
10 administrator may transfer funds to other counties in the
11 district. The counties shall not be responsible for client
12 eligibility determinations, case management, or contracting
13 with providers for services; the department of social services
14 shall retain those responsibilities.

15 The department of social services shall maintain and utilize
16 the state and district advisory committees established pursuant
17 to Title XX of the federal Social Security Act for the purpose
18 of providing recommendations on the allocation and uses of
19 federal social services block grant funds received by this
20 state during the fiscal year ending June 30, 1983.

21 Sec. 107. The eligibility level for services under Title
22 XX of the federal Social Security Act, also referred to as
23 services provided with social services block grant funds,
24 for the fiscal year beginning July 1, 1982, and ending June
25 30, 1983, shall not be reduced below forty-one and two-tenths
26 percent of the federal median income as established in the
27 fiscal year 1981-1982 state plan for use of funds received
28 under Title XX of the federal Social Security Act. The
29 eligibility priorities for income maintenance recipients
30 established for the fiscal year ending June 30, 1982, shall
31 be maintained during the fiscal year ending June 30, 1983.
32 However, if the social services block grant funds received
33 from the federal government are less than the amounts
34 appropriated in Acts of the Sixty-ninth General Assembly,
35 1982 Session, House File 2477, division III for the fiscal

1 year beginning July 1, 1982, and ending June 30, 1983, the
2 eligibility level and priorities established in this section
3 shall be adjusted by the department of social services in
4 accordance with the procedure for reduced federal funds in
5 Acts of the Sixty-ninth General Assembly, 1982 Session, House
6 File 2477, division VI.

7 Sec. 108. The department of social services shall examine
8 cost containment alternatives for reimbursing purchase of
9 service providers. The department shall report the
10 alternatives to the social services appropriations subcommittee
11 during the 1983 session of the general assembly.

12 Sec. 109. The department of social services, in conjunction
13 with representatives of provider and consumer groups, shall
14 examine alternatives for disregarding income in the form of
15 workshop earnings received by individuals participating in
16 sheltered work and work activity services. The department
17 shall report the alternatives to the social services appro-
18 priations subcommittee by January 15, 1983.

19 * Sec. 110. Section 230.15, unnumbered paragraph 1, Code
20 1981, is amended to read as follows:

21 ~~Mentally~~ A mentally ill persons person and persons a person
22 legally liable for their the person's support shall remain
23 liable for the support of such the mentally ill person as
24 provided in this section. Persons legally liable for the
25 support of a mentally ill person shall include the spouse
26 of the mentally ill person, any person, firm, or corporation
27 bound by contract for support of the mentally ill person,
28 and, with respect to mentally ill persons under eighteen years
29 of age only, the father and mother of the mentally ill person.

30 The county auditor, subject to the direction of the board
31 of supervisors, shall enforce the obligation herein created
32 in this section as to all sums advanced by the county. The
33 liability to the county incurred by a mentally ill person
34 or a person legally liable for the person's support under
35 this section on-account-of-any-mentally-ill-person-shall-be

1 is limited to an amount equal to one hundred percent of the
2 cost of care and treatment of the mentally ill person at a
3 state mental health institute for one hundred twenty days
4 of hospitalization, whether occurring subsequent to a single
5 admission or accumulated as a consequence of two or more
6 separate admissions, and thereafter to. This limit of
7 liability may be reached by payment of the cost of care and
8 treatment of the mentally ill person subsequent to a single
9 admission or multiple admissions to a state mental health
10 institute or, if the person is not discharged as cured,
11 subsequent to a single transfer or multiple transfers to a
12 county care facility pursuant to section 227.11. After
13 reaching this limit of liability, a mentally ill person or
14 a person legally liable for the person's support is liable
15 to the county for the care and treatment of the mentally ill
16 person at a state mental health institute or, if transferred
17 but not discharged as cured, at a county care facility in
18 an amount not in excess of the average minimum cost of the
19 maintenance of a physically and mentally healthy individual
20 residing in his the individual's own home, which standard
21 shall be established and may from time to time be revised
22 by the department of social services. No A lien imposed by
23 section 230.25 shall not exceed the amount of the liability
24 which may be incurred under this section on account of any
25 mentally ill person.

26 Sec. 111. Section 230.15, unnumbered paragraph 3, Code
27 1981, is amended by striking the unnumbered paragraph.

28 Sec. 112. Section 110 of this Act applies to all payments
29 made by a mentally ill person or a person legally liable for
30 the person's support for the cost of care and treatment of
31 the mentally ill person at a state mental health institute
32 or, if transferred but not discharged from a state mental
33 health institute, at a county care facility before, on, or
34 after the effective date of this Act. However, if such
35 payments exceed the liability limitations in section 110 of

1 this Act on the effective date of this Act, a county is not
2 liable for repayment of the excess payments.

3 Sec. 113. Section 232.80, Code 1981, is amended to read
4 as follows:

5 232.80 HOMEMAKER SERVICES. A homemaker-home health aide
6 may be assigned to give care to a child in the child's place
7 of residence. Whenever possible, ~~such~~ the services shall
8 be provided in preference to removal of the child from the
9 home. ~~Such~~ The care may be provided under this Act on an
10 emergency basis for up to twenty-four hours without court
11 order, and may be ordered by the court for a period of time
12 extending until dismissal or disposition of the case. Expenses
13 ~~incurred under this section shall be paid for according to,~~
14 ~~and reimbursement from the parent, guardian or custodian may~~
15 ~~be sought under, the provisions of section 232.141.~~

16 Sec. 114. Section 232.141, subsection 2, Code 1981, is
17 amended to read as follows:

18 2. Whenever legal custody of a minor is transferred by
19 the court or whenever the minor is placed by the court with
20 someone other than the parents ~~or whenever homemaker-home~~
21 ~~health-aide-service-is-provided-under-section-232.80,~~ or
22 whenever a minor is given physical or mental examinations
23 or treatment under order of the court and no provision is
24 otherwise made by law for payment for the care, examination,
25 or treatment of the minor, the costs shall be charged upon
26 the funds of the county in which the proceedings are held
27 upon certification of the judge to the board of supervisors.
28 Except where the parent-child relationship is terminated,
29 the court may inquire into the ability of the parents to
30 support the minor and after giving the parents a reasonable
31 opportunity to be heard may order the parents to pay in the
32 manner and to whom the court may direct, such sums as will
33 cover in whole or in part the cost of care, examination, or
34 treatment of the minor. An order entered under this section
35 shall not obligate a parent paying child support under a

1 custody decree, except that any part of such a monthly support
2 payment may be used to satisfy the obligations imposed by
3 an order entered under this section. If the parents fail
4 to pay the sum without good reason, the parents may be
5 proceeded against for contempt or the court may inform the
6 county attorney who shall proceed against the parents to
7 collect the unpaid sums or both. Any such sums ordered by
8 the court shall be a judgment against each of the parents
9 and a lien as provided in section 624.23. If all or any part
10 of the sums that the parents are ordered to pay is subsequently
11 paid by the county, the judgment and lien shall thereafter
12 be against each of the parents in favor of the county to the
13 extent of such payments.

14 Sec. 115. Section 234.13, Code 1981, is amended by adding
15 the following new subsection:

16 NEW SUBSECTION. Acquires, alters, transfers, or redeems
17 food stamp coupons or possesses coupons, knowing that the
18 coupons have been received, transferred, or used in violation
19 of this section or the provisions of the federal food stamp
20 program under 7 U.S.C. ch. 51 or the federal regulations
21 issued pursuant to that chapter.

22 Sec. 116. Section 249A.4, subsection 1, Code 1981, is
23 amended to read as follows:

24 1. Determine the greatest amount, duration, and scope
25 of assistance which may be provided, and the broadest range
26 of eligible individuals to whom assistance may effectively
27 be provided, under this chapter within the limitations of
28 available funds. In so doing, ~~he~~ the commissioner shall at
29 least every six months evaluate the scope of the program
30 currently being provided under this chapter, project the
31 probable cost of continuing a like program, compare such
32 probable cost with the remaining balance of the state
33 appropriation made for payment of assistance under this chapter
34 during the current appropriation period, and expand or curtail
35 the program accordingly; provided that ~~in no event~~

1 reimbursement for medical and health services shall ~~the scope~~
2 ~~of the program~~ be ~~less than payment of all costs of the care~~
3 ~~and services to which reference is made in section 249A.2,~~
4 ~~subsection 5, which are provided to the individuals and~~
5 ~~families described in section 249A.3, subsection 1~~ made in
6 accordance with section 249A.4, subsection 9 in section 107
7 of this Act. After each evaluation of the scope of the
8 program, the commissioner shall report ~~his conclusions and~~
9 ~~his action thereon~~ to the general assembly through the
10 legislative council or in ~~such other~~ another manner as the
11 general assembly may by resolution direct.

12 Sec. 117. Section 249A.4, subsection 9, Code 1981, is
13 amended by striking the subsection and inserting in lieu
14 thereof the following:

15 9. Determine the method and level of reimbursement for
16 all medical and health services referred to in section 249A.2,
17 subsection 5 or 6, after considering all of the following:

18 a. The promotion of efficient and cost-effective delivery
19 of medical and health services.

20 b. Compliance with federal law and regulations.

21 c. The level of state and federal appropriations for
22 medical assistance.

23 d. Reimbursement at a level as near as possible to actual
24 costs and charges after priority is given to the considerations
25 in paragraphs a, b, and c.

26 Sec. 118. Section 252B.5, Code 1981, is amended by adding
27 the following new subsection:

28 NEW SUBSECTION. Determine periodically whether an
29 individual receiving unemployment compensation benefits under
30 chapter 96 owes a support obligation which is being enforced
31 by the unit, and enforce the support obligation through court
32 proceedings in the absence of a voluntary agreement by the
33 individual to have specified amounts withheld from the
34 individual's unemployment compensation benefits.

* 35 Sec. 119. The department of social services shall adopt

1 administrative rules under section 17A.4, subsection 2 and
2 section 17A.5, subsection 2, paragraph b relating to the
3 coordinated manpower services demonstration project, hospital
4 reimbursements based on a prospective basis, percentage
5 reductions of reimbursements for most mandatory and optional
6 services, the limitations on lengths of hospital stays,
7 physician reimbursements based on prevailing fees, social
8 services block grant allocations to the counties, and
9 allocations to the counties for sheltered work and work
10 activity services in sections 84, 88, 98, and 102 of this
11 Act, and may adopt administrative rules under section 17A.4,
12 subsection 2 and section 17A.5, subsection 2, paragraph b
13 relating to professional prescription drug dispensing fee
14 reimbursements, the unemployed parent program under the aid
15 to families with dependent children program and residential
16 care facility reimbursements in sections 89 and 100 of this
17 Act, and in section 94 of this Act and the rules shall become
18 effective immediately upon filing, unless a later effective
19 date is specified in the rules. However, it is the intent
20 of the general assembly that the rules be adopted pursuant
21 to the provisions of chapter 17A and that the emergency rule-
22 making process be used only if the procedures specified in
23 chapter 17A can not be completed in time.

24 DIVISION VIII

25 Sec. 120. Acts of the Sixty-ninth General Assembly, 1981
26 Session, chapter 14, section 1, subsection 1, and subsection
27 2, paragraph a, are amended to read as follows:

28 1. IOWA LAW ENFORCEMENT

29 ACADEMY

30 For salaries, support, main-
31 tenance, and miscellaneous pur-

32 poses \$ 665,750 \$ 686,442
33 690,342

34 ~~If legislation creating a criminal justice improvement~~
35 ~~fund is enacted and becomes law, the funds appropriated by~~

1 this subsection for the Iowa law enforcement academy are
2 reduced for the fiscal year beginning July 1, 1981 and ending
3 June 30, 1982 by one hundred thirty nine thousand nine hundred
4 sixty two (139,962) dollars and for the fiscal year beginning
5 July 1, 1982 and ending June 30, 1983 by one hundred forty
6 eight thousand eight hundred seventy one (148,871) dollars.

7 a. Military division

8 For salaries except salaries
9 provided for in paragraph b of
10 this subsection, support, main-
11 tenance, and miscellaneous pur-
12 poses \$ 2,256,288 \$ 2,351,918
13 2,592,862

14 Sec. 121. Acts of the Sixty-ninth General Assembly, 1981
15 Session, chapter 14, section 2, subsection 2, is amended to
16 read as follows:

17 2. INSPECTION AND SECURITY
18 FUNCTION

19 For salaries, support, main-
20 tenance, and miscellaneous pur-
21 poses of fire marshal's inspec-
22 tions, administration of the
23 state building code, and arson
24 investigators including the
25 state's contribution to the
26 peace officers' retirement,
27 accident, and disability sys-
28 tem provided in chapter 97A
29 in the amount of sixteen per-
30 cent of the salaries for
31 which the funds are appropri-
32 ated, and capital security
33 divisions \$ 1,281,347 \$ 1,340,250
34 1,493,020

35 Sec. 122. Acts of the Sixty-ninth General Assembly, 1981

1 Session, chapter 14, section 2, subsection 3, paragraph d,
2 is amended by striking the paragraph.

3 Sec. 123. Acts of the Sixty-ninth General Assembly, 1981
4 Session, chapter 14, section 3, subsection 3, is amended by
5 striking the subsection.

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SENATE FILE 2304

H-5955

1 Amend Senate File 2304 as amended, passed and re-
2 printed by the Senate as follows:
3 1. Page 39, by inserting after line 2, the
4 following:
5 "Sec. _____. Notwithstanding the provisions of Acts
6 of the Sixty-ninth General Assembly, 1981 Session,
7 chapter 9, salary increases otherwise specified or
8 authorized to be paid in the fiscal year beginning
9 July 1, 1982 shall not be paid until January 1, 1983."
10 2. Renumber as necessary.

H-5955 FILED APRIL 24, 1982 BY TYRRELL of Iowa

WITHDRAWN	MANN of Greene	HOLT of Clay
(p. 1732)	SMALLEY of Polk	JOHNSON of Howard
	GROSS of Ringgold	ANDERSON of Audubon
	JOHNSON of Linn	COOK of Hardin
	PELLETT of Cass	HARBOR of Mills
	STUELAND of Clinton	RENKEN of Grundy
	MAULSBY of Calhoun	

SENATE FILE 2304

H-5956

1 Amend Senate File 2304 as amended, passed and
2 reprinted by the Senate, as follows:
3 1. Page 39, by inserting after line 2, the
4 following:
5 "Sec. _____. Notwithstanding the provisions of Acts
6 of the Sixty-ninth General Assembly, 1981 Session,
7 chapter 9, salary increases otherwise specified or
8 authorized to be paid in the fiscal year beginning
9 July 1, 1982 shall not be paid until October 1, 1982."
10 2. Renumber as necessary.

H-5956 FILED APRIL 23, 1982 BY TYRRELL of Iowa

WITHDRAWN	HARBOR of Mills	STUELAND of Clinton
(p. 1732)	MANN of Greene	DE GROOT of Lyon
	HOLT of Clay	SMALLEY of Polk
	JOHNSON of Howard	RENKEN of Grundy
	MAULSBY of Calhoun	GROSS of Ringgold
	ANDERSON of Audubon	JOHNSON of Linn
	COOK of Hardin	WELDEN of Hardin

SENATE FILE 2304

H-5954

1 Amend Senate File 2304, as amended, passed, and
2 reprinted by the Senate as follows:

3 1. Page 48, by striking line 22, and inserting
4 in lieu thereof the figure "2,837,000".

5 2. Page 49, by striking line 18, and inserting
6 in lieu thereof the figure "22,401,000".

7 3. Page 50, line 13, by striking the words and
8 figure "four million four hundred fifteen thousand
9 (4,415,000)" and inserting in lieu thereof the words
10 and figure "four million six thousand (4,006,000)".

11 4. Page 52, by inserting after line 6 the follow-
12 ing:

13 "Sec. _____. Beginning on and after July 1, 1982,
14 the department of social services shall limit the
15 six-month, inflation and cost-based reimbursement
16 increases to purchase of service providers contracting
17 with the department up to a maximum of four percent
18 of the current reimbursement. This section does not
19 apply to foster residential care and foster group
20 home providers receiving the maximum reimbursements,
21 but does apply to those providers receiving
22 reimbursements below the maximum reimbursements."

23 5. By numbering and renumbering as necessary.

H-5954 FILED APRIL 23, 1982 BY MANN of Greene
WITHDRAWN (p. 1736)

SENATE FILE 2304

H-5959

1 Amend Senate File 2304, as amended, passed and
2 reprinted by the Senate, as follows:

3 1. Page 17, line 7, by striking the figure
4 "22,211,392" and inserting in lieu thereof the figure
5 "23,463,887".

H-5959 FILED APRIL 23, 1982 BY PONCY of Wapello
LOST (p. 1725)

SENATE FILE 2304

H-5957

1 Amend Senate File 2304 as amended, passed, and
 2 reprinted by the Senate as follows:
 3 1. Page 39, by inserting after line 2, the
 4 following:
 5 "Sec. _____. Notwithstanding the provisions of
 6 section 2.10, the annual salary rates for members
 7 of the general assembly and the lieutenant governor
 8 effective for the calendar year beginning January
 9 1, 1982 is reduced by four hundred dollars. Any
 10 person who has received annual salary payments previous
 11 to the effective date of this section which exceed
 12 the computed amount of salary as determined under
 13 this section, shall repay the excess payment to the
 14 state comptroller."
 15 2. Renumber as necessary.

H-5957 FILED APRIL 23, 1982 BY TYRRELL of Iowa

WITHDRAWN
(p. 1732)

HOLT of Clay	SMALLEY of Polk
JOHNSON of Howard	GROSS of Ringgold
ANDERSON of Audubon	JOHNSON of Linn
COOK of Hardin	PELLETT of Cass
RENKEN of Grundy	MAULSBY of Calhoun
HARBOR of Mills	STUELAND of Clinton
MANN of Greene	DE GROOT of Lyon

SENATE FILE 2304

H-5958

1 Amend Senate File 2304 as amended, passed, and
 2 reprinted by the Senate as follows:
 3 1. Page 39, by inserting after line 2, the
 4 following:
 5 "Sec. _____. Notwithstanding the provisions of
 6 section 2.10, the annual salary rates for members
 7 of the general assembly and the lieutenant governor
 8 effective for the calendar year beginning January
 9 1, 1982 is reduced by two hundred dollars. Any person
 10 who has received annual salary payments previous to
 11 the effective date of this section which exceed the
 12 computed amount of salary as determined under this
 13 section, shall repay the excess payment to the state
 14 comptroller."
 15 2. Renumber as necessary.

H-5958 FILED APRIL 23, 1982 BY TYRRELL of Iowa

WITHDRAWN
(p. 1732)

HARBOR of Mills	STUELAND of Clinton
MANN of Greene	DE GROOT of Lyon
RENKEN of Grundy	MAULSBY of Calhoun
HOLT of Clay	SMALLEY of Polk
JOHNSON of Howard	GROSS of Ringgold
ANDERSON of Audubon	JOHNSON of Linn
COOK of Hardin	WELDEN of Hardin

SENATE FILE 2304

I-5964

1 Amend Senate File 2304 as amended, passed and
2 reprinted by the Senate, as follows:

3 1. Page 37, by inserting after line 13 the
4 following:

5 "Sec. _____. The membership of district judicial
6 nominating commissions for judicial election districts
7 5A and 5C, as those judicial election districts are
8 established by Acts of the Sixty-ninth General
9 Assembly, 1982 Session, Senate File 276 (referred
10 to in this section as Senate File 276), shall be as
11 provided in chapter 46, subject to the following
12 transition provisions:

13 1. Those judicial nominating commissioners of
14 judicial election district 5A who are residents of
15 Polk County on the effective date of Senate File 276
16 shall be disqualified from serving in that judicial
17 election district as of the effective date of Senate
18 File 276 and their offices shall be deemed vacant.
19 These vacancies shall be filled as provided in sec-
20 tion 46.5 and for the remainder of the unexpired
21 terms.

22 2. The governor shall appoint five eligible
23 electors of judicial election district 5C to the
24 district judicial nominating commission for that
25 district for terms commencing on the effective date
26 of Senate File 276. Two of the appointees shall serve
27 terms ending April 30, 1984, two of the appointees
28 shall serve terms ending April 30, 1986, and the
29 remaining appointee shall serve a term ending April
30 30, 1988. At the end of each of these terms the
31 governor shall appoint commissioners for six-year
32 terms pursuant to section 46.3.

33 3. Elective judicial nominating commissioners
34 shall be elected for judicial election district 5C
35 in the manner provided in chapter 46 and for terms
36 commencing on the effective date of Senate File 276.
37 Two of those elected shall serve terms ending April
38 30, 1984, two shall serve terms ending April 30, 1986,
39 and the remaining member shall serve a term ending
40 April 30, 1988, as determined by the drawing of lots
41 by the persons elected. At the end of these terms,
42 elective commissioners shall be elected for six-year
43 terms pursuant to chapter 46.

44 4. An appointment or election required by
45 subsection 1, 2, or 3 may be done at any time after
46 the effective date of this Act, but persons so
47 appointed or elected shall not take office until the
48 effective date of Senate File 276.

49 5. As soon as practicable after the effective
50 date of Senate File 276 the supreme court administrator

H-5964
Page 2

1 shall recompute, as provided in section 602.18, the
2 number of judgeships to which each of the judicial
3 election districts as redefined in Senate File 276
4 is entitled. The administrator shall submit the
5 results of this recomputation to the members of the
6 supreme court as soon as it has been completed. The
7 supreme court shall reassign judges between judicial
8 election districts as necessary to maintain continuity
9 of judicial business within the judicial election
10 districts that are affected by Senate File 276.
11 Commencing on the effective date of Senate File 276,
12 vacancies in judicial election districts as redefined
13 in Senate File 276 shall be filled according to section
14 602.18.

15 For purposes of the recomputations required by
16 this subsection, the supreme court administrator shall
17 determine the average case filings for the latest
18 available three-year period by reallocating the actual
19 case filings during the three-year period used to
20 the judicial election districts as they would have
21 existed during the three-year period if Senate File
22 276 had been in effect throughout that period."

23 2. By renumbering sections and correcting
24 references

H-5964 FILED APRIL 23, 1982 BY POFFENBERGER of Dallas
NOT GERMANE (p.1732)

SENATE FILE 2304

H-5960

1 Amend Senate File 2304 as amended, passed and
2 reprinted by the Senate as follows:
3 1. Page 8, line 15, by striking the words "No
4 license shall" and inserting in lieu thereof the
5 words "~~No license shall~~ A license to fish shall not".

H-5960 FILED APRIL 23, 1982 BY SPEAR of Lee
WITHDRAWN (p.1721)

SENATE FILE 2304

H-5961

1 Amend Senate File 2304 as amended, passed and
2 reprinted by the Senate as follows:
3 1. Page 8, line 17, by striking the word "inmates"
4 and inserting in lieu thereof the words "inmates
5 residents".

H-5961 FILED APRIL 23, 1982 BY SPEAR of Lee
ADOPTED (p.1721)

SENATE FILE 2304

H-5970

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Amend Senate File 2304, as amended, passed and reprinted by the Senate, as follows:

1. Page 17, by inserting after line 21 the following:

"Sec. . . . Acts of the Sixty-ninth General Assembly, 1981 Session, chapter 8, section 9, subsection 3, paragraph c, is amended to read as follows:

c. Cooperative extension service in agriculture and home economics

For salaries, support, maintenance, and miscellaneous

purposes \$ 8,048,331 \$ 8,436,406
8,646,406

It is the intent of the general assembly that from funds appropriated in this paragraph, two hundred ten thousand (210,000) dollars shall be expended during the fiscal year beginning July 1, 1982 and ending June 30, 1983 to match federal funds to be used to fund the center for industrial research and services."

2. By numbering and renumbering sections and correcting internal references as necessary.

H-5970 FILED APRIL 23, 1982 BY GROTH of Buena Vista
WITHDRAWN (p. 1726)

SENATE FILE 2304

H-5969

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Amend Senate File 2304, as amended, passed and reprinted by the Senate, as follows:

1. Page 17, by inserting after line 21 the following:

"Sec. . . . Acts of the Sixty-ninth General Assembly, 1981 Session, chapter 8, section 9, subsection 3, is amended by adding the following new paragraph:

NEW PARAGRAPH. Planning
For planning for
veterinary medicine clinic
conversion for use by
industrial education \$ \$ 200,000".

2. By numbering and renumbering sections and correcting internal references as necessary.

H-5959 FILED APRIL 23, 1982 BY GROTH of Buena Vista
WITHDRAWN (p. 1726)

SENATE FILE 2304

H-5971

1 Amend Senate File 2304 as amended, passed, and
 2 reprinted by the Senate as follows:

3 1. Page 39, by inserting after line 2 the
 4 following:

5 "Sec. ____ Acts of the Sixty-ninth General
 6 Assembly, 1981 Session, chapter 9, section 1,
 7 subsections 1 through 5, are amended to read as
 8 follows:

	<u>1981-1982</u> Fiscal Year		<u>1982-1983</u> Fiscal Year
10			
11		1. DEPARTMENT OF AGRICULTURE	
12		Salary for the secretary of ag-	
13		riculture..... \$	\$ 38,500
14			<u>37,000</u>
15		2. OFFICE OF THE ATTORNEY	
16		GENERAL	
17		Salary of the attorney general..... \$	\$ 59,700
18			<u>48,900</u>
19		3. OFFICE OF THE AUDITOR	
20		OF STATE	
21		Salary of the auditor of state..... \$	\$ 38,500
22			<u>37,000</u>
23		4. OFFICE OF THE SECRETARY	
24		OF STATE	
25		Salary of the secretary of state... \$	\$ 38,500
26			<u>37,000</u>
27		5. OFFICE OF THE TREASURER	
28		OF STATE	
29		Salary of the treasurer of state... \$	\$ 38,500
30			<u>37,000</u>

31 Sec. ____ Acts of the Sixty-ninth General Assembly,
 32 1981 Session, chapter 9, section 2, subsections 1
 33 through 8, are amended to read as follows:

	<u>1981-1982</u> Fiscal Year		<u>1982-1983</u> Fiscal Year
34			
35		1. Chief justice of the	
36		supreme court..... \$	\$ 62,200
37			<u>60,200</u>
38		2. Each justice of the	
39		supreme court..... \$	\$ 57,200
40			<u>55,000</u>
41		3. Chief judge of the court	
42		of appeals..... \$	\$ 55,400
43			<u>53,400</u>
44		4. Each associate judge of	
45		the court of appeals..... \$	\$ 54,200
46			<u>52,200</u>
47		5. Each chief judge of a	
48		judicial district..... \$	\$ 53,600
49			<u>51,100</u>
50			

1	6. Each district court judge			
2	except the chief judge of a			
3	judicial district.....	\$ 47,000	\$	50,700
4				<u>48,900</u>
5	7. Each district associate			
6	judge.....	\$ 38,900	\$	42,000
7				<u>40,500</u>
8	8. Each part-time judicial			
9	magistrate.....	\$ 10,800	\$	11,700
10				<u>11,200</u>

11 Sec. ____ . Acts of the Sixty-ninth General Assembly,
12 1981 Session, chapter 9, section 3, is amended to
13 read as follows:

14 SEC. 3. There is appropri-
15 ated from the general fund of
16 the state for each fiscal year
17 of the fiscal biennium begin-
18 ning July 1, 1981, and ending
19 June 30, 1983, the following
20 amounts, or so much thereof as
21 is necessary, to be used to
22 fund increases in judicial sal-
23 aries as provided in section 2
24 of this Act and for the state's
25 contribution to the judicial
26 retirement system provided for
27 in chapter 605A required because
28 of the increased salaries.....

29		1981-1982		1982-1983
30		<u>Fiscal Year</u>		<u>Fiscal Year</u>
31		\$ 649,750		\$ 1,350,250
32				<u>1,000,000</u>

33 Sec. ____ . Acts of the Sixty-ninth General Assembly,
34 1981 Session, chapter 9, section 4, subsections 1
35 and 2, are amended to read as follows:

36		1981-1982		1982-1983
37		<u>Fiscal Year</u>		<u>Fiscal Year</u>
38	1. Chairperson of the public			
39	employment relations board.....	\$ 36,800	\$	39,750
40				<u>38,300</u>
41	2. Two members of the public			
42	employment relations board, each...	\$ 34,100	\$	36,800
43				<u>35,500</u>

44 Sec. ____ . Acts of the Sixty-ninth General Assembly,
45 1981 Session, chapter 9, section 7, subsection 2,
46 is amended to read as follows:

47 2. For the fiscal year beginning July 1, 1982,
48 and subsequent fiscal years until otherwise provided
49 by the general assembly if a person is in:

50 a. Range one, the person shall receive a salary
of not less than five thousand ~~eight~~ six hundred

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Page 3

1 ~~(5,800)~~ (5,600) dollars or more than ~~seventeen sixteen~~
2 ~~thousand five nine hundred (17,500)~~ (16,900) dollars.

3 b. Range two, the person shall receive a salary
4 of not less than ~~twenty-one twenty thousand (21,000)~~
5 two hundred (20,200) dollars or more than ~~thirty-five~~
6 thirty-three thousand (35,000) seven hundred (33,700)
7 dollars.

8 c. Range three, the person shall receive a salary
9 of not less than ~~twenty-nine twenty-eight thousand~~
10 two one hundred (29,200) (28,100) dollars or more
11 than ~~forty thirty-nine thousand eight three hundred~~
12 (40,800) (39,300) dollars.

13 d. Range four, the person shall receive a salary
14 of not less than ~~thirty-five thirty-three thousand~~
15 (35,000) seven hundred (33,700) dollars or more than
16 ~~forty-six forty-four thousand seven nine hundred~~
17 (46,700) (44,900) dollars.

18 e. Range five, the person shall receive a salary
19 of not less than ~~forty thirty-nine thousand eight~~
20 three hundred (40,000) (39,300) dollars or more than
21 ~~forty-two fifty thousand five hundred (52,500)~~ (50,500)
22 dollars.

23 Sec. _____. Acts of the Sixty-ninth General Assembly,
24 1981 Session, chapter 9, section 14, subsection 1,
25 paragraph b, is amended to read as follows:

26 b. For the fiscal year beginning July 1, 1982,
27 ~~\$86,999,000~~ 65,419,000.

28 Sec. _____. Acts of the Sixty-ninth General Assembly,
29 1981 Session, chapter 9, section 15, subsection 1,
30 paragraph b, is amended to read as follows:

31 b. For the fiscal year beginning July 1, 1982,
32 ~~\$1,465,000~~ 1,100,000.

33 Sec. _____. Acts of the Sixty-ninth General Assembly,
34 1981 Session, chapter 9, section 16, subsection 1,
35 paragraph b, is amended to read as follows:

36 b. For the fiscal year beginning July 1, 1982,
37 ~~\$13,780,000~~ 10,502,000.

38 Sec. _____. Acts of the Sixty-ninth General Assembly,
39 1981 Session, chapter 9, section 19, subsection 1,
40 is amended to read as follows:

41 1. The merit system pay plan and executive council
42 exempt pay plan provided for in section 19A.9,
43 subsection 2, as they exist for the fiscal years
44 ending June 30, 1981, and June 30, 1982, shall be
45 increased for employees who are not included in a
46 collective bargaining agreement made final under
47 chapter 20 by eight percent for the fiscal year
48 beginning July 1, 1981, effective with the pay period
49 beginning July 3, 1981, and by ~~eight~~ four percent
50 for the fiscal year beginning July 1, 1982, effective

1 with the pay period beginning July 2, 1982. The merit
2 employment commission shall revise the merit system
3 pay plan and the governor shall revise the executive
4 council pay plan as provided under section 19A.9,
5 subsection 2, by increasing the salary levels for
6 the various grades and steps within the respective
7 plans by eight percent.

8 Sec. _____. Acts of the Sixty-ninth General Assembly,
9 1981 Session, chapter 9, section 19, subsection 4,
10 is amended to read as follows:

11 4. The appointing authority shall determine the
12 percentage increase for each professional and
13 managerial employee's salary provided for under this
14 section and may increase the salaries of the
15 professional and managerial employees by different
16 percentages, but the total percentage increase of
17 all salaries of the professional and managerial
18 employees under the appointing authority's
19 jurisdiction for the fiscal year beginning July 1,
20 1981, shall be eight percent of those salaries as
21 they exist on July 2, 1981, and for the fiscal year
22 beginning July 1, 1982, shall be ~~eight~~ four percent
23 of those salaries as they exist on July 1, 1982.
24 As used in this section, "professional and managerial
25 employee" means a professional employee as defined
26 in section 20.3, subsection 11 or a representative
27 of a public employer or supervisory employee as defined
28 in section 20.4, subsection 2.

29 Sec. _____. Acts of the Sixty-ninth General Assembly,
30 1981 Session, chapter 9, section 20, subsections 1
31 and 2, are amended to read as follows:

32 1. ~~The amount necessary to fund in each fiscal~~
33 ~~year the fiscal year beginning July 1, 1982 and ending~~
34 ~~June 30, 1983 an average base salary increase of eight~~
35 ~~four percent of base salaries of faculty members and~~
36 ~~professional and scientific staff members, except~~
37 ~~board office employees, paid during the preceding~~
38 ~~fiscal year ending June 30, 1982, to be allocated~~
39 ~~to faculty members and professional and scientific~~
40 ~~staff members at the discretion of the state board~~
41 ~~of regents.~~

42 2. For employees under the state board of regents'
43 merit system who are not included in the collective
44 bargaining agreement made final under chapter 20,
45 except board office employees, the amount necessary
46 to increase the state board of regents' merit pay
47 plan as the pay plan exists for the fiscal years ~~year~~
48 ~~ending June 30, 1981, and June 30, 1982, by increasing~~
49 ~~the salary levels for each grade and step within the~~
50 ~~plan by eight~~ four percent for the fiscal year

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Page 5

1 beginning ~~July 1, 1981, and eight percent for the~~
2 ~~fiscal year beginning~~ July 1, 1982 and ending June
3 30, 1983.

4 Sec. _____. Acts of the Sixty-ninth General Assembly,
5 1981 Session, chapter 9, section 26, subsection 1,
6 unnumbered paragraph 1, is amended to read as follows:

7 To the merged areas as de-

8 fined in section 280A.2..... \$ 3,320,000 \$ ~~6,863,000~~
9 5,061,500

10 Sec. _____. Acts of the Sixty-ninth General Assembly,
11 1981 Session, chapter 9, section 26, subsection 2,
12 unnumbered paragraph 1, is amended to read as follows:

13 To the judicial district

14 departments of correctional
15 services as defined in section

16 905.2..... \$ 597,000 \$ ~~1,222,000~~
17 909,500

18 Sec. _____. Acts of the Sixty-ninth General Assembly,
19 1981 Session, chapter 9, section 26, subsection 5,
20 unnumbered paragraph 1, is amended to read as follows:

21 To local boards of health
22 receiving in-home health care

23 grants..... \$ 230,000 \$ ~~471,000~~
24 350,500

25 Sec. _____. Acts of the Sixty-ninth General Assembly,
26 1981 Session, chapter 9, section 28, subsection 1,
27 paragraph b, is amended to read as follows:

28 b. For the fiscal year beginning July 1, 1982,
29 ~~\$209,668~~ 155,902.

30 Sec. _____. Section 605.8, subsection 1, Code 1981,
31 as amended by Acts of the Sixty-ninth General Assembly,
32 1981 Session, chapter 9, section 29, is amended by
33 striking the subsection and inserting in lieu thereof
34 the following:

35 1. Each full-time shorthand reporter of the
36 district court shall be paid an annual salary as
37 established by the supreme court based on the
38 reporter's experience, of not less than fifteen
39 thousand four hundred fifty dollars or more than
40 twenty-three thousand nine hundred fifty dollars.

41 Sec. _____. Section 685.1, Code 1981, as amended
42 by Acts of the Sixty-ninth General Assembly, 1981
43 Session, chapter 9, section 9, is amended to read
44 as follows:

45 685.1 APPOINTMENT. The judges of the supreme
46 court shall appoint a clerk of the supreme court who
47 shall hold office for four years and until a successor
48 is appointed and qualifies. The judges of the supreme
49 court shall set the salary of the clerk of the supreme
50 court which salary shall not be less than twenty-one

1 thousand six hundred dollars or more than thirty-two
2 thousand four hundred dollars annually for the fiscal
3 year beginning July 1, 1981, and not less than ~~twenty-~~
4 ~~three~~ twenty-two thousand three five hundred or more
5 than ~~thirty-five~~ thirty-three thousand seven hundred
6 dollars annually for the fiscal year beginning July
7 1, 1982, and subsequent fiscal years until otherwise
8 provided by the general assembly. In case a vacancy
9 occurs, the vacancy shall be filled by appointment
10 for the unexpired portion of the term only.

11 Sec. ____ . Section 685.6, unnumbered paragraph
12 2, Code 1981, as amended by Acts of the Sixty-ninth
13 General Assembly, 1981 Session, chapter 9, section
14 10, is amended to read as follows:

15 The court shall fix the compensation of the
16 administrator, deputy administrator, and research
17 director and the employees of the office. The salary
18 of the administrator, deputy administrator, and
19 research director shall be set at a rate of not less
20 than twenty-seven thousand dollars or more than thirty-
21 seven thousand eight hundred dollars annually for
22 the fiscal year beginning July 1, 1981, and not less
23 than ~~twenty-nine~~ twenty-eight thousand two one hundred
24 dollars or more than ~~forty~~ thirty-nine thousand eight
25 three hundred dollars annually for the fiscal year
26 beginning July 1, 1982, and subsequent fiscal years
27 until otherwise provided by the general assembly.
28 The supreme court is authorized to accept federal
29 funds to supplement the funds appropriated to the
30 court.

31 Sec. ____ . Section 685.7, Code 1981, as amended
32 by Acts of the Sixty-ninth General Assembly, 1981
33 Session, chapter 9, section 11, is amended to read
34 as follows:

35 685.7 ASSISTANTS. The court administrator, with
36 the approval of the supreme court, shall appoint and
37 set the salaries of assistants as are necessary to
38 perform the powers and duties vested in the court
39 administrator. The salaries of the assistants, except
40 the court fiscal director, shall be set at a rate
41 of not less than sixteen thousand two hundred or more
42 than twenty-seven thousand dollars annually for the
43 fiscal year beginning July 1, 1981, and not less than
44 ~~seventeen~~ sixteen thousand five eight hundred dollars
45 or more than ~~twenty-nine~~ twenty-eight thousand two
46 one hundred dollars annually for the fiscal year
47 beginning July 1, 1982, and subsequent fiscal years
48 until otherwise provided by the general assembly.
49 The court fiscal director shall receive a salary at
50 a rate of not less than twenty-one thousand six hundred

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Page 7

1 dollars or more than thirty-two thousand four hundred
2 dollars for the fiscal year beginning July 1, 1981,
3 and not less than ~~twenty-three~~ twenty-two thousand
4 ~~three~~ five hundred dollars or more than ~~thirty-five~~
5 thirty-three thousand seven hundred dollars for the
6 fiscal year beginning July 1, 1982 and subsequent
7 fiscal years until otherwise provided by the general
8 assembly. While holding the position, neither the
9 court administrator nor assistants shall practice
10 law in any of the courts of this state."
11 2. By numbering sections to conform to this amend-
12 ment.

H-5971 FILED APRIL 23, 1982 BY HARBOR of Mills
JOHNSON of Linn TYRRELL of Iowa
COOK of Hardin STUELAND of Clinton
WITHDRAWN (p. 1732) GROSS of Ringgold ANDERSON of Audubon
WELDEN of Hardin SMALLEY of Polk
MAULSBY of Calhoun BRANSTAD of Winnebago
RENKEN of Grundy PELLETT of Cass

SENATE FILE 2304

H-5966

1 Amend Senate File 2304, as amended, passed and
2 reprinted by the Senate, as follows:
3 1. Page 32, by striking line 26 and inserting
4 in lieu thereof "16,639,864".

H-5966 FILED APRIL 23, 1982 BY CHIODO of Polk
WITHDRAWN (p. 1729)

SENATE FILE 2304

H-5967

1 Amend Senate File 2304, as amended, passed and
2 reprinted by the Senate, as follows:
3 1. Page 31, by inserting after line 11, the
4 following:
5 "Sec. ____ Acts of the Sixty-ninth General
6 Assembly, 1981 Session, chapter 12, section 7, is
7 amended by adding the following new subsection:
8 NEW SUBSECTION. Of the funds appropriated by
9 subsection 1 for the fiscal year beginning July 1,
10 1982, the Iowa development commission shall allocate
11 a sum not exceeding sixty-seven thousand five
12 hundred (67,500) dollars for one-stop permitting
13 and high risk capital clearinghouse."

H-5967 FILED APRIL 23, 1982 BY SWARTZ of Marshall
WITHDRAWN (p. 1729)

SENATE FILE 2304

H-5965

1 Amend Senate File 2304, as amended, passed and
2 reprinted by the Senate, as follows:
3 1. Page 16, by inserting after line 8 the
4 following:
5 "Sec. ____ Acts of the Sixty-ninth General
6 Assembly, 1981 Session, chapter 8, section 8,
7 subsection 10, is amended by adding the following
8 new paragraph:
9 NEW PARAGRAPH. To
10 provide for equipment replace-
11 ment and upgrading in all
12 merged area schools on a pro-
13 rated basis consistent with
14 past allocations made from
15 equipment inventory listings\$ \$ 1,850,000".
16 2. By numbering and renumbering sections and
17 correcting internal references as necessary.

H-5965 FILED APRIL 23, 1982 BY CONNOLLY of Dubuque
WITHDRAWN (p. 1725)

SENATE FILE 2304

H-5968

1 Amend amendment H-5960, to Senate File 2304 as
2 amended, passed and reprinted by the Senate as follows:
3 1. Page 1, line 5, by inserting after the word
4 "fish" the words "or hunt".

H-5968 FILED APRIL 23, 1982 BY SPEAR of Lee
WITHDRAWN (p. 1721)

SENATE FILE 2304

-5975

1 Amend Senate File 2304, as amended, passed and
2 reprinted by the Senate, as follows:
3 1. Page 57, by inserting after line 24 the following:
4 "Sec. ____ . Section 306.4, subsection 4, para-
5 graph a, Code 1981, is amended to read as follows:
6 a- The department and the controlling agency
7 shall have concurrent jurisdiction over any road
8 which is an extension of a primary or secondary
9 road and which both enters and exits from the state
10 land at separate points. The department may expend
11 the moneys available for such roads in the same
12 manner as the department expends such funds on other
13 roads over which the department exercises juris-
14 diction and control. The parties exercising
15 concurrent jurisdiction may enter into agreements
16 with each other as to the kind and type of
17 construction, reconstruction, repair and maintenance
18 and the division of costs thereof. In the absence
19 of such agreement the jurisdiction and control of
20 such road shall remain in the department.
21 Sec. ____ . Section 306.4, subsection 4, para-
22 graph b, Code 1981, is repealed."

-5975 FILED APRIL 23, 1982 BY AVENSON of Fayette
WITHDRAWN (p. 1739)

SENATE FILE 2304

H-5976

1 Amend Senate File 2304, as amended, passed and
2 reprinted by the Senate, as follows:
3 1. Page 16, by inserting after line 8 the
4 following:
5 "Sec. ____ . Acts of the Sixty-ninth General
6 Assembly, 1981 Session, chapter 8, section 8, is
7 amended by adding the following new subsection:
8 NEW SUBSECTION. ENVIRONMENTAL
9 AND CONSERVATION EDUCATION
10 For the purpose of developing
11 and disseminating Iowa-developing
12 environmental and conservation
13 education materials \$ \$ 75,000".
14 2. By numbering and renumbering sections and
15 correcting internal references as necessary.

H-5976 FILED APRIL 23, 1982 BY CONNOLLY of Dubuque
WITHDRAWN (p. 1725)

H-5973

- 1 Amend Senate File 2304, as amended, passed and
- 2 reprinted by the Senate, as follows:
- 3 1. Page 33, by striking lines 13 through 21.

H-5973 FILED APRIL 23, 1982 BY LAGESCHULTE of Bremer

~~LOST~~ *Bulld not german 4/23 (p.1721)*
(p.1730)

SENATE FILE 2304

H-5974

- 1 Amend Senate File 2304 as amended, passed and
- 2 reprinted by the Senate, as follows:
- 3 1. Page 18, by striking lines 22 through 26, and
- 4 inserting in lieu thereof the following: "1981 and
- 5 ending June 30, 1982 ~~and-to-four-million-six-hundred~~
- 6 ~~fifty-thousand-nine-hundred-(4,650,900)-dollars-for~~
- 7 ~~the-fiscal-year-beginning-July-17-1982-and-ending~~
- 8 ~~June-30-1983."~~

H-5974 FILED APRIL 23, 1982 BY CONNOLLY of Dubuque
WITHDRAWN (*p.1725*)

SENATE FILE 2304

H-5977

- 1 Amend Senate File 2304, as amended, passed and
- 2 reprinted by the Senate, as follows:
- 3 1. Page 16, by inserting after line 8 the
- 4 following:
- 5 "Sec. ____ Acts of the Sixty-ninth General
- 6 Assembly, 1981 Session, chapter 8, section 8,
- 7 subsection 10, is amended by adding the following
- 8 new paragraph:
- 9 NEW PARAGRAPH. To fund new
- 10 programs and additional sections
- 11 of current programs to be allocated
- 12 on the basis of priorities
- 13 established through needs surveys
- 14 of labor demand and to meet needs
- 15 of students who cannot now be
- 16 accommodated in current programs\$ \$ 1,000,000".
- 17 2. By numbering and renumbering sections and
- 18 correcting internal references as necessary.

H-5977 FILED APRIL 23, 1982 BY CONNOLLY of Dubuque
WITHDRAWN (*p.1725*)

SENATE FILE 2304

H-5978

- 1 Amend Senate File 2304 as amended, passed and
- 2 reprinted by the Senate, as follows:
- 3 1. Page 4, by inserting after line 32 the
- 4 following:
- 5 "Sec. ____ The department of social services shall
- 6 use inmate labor for repair, rebuilding, or
- 7 construction relating to the capital improvements
- 8 under section 7 of this Act and at other correctional
- 9 institutions."
- 10 2. By renumbering as necessary.

H-5978 FILED APRIL 23, 1982 BY TYRRELL of Iowa
WITHDRAWN (*p.1721*)

SENATE FILE 2304

H-5981

1 Amend Senate File 2304, as amended, passed and
2 reprinted by the Senate as follows:

3 Page 38, by striking lines 19 through 23 and
4 inserting in lieu thereof the following:

5 "1. The legislative service bureau shall conduct
6 a study of the effect of the loss of federal funds
7 on the legal services provided by the legal services
8 corporation. In the conduct of the study the
9 legislative service bureau shall consult with the
10 following persons including but not limited to the
11 supreme court, the court administrator of the judicial
12 department, and representatives of the Iowa bar
13 association, the legal services corporation of Iowa,
14 and the legal aid society of Polk county. The study
15 shall include but not be limited to the following:"

16 2. Page 38, line 30 by striking the words "office
17 of the governor" and inserting in lieu thereof the
18 words "legislative service bureau".

19 3. Page 38, line 34 by striking the words "office
20 of the governor" and inserting in lieu thereof the
21 words "legislative service bureau".

H-5981 FILED APRIL 23, 1982 BY ANDERSON of Jasper

WITHDRAWN (p. 1732)

SENATE FILE 2304

H-5987

1 Amend Senate File 2304, as amended, passed and
2 reprinted by the Senate, as follows:

3 1. Page 31, line 4, by striking the words "sub-
4 section 1, is" and inserting in lieu thereof the words
5 "subsections 1 and 3, are".

6 2. Page 31, by inserting after line 11 the
7 following paragraph:

8 "3. It is the intent of the general assembly that
9 the Iowa development commission shall operate actively
10 solicit benefited industries and firms for voluntary
11 donations to support at least thirty percent of the
12 annual cost of the international office within the
13 funds-approved-for-the-commission. The commission
14 shall report on the success of soliciting donations
15 for the international office to the committee on
16 appropriations by January 1, 1983."

H-5987 FILED APRIL 23, 1982 BY ARNOULD of Scott

WITHDRAWN (p. 1729)

1 Amend Senate File 2304 as amended, passed and
2 reprinted by the Senate, follows:
3 1. Page 59, by inserting after line 5 the following
4 new section:

5 "Sec. ____ Acts of the Sixty-ninth General
6 Assembly, 1981 Session, chapter 14, section 5,
7 subsection 2, is amended to read as follows:

8 2. For public transit
9 purposes to implement a
10 state assistance plan \$ 1,908,000 \$ ~~1,908,000~~
11 2,000,000".

12 2. Renumber sections and correct internal
13 references as are necessary in accordance with this
14 amendment.

H-5979 FILED APRIL 23, 1982 BY O'KANE of Woodbury

Adopted (p. 1741)

SENATE FILE 2304

H-5980

1 Amend Senate File 2304 as amended, passed and
2 reprinted by the Senate as follows:

3 1. Page 41, by striking lines 12 through 24.

H-5980 FILED APRIL 23, 1982 BY CLARK of Cerro Gordo

ADOPTED *(p. 1733)*

SENATE FILE 2304

H-5982

1 Amend Senate File 2304, as amended, passed and
2 reprinted by the Senate, as follows:

3 1. Page 35, by striking line 17 and inserting
4 in lieu thereof the following:

5 "house..... \$ \$ 121,800"

6 2. Page 35, by striking lines 23 through 26 and
7 inserting in lieu thereof the words "February, 1982."

H-5982 FILED APRIL 23, 1982 BY ARNOULD of Scott

WITHDRAWN *(p. 1730)*

SENATE FILE 2304

H-5983

1 Amend Senate File 2304, as amended, passed and
2 reprinted by the Senate, as follows:

3 1. Page 59, by inserting after line 5 the
4 following:

5 "Sec. ____ If the appropriations made by this
6 Act create a general fund balance that results in
7 the state comptroller having to delay or consider
8 delaying making any payments authorized by this Act,
9 or any other Act making appropriations, the state
10 comptroller shall make a monthly report to members
11 of the general assembly relating to the fiscal
12 condition of the state and the report shall include,
13 but not be limited to, the revenue growth for the
14 previous month, and the general fund balance, which
15 shall reflect the total general fund obligations not
16 satisfied at the end of the month."

16 2. By renumbering as required

H-5983 FILED APRIL 23, 1982 BY ANDERSON of Jasper

ADOPTED *(p. 1741)*

SENATE FILE 2304

H-5991

- 1 Amend Senate File 2304 as amended, passed and
2 reprinted by the Senate, as follows:
- 3 1. Page 2, by striking lines 32 through 34, and
4 inserting in lieu thereof the following:
5 "The department may provide television channels
6 to inmates, and shall suspend access to television
7 as a disciplinary measure."
8 2. Page 4, by striking line 10, and inserting
9 in lieu thereof the following:
10 "~~VICES OTHER THAN AT THE WOMEN'S~~
11 ~~REFORMATORY AT ROCKWELL CITY~~ \$ 650,000 \$ ~~800,000~~".
- 12 3. Page 6, line 11, by striking the word "five"
13 and inserting in lieu thereof the word "ten".
- 14 4. Page 19, lines 13 and 14, by striking the words
15 ", a transitional bilingual, or other" and inserting
16 in lieu thereof the words "~~;-a-transitional-bilingual-~~
17 or either a".
- 18 5. Page 19, lines 21 and 22, by striking the words
19 ", a transitional bilingual or other" and inserting
20 in lieu thereof the words "~~;-a-transitional-bilingual-~~
21 or either a".
- 22 6. Page 22, line 12, by striking the words "low-
23 income person", and inserting in lieu thereof the
24 words "'low-income person'".
- 25 7. Page 25, line 14, by striking the word "Ten"
26 and inserting in lieu thereof the word "Fifteen".
- 27 8. Page 26, line 5, by striking the word "ten"
28 and inserting in lieu thereof the word "fifteen".
- 29 9. Page 32, by inserting after line 35 the
30 following new section:
31 "Sec. ____ . There is appropriated from the general
32 fund of the state to the department of revenue for
33 the fiscal year beginning July 1, 1982 and ending
34 June 30, 1983, the sum of twenty-five thousand (25,000)
35 dollars, or so much thereof as may be necessary, to
36 conduct a study of the stress days and grain price
37 differentials for use in determining agricultural
38 productivity for purposes of valuing agricultural
39 land and implementation of the study results by the
40 department in the equalization order to be issued
41 by the department of revenue for the January 1, 1983
42 valuations."
- 43 10. Page 35, line 10, by inserting after the word
44 "staff" the words "of not less than two full-time
45 equivalent positions and necessary support with funds
46 appropriated under this subparagraph".
- 47 11. Page 38, by striking line 34 and inserting
48 in lieu thereof the words "state to the office of
49 the governor for the".
- 50 12. Page 39, by inserting before line 4 the

1 following:

2 "Sec. 1000. COMMUNITY WORK PROGRAM FOR UNEMPLOYED
3 PARENTS. The department of social services shall
4 establish a community work program in each county
5 for unemployed parents for the fiscal year beginning
6 July 1, 1982, and ending June 30, 1983 by contracting
7 with county boards of supervisors or another local
8 organization designated by both the county board of
9 supervisors and the department of social services.
10 At the time of determining eligibility for the
11 unemployed parents program under the aid to families
12 with dependent children program pursuant to section
13 89 of this Act, the department of social services
14 shall determine whether the principal wage earner
15 is eligible for work under the community work program.
16 The county boards of supervisors or the designated
17 local organizations shall work with community groups
18 concerned with the delivery of local services to
19 develop work assignments in order to fully utilize
20 public resources to meet public needs and to allow
21 unemployed parents to contribute to the betterment
22 of the community. The county board of supervisors
23 or the designated local organizations shall assign
24 participants in the community work program to work
25 in accordance with applicable federal regulations.
26 The work assignments may be with governmental entities,
27 including school districts, and with nonprofit agencies
28 and organizations. The work assignments shall maintain
29 the dignity of the participants and shall be of benefit
30 to the community."

31 13. Page 40, by striking line 5 and inserting
32 in lieu thereof the figure "55,500,000".

33 14. Page 40, by striking lines 11 through 28 and
34 inserting in lieu thereof the following: "eligible
35 group. Medical assistance shall only be available
36 to individuals included in the eligible group. The
37 department of social services shall request a waiver
38 from the United States department of health and human
39 services to limit grants under the unemployed parent
40 program to six months for any eligible group.

41 The department of social services shall require
42 income maintenance workers, at the time of their
43 review of unemployed parents' monthly reports, to
44 monitor the job search, application, and acceptance
45 requirements under the community work program which
46 shall at a minimum require unemployed parents to meet
47 the job search, application, and acceptance
48 requirements necessary to receive unemployment
49 compensation benefits under the Iowa administrative
50 code 370-4.22(1)"c" and section 96.5, subsection 3.

1 However, only the suitable work reference in section
2 96.5, subsection 3, paragraph a, subparagraph (4)
3 shall apply. In addition, the unemployed parents
4 shall accept work assignments established under the
5 community work program for unemployed parents under
6 section 1000 of this Act."

7 15. Page 40, by inserting after line 31 the
8 following:

9 NEW PARAGRAPH. The department of social services
10 shall exercise the option allowed by federal law to
11 provide benefits under the aid to families with
12 dependent children program to eighteen year old
13 students, notwithstanding section 239.1, subsection
14 3, as amended by Acts of the Sixty-ninth General
15 Assembly, 1981 Session, chapter 7, section 12."

16 16. Page 43, by striking line 11, and inserting
17 in lieu thereof the figure "113,830,000".

18 17. Page 43, by inserting after line 11 the
19 following:

20 "Of the funds appropriated in this subsection for
21 the fiscal year beginning July 1, 1982, and ending
22 June 30, 1983, thirty thousand (30,000) dollars, or
23 so much thereof as is necessary, shall be expended
24 by the department of social services for additional
25 staffing in the third party liability unit of the
26 bureau of medical services. The department shall
27 conduct investigations to determine the availability
28 of workers' compensation, medicare, major medical
29 insurance, and other third party liability sources
30 for payment of medical assistance claims. The
31 department shall pursue recovery of funds from third
32 party liability sources when the sources are available
33 and shall pursue benefits from insurance policies
34 carried by absent parents through coordination with
35 the child support recovery program. State's share
36 of funds recouped through these efforts shall be
37 returned to the medical assistance program.

38 18. Page 44, by inserting after line 29 the
39 following:

40 "Sec. _____. The department of social services shall
41 report to the general assembly meeting in the year
42 1983 on the impact of the elimination of medical
43 assistance to children under twenty-one years of age
44 who meet all eligible criteria of the aid to families
45 with dependent children program except that the
46 children are not deprived of parental support. The
47 report shall include the impact on these children
48 and their families of the reinstatement of the
49 unemployed parent program and the establishment of
50 the community work program, as well as the impact

1 of all three changes on county general relief and
2 county public health funds."

3 19. Page 47, by striking line 10 and inserting
4 in lieu thereof the figure "1,754,000".

5 20. Page 52, by inserting after line 18 the
6 following:

7 "Sec. _____. There is appropriated from the general
8 fund of the state for the fiscal period beginning
9 July 1, 1982, and ending June 30, 1983, to the
10 department of social services three hundred thousand
11 (300,000) dollars, or so much thereof as is necessary,
12 to be allocated to the counties through the
13 department's district offices for sheltered work and
14 work activity services, provided all of the following
15 conditions are met:

16 1. The counties shall match every three dollars
17 of funds allocated to the counties under this section
18 with one dollar of local funds.

19 2. The funds shall not be used for other than
20 sheltered work and work activity services.

21 3. The department of social services, in
22 establishing eligibility standards for sheltered work
23 and work activity services, shall disregard the first
24 sixty-five dollars of income from sheltered work or
25 work activity services and fifty percent of any income
26 from sheltered work or work activity services above
27 sixty-five dollars.

28 The district administrator may transfer funds among
29 the counties in the district if a county does not
30 use all of the funds allocated to the county under
31 this section. The funds shall not be used for other
32 than sheltered work and work activity services."

33 21. Page 54, by inserting after line 2 the
34 following:

35 "Sec. _____. There is appropriated from the general
36 fund of the state for the fiscal period beginning
37 January 1, 1983, and ending June 30, 1983, to the
38 department of social services, two hundred thousand
39 (200,000) dollars, or so much thereof as is necessary,
40 for the development and operation of a dependent adult
41 abuse program by the community services division.

42 The department of social services, on January 1,
43 1983 or as soon thereafter as practicable, shall
44 establish a program relating to the providing of
45 services in cases of dependent adult abuse. The
46 program shall emphasize the reporting and evaluation
47 of dependent adult abuse of an adult who is unable
48 to protect his or her own interests or unable to
49 perform or obtain essential services. For the purposes
50 of the program "dependent adult abuse" means:

- 1 1. Any of the following as a result of the willful
- 2 or negligent acts or omissions of a caretaker:
- 3 a. Physical injury to or unreasonable confinement
- 4 or cruel punishment of a dependent adult.
- 5 b. The commission of a sexual offense under chapter
- 6 709 or section 726.2 with or to a dependent adult.
- 7 c. Exploitation of a dependent adult which means
- 8 the act or process of taking unfair advantage of a
- 9 dependent adult or the adult's physical or financial
- 10 resources for one's own personal or pecuniary profit
- 11 by the use of undue influence, harassment, duress,
- 12 deception, false representation, or false pretenses.
- 13 d. The deprivation of the minimum food, shelter,
- 14 clothing, supervision, physical and mental health
- 15 care, and other care necessary to maintain a dependent
- 16 adult's life or health.
- 17 2. The deprivation of the minimum food, shelter,
- 18 clothing, supervision, physical and mental health
- 19 care, and other care necessary to maintain a dependent
- 20 adult's life or health as a result of the acts or
- 21 omissions of the dependent adult.

22 A person who believes that a dependent adult has
23 suffered abuse may report the suspected abuse to the
24 department of social services.

25 The department shall receive dependent adult abuse
26 reports and shall collect, maintain, and disseminate
27 the reports in a statewide registry and shall inform
28 the appropriate county attorneys of any reports.
29 The department shall evaluate the reports
30 expeditiously. However, the state department of
31 health is solely responsible for the evaluation and
32 disposition of adult abuse cases within health care
33 facilities and shall inform the department of social
34 services of such evaluations and dispositions.

35 For purposes of the dependent adult abuse program
36 the department of social services shall expand the
37 central registry for child abuse to include reports
38 of dependent adult abuse and chapter 235A shall apply
39 to the statewide registry for dependent adult abuse.

40 The department of social services shall complete
41 an assessment of needed services, shall make
42 appropriate referrals to services, and in the best
43 interest of the dependent adult shall initiate court
44 action for the appointment of a guardian or conservator
45 or for admission or commitment to an appropriate
46 institution or facility.

47 The department may provide necessary protective
48 services and may establish a sliding fee schedule
49 for those persons able to pay a portion of the
50 protective services provided.

1 The department shall submit a final report by
2 January 1, 1984 to the governor and the senate and
3 house committees on human resources reporting its
4 findings and recommendations regarding the continuance
5 of a state dependent adult abuse program.

6 For purposes of this program and upon showing of
7 probable cause that a dependent adult has been abused,
8 a district court may authorize a person, authorized
9 by the department, to make an evaluation, to enter
10 the residence of, and to examine the dependent adult.

11 A person participating in good faith in reporting
12 or cooperating or assisting the department in
13 evaluating a case of dependent adult abuse has immunity
14 from liability, civil or criminal, which might
15 otherwise be incurred or imposed based upon the act
16 of making the report or giving the assistance. The
17 person has the same immunity with respect to
18 participation in good faith in a judicial proceeding
19 resulting from the report or assistance or relating
20 to the subject matter of the report or assistance.

21 The department shall adopt rules pursuant to chapter
22 17A to implement the dependent adult abuse program."

23 22. Page 57, line 2, by inserting after the word
24 "the" the words: "community work program for
25 unemployed parents, the".

26 23. Page 57, line 10, by striking the word and
27 figure "and 102" and inserting in lieu thereof the
28 word and figures "102, and 1000".

29 24. Page 58, line 32, by striking the word
30 "capital" and inserting in lieu thereof the word
31 "capitol".

32 25. By numbering and renumbering and correcting
33 internal references as necessary.

H-5991 FILED BY COMMITTEE ON APPROPRIATIONS
APRIL 23, 1982 WELDEN, Chair

ADOPTED AS AMENDED *by 5999, 6005, 6006, & 6027 (p. 1718)*

SENATE FILE 2304

H-5988

1 Amend Senate File 2304 as amended, passed and
2 reprinted by the Senate as follows:

3 1. Page 8, line 26, by striking the word
" 4 "inmates" and inserting in lieu thereof the words
5 "inmates residents".

H-5988 FILED APRIL 23, 1982 BY SPEAR of Lee
ADOPTED *(p. 1722)*

SENATE FILE 2304

H-5989

1 Amend Senate File 2304, as amended, passed, and
2 reprinted by the Senate, as follows:

3 1. Page 2, by striking lines 7 through 9 and
4 inserting in lieu thereof the following:
5 "Mitchellville."

H-5989 FILED APRIL 23, 1982 BY AVENSON of Fayette
WITHDRAWN *(p. 1720)*

SENATE FILE 2304

H-5992

- 1 Amend Senate File 2304 as amended, passed and
- 2 reprinted by the Senate, as follows:
- 3 1. Page 2, by striking lines 10 through 23 and
- 4 inserting in lieu thereof the following:
- 5 "Notwithstanding Acts of the Sixty-ninth General
- 6 Assembly, 1981 Session, chapter 11, section 3,
- 7 subsection 1, a prison overcrowding state of emergency
- 8 shall not be declared regardless of the prison system
- 9 population figure. This provision shall apply
- 10 retroactively to terminate a state".

H-5992 FILED APRIL 23, 1982 BY SWARTZ of Marshall
LOST (p. 172c)

SENATE FILE 2304

H-5994

- 1 Amend Senate File 2304 as amended, passed and
- 2 reprinted by the Senate, as follows:
- 3 1. Page 39, by striking line 31 and inserting
- 4 in lieu thereof the figure "14,500,000".

H-5994 FILED APRIL 23, 1982 BY O'KANE of Woodbury
WITHDRAWN (p. 1732)

SENATE FILE 2304

H-5996

- 1 Amend Senate File 2304 as amended, passed and
- 2 reprinted by the Senate, as follows:
- 3 1. Page 19, by inserting after line 25 the
- 4 following new section:
- 5 "Sec. ____ Acts of the Sixty-ninth General
- 6 Assembly, 1981 Session, chapter 5, section 1, is
- 7 amended by adding the following new subsection:
- 8 NEW SUBSECTION. For community
- 9 based elderly services \$ \$ 75,000".
- 10 2. By renumbering as necessary.

H-5996 FILED APRIL 23, 1982 BY CARL of Poweshiek
COPENHAVER of Buchanan ARNOULD of Scott
LOST (p. 1729) FEY of Scott

SENATE FILE 2304

H-5990

1 Amend Senate File 2304 as amended, passed and
2 reprinted by the Senate, as follows:
3 1. Page 2, by striking lines 8 and 9, and inserting
4 in lieu thereof the following: "work camp may serve as
5 the primary minimum security correctional work camp if
6 so designated by the department of social services."

H-5990 FILED APRIL 23, 1982 BY AVENSON of Fayette
WITHDRAWN (p. 1720)

SENATE FILE 2304

H-5993

1 Amend Senate File 2304 as amended, passed and
2 reprinted by the Senate, as follows:
3 1. Page 2, by inserting after line 34 the
4 following:
5 "Income earned outside the prison and received
6 by an inmate during incarceration shall not be
7 deposited in the inmate's account but shall be
8 deposited in the general fund and used by the
9 department of social services to assist the inmate's
10 spouse, children, or parents if the spouse, children,
11 or parents receive public assistance. If the spouse,
12 children, or parents do not receive public assistance,
13 the department of social services shall use the
14 inmate's outside income to offset the cost of
15 incarceration."

H-5993 FILED APRIL 23, 1982 BY TYRRELL of Iowa
RULED NOT GERMANE (p. 1720)

SENATE FILE 2304

H-5997

1 Amend Senate File 2304, as amended, passed and
2 reprinted by the Senate, as follows:
3 1. Page 6, line 16, by inserting after the word
4 "state." the words "The department of social services
5 shall take bids annually on the rental of farm land
6 owned by the department."

H-5997 FILED APRIL 23, 1982 BY SCHROEDER of Pottawattamie
LOST Adopted 4/23 (p. 1721)

Page 1721, amendment H-5997 lost.

SENATE FILE 2304

H-6004

1 Amend Senate File 2304 as amended, passed and
2 reprinted by the Senate, as follows:

3 1. Page 59, by inserting after line 5 the following
4 new sections:

5 "Sec. 200. If the governor determines under section
6 8.31 that the estimated budget resources during the
7 fiscal year beginning July 1, 1982 and ending June
8 30, 1983 are insufficient to pay all appropriations
9 in full and upon the concurrence in the finding by
10 the executive council, section 300 of this Act shall
11 take effect and the reductions in allotments authorized
12 under section 8.31 which the governor determined are
13 necessary shall not take effect. However, the governor
14 shall request the department of revenue to provide
15 an estimate of the additional revenue which shall
16 be credited to the general fund of the state under
17 section 300 of this Act. If the governor determines
18 that the estimated budget resources during the fiscal
19 year beginning July 1, 1982 and ending June 30, 1983,
20 including the additional revenues derived under section
21 300 of this Act, are insufficient to pay all
22 appropriations in full and upon concurrence in the
23 finding by the executive council, the governor may
24 proceed to make the reductions in allotments allowed
25 under section 8.31.

26 Sec. 300. Section 422.9, Code 1981, as amended
27 by Acts of the Sixty-ninth General Assembly, 1982
28 Session, House File 2171, sections 9 and 10, is amended
29 by adding the following new subsection:

30 NEW SUBSECTION. Notwithstanding the deduction
31 for federal income taxes paid or accrued under
32 subsection 1 or subsection 2, paragraph b, for the
33 tax years beginning on or after January 1, 1982 and
34 the tax years beginning on or after January 1, 1983
35 only, the deduction for federal income taxes paid
36 or accrued shall be an amount as allowed under this
37 subsection, subject to section 200 of this Act. For
38 the tax years beginning on or after January 1, 1982
39 and the tax years beginning on or after January 1,
40 1983, the amount of the deduction for federal income
41 taxes paid or accrued shall be equal to all of the
42 federal income taxes paid or accrued up to thirty
43 thousand dollars and fifty percent of all federal
44 income taxes paid or accrued in excess of thirty
45 thousand dollars.

46 Sec. 400. Section 300 of this Act is retroactive
47 to January 1, 1982 for tax years beginning on or after
48 that date."

49 2. Amend the title, line 3, by inserting after
50 the figure "1983" the words ", and making certain

H-6004
Page Two

1 provisions of this Act retroactive".
2 3. Renumber sections and correct internal
3 references as are necessary in accordance with this
4 amendment.

BY BRUNER of Story

BAXTER of Des Moines	LONERGAN of Boone
ROSENBERG of Story	FEY of Scott
ARNOULD of Scott	DIELEMAN of Marion
BINNEBOESE of Plymouth	SULLIVAN of Van Buren
RUNNING of Linn	COPENHAVER of Buchanan
CONNOLLY of Dubuque	AVENSON of Fayette
O'KANE of Woodbury	HALVORSON of Webster
HOWELL of Floyd	STURGEON of Woodbury
BRANDT of Black Hawk	NORLAND of Worth

H-6004
FILED
APRIL 23, 1982 ANDERSON of Jasper
NOT GERMANE - MOTION TO SUSPEND RULES, LOST (p. 1743)

SENATE FILE 2304

H-6002

1 Amend Senate File 2304 as amended, passed and
2 reprinted by the Senate as follows:
3 1. Page 8, by striking lines 20 through 22 and
4 inserting in lieu thereof the words "~~of the men's~~
5 ~~penitentiary at Fort Madison, the men's reformatory~~
6 ~~at Anamosa, and the women's reformatory at Rockwell~~
7 ~~City, nor shall any~~ of state institutions under the
8 control of the director of the division of adult
9 corrections, nor shall any".

H-6002 FILED APRIL 23, 1982 BY SPEAR of Lee
ADOPTED (p. 1722)

SENATE FILE 2304

001

1 Amend Senate File 2304 by inserting before line
2 1, page 1, the following:

3 "Sec. . . . NEW SECTION. UPPER-LEVEL MANAGEMENT
4 REDUCTIONS."

5 1. The director or administrative head of each
6 state agency employing two hundred or more employees
7 in permanent, full-time positions shall develop a
8 proposal to reduce the number of upper-level
9 management positions in the state agency by at least
10 five percent. In the proposal, at least ten percent
11 of the positions in the table of organization of the
12 state agency shall be designated as being upper-level
13 management positions and these designated positions
14 shall be selected from among the top twenty-five
15 percent of the highest salaried positions in the state
16 agency. The proposal shall provide for the reduction
17 by reorganization, consolidation, lay-off, attrition,
18 or other means determined by the state agency, shall
19 be based on the table of organization and the number
20 of employees employed by the state agency on April 1,
21 1982, and shall be capable of implementation not
22 later than July 1, 1983. In determining the actual
23 number of management positions to be included in the
24 reduction, a fractional number shall be increased or
25 decreased to the nearest whole number. The reduction
26 proposal may include recommendations which require
27 legislative action, but the reduction shall be capable
28 of implementation by July 1, 1983. The reduction
29 proposal shall be submitted to the governor and the
30 legislative council by December 1, 1982. Implementation
31 of the proposal shall remain at the option of the
32 state agency unless mandated by law.

33 2. The reductions contained in the proposal in this
34 section shall not include any classroom teachers at
35 educational institutions under the jurisdiction of
36 the state board of regents, or personnel engaged in
37 direct client work or contact within the department of
38 social services.

39 3. As used in this section:

40 a. "Permanent full-time position" means a position
41 for more than twenty hours per week for more than
42 four consecutive months.

43 b. "State agency" means each board, commission,
44 council, department, or other administrative office or
45 unit of the state. "State agency" does not mean the
46 general assembly, the courts, the governor, or a
47 political subdivision of the state or its offices or
48 units."

001 FILED

APRIL 23, 1982

RULES NOT GERMANE (p. 1719)

BY SWARTZ of Marshall
GROTH of Buena Vista

SENATE FILE 2304

H-5998

1 Amend Senate File 2304 as amended, passed and
2 reprinted by the Senate, as follows:
3 1. Page 16, by inserting after line 8 the
4 following:
5 "Sec. ____ . Section 280A.35, unnumbered paragraph
6 1, Code 1981, is amended to read as follows:
7 A merged area may not purchase land which will
8 increase the aggregate of land owned by ~~such the~~
9 merged area, excluding land ~~which-has-been-or-may~~
10 be acquired by donation or gift, by more than three
11 hundred twenty acres without the approval of the state
12 board. ~~Such~~ The limitation shall does not apply to
13 a merged areas area owning more than three hundred
14 twenty acres, excluding land acquired by donation
15 or gift, prior to January 1, 1969."
16 2. By numbering and renumbering sections and
17 correcting internal references as necessary.

H-5998 FILED APRIL 23, 1982 BY HORN of Linn

WITHDRAWN

SENATE FILE 2304

H-5999

1 Amend amendment H-5991 to Senate File 2304 as
2 amended, passed, and reprinted by the Senate, as
3 follows:
4 1. Page 5, by inserting after line 21 the
5 following:
6 "Adult abuse does not include depriving a dependent
7 adult of medical treatment if the dependent adult
8 is an adherent of a religion whose tenets and practices
9 call for reliance on spiritual means through prayer
10 alone in place of reliance on medical treatment."

H-5999 FILED APRIL 23, 1982 BY ARNOULD of Scott

ADOPTED (p. 17/4)

H-6006

1 Amend the amendment, H-5991, to Senate File 2304,
2 as amended, passed and reprinted by the Senate, as
3 follows:
4 1. Page 2, line 34, by inserting before the word
5 "eligible" the words "ending June 30, 1983, the
6 department of social services shall provide benefits
7 under an unemployed parent program under the aid to
8 families with dependent children program. In
9 determining the amount of a grant under the program,
10 the spouse of an unemployed parent shall be excluded
11 from the".

H-6006 FILED APRIL 23, 1982

BY VAN MAANEN of Mahaska

ADOPTED (p. 1717)

SENATE FILE 2304

H-6005

1 Amend the amendment, H-5991, to Senate File 2304
2 as amended, passed and reprinted by the Senate, as
3 follows:
4 1. Page 2, by inserting after line 30 the
5 following:
6 "The state shall provide workers' compensation
7 benefits under chapters 85, 85A, 85B, and 86 to
8 participants in the community work program and those
9 chapters shall be exclusive, compulsory, and obligatory
10 upon the state and the participants in the community
11 work program."

H-6005 FILED APRIL 23, 1982 BY HANSEN of O'Brien

ADOPTED (p.1711)

SENATE FILE 2304

H-6003

1 Amend Senate File 2304 as amended, passed and
2 reprinted by the Senate, as follows:
3 1. Page 44, by inserting after line 29 the
4 following:
5 "Sec. _____. There is appropriated from the general
6 fund of the state for the fiscal year beginning July
7 1, 1982, and ending June 30, 1983, to the department
8 of social services two hundred eighty-six thousand
9 (286,000) dollars, or so much thereof as is necessary,
10 for the medical assistance program. Beginning July
11 1, 1982, the basis for establishing the maximum medical
12 assistance reimbursement rate for intermediate care
13 facilities shall be the seventy-fourth percentile
14 of all facilities' per diems as calculated from the
15 June 30, 1981 compilation of unaudited financial and
16 statistical reports, which rate shall be increased
17 by a factor of two and twenty-six hundredths percent,
18 notwithstanding Acts of the Sixty-ninth General
19 Assembly, 1981 Session, chapter 7, section 3,
20 subsection 2, unnumbered paragraph 5."
21 2. By renumbering as necessary.

H-6003 FILED APRIL 23, 1982 BY CHIODO of Polk

LOST (p.1725)

H-6008

1 Amend the amendment, H-5991, to Senate File 2304
2 as amended, passed and reprinted by the Senate, as
3 follows:

4 1. Page 2, line 32, by striking the figure
5 "55,500,000" and inserting in lieu thereof the figure
6 "54,684,000".

7 2. Page 2, line 34, by inserting before the word
8 "eligible" the words "ending March 31, 1983, the
9 department of social services shall provide benefits
10 under an unemployed parent program under the aid to
11 families with dependent children program. In
12 determining the amount of a grant under the program,
13 the spouse of an unemployed parent shall be excluded
14 from the".

15 3. Page 2, lines 35 and 36, by striking the words
16 "only be available to individuals included in the
17 eligible group" and inserting in lieu thereof the
18 words "be available to the spouse of an unemployed
19 parent".

20 4. Page 3, by striking line 17 and inserting in
21 lieu thereof the following: "in lieu thereof the
22 following: "113,909,000

23 Medical assistance shall be made available,
24 beginning July 1, 1982 and ending March 31, 1983,
25 to children under twenty-one years of age who meet
26 all eligible criteria of the aid to families with
27 dependent children program except that the children
28 are not deprived of parental support."

29 5. Page 3, by inserting after line 37 the
30 following:

31 "____. Page 43, by striking line 15 and inserting
32 in lieu thereof the words and figures "fourteen
33 thousand (14,000) dollars, or so much".

34 6. Page 4, by striking line 4 and inserting in
35 lieu thereof the word and figure "in lieu thereof
36 the figure "1,739,000"."

H-6008 FILED
APRIL 23, 1982

BY JOCHUM of Dubuque
DODERER of Johnson

LOST (p. 1713)

SENATE FILE 2304

H-6016

Amend Senate File 2304 as amended, passed, and
reprinted by the Senate as follows:
1. Page 57, lines 3 and 4, by striking the words
"hospital reimbursements based on a prospective
basis,".

H-6016 FILED APRIL 23, 1982 BY DAVITT of Warren
WITHDRAWN (p. 1739)

SENATE FILE 2304

H-6015

Amend amendment H-5991, the Committee on Appropriations
amendment to Senate File 2304, as amended, passed and
reprinted by the Senate, as follows:
1. Page 1, by striking lines 39 through 42, and
inserting in lieu thereof the following: "land."

H-6015 FILED *Loss* (p. 1716) BY LAGESCHULTE of Bremer
APRIL 23, 1982 SCHNEKLOTH of Scott
ADOPTED / MOTION TO OXLEY of Linn
RECONSIDER, LOST (p. 1715)

Corrections to April 23, 1982 Journal

Page 1716, amendment H-6015 was adopted.

SENATE FILE 2304

H-6007

1 Amend Senate File 2304 as amended, passed and
2 reprinted by the Senate, as follows:
3 1. Page 43, line 16, by inserting after the word
4 "for" the words "supplementing funds appropriated
5 for".

H-6007 FILED APRIL 23, 1982 BY WELDEN of Hardin
ADOPTED (p. 1733)

SENATE FILE 2304

H-6013

1 Amend Senate File 2304 as amended, passed and
2 reprinted by the Senate, as follows:
3 1. Page 51, line 8, by inserting after the word
4 "funds." the words "However, a county board of
5 supervisors may set aside no more than four percent
6 of the federal and state funds allocated to the county
7 under this section for the purchase of day care
8 services without matching the federal and state funds
9 with local funds."

H-6013 FILED APRIL 23, 1982 BY JOCHUM of Dubuque
ADOPTED (p. 1739)

SENATE FILE 2304

H-6019

1 Amend Senate File 2304 as amended, passed and
2 reprinted by the Senate, as follows:
3 1. Page 44, line 33, by striking the words
4 "October 1, 1982", and inserting in lieu thereof
5 the words "January 1, 1983".
6 2. Page 46, line 10, by striking the words
7 "October 1, 1982", and inserting in lieu thereof
8 the words "January 1, 1983".

BY NORLAND of Worth

PAVICH of Pottawattamie
WALTER of Pottawattamie

GETTINGS of Wapello
HOWELL of Floyd
COPENHAVER of Buchanan
AVENSON of Fayette

H-6019 FILED LONERGAN of Boone
APRIL 23, 1982
LOST (p. 1736)

H-6020

- 1 Amend Senate File 2304, as amended, passed, and
2 reprinted by the Senate as follows:
- 3 1. Page 48, by striking line 22, and inserting
4 in lieu thereof the figure "2,837,000".
- 5 2. Page 49, by striking line 18, and inserting
6 in lieu thereof the figure "22,401,000".
- 7 3. Page 50, line 13, by striking the words and
8 figure "four million four hundred fifteen thousand
9 (4,415,000)" and inserting in lieu thereof the words
10 and figure "four million six thousand (4,006,000)".
- 11 4. Page 52, by inserting after line 6 the follow-
12 ing:
13 "Sec. ____ . Beginning on and after July 1, 1982,
14 the department of social services shall limit the
15 annual inflation and cost-based reimbursement increases
16 to purchase of service providers contracting with
17 the department up to a maximum of eight percent of
18 the current reimbursement. This section does not
19 apply to foster residential care and foster group
20 home providers receiving the maximum reimbursements,
21 but does apply to those providers receiving
22 reimbursements below the maximum reimbursements."
23 5. By numbering and renumbering as necessary.

H-6020 FILED APRIL 23, 1982
ADOPTED (p. 1737)

BY MANN of Greene

SENATE FILE 2304

H-6018

1 Amend Senate File 2304, as amended, passed and
2 reprinted by the Senate, as follows:

3 1. Page 18, by inserting after line 5 the
4 following:

5 "Sec. ____.

6 1. Moneys appropriated in section 39 of this Act
7 shall not be allocated to an area school until the
8 board of directors of the area school submits
9 verification to the state comptroller that it has
10 adopted a policy that priority in enrollment in all
11 classes shall be given to Iowa resident students.

12 2. Moneys appropriated in sections 40, 42, and
13 43 of this Act shall not be allocated to an institution
14 of higher learning until the state board of regents
15 submits verification to the state comptroller that
16 it has adopted a policy that priority in enrollment
17 in all classes at the institutions of higher learning
18 shall be given to Iowa resident students."

19 2. By numbering and renumbering sections and
20 correcting internal references as necessary.

H-6018 FILED
APRIL 23, 1982

BY BYERLY of Polk
WOODS of Polk
CHIODO of Polk
RENAUD of Polk

LOST (*p. 1727*)

SENATE FILE 2304

H-6017

1 Amend Senate File 2304, as amended, passed and
2 reprinted by the Senate, as follows:

3 1. Page 17, by inserting after line 7 the
4 following:

5 "Sec. ____ . The department of social services shall
6 study the feasibility of allowing indigent patients
7 to receive medical or surgical treatment or hospital
8 care at a local hospital within this state and of
9 paying the costs, expenses, and charges incurred by
10 the indigent patients from the appropriation for
11 indigent patients under chapter 255. The department
12 shall report on the study to the joint social services
13 appropriations subcommittee by January 15, 1983."

14 2. By renumbering as necessary.

H-6017 FILED APRIL 23, 1982

BY CONNOLLY of Dubuque

LOST (*p. 1726*)

SENATE FILE 2304

H-6028

1 Amend Senate File 2304, as amended, passed and
2 reprinted by the Senate, as follows:

3 1. Page 44, by striking lines 4 through 11 and
4 inserting in lieu thereof the following:

5 "Pharmacies participating in the medical assistance
6 program shall provide the lowest cost equivalent drug
7 possible to recipients of medical assistance."

H-6028 FILED APRIL 23, 1982

BY NORLAND of Worth

LOST (p. 1733)

April 24, 1982

SENATE FILE 2304

H-6025

- 1 Amend Senate File 2304 as amended, passed and
- 2 reprinted by the Senate, as follows:
- 3 1. Page 56, by inserting after line 34 the
- 4 following:
- 5 "Sec. ____ . NEW SECTION. ATTORNEY FEES FOR CHILD
- 6 SUPPORT ENFORCEMENT. The court, in its discretion,
- 7 may award a reasonable attorney's fee in favor of
- 8 a prevailing party and against an opposing party in
- 9 a court proceeding to establish or enforce a child
- 10 support obligation under but not limited to chapters
- 11 239, 252A, 252B, 598, and 675, unless the award is
- 12 unjust under the circumstances. However, the court
- 13 shall not award the attorney's fees to an attorney
- 14 employed by the attorney general's office."
- 15 2. By renumbering as necessary.

H-6025 FILED
APRIL 23, 1982
Withdrawn 4/23 (p. 1717)

BY JOCHUM of Dubuque

SENATE FILE 2304

H-6027

- 1 Amend amendment H-5991 to Senate File 2304, as
- 2 amended, passed and reprinted by the Senate, as
- 3 follows:
- 4 1. Page 2, line 6, by adding after the word
- 5 "contracting" the following: "at reasonable cost".

H-6027 FILED APRIL 23, 1982
ADOPTED (*p. 1717*)

BY WELDEN of Hardin

SENATE FILE 2304

H-6024

- 1 Amend the amendment, H-5991, to Senate File 2304
- 2 as follows:
- 3 1. Page 2, line 36, by striking the word "The".
- 4 2. Page 2, by striking lines 37 through 40.

H-6024 FILED APRIL 23, 1982
WITHDRAWN (*p. 1962*)

BY JOCHUM of Dubuque

SENATE FILE 2304

H-6031

1 Amend Senate File 2304, as amended, passed, and
2 reprinted by the Senate, as follows:

3 1. Page 49, by inserting after line 13 the
4 following:

5 "Sec. _____. The home-based services funds which
6 will revert on September 30, 1982 and which were
7 appropriated by Acts of the Sixty-ninth General
8 Assembly, 1981 Session, chapter 7, section 3,
9 subsection 8 and Acts of the Sixty-ninth General
10 Assembly, 1982 Session, House File 2336, section 14,
11 subsection 3, are appropriated from the general fund
12 of the state for the fiscal year beginning July 1,
13 1982, and ending June 30, 1983, to supplement funds
14 appropriated for home-based services under this Act."
15 2. By numbering and renumbering as necessary.

BY SURGEON of Woodbury

NORLAND of Worth

SPEAR of Lee

FEY of Scott

ARNOULD of Scott

LONERGAN of Boone

GROTH of Buena Vista

DODERER of Johnson

ANDERSON of Jasper

H-6031 FILED
APRIL 23, 1982
LOST (p. 1737)

April 24, 1982

SENATE FILE 2304

H-6030

1 Amend Senate File 2304, as amended, passed and
2 reprinted by the Senate, as follows:
3 1. Page 16, line 8, by striking the figure
4 "275,000" and inserting in lieu thereof the figure
5 "274,000".
6 2. Page 16, by inserting after line 8 the
7 following:
8 "Sec. _____. There is appropriated from the general
9 fund of the state to the department of public
10 instruction for the fiscal year beginning July 1,
11 1982 and ending June 30, 1983, the sum of one thousand
12 (1,000) dollars, or so much thereof as may be
13 necessary, to fund the costs to the state board of
14 public instruction and the department of public
15 instruction of reviewing the proposed purchase of
16 land by a merged area that will increase the aggregate
17 of land owned by the merged area, excluding land
18 acquired by donation or gift, by more than three
19 hundred twenty acres. Notwithstanding section 280A.35,
20 a merged area may purchase land which will increase
21 the aggregate of land owned by the merged area,
22 excluding land acquired by donation or gift, by more
23 than three hundred twenty acres with the approval
24 of the state board of public instruction. The
25 limitation does not apply to a merged area owning
26 more than three hundred twenty acres, excluding land
27 acquired by donation or gift, prior to January 1,
28 1969."
29 3. By numbering and renumbering sections and
30 correcting internal references as necessary.

H-6030 FILED APRIL 23, 1982 HORN of Linn

LOST (p. 1725)

SENATE FILE 2304

H-6029

1 Amend Senate File 2304, as amended, passed and
2 reprinted by the Senate as follows:
3 1. By striking page 51, line 32 through page 52,
4 line 6.

H-6029 FILED APRIL 23, 1982 BY BRANDT of Black Hawk

ADOPTED (p. 1739)

SENATE FILE 2304

H-6046

1 Amend the amendment, H-6031, to Senate File 2304
2 as amended, passed and reprinted by the Senate, as
follows:

3 1. Page 1, by striking lines 13 and 14, and
4 inserting in lieu thereof the following: "1982, and
5 ending June 30, 1983, to the state department of
6 health to supplement funds appropriated for the
7 homemaker-home health aide program under this Act."

H-6046 FILED APRIL 23, 1982 BY STURGEON of Woodbury

ADOPTED (p. 175E)

SENATE FILE 2304

H-6052

1 Amend Senate File 2304, as amended, passed and
2 reprinted by the Senate, as follows:

3 1. Page 2, by striking line 1 and inserting in
4 lieu thereof the words and figure "three million eight
5 hundred fifteen thousand (3,815,000)".

6 2. Page 2, by striking lines 26 through 28 and
7 inserting in lieu thereof the following:

8 "Of the funds appropriated under this section one".

9 3. Page 3, by striking lines 8 through 17 and
10 inserting in lieu thereof the figure "11,425,000".

H-6052 FILED APRIL 23, 1982 BY WELDEN of Hardin

ADOPTED (p. 1744)

SENATE FILE 2304

H-6051

1 Amend Senate File 2304, as amended, passed and
2 reprinted by the Senate, as follows:

3 1. Page 34, line 16, by inserting after the
4 date "1986." the following: "If the unobligated
5 balance in the general fund of the state does not
6 exceed ten million dollars on June 30, 1982, as
7 certified by the state comptroller by October 10,
8 1982, this section is void."

H-6051 FILED APRIL 23, 1982 BY WELSH of Dubuque

LOST (p. 1744)

SENATE FILE 2304

H-6032

1 Amend Senate File 2304, as amended, passed, and
2 reprinted by the Senate, as follows:
3 1. Page 59, by inserting after line 5 the following
4 new section:
5 "Sec. _____. If the appropriations made by this
6 Act create a general fund balance that results in
7 the state comptroller having to delay or consider
8 delaying making any payments authorized by this Act,
9 or any other Act making appropriations, the state
10 comptroller shall make a monthly report to members
11 of the general assembly relating to the fiscal
12 condition of the state and the report shall include,
13 but not be limited to, the revenue growth for the
14 previous month, and the general fund balance, which
15 shall reflect the total general fund obligations not
16 satisfied at the end of the month."
17 2. Renumbering as required.

H-6032 FILED APRIL 23, 1982 BY WELDEN of Hardin
OUT OF ORDER

SENATE FILE 2304

H-6043

1 Amend Senate File 2304, as amended, passed and
2 reprinted by the Senate, as follows:
3 1. Page 39, by inserting after line 2 the
4 following:
5 "Sec. _____. VEHICLE DISPATCHER PROGRAM EVALUATION.
6 The legislative council shall consider directing the
7 legislative fiscal bureau to conduct an evaluation
8 of the vehicle dispatcher's office of the department
9 of general services to determine the efficiency and
10 effectiveness of vehicle assignments and use by state
11 agencies."

H-6043 FILED APRIL 23, 1982 BY WELSH of Dubuque
NOT GERMANE (p. 1732) LIND of Black Hawk

SENATE FILE 2304

H-6045

1 Amend Senate File 2304, as amended, passed and
2 reprinted by the Senate, as follows:
3 1. Page 44, line 11, by inserting after the word
4 "prescription." the words "The additional fifty cent
5 reimbursement shall be limited to the first time a
6 prescription is filled and shall not apply to refills."

H-6045 FILED APRIL 23, 1982 BY JOCHUM of Dubuque
LOST (p. 1734)

HOUSE AMENDMENT TO SENATE FILE 2304

S-5788

- 1 Amend Senate File 2304 as amended, passed and
2 reprinted by the Senate, as follows:
- 3 1. Page 2, by striking line 1 and inserting in
4 lieu thereof the words and figure "three million eight
5 hundred fifteen thousand (3,815,000)".
- 6 2. Page 2, by striking lines 26 through 28 and
7 inserting in lieu thereof the following:
8 "Of the funds appropriated under this section one".
- 9 3. Page 2, by striking lines 32 through 34, and
10 inserting in lieu thereof the following:
11 "The department may provide television channels
12 to inmates, and shall suspend access to television
13 as a disciplinary measure."
- 14 4. Page 3, by striking lines 8 through 17 and
15 inserting in lieu thereof the figure "11,425,000".
- 16 5. Page 4, by striking line 10, and inserting
17 in lieu thereof the following:
18 "~~vices other than at the women's~~
19 ~~reformatory at Reekwell City~~ \$ 650,000 \$ ~~800,000~~".
- 20 6. Page 6, line 11, by striking the word "five"
21 and inserting in lieu thereof the word "ten".
- 22 7. Page 8, line 17, by striking the word "inmates"
23 and inserting in lieu thereof the words "inmates
24 residents".
- 25 8. Page 8, by striking lines 20 through 22 and
26 inserting in lieu thereof the words "~~of the men's~~
27 ~~penitentiary at Fort Madison, the men's reformatory~~
28 ~~at Anamosa, and the women's reformatory at Reekwell~~
29 ~~City, nor shall any~~ of state institutions under the
30 control of the director of the division of adult
31 corrections, nor shall any".
- 32 9. Page 8, line 26, by striking the word "inmates"
33 and inserting in lieu thereof the words "inmates
34 residents".
- 35 10. Page 19, lines 13 and 14, by striking the
36 words ", a transitional bilingual, or other" and
37 inserting in lieu thereof the words "~~7-a-transitional~~
38 ~~bilingual, or other~~ a".
- 39 11. Page 19, lines 21 and 22, by striking the
40 words ", a transitional bilingual or other" and
41 inserting in lieu thereof the words "~~7-a-transitional~~
42 ~~bilingual or other~~ a".
- 43 12. Page 22, line 12, by striking the words "low-
44 income person", and inserting in lieu thereof the
45 words "'low-income person'".
- 46 13. Page 25, line 14, by striking the word "Ten"
47 and inserting in lieu thereof the word "Fifteen".
- 48 14. Page 26, line 5, by striking the word "ten"
49 and inserting in lieu thereof the word "fifteen".
- 50 15. Page 32, by inserting after line 35 the

1 following new section:

2 "Sec. _____. There is appropriated from the general
3 fund of the state to the department of revenue for
4 the fiscal year beginning July 1, 1982 and ending
5 June 30, 1983, the sum of twenty-five thousand (25,000)
6 dollars, or so much thereof as may be necessary, to
7 conduct a study of the stress days and grain price
8 differentials for use in determining agricultural
9 productivity for purposes of valuing agricultural
10 land."

11 16. Page 35, line 10, by inserting after the word
12 "staff" the words "of not less than two full-time
13 equivalent positions and necessary support with funds
14 appropriated under this subparagraph".

15 17. Page 38, by striking line 34 and inserting
16 in lieu thereof the words "state to the office of
17 the governor for the".

18 18. Page 39, by inserting before line 4 the
19 following:

20 "Sec. 1000. COMMUNITY WORK PROGRAM FOR UNEMPLOYED
21 PARENTS. The department of social services shall
22 establish a community work program in each county
23 for unemployed parents for the fiscal year beginning
24 July 1, 1982, and ending June 30, 1983 by contracting
25 at reasonable cost with county boards of supervisors
26 or another local organization designated by both the
27 county board of supervisors and the department of
28 social services. At the time of determining
29 eligibility for the unemployed parents program under
30 the aid to families with dependent children program
31 pursuant to section 89 of this Act, the department
32 of social services shall determine whether the
33 principal wage earner is eligible for work under the
34 community work program. The county boards of
35 supervisors or the designated local organizations
36 shall work with community groups concerned with the
37 delivery of local services to develop work assignments
38 in order to fully utilize public resources to meet
39 public needs and to allow unemployed parents to
40 contribute to the betterment of the community. The
41 county board of supervisors or the designated local
42 organizations shall assign participants in the
43 community work program to work in accordance with
44 applicable federal regulations. The work assignments
45 may be with governmental entities, including school
46 districts, and with nonprofit agencies and
47 organizations. The work assignments shall maintain
48 the dignity of the participants and shall be of benefit
49 to the community.

50 The state shall provide workers' compensation

1 benefits under chapters 85, 85A, 85B, and 86 to
2 participants in the community work program and those
3 chapters shall be exclusive, compulsory, and obligatory
4 upon the state and the participants in the community
5 work program.

6 19. Page 40, by striking line 5 and inserting
7 in lieu thereof the figure "55,500,000".

8 20. Page 40, by striking lines 11 through 23 and
9 inserting in lieu thereof the following: "ending June
10 30, 1983, the department of social services shall
11 provide benefits under an unemployed parent program
12 under the aid to families with dependent children
13 program. In determining the amount of a grant under
14 the program, the spouse of an unemployed parent shall
15 be excluded from the eligible group. Medical
16 assistance shall only be available to individuals
17 included in the eligible group. The department of
18 social services shall request a waiver from the United
19 States department of health and human services to
20 limit grants under the unemployed parent program to
21 six months for any eligible group.

22 The department of social services shall require
23 income maintenance workers, at the time of their
24 review of unemployed parents' monthly reports, to
25 monitor the job search, application, and acceptance
26 requirements under the community work program which
27 shall at a minimum require unemployed parents to meet
28 the job search, application, and acceptance
29 requirements necessary to receive unemployment
30 compensation benefits under the Iowa administrative
31 code 370-4.22(1)"c" and section 96.5, subsection 3.
32 However, only the suitable work reference in section
33 96.5, subsection 3, paragraph a, subparagraph (4)
34 shall apply. In addition, the unemployed parents
35 shall accept work assignments established under the
36 community work program for unemployed parents under
37 section 1000 of this Act."

38 21. Page 40, by inserting after line 31 the
39 following:

40 "NEW PARAGRAPH. The department of social services
41 shall exercise the option allowed by federal law to
42 provide benefits under the aid to families with
43 dependent children program to eighteen year old
44 students, notwithstanding section 239.1, subsection
45 3, as amended by Acts of the Sixty-ninth General
46 Assembly, 1981 Session, chapter 7, section 12."

47 22. Page 41, by striking lines 12 through 24.

48 23. Page 43, by striking line 11, and inserting
49 in lieu thereof the figure "113,830,000".

50 24. Page 43, by inserting after line 11 the

1 following:

2 "Of the funds appropriated in this subsection for
3 the fiscal year beginning July 1, 1982, and ending
4 June 30, 1983, thirty thousand (30,000) dollars, or
5 so much thereof as is necessary, shall be expended
6 by the department of social services for additional
7 staffing in the third party liability unit of the
8 bureau of medical services. The department shall
9 conduct investigations to determine the availability
10 of workers' compensation, medicare, major medical
11 insurance, and other third party liability sources
12 for payment of medical assistance claims. The
13 department shall pursue recovery of funds from third
14 party liability sources when the sources are available
15 and shall pursue benefits from insurance policies
16 carried by absent parents through coordination with
17 the child support recovery program. State's share
18 of funds recouped through these efforts shall be
19 returned to the medical assistance program."

20 25. Page 43, line 16, by inserting after the word
21 "for" the words "supplementing funds appropriated
22 for".

23 26. Page 44, by inserting after line 29 the
24 following:

25 "Sec. ____ . The department of social services shall
26 report to the general assembly meeting in the year
27 1983 on the impact of the elimination of medical
28 assistance to children under twenty-one years of age
29 who meet all eligible criteria of the aid to families
30 with dependent children program except that the
31 children are not deprived of parental support. The
32 report shall include the impact on these children
33 and their families of the reinstatement of the
34 unemployed parent program and the establishment of
35 the community work program, as well as the impact
36 of all three changes on county general relief and
37 county public health funds."

38 27. Page 47, by striking line 10 and inserting
39 in lieu thereof the figure "1,754,000".

40 28. Page 48, by striking line 22, and inserting
41 in lieu thereof the figure "2,837,000".

42 29. Page 49, by striking line 18, and inserting
43 in lieu thereof the figure "22,401,000".

44 30. Page 50, line 13, by striking the words and
45 figure "four million four hundred fifteen thousand
46 (4,415,000)" and inserting in lieu thereof the words
47 and figure "four million six thousand (4,006,000)".

48 31. Page 51, line 8, by inserting after the word
49 "funds." the words "However, a county board of
50 supervisors may set aside no more than four percent

S-5788
PAGE 3

1 benefits under chapters 85, 85A, 85B, and 86 to
2 participants in the community work program and those
3 chapters shall be exclusive, compulsory, and obligatory
4 upon the state and the participants in the community
5 work program.

6 19. Page 40, by striking line 5 and inserting
7 in lieu thereof the figure "55,500,000".

8 20. Page 40, by striking lines 11 through 28 and
9 inserting in lieu thereof the following: "ending June
10 30, 1983, the department of social services shall
11 provide benefits under an unemployed parent program
12 under the aid to families with dependent children
13 program. In determining the amount of a grant under
14 the program, the spouse of an unemployed parent shall
15 be excluded from the eligible group. Medical
16 assistance shall only be available to individuals
17 included in the eligible group. The department of
18 social services shall request a waiver from the United
19 States department of health and human services to
20 limit grants under the unemployed parent program to
21 six months for any eligible group.

22 The department of social services shall require
23 income maintenance workers, at the time of their
24 review of unemployed parents' monthly reports, to
25 monitor the job search, application, and acceptance
26 requirements under the community work program which
27 shall at a minimum require unemployed parents to meet
28 the job search, application, and acceptance
29 requirements necessary to receive unemployment
30 compensation benefits under the Iowa administrative
31 code 370-4.22(1)"c" and section 96.5, subsection 3.
32 However, only the suitable work reference in section
33 96.5, subsection 3, paragraph a, subparagraph (4)
34 shall apply. In addition, the unemployed parents
35 shall accept work assignments established under the
36 community work program for unemployed parents under
37 section 1000 of this Act."

38 21. Page 40, by inserting after line 31 the
39 following:

40 "NEW PARAGRAPH. The department of social services
41 shall exercise the option allowed by federal law to
42 provide benefits under the aid to families with
43 dependent children program to eighteen year old
44 students, notwithstanding section 239.1, subsection
45 3, as amended by Acts of the Sixty-ninth General
46 Assembly, 1981 Session, chapter 7, section 12."

47 22. Page 41, by striking lines 12 through 24.

48 23. Page 43, by striking line 11, and inserting
49 in lieu thereof the figure "113,830,000".

50 24. Page 43, by inserting after line 11 the

S-5788
PAGE 6

1 January 1, 1983, and ending June 30, 1983, to the
2 department of social services, two hundred thousand
3 (200,000) dollars, or so much thereof as is necessary,
4 for the development and operation of a dependent adult
5 abuse program by the community services division.

6 The department of social services, on January 1,
7 1983 or as soon thereafter as practicable, shall
8 establish a program relating to the providing of
9 services in cases of dependent adult abuse. The
10 program shall emphasize the reporting and evaluation
11 of dependent adult abuse of an adult who is unable
12 to protect his or her own interests or unable to
13 perform or obtain essential services. For the purposes
14 of the program "dependent adult abuse" means:

15 1. Any of the following as a result of the willful
16 or negligent acts or omissions of a caretaker:

17 a. Physical injury to or unreasonable confinement
18 or cruel punishment of a dependent adult.

19 b. The commission of a sexual offense under chapter
20 709 or section 726.2 with or to a dependent adult.

21 c. Exploitation of a dependent adult which means
22 the act or process of taking unfair advantage of a
23 dependent adult or the adult's physical or financial
24 resources for one's own personal or pecuniary profit
25 by the use of undue influence, harassment, duress,
26 deception, false representation, or false pretenses.

27 d. The deprivation of the minimum food, shelter,
28 clothing, supervision, physical and mental health
29 care, and other care necessary to maintain a dependent
30 adult's life or health.

31 2. The deprivation of the minimum food, shelter,
32 clothing, supervision, physical and mental health
33 care, and other care necessary to maintain a dependent
34 adult's life or health as a result of the acts or
35 omissions of the dependent adult.

36 Adult abuse does not include depriving a dependent
37 adult of medical treatment if the dependent adult
38 is an adherent of a religion whose tenets and practices
39 call for reliance on spiritual means through prayer
40 alone in place of reliance on medical treatment.

41 A person who believes that a dependent adult has
42 suffered abuse may report the suspected abuse to the
43 department of social services.

44 The department shall receive dependent adult abuse
45 reports and shall collect, maintain, and disseminate
46 the reports in a statewide registry and shall inform
47 the appropriate county attorneys of any reports.

48 The department shall evaluate the reports
49 expeditiously. However, the state department of
50 health is solely responsible for the evaluation and

1 disposition of adult abuse cases within health care
2 facilities and shall inform the department of social
3 services of such evaluations and dispositions.

4 For purposes of the dependent adult abuse program
5 the department of social services shall expand the
6 central registry for child abuse to include reports
7 of dependent adult abuse and chapter 235A shall apply
8 to the statewide registry for dependent adult abuse.

9 The department of social services shall complete
10 an assessment of needed services, shall make
11 appropriate referrals to services, and in the best
12 interest of the dependent adult shall initiate court
13 action for the appointment of a guardian or conservator
14 or for admission or commitment to an appropriate
15 institution or facility.

16 The department may provide necessary protective
17 services and may establish a sliding fee schedule
18 for those persons able to pay a portion of the
19 protective services provided.

20 The department shall submit a final report by
21 January 1, 1984 to the governor and the senate and
22 house committees on human resources reporting its
23 findings and recommendations regarding the continuance
24 of a state dependent adult abuse program.

25 For purposes of this program and upon showing of
26 probable cause that a dependent adult has been abused,
27 a district court may authorize a person, authorized
28 by the department, to make an evaluation, to enter
29 the residence of, and to examine the dependent adult.

30 A person participating in good faith in reporting
31 or cooperating or assisting the department in
32 evaluating a case of dependent adult abuse has immunity
33 from liability, civil or criminal, which might
34 otherwise be incurred or imposed based upon the act
35 of making the report or giving the assistance. The
36 person has the same immunity with respect to
37 participation in good faith in a judicial proceeding
38 resulting from the report or assistance or relating
39 to the subject matter of the report or assistance.

40 The department shall adopt rules pursuant to chapter
41 17A to implement the dependent adult abuse program."

42 36. Page 57, line 2, by inserting after the word
43 "the" the words: "community work program for
44 unemployed parents, the".

45 37. Page 57, line 10, by striking the word and
46 figure "and 102" and inserting in lieu thereof the
47 word and figures "102, and 1000".

48 38. Page 58, line 32, by striking the word
49 "capital" and inserting in lieu thereof the word
50 "capitol".

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1 39. Page 59, by inserting after line 5 the
2 following:
3 "Sec. _____. If the appropriations made by this
4 Act create a general fund balance that results in
5 the state comptroller having to delay or consider
6 delaying making any payments authorized by this Act,
7 or any other Act making appropriations, the state
8 comptroller shall make a monthly report to members
9 of the general assembly relating to the fiscal
10 condition of the state and the report shall include,
11 but not be limited to, the revenue growth for the
12 previous month, and the general fund balance, which
13 shall reflect the total general fund obligations not
14 satisfied at the end of the month."
15 40. By renumbering as necessary.

S-5788 FILED
APRIL 24, 1982

RECEIVED FROM THE HOUSE

*Senate amended (5794, 5801, 5805, 5807) &
concurred 4/24 (p. 1460):...*

SENATE 16
APRIL 24, 1982

SENATE FILE 2304

S-5804

- 1 Amend House amendment, S-5788 to Senate File 2304
2 as amended, passed and reprinted by the Senate, as
3 follows:
4 1. Page 4, by inserting after line 37 the
5 following:
6 "____. Page 44, line 33, by striking the word and
7 figures "October 1, 1982" and inserting in lieu thereof
8 the word and figures "January 1, 1983".
9 _____. Page 46, line 10, by striking the word and
10 figures "October 1, 1982" and inserting in lieu thereof
11 the word and figures "January 1, 1983"."
12 2. By renumbering as necessary.

S-5804 FILED & LOST BY BOB RUSH
APRIL 24, 1982 (p. 1460)

SENATE FILE 2304

S-5805

- 1 Amend the House amendment, S-5788, to Senate File
2 2304, as amended, passed, and reprinted by the Senate,
3 as follows:
4 1. Page 1, by striking lines 35 through 42.
5 2. Page 2, line 24, by striking the word and
6 figures "June 30, 1983" and inserting in lieu thereof
7 the word and figures "March 31, 1983".
8 3. Page 3, by striking lines 6 and 7.
9 4. Page 3, lines 9 and 10, by striking the word
10 and figures "June 30, 1983" and inserting in lieu
11 thereof the word and figures "March 31, 1983".
12 5. Page 3, lines 16 and 17, by striking the words
13 "only be available to individuals included in the
14 eligible group" and inserting in lieu thereof the
15 words "be available to the spouse of an unemployed
16 parent".
17 6. Page 3, by striking lines 38 through 46.
18 7. Page 3, by striking line 49 and inserting in
19 lieu thereof the words and figure "in lieu thereof
20 the figure "113,909,000
21 Medical assistance shall be made available,
22 beginning July 1, 1982 and ending March 31, 1983,
23 to children under twenty-one years of age who meet
24 all eligible criteria of the aid to families with
25 dependent children program except that the children
26 are not deprived of parental support."
27 8. By striking page 4, lines 23 through 37.
28 9. Page 4, by striking lines 38 and 39.
29 10. Page 5, by striking lines 5 and 6.
30 11. By renumbering as necessary.

S-5805 FILED & ADOPTED BY JOHN S. MURRAY
APRIL 24, 1982 (p. 1459)

SENATE FILE 2304

S-5794

1 Amend the House amendment, S-5788, to Senate File
2 2304, as amended, passed, and reprinted by the Senate,
3 as follows:

4 1. Page 1, by striking lines 20 and 21.

S-5794 FILED & ADOPTED BY GARY L. BAUGHER
APRIL 24, 1982 (p. 1454)

SENATE FILE 2304

S-5795

1 Amend the House amendment, S-5788, to Senate File
2 2304, as amended, passed, and reprinted by the Senate,
3 as follows:

4 1. Page 1, by striking lines 46 through 49.

S-5795 FILED BY BOB RUSH
APRIL 24, 1982
WITHDRAWN (p. 1460)

SENATE FILE 2304

S-5801

1 Amend the House amendment, S-5788, to Senate File
2 2304 as amended, passed and reprinted by the Senate
3 as follows:

4 1. Page 6, by striking lines 36 through 40 and
5 inserting in lieu thereof the following:

6 "Dependent adult abuse does not include:

7 a. Depriving a dependent adult of medical treatment
8 if the dependent adult is an adherent of a religion
9 whose tenets and practices call for reliance on
10 spiritual means through prayer alone in place of
11 reliance on medical treatment.

12 b. The withholding and withdrawing of health care
13 from a dependent adult when the withholding and
14 withdrawing of health care is done at the request
15 of the dependent adult or at the request of the
16 dependent adult's next-of-kin or guardian when the
17 dependent adult is unable to express his or her wishes
18 and is terminally ill in the opinion of a licensed
19 physician."

S-5801 FILED

BY BOB RUSH

APRIL 24, 1982

ADOPTED (p. 1460)

SENATE FILE 2304

S-5807

1 Amend House amendment, S-5788, to Senate File 2304,
2 as amended, passed and reprinted by the Senate, as
3 follows:

4 1. Page 5, by inserting after line 8 the following:

5 "The department of social services shall conduct
6 a public hearing in each district of the department
7 of social services and report to the legislative
8 council before making any adjustments required by
9 this section."

S-5807 FILED & ADOPTED

BY TOM SLATER

APRIL 24, 1982 (p. 1459)

ARNE WALDSTEIN

SENATE AMENDMENT TO HOUSE AMENDMENT
TO SENATE FILE 2304

H-6067

- 1 Amend the House amendment, S-5788, to Senate File
2 2304, as amended, passed and repinted by the Senate
3 as follows:
- 4 1. Page 1, by striking lines 20 and 21.
 - 5 2. Page 1, by striking lines 35 through 42.
 - 6 3. Page 2, line 24, by striking the word and
7 figures "June 30, 1983" and inserting in lieu thereof
8 the word and figures "March 31, 1983".
 - 9 4. Page 3, by striking lines 6 and 7.
 - 10 5. Page 3, lines 9 and 10, by striking the word
11 and figures "June 30, 1983" and inserting in lieu
12 thereof the word and figures "March 31, 1983".
 - 13 6. Page 3, lines 16 and 17, by striking the words
14 "only be available to individuals included in the
15 eligible group" and inserting in lieu thereof the
16 words "be available to the spouse of an unemployed
17 parent".
 - 18 7. Page 3, by striking lines 38 through 46.
 - 19 8. Page 3, by striking line 49 and inserting in
20 lieu thereof the words and figure "in lieu thereof
21 the figure "113,909,000
22 Medical assistance shall be made available,
23 beginning July 1, 1982 and ending March 31, 1983,
24 to children under twenty-one years of age who meet
25 all eligible criteria of the aid to families with
26 dependent children program except that the children
27 are not deprived of parental support."
 - 28 9. By striking page 4, lines 23 through 37.
 - 29 10. Page 4, by striking lines 38 and 39.
 - 30 11. Page 5, by striking lines 5 and 6.
 - 31 12. Page 5, by inserting after line 8 the
32 following:
33 "The department of social services shall conduct
34 a public hearing in each district of the department
35 of social services and report to the legislative
36 council before making any adjustments required by
37 this section."
38 13. Page 6, by striking lines 36 through 40 and
39 inserting in lieu thereof the following:
40 "Dependent adult abuse does not include:
41 a. Depriving a dependent adult of medical treatment
42 if the dependent adult is an adherent of a religion
43 whose tenets and practices call for reliance on
44 spiritual means through prayer alone in place of
45 reliance on medical treatment.
46 b. The withholding and withdrawing of health care
47 from a dependent adult when the withholding and
48 withdrawing of health care is done at the request
49 of the dependent adult or at the request of the
50 dependent adult's next-of-kin or guardian when the

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FINAL DAY

H-6067
Page Two

1 dependent adult is unable to express his or her wishes
2 and is terminally ill in the opinion of a licensed
3 physician."
4 14. Renumbering as necessary.

H-6067 FILED APRIL 24, 1982
HOUSE CONCURRED (p. 1859)

RECEIVED FROM THE SENATE



Office of the Governor

STATE CAPITOL
DES MOINES, IOWA 50319

ROBERT D. RAY
GOVERNOR

May 19, 1982

The Honorable Mary Jane Odell
Secretary of State
State Capitol Building
L O C A L

Dear Madam Secretary:

I hereby transmit Senate File 2304, an act relating to and making supplemental appropriations for the fiscal year beginning July 1, 1982 and ending June 30, 1983.

I am unable to approve that portion of Section 80 which reads as follows:

It is the intent of the general assembly that in expending the funds appropriated under subparagraphs 1 through 3, the office for planning and programming shall comply with recommendation 5 of the legislative fiscal bureau program evaluation of the office for planning and programming, dated February, 1982.

I am unable to approve that portion of Section 86 which reads as follows:

The state shall provide workers' compensation benefits under chapters 85, 85A, 85B, and 86 to participants in the community work program and those chapters shall be exclusive, compulsory, and obligatory upon the state and the participants in the community work program.

I am unable to approve the item designated in the Act as Section 93 which reads as follows:

Sec. 93. Acts of the Sixty-ninth General Assembly, 1981 Session, chapter 7, section 3, subsection 2, unnumbered paragraph 1, is amended to read as follows:

For medical assistance, provided that the funds appropriated in this subsection shall not be transferred or used for any other purpose than specified in this subsection, notwithstanding section 8.39, including reimbursement for abortion services, which shall be available under the medical assistance program only for those abortions which are medically necessary. Medically necessary abortions are those performed under any of the following conditions:

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I am unable to approve the item designated in the Act as Section 129 which reads as follows:

Sec. 129. If the appropriations made by this Act create a general fund balance that results in the state comptroller having to delay or consider delaying making any payments authorized by this Act, or any other Act making appropriations, the state comptroller shall make a monthly report to members of the general assembly relating to the fiscal condition of the state and the report shall include, but not be limited to, the revenue growth for the previous month, and the general fund balance, which shall reflect the total general fund obligations not satisfied at the end of the month.

A portion of Section 80 of Senate File 2304 requires the Office for Planning and Programming to organize for the expenditure of its state funds according to a Legislative Fiscal Bureau program evaluation recommendation. This recommendation would divide OPP into three major divisions: Intergovernmental Assistance, Interagency Planning and Coordination, and Administration and Support.

OPP, under the leadership of Ed Stanek, has recently undergone an administrative reorganization. The structure of the organization was refined to more closely reflect the statutory purpose of the office. The legislature effectively endorsed these reorganization efforts by passing Senate File 2216, which made the statutory changes needed to implement the administrative reorganization. However, Senate File 2216, which was dubbed by many as the OPP reorganization bill, did not prescribe a statutory organization for OPP. The Senate and House State Government Committees, which drafted Senate File 2216, apparently determined that the organizational structure of OPP was something best left to those who had responsibility for managing the office.

Thus, it appears that these organizational directives in Senate File 2304 run contrary to the work of the General Assembly in Senate File 2216. In addition, this portion of Senate File 2304 allows a recommendation made by the Fiscal Bureau to take precedence over the efforts and considerations of the standing committees on state government.

Moreover, it seems apparent that the impact of this portion of Senate File 2304 was not clear to members of the General Assembly. This is exhibited by an irony which would result from the implementation of this language. Another portion of Section 80 of Senate File 2304 stipulates that the Iowa Council for Children, Youth, and Families be provided with at least two staff positions and support services. Yet implementation of the Fiscal Bureau

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recommendation would result in no dedicated support for the Council.

Section 86 of Senate File 2304 establishes a method to provide community work experience for those on the Aid to Families with Dependent Children-Unemployed Parent (AFDC-UP) program. The Department of Social Services is required to contract, at reasonable cost, with counties to provide work assignments for the AFDC-UP recipients. These recipients would receive their AFDC-UP benefits in return for performing the designated work assignments for the county. DSS would be required to assume the costs of workers' compensation as part of the contract with the county.

No state funds were appropriated to DSS to administer this program which, by federal requirement, would include a \$25 monthly work expense grant to each AFDC-UP recipient in addition to the AFDC-UP payment. Nevertheless, the program has the potential of providing valuable work experience to AFDC-UP recipients, and the state has the ability to negotiate a contract with the counties that would stay within reasonable cost limitations. Therefore, I am signing that portion of the program into law.

However, the ability of the state to limit its financial liability for the program is seriously undermined by that portion of Section 86 which requires the state to assume the cost of workers' compensation claims for the program. Preliminary estimates indicate that workers' compensation claims for the program may run as high as \$300,000 each year. Yet no funds were appropriated to DSS to provide for these claims. While there is a possibility of a federal sharing of these costs, the workers' compensation requirement poses a substantial financial liability for the state since no provisions were made for this budget item.

Furthermore, because of the lack of state funding, the workers compensation payment requirement may act as a substantial financial disincentive for DSS to enter into a community work contract with the county. And, it can be reasonably argued that the counties can bear some responsibility for wage and medical compensation for injured workers since the counties will benefit from the tasks performed and the workers will be performing work assignments prescribed by the counties. To do otherwise would remove an incentive for the counties to provide safe jobs. Therefore, the payment of workers' compensation benefits should be part of the community service contract negotiated by and between the state and counties and should not be made a mandatory state financial obligation.

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Section 93 of Senate File 2304 amends last year's state appropriation to the medical assistance (Medicaid) program to prohibit the transfer of any of these state funds. Since this restriction is made in a separate section of the bill, distinct from Section 94 which makes the supplemental appropriation to Medicaid, it would not appear to be a condition of the appropriation and would thus be subject to an item veto.

Section 8.39 of the Code authorizes the Governor and the State Comptroller to transfer funds from one agency to another when the original appropriation has proven to be insufficient to meet the legitimate expenses of the receiving agency. The use of this transfer authority is preceded by a two-week notice given to various legislators. During this time legislative comments are received and carefully considered.

The transfer authority is used sparingly. Nevertheless, it does provide for the budgetary flexibility needed to deal with unforeseen or changing circumstances. Certainly, the unsettled economic conditions we face today require flexibility in administering the budget, particularly in light of the relatively small treasury balances that have been provided for.

While the frequent need for medical assistance budget supplements indicates that a transfer from this program is unlikely, the Medicaid budget's reliance on federal funds and regulations reveals the need to maintain transfer authority. President Reagan's proposed budget includes a swap with the states--the federal government would fund Medicaid while the states would assume the costs of the AFDC and food stamp programs. While the administration and the Governors have yet to agree on a swap, it is important to note that both include federal funding for Medicaid in their proposals. In addition, forthcoming federal changes in the home-based care requirement could save state funds during the coming fiscal year. Should a swap be forthcoming, or if the federal regulatory changes occur, transfer restrictions on the Medicaid program would seriously hamper Iowa's ability to adjust.

Therefore, in order to maintain the flexibility needed to effectively operate government during unsettled economic and federal budgetary times, Section 93 must be item vetoed.

Section 129 of Senate File 2304 provides for a monthly report by the State Comptroller to the General Assembly. This monthly report must, at minimum, include the revenue growth for the previous month and the general fund balance which must include all unsatisfied obligations for the month. Moreover, the

The Honorable Mary Jane Odell

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Comptroller's monthly report need be filed only when the \$40,775,758 appropriations made in the bill may force a delay in state general fund payments.

The language in the section is, at best, unclear and, at worst, unworkable.

Apparently, legislators intended to require a monthly report indicating state tax receipts and a listing of any delayed general fund payments. This intent can be met by the State Comptroller. In fact, all legislators presently receive the State Comptroller's monthly tax receipts report. This report includes a summary of state tax receipts received for the month and for the fiscal year to date. In addition, information is generally included regarding the ability of the state to meet its obligations and to meet the constitutional requirement of a balanced budget. Moreover, the list of major general fund payments that have been delayed is already a matter of public record and those affected by the delays are notified as far in advance as possible. The State Comptroller can and will add legislative leaders to the list of those notified of delayed payments.

However, the language in Section 129 uses the term "general fund balance" and the phrase modifying it "total general fund obligations not satisfied at the end of the month" to describe the required content of the Comptroller's report. This language fails to make the distinction between cash balance and general fund balance which is essential to understanding the reasons for delayed payments. The cash balance is the cumulative result of state's cash income and cash payments. This balance, together with estimates of future cash flow, is used to schedule future cash payments. Delays in large payments, or partial payments, are made to avoid a cash deficit.

The general fund balance, on the other hand, is defined to include total general fund obligations. The financial obligations of state agencies are matched with state revenues to yield a general fund balance.

Agencies are given quarterly allocations of appropriated funds and are allowed to draw on those allocations until their allocation is reached or until the end of the fiscal year. No record of the extent to which an agency has obligated funds is known until the fiscal year ends. Thus, there is but one report of the general fund balance, and it comes not monthly but only at the end of the fiscal year.

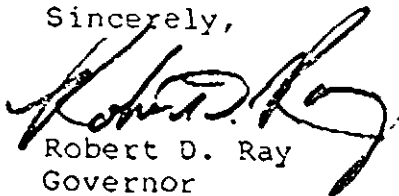
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In short, it appears the legislature intended to obtain a report of delayed payments. Unfortunately, the language in Section 129 instead requires a monthly general fund balance statement which has little to do with delayed payment decisions and is now prepared but once a year.

As a result, the requirements of Section 129 cannot be met, and this section cannot be approved. However, since the legislature has an appropriate desire to be kept informed about the state's financial picture and apparently desires to receive a monthly receipts statement and delayed payments report, the State Comptroller will forward such a monthly report to legislative leaders.

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 Senate File 2304 are hereby approved this date.

Sincerely,



Robert D. Ray
Governor

RDR:cg

cc: Secretary of the Senate
Chief Clerk of the House

Item United

SENATE FILE 2304

AN ACT

RELATING TO AND MAKING SUPPLEMENTAL APPROPRIATIONS FOR THE FISCAL YEAR BEGINNING JULY 1, 1982 AND ENDING JUNE 30, 1983.

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

DIVISION I

Section 1. Acts of the Sixty-ninth General Assembly, 1981 Session, chapter 11, section 2, subsections 1 and 4, are amended to read as follows:

	<u>1981-1982</u>	<u>1982-1983</u>
	<u>Fiscal Year</u>	<u>Fiscal Year</u>
1. For the operation of the training schools for delinquent juveniles and the Iowa juvenile home at Toledo, including salaries and support, maintenance, and miscellaneous purposes	\$ 7,000,000	\$ 7,000,000 5,476,481

The Mitchellville training school shall be closed no later than June 1, 1982 and its female juvenile population shall be transferred to the Iowa juvenile home at Toledo.

Notwithstanding any provision of the Code to the contrary, both children in need of assistance and juveniles adjudicated to have committed a delinquent act may be placed at the Iowa juvenile home at Toledo. That portion of the juvenile home housing delinquent juveniles shall be considered a second campus of the Eldora training school. Chapter 242 applies to that portion of the juvenile home and the delinquent juveniles housed in that portion. Chapter 244 applies to children in need of assistance placed at the juvenile home and the portion of the juvenile home housing those children.

4. For operation of the Iowa veterans home, including salaries and support, maintenance, and miscellaneous purposes

	\$ 11,750,000	\$ 14,500,000
		<u>15,100,000</u>

Sec. 2. There is appropriated from the general fund of the state for the fiscal year beginning July 1, 1982, and ending June 30, 1983, to the department of social services, three million eight hundred fifteen thousand (3,815,000) dollars, or so much thereof as is necessary, to be used for the same purposes and to supplement funds appropriated by Acts of the Sixty-ninth General Assembly, 1981 Session, chapter 11, section 3, subsection 1, except that the funds may be used for the Iowa correctional institution for women at Mitchellville and provided that the Luster Heights correctional work camp shall serve as the primary minimum security correctional work camp.

Notwithstanding the prison system population figures in Acts of the Sixty-ninth General Assembly, 1981 Session, chapter 11, section 3, subsection 1, only a prison system population exceeding two thousand seven hundred eighty shall require the declaration of a prison overcrowding state of emergency, and a prison system population below two thousand six hundred eighty shall require the termination of a state of emergency. The ninety-day reductions in tentative discharge dates provided

S.F. 2304

for in Acts of the Sixty-ninth General Assembly, 1981 Session, chapter 11, section 3, subsection 1, shall only be required if the prison system population equals or exceeds two thousand six hundred eighty for ninety days after a state of emergency has been in effect. The new prison system population figures in this unnumbered paragraph apply retroactively to a state of emergency declared prior to the effective date of this Act.

Of the funds appropriated under this section one hundred fifty thousand (150,000) dollars, or so much thereof as is necessary, shall be used for an inmate classification system.

The department may provide television channels to inmates, and shall suspend access to television as a disciplinary measure.

Sec. 3. Acts of the Sixty-ninth General Assembly, 1981 Session, chapter 11, section 3, subsection 1, unnumbered paragraph 2, is amended by striking the unnumbered paragraph.

Sec. 4. Acts of the Sixty-ninth General Assembly, 1981 Session, chapter 11, section 3, subsection 3, is amended to read as follows:

3. Community-based corrections	\$ 10,620,000	\$ 11,150,000
		11,425,000

A judicial district which uses funds appropriated under this subsection may contract for services from or provide funds to private agencies to provide education, job placement, or counseling services to ex-offenders intended to facilitate the transition from incarceration to living in a free society.

Notwithstanding Acts of the Sixty-ninth General Assembly, 1981 Session, chapter 11, section 13, funds appropriated under this subsection for the fiscal year beginning July 1, 1982, and ending June 30, 1983, may be used for the acquisition or improvement of residential correctional facilities as provided in section 8.45.

Sec. 5. Acts of the Sixty-ninth General Assembly, 1981 Session, chapter 11, section 10, is amended to read as follows:

SEC. 10. Notwithstanding section 227.17, there is appropriated from the general fund of the state for ~~each the~~ fiscal year ~~of-the-biennium~~ beginning July 1, 1981, and ending June 30, ~~1983~~ 1982, to the state mental aid fund four hundred forty thousand (440,000) dollars, or so much thereof as may be necessary.

Sec. 6. Acts of the Sixty-ninth General Assembly, 1981 Session, chapter 11, section 11, subsection 1, is amended to read as follows:

	1981-1982 Fiscal Year	1982-1983 Fiscal Year
1. For capital improvements at institutions under the department of social services other than at the women's reformatory at Rockwell City	\$ 650,000	\$ 800,000
		1,225,000

Sec. 7. Acts of the Sixty-ninth General Assembly, 1981 Session, chapter 11, section 11, is amended by adding the following new subsections:

<u>NEW SUBSECTION.</u> For municipal waste treatment facilities at the Glenwood state hospital-school, the Eldora training school, and the Independence mental health institute	\$	\$ 470,769
<u>NEW SUBSECTION.</u> For capital improvements at the Iowa state penitentiary	\$	\$ 500,000

The appropriation under this subsection is contingent upon action of the executive council to rescind five hundred thousand (500,000) dollars of the one million one hundred thirty-five thousand (1,135,000) dollars set aside from the

general fund by the executive council, pursuant to sections 19.29 and 29C.20, to pay for equipment replacement, repair, rebuilding, rewiring, glass replacement, and overtime at the Iowa state penitentiary due to the inmate disturbance of September 2, 1981.

Sec. 8. Acts of the Sixty-ninth General Assembly, 1981 Session, chapter 11, section 11, subsection 7, is amended to read as follows:

7. ~~Unobligated or unencumbered funds appropriated by this section remaining on June 30, 1985, shall revert to the general fund on September 30, 1985.~~ Unobligated or unencumbered funds appropriated by this section for the fiscal year beginning July 1, 1981, and ending June 30, 1982, remaining on June 30, 1985, shall revert to the general fund on September 30, 1985. However, if the projects for which these funds are appropriated are completed prior to June 30, 1985, the remaining unobligated or unencumbered funds shall revert to the general fund on September 30 following the end of the fiscal year in which the projects are completed.

Unobligated or unencumbered funds appropriated by this section for the fiscal year beginning July 1, 1982, and ending June 30, 1983, remaining on June 30, 1986, shall revert to the general fund on September 30, 1986. However, if the projects for which these funds are appropriated are completed prior to June 30, 1986, the remaining unobligated or unencumbered funds shall revert to the general fund on September 30 following the end of the fiscal year in which the projects are completed.

Sec. 9. Acts of the Sixty-ninth General Assembly, 1981 Session, chapter 75, section 1, is amended to read as follows:

SECTION 1. Section 218.74, Code 1981, is amended by striking the section and inserting in lieu thereof the following:

218.74 REVOLVING FARM FUND. A revolving farm fund is created in the state treasury in which the department of

social services shall deposit receipts from agricultural products, nursery stock, agricultural land rentals, and the sale of livestock. However, before any agricultural operation is phased out, the department which proposes to discontinue this operation shall notify the governor, chairpersons and ranking members of the house and senate appropriations committees, and co-chairpersons and ranking members of the subcommittee in the senate and house of representatives which has handled the appropriation for this department in the past session of the legislature. Before any department sells farmland under the control of the department, that department shall notify the governor, chairpersons and ranking members of the house and senate appropriations committees, and co-chairpersons and ranking members of the joint appropriations subcommittee that handled the appropriation for the department during the past legislative session. The department may pay from the fund for the operation, maintenance, and improvement of farms and agricultural or nursery property under the control of the department. A purchase order for five thousand dollars or less payable from the fund is exempt from the general purchasing requirements of chapter 18. Notwithstanding section 8.33, unencumbered or unobligated receipts in the revolving farm fund at the end of a fiscal year shall not revert to the general fund of the state.

The department of social services shall annually prepare a financial statement to provide for an accounting of the funds in the revolving farm fund. The financial statement shall be filed with the legislative fiscal bureau on or before February 1 each year.

Sec. 10 Notwithstanding Acts of the Sixty-ninth General Assembly, 1981 Session, chapter 78, section 12, counties are not entitled to reimbursement for local inpatient mental health care and treatment for the fiscal year beginning July 1, 1982, and ending June 30, 1983.

Sec. 11. Acts of the Sixty-ninth General Assembly, 1981 Session, chapter 78, section 53, is amended to read as follows:

SEC. 53. There is appropriated from the general fund of the state for ~~each the~~ fiscal year ~~of-the-biennium~~ beginning July 1, 1981, and ending June 30, ~~1983~~ 1982, to the department of social services three hundred seventy thousand (370,000) dollars, or so much thereof as is necessary for reimbursement to counties for local inpatient mental health care and treatment as provided in section 12 of this Act.

Sec. 12. If the general allocation of the state community mental health and mental retardation services fund for fiscal year 1982-1983 does not provide a county with an equal or greater amount of state funds as the county received for fiscal year 1980-1981 from both the state mental aid fund under sections 227.16 through 227.18 and the partial reimbursement for local inpatient mental health care under Acts of the Sixty-ninth General Assembly, 1981 Session, chapter 78, sections 12 and 53, the difference shall be allocated from the special allocation of the state community mental health and mental retardation services fund to the county by the mental health and mental retardation commission under Acts of the Sixty-ninth General Assembly, 1981 Session, chapter 78, section 6, subsection 1, paragraph g.

Sec. 13. There is appropriated from the general fund of the state for the fiscal year beginning July 1, 1982 and ending June 30, 1983, to the state community mental health and mental retardation services fund established in Acts of the Sixty-ninth General Assembly, 1981 Session, chapter 78, section 7, one million three hundred sixty thousand (1,360,000) dollars, or so much thereof as is necessary, for the purposes authorized by Acts of the Sixty-ninth General Assembly, 1981 Session, chapter 78, sections 7 through 11.

Sec. 14. The mental health and mental retardation commission and the commission on substance abuse shall establish a memorandum of understanding including provisions

to coordinate compatible administrative activities. These activities include but are not limited to the utilization of management information systems, local and statewide fiscal and program planning, licensure and accreditation of community programs, and provision of training and technical assistance to local programs and governmental subdivisions.

The memorandum shall be developed by the commissions in consultation with the legislative fiscal bureau and a copy of the memorandum shall be sent to the legislative fiscal director by October 1, 1982. The legislative fiscal bureau shall report to the joint corrections and mental health and human resources appropriations subcommittees during the 1983 Session of the Seventieth General Assembly regarding the status of the memorandum and the coordination of activities.

Sec. 15. In order to further long-range correctional planning, the director of the division of adult corrections of the department of social services shall advise the joint corrections and mental health appropriations subcommittee of the general assembly of the approximate costs of developing and updating a corrections master plan for the next five years.

Sec. 16. Section 110.24, unnumbered paragraph 7, Code 1981, is amended to read as follows:

No license shall be required of minor pupils of the state school for the blind, state school for the deaf, nor of minor ~~inmates residents~~ of other state institutions under the control of a director of a division of the department of social services, except that this provision shall not apply to the ~~inmates of-the-men's-penitentiary-at-Fort-Madison-the-men's reformatory-at-Anamauar-and-the-women's-reformatory-at-Rockwell City-nor-shall-any~~ of state institutions under the control of the director of the division of adult corrections, nor shall any person who is on active duty with the Armed Forces of the United States, on authorized leave, and a legal resident of the state of Iowa, be required to have a license to hunt

or fish in this state. No license shall be required of ~~inmates~~ residents of county care facilities or any person who is receiving old-age assistance under chapter 249.

Sec. 17. Section 217.8, Code 1981, as amended by Acts of the Sixty-ninth General Assembly, 1981 Session, chapter 27, section 2, is amended to read as follows:

217.8 DIVISION OF CHILD AND FAMILY SERVICES. The director of the division of child and family services shall be qualified by training, experience and education in the field of welfare and social problems. The director shall be entrusted with the administration of programs involving neglected, dependent and delinquent children, child welfare, aid to dependent children, and aid to disabled persons and shall administer and be in control of the Iowa juvenile home, the state training ~~schools~~ school, and other related programs established for the general welfare of families, adults and children as directed by the commissioner.

Sec. 18. Section 218.1, subsections 9 through 13, Code 1981, are amended to read as follows:

9. ~~Mitchellville-Training-School~~ Iowa Juvenile Home.
10. ~~Juvenile-Home~~ Iowa Correctional Institution For Women.
11. ~~Women's~~ Men's Reformatory.
12. ~~Men's-Reformatory~~ State Penitentiary.
13. ~~State-Penitentiary~~ Men's Medium Security Correctional Facility at Rockwell City.

Sec. 19. Section 218.3, subsection 1, Code 1981, is amended to read as follows:

1. The director of the division of child and family services of the department of social services shall have primary authority and responsibility relative to the following institutions: ~~Iowa-veterans-home, the Mitchellville-training school,~~ the Eldora state training school, and the Iowa juvenile home.

Sec. 20. Section 218.9, unnumbered paragraph 3, Code 1981, as amended by Acts of the Sixty-ninth General Assembly, 1981 Session, chapter 27, section 3, is amended to read as follows:

The director of the division of child and family services of the department of social services, subject to the approval of the commissioner of social services shall appoint the superintendents of the juvenile home, and the Eldora state training school,~~and the Mitchellville training school.~~

Sec. 21. Section 218.91, Code 1981, is amended to read as follows:

218.91 BOYS TRANSFERRED FROM TRAINING SCHOOL TO REFORMATORY. The director of the division of child and family services with the consent and approval of the director of the division of corrections of the department of social services may order the transfer of male inmates of the ~~Eldora or Mitchellville state training schools~~ school to the men's reformatory for custodial care whenever it is determined that such action will be conducive to the welfare of the other inmates of the school from which the transfer is made. The transfer shall be effected by application in writing to the district court, or any judge thereof, of the county in which the training school is situated. Upon the granting of the order of transfer, the transfer shall take place. The county attorney of the county shall appear in support of the application. The cost of the transfer shall be paid from the funds of the training school from which the transfer is made. Subsequent to a transfer made under this section, the person transferred shall be subject to all the provisions of law and regulations of the institution to which he is transferred, and for the purposes of section 219.4 that person shall be regarded as having been committed to the institution.

Sec. 22. Section 232.52, subsection 2, paragraph e, unnumbered paragraph 1, Code 1981, is amended to read as follows:

An order transferring the guardianship of the child, subject to the continuing jurisdiction of the court for the purposes of section 232.54, to the commissioner of the department of social services for purposes of placement in the Eldora state

training school, ~~the Mitchellville training school~~, or other facility provided that:

Sec. 23. Section 232.102, subsection 4, Code 1981, is amended to read as follows:

4. The child shall not be placed in the Iowa state training school for boys or the Iowa training school for girls.

Sec. 24. Section 232.127, subsection 7, Code 1981, is amended to read as follows:

7. The court may not order the child placed on probation, in a foster home or in a nonsecure facility unless the child requests and agrees to such supervision or placement. In no event shall the court order the child placed in the Iowa state training school for boys or the Iowa training school for girls or other secure facility.

Sec. 25. Section 242.1, Code 1981, is amended to read as follows:

242.1 OFFICIAL DESIGNATION. The state training school for juvenile delinquents at Eldora and the unit for delinquent juveniles at the Iowa juvenile home at Toledo shall together be known as the "Eldora State Training School". ~~The state training school at Mitchellville shall be known as the "Mitchellville Training School"~~. For the purpose of this chapter the word "director" or "state director" shall mean the director of the division of child and family services of the department of social services.

Sec. 26. Section 242.3, Code 1981, is amended to read as follows:

242.3 SALARY. The ~~salary~~ salary of the ~~superintendent~~ superintendent of the state training schools school shall be determined by the state director.

Sec. 27. Section 242.4, Code 1981, is amended to read as follows:

242.4 INSTRUCTION AND EMPLOYMENT. The state director shall cause the boys and girls in ~~said schools~~ the state training school to be instructed ~~in civility and morality~~ in

~~such instruction~~ on the Constitutions of the United States and of this state as is required in the common schools, and in such branches of useful knowledge as are adapted to their age and capacity, including the effect of alcoholic liquors, stimulants, and narcotics on the human system, and in some regular course of labor, either mechanical, agricultural, or manufactural, as is best suited to their age, strength, disposition, capacity, reformation, and well-being.

Sec. 28. Section 242.6, Code 1981, is amended to read as follows:

242.6 CONVICTION FOR CRIME. When a boy or girl over twelve and under seventeen years of age, of sound mind, is found guilty in the district court of any crime except murder, the court may order the child sent to the ~~Eldora or Mitchellville~~ Eldora or Mitchellville state training school.

Sec. 29. Section 242.7, Code 1981, is amended to read as follows:

242.7 PLACING IN FAMILIES. All children committed to and received in the state training schools school may be placed by the department under foster care arrangements, with any persons or in families of good standing and character where they will be properly cared for and educated. The cost of foster care provided under these arrangements shall be paid as provided in sections 234.35 and 234.36.

Sec. 30. Section 242.15, unnumbered paragraph 1, Code 1981, is amended to read as follows:

The state director may detail boys and girls, classed as trustworthy, from the state training school at Eldora and at Mitchellville, to perform services for the state conservation commission within the state parks, state game and forest areas and other lands under the jurisdiction of ~~said~~ the commission. The conservation commission shall provide permanent housing and work guidance supervision, but the care and custody of the boys and girls so detailed shall remain under employees of the division of child and family services

of the department of social services. All such programs shall have as their primary purpose and shall provide for inculcation or the activation of attitudes, skills and habit patterns which will be conducive to the habilitation of the youths involved.

Sec. 31. Section 244.3, subsection 2, Code 1981, is amended to read as follows:

2. Neglected, or dependent ~~or delinquent~~ children committed ~~thereto~~ by the juvenile court.

Sec. 32. Section 245.1, Code 1981, is amended to read as follows:

245.1 ~~DEFINITIONS--OBJECTS~~ OFFICIAL DESIGNATION--
DEFINITIONS. The state correctional facility for women at Mitchellville shall be known as the "Iowa Correctional Institution For Women". For the purpose of this chapter "director" or "state director" shall mean the director of the division of adult corrections of the department of social services.

Sec. 33. Section 245.5, Code 1981, is amended to read as follows:

245.5 OPTIONAL COMMITMENTS FOR LIFE. Any unmarried female over ten and under eighteen years of age convicted of an offense punishable by life imprisonment may be committed either to ~~one of the state training schools at Bidara or Mitchellville school~~ or to the women's reformatory Iowa correctional institution for women.

Sec. 34. Section 245.10, Code 1981, is amended to read as follows:

245.10 TRANSFER OF INMATES--COSTS. The state director in co-operation with the commissioner of the department of social services and the directors of the other divisions of the department of social services may transfer inmates from the ~~said reformatory Iowa correctional institution for women~~ to the ~~Bidara or Mitchellville~~ state training school, and from ~~either the state training school to the reformatory Iowa~~

correctional institution for women, whenever such course will be conducive to the welfare of the institution or school or of the other inmates ~~therein in the institution or school~~, or of the inmates so transferred. The costs of ~~such the~~ transfer shall be paid from the funds of the institution or school from which the transfer is made.

Sec. 35. Section 245.11, Code 1981, is amended to read as follows:

245.11 EFFECT OF TRANSFER. After a transfer to either institution is made, under section 245.10, the person transferred shall be subject to all the provisions of law and regulations of the institution or school to which she is transferred, and for the purposes of section 719.4, a person transferred from the state training school at Bidara or Mitchellville to the women's reformatory Iowa correctional institution for women shall be regarded as having been committed thereto.

Sec. 36. Chapter 246, Code 1981, is amended by adding the following new section:

NEW SECTION. MEN'S MEDIUM SECURITY CORRECTIONAL FACILITY AT ROCKWELL CITY. The state correctional facility at Rockwell City shall be utilized as a medium security correctional facility for men and shall be operated by the director in accordance with the applicable provisions of this chapter.

Sec. 37. Section 690.4, unnumbered paragraph 1, Code 1981, is amended to read as follows:

It shall be the duty of the wardens of the penitentiary and men's reformatory, and superintendents of the women's reformatory Iowa correctional institution for women, and the ~~Bidara state training school, and the Mitchellville training school,~~ to take or procure the taking of the fingerprints, and, in the case of the penitentiary, men's reformatory, and women's reformatory Iowa correctional institution for women only, Bertillon photographs of any person received on commitment to their respective institutions, and to forward

such fingerprint records and photographs within ten days after the same are taken to the division of criminal investigation and bureau of identification, Iowa department of public safety, and to the federal bureau of investigation.

DIVISION II

Sec. 38. Acts of the Sixty-ninth General Assembly, 1981 Session, chapter 8, section 2, is amended to read as follows:

SEC. 2. There is appropriated from the general fund of the state to the Iowa college aid commission for each fiscal year of the fiscal biennium beginning July 1, 1981 and ending June 30, 1983, the following amounts, or so much thereof as may be necessary, to be used for the funding of the following programs for the purposes designated:

	1981-1982		1982-1983
	<u>Fiscal Year</u>		<u>Fiscal Year</u>
1. IOWA COLLEGE AID COMMISSION			
For salaries, support, maintenance, and miscellaneous purposes	\$ 317,595	\$	<u>341,704</u>
			<u>343,809</u>
2. TUITION GRANT PROGRAM			
To supplement the appropriation provided in subsection 1 of section 261.25 for tuition grants to full-time resident students attending accredited private institutions of higher education in Iowa under sections 261.9 to 261.16	\$ 2,071,500	\$	<u>2,450,000</u>
			<u>3,650,000</u>
3. VOCATIONAL TECHNICAL TUITION GRANT PROGRAM			
To supplement the ap-			

propriation provided in subsection 3 of section 261.25 for tuition grants to full-time resident students in a vocational-technical program in Iowa as provided in section 261.17

	\$ 79,300	\$	<u>100,000</u>
			<u>200,000</u>

Sec. 39. Acts of the Sixty-ninth General Assembly, 1981 Session, chapter 9, section 8, subsection 10, is amended by adding the following new paragraph:

NEW PARAGRAPH. To be allocated to the merged area schools for training programs for employees of companies locating or expanding within Iowa

	\$	\$	275,000
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Sec. 40. Acts of the Sixty-ninth General Assembly, 1981 Session, chapter 8, section 9, subsection 2, paragraph a, is amended to read as follows:

a. General university, including lakeside laboratory.

For salaries, support, maintenance, equipment, and miscellaneous purposes and for the pediatric department of the college of medicine to continue to fund the program of research at the current level in the cause, course, treatment, cure, and management of diabetes mellitus

	\$ 92,397,351	\$	<u>97,294,990</u>
			<u>98,294,990</u>

It is the intent of the general assembly that from funds appropriated in this paragraph one million (1,000,000) dollars shall be expended during the fiscal year beginning July 1, 1982 and ending June 30, 1983 to stabilize instructional funding at the college of medicine.

Sec. 41. Acts of the Sixty-ninth General Assembly, 1981 Session, chapter 8, section 9, subsection 2, paragraph b, is amended to read as follows:

b. University hospitals

For salaries, support, maintenance, equipment, and miscellaneous purposes; for medical and surgical treatment of indigent patients as provided in

chapter 255 \$ 20,819,800 \$ ~~22,046,392~~
22,211,392

Sec. 42. Acts of the Sixty-ninth General Assembly, 1981 Session, chapter 8, section 9, subsection 3, paragraph a, is amended to read as follows:

a. General university

For salaries, support, maintenance, equipment, and miscellaneous purposes

\$ 76,208,384 \$ ~~80,161,263~~
80,994,263

It is the intent of the general assembly that from funds appropriated in this paragraph eight hundred thirty-three thousand (833,000) dollars shall be expended during the fiscal year beginning July 1, 1982 and ending June 30, 1983 to establish additional sections of classes that are experiencing increasing enrollments.

Sec. 43. Acts of the Sixty-ninth General Assembly, 1981 Session, chapter 8, section 9, subsection 4, is amended to read as follows:

4. UNIVERSITY OF

NORTHERN IOWA

For salaries, support, maintenance, equipment, and miscellaneous purposes \$ 29,985,397 \$ ~~31,428,442~~
31,595,042

It is the intent of the general assembly that from funds appropriated in this subsection, twenty-five thousand (25,000) dollars shall be expended each fiscal year to support stipends for graduate students in the doctoral programs.

It is the intent of the general assembly that from funds appropriated in this subsection, one hundred sixty-seven thousand (167,000) dollars shall be expended during the fiscal year beginning July 1, 1982 and ending June 30, 1983 to establish additional sections of courses that are experiencing increasing enrollments.

Sec. 44. Acts of the Sixty-ninth General Assembly, 1981 Session, chapter 8, section 16, is amended to read as follows:

SEC. 16. Notwithstanding section 267.8, Code 1981, the standing appropriation in that section is limited to one hundred thousand (100,000) dollars for the fiscal year beginning July 1, 1981 and ending June 30, 1982 and is limited to one hundred ~~fifty-thousand (150,000)~~ ninety-four thousand five hundred (194,500) dollars for the fiscal year beginning July 1, 1982 and ending June 30, 1983.

Sec. 45. Acts of the Sixty-ninth General Assembly, 1981 Session, chapter 8, section 18, unnumbered paragraph 1, is amended to read as follows:

Notwithstanding section 285.2, unnumbered paragraph 2, Code 1981, the standing appropriation in that section is limited to four million four hundred thirty-seven thousand (4,437,000) dollars for the fiscal year beginning July 1, 1981 and ending June 30, 1982 and to ~~four-million-one-hundred-fifty-thousand-nine-hundred (4,650,900)~~ five million four hundred fifty thousand nine hundred (5,450,900) dollars for the fiscal year beginning July 1, 1982 and ending June 30, 1983.

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Sec. 46. There is appropriated from the general fund of the state to the state board of regents for the fiscal year beginning July 1, 1982 and ending June 30, 1983, the sum of one million two hundred seventy-seven thousand three hundred thirty-seven (1,277,337) dollars, or as much thereof as may be necessary, for the purchase of fuel and electricity for the institutions under its control.

Sec. 47. There is appropriated from the general fund of the state to the school budget review committee for the fiscal year beginning July 1, 1982 and ending June 30, 1983 the sum of two hundred thousand (200,000) dollars, or so much thereof as is necessary, to be used for grants to public schools and for nonpublic school pupils for special instruction for non-English-speaking students as provided in section 280.4 in section 48 of this Act.

Sec. 48. Section 280.4, subsection 1, Code 1981, is amended to read as follows:

1. The board of directors of a school district may submit an application to the school budget review committee for funds provided by ~~Acts of the Sixty-eighth General Assembly, chapter 13, section 7, subsection 10~~ section 47 of this Act, for instruction in the English language, a transitional bilingual, or other special instruction program when support for the program from other federal, state or local sources is not available or is inadequate. The department of public instruction shall review all applications for funding and provide recommendations to the school budget review committee regarding their disposition. The school budget review committee shall not grant funds to a public school for instruction in the English language, a transitional bilingual or other special instruction program unless the program offered by the public school is available to nonpublic school students in the district.

DIVISION III

Sec. 49. Acts of the Sixty-ninth General Assembly, 1981 Session, chapter 5, section 2, subsection 4, is amended to read as follows:

4. BOARD OF PAROLE

For salaries and support of not more than ~~fourteen~~ fifteen full-time equivalent positions annually, maintenance, and miscellaneous purposes \$ 311,247 \$ ~~324,440~~ 341,855

Thirty-two thousand four hundred (32,400) dollars of the funds appropriated under this subsection for each fiscal year of the biennium shall be available to the board of parole only for the purpose of providing salaries and support for two additional members of the board of parole if the two additional members are approved by the general assembly for each fiscal year of the biennium.

Sec. 50. Acts of the Sixty-ninth General Assembly, 1981 Session, chapter 5, section 4, subsection 5, is amended to read as follows:

5. LICENSING AND CERTIFICATION DIVISION

For salaries and support of not more than ~~sixteen~~ eighteen full-time equivalent positions annually, rent, maintenance, and miscellaneous purposes \$ 525,068 \$ ~~542,648~~ 611,478

Of the funds appropriated under this subsection for the fiscal year beginning July 1, 1982, and ending June 30, 1983, sixty-one thousand seven hundred thirty (61,730) dollars is appropriated to the board of dental examiners, five thousand (5,000) dollars is appropriated to the board of physical and occupational therapy examiners, and two thousand one hundred

(2,100) dollars is appropriated to the board of mortuary science examiners.

The licensing and certification division shall prepare estimates of projected revenues to be generated by the licensing, certification, and examination fees of each board as well as a projection of the fairly apportioned administrative costs and rental expenses attributable to each board. Each board shall annually review and adjust its schedule of fees so that, as nearly as possible, projected revenues equal projected costs and any imbalance in revenues and costs in a fiscal year is offset in a subsequent fiscal year.

Sec. 51. There is appropriated from the general fund of the state for the fiscal year beginning July 1, 1982, and ending June 30, 1983, to the state board of regents for the specialized child health services program at the university of Iowa hospitals, seventeen thousand (17,000) dollars, or so much thereof as is necessary, for the phenylketonuria program to be used only to cover the cost of lofenalac. The specialized child health services program shall develop a sliding fee schedule to determine the amount of payments to be made by persons receiving lofenalac. The specialized child health services program shall report to the joint human resources appropriations subcommittee by January 31, 1983, regarding the status of the phenylketonuria program.

Sec. 52. Acts of the Sixty-ninth General Assembly, 1981 Session, chapter 5, section 4, subsection 7, paragraph a, unnumbered paragraph 1, is amended to read as follows:

For salaries and support of not more than ~~forty-eight-point~~ forty-five ~~forty-nine~~ full-time equivalent positions annually, maintenance, and miscellaneous purposes

\$ 1,445,824	\$ 3,484,092
	<u>1,734,092</u>

Sec. 53. Acts of the Sixty-ninth General Assembly, 1981 Session, chapter 5, section 4, subsection 7, paragraph d, subparagraphs (1) and (2), are amended to read as follows:

(1) Homemaker-home health aide program	\$ 1,562,207	\$ 1,621,862
(2) Public health nursing program	\$ 1,640,019	\$ 1,719,098

Sec. 54. Acts of the Sixty-ninth General Assembly, 1981 Session, chapter 5, section 4, subsection 7, is amended by adding the following new paragraphs:

NEW PARAGRAPH. PUBLIC HEALTH NURSING PROGRAM.

For grants to local boards of health for the public health nursing program

\$	\$ 1,719,098
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Funds appropriated under this paragraph shall be used to maintain and expand the existing public health nursing program for elderly and low-income persons with the objective of preventing or reducing inappropriate institutionalization. The funds shall not be used for any other purpose. As used in this paragraph, "elderly person" means a person who is sixty years of age or older and "low-income person" means a person whose income and resources are below the guidelines established by the department.

The department may retain not more than one percent of the amount appropriated under this paragraph to be used to pay the costs of administering the public health nursing program. The remainder of the amount appropriated shall be allocated for use in the counties of the state. One-fourth of the total amount to be allocated shall be divided so that an equal amount is available for use in each county in the state. Three-fourths of the total amount to be allocated shall be divided so that the share available for use in each county is proportionate to the number of elderly and low-income persons living in that county in relation to the total number of elderly and low-income persons living in the state.

In order to receive allocations under this paragraph, the local board of health having jurisdiction, after consultation with other in-home health care provider agencies in the jurisdiction, shall prepare a proposal for the use of the allocated funds available for that jurisdiction that will provide the maximum benefits of expanded public health nursing care to elderly and low-income persons in the jurisdiction. The proposal 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. The local board of health may subcontract with a nonprofit nurses' association, an independent nonprofit agency, a suitable local governmental body, or a person as defined in section 4.1, subsection 13, to use the allocated funds to provide public health nursing care. Local boards of health shall make an effort to subcontract with agencies that are currently providing services to prevent duplication of services.

If by July 30, 1982, the department is unable to conclude contracts for use of the allocated funds in a county, the department shall consider the unused funds appropriated under this paragraph an unallocated pool. The department shall prior to December 31, 1982, reallocate the funds in the unallocated pool among the counties in which the department has concluded contracts under this paragraph. The reallocation shall be made to those counties in substantially the same manner as the original allocations. The reallocated funds are available for use in those counties during the period beginning January 1, 1983, and ending June 30, 1983.

The department shall adopt rules defining eligibility for public health nursing care paid for from funds appropriated by this paragraph. The rules shall require each local agency receiving funds to establish and use a sliding fee scale for those persons able to pay for all or a portion of the cost of the care.

The department shall evaluate the success of the public health nursing program. The evaluation shall include the extent to which the program reduced or prevented inappropriate institutionalization, the extent to which the program increased the availability of public health nursing care to elderly and low-income persons, and the extent of public health nursing care provided to elderly and low-income persons. The department shall submit a report of the evaluation to the governor and the general assembly by January 10, 1983.

NEW PARAGRAPH. HOMEMAKER-HOME HEALTH AIDE PROGRAM.

For grants to county boards of supervisors for the homemaker-home health aide program . . . \$ 6,387,862

Funds appropriated under this paragraph shall be used to provide homemaker-home health aide services with emphasis on services to elderly and low-income persons and children and adults in need of protective services with the objective of preventing or reducing inappropriate institutionalization. In addition, up to fifteen percent of the funds appropriated under this paragraph may be used to provide chore services. The funds shall not be used for any other purposes. As used in this paragraph:

(1) "Chore services" means services provided to individuals or families, who, due to absence, incapacity, or illness, are unable to perform certain home maintenance functions. The services include but are not limited to yard work such as mowing lawns, raking leaves, and shoveling walks; window and door maintenance such as hanging screen windows and doors, replacing window panes, and washing windows; and minor repairs to walls, floors, stairs, railings, and handles.

(2) "Elderly person" means a person who is sixty years of age or older.

(3) "Homemaker-home health aide services" means services intended to enhance the capacity of household members to

attain or maintain the independence of the household members and provided by trained and supervised workers to individuals or families, who, due to the absence, incapacity, or limitations of the usual homemaker, are experiencing stress or crisis. The services include but are not limited to essential shopping, housekeeping, meal preparation, child care, respite care, money management and consumer education, family management, personal services, transportation and providing information, assistance, household management and learning experiences.

(4) "Low-income person" means a person whose income and resources are below the guidelines established by the department.

(5) "Protective services" means those homemaker-home health aide services intended to stabilize a child's or an adult's residential environment and relationships with relatives, caretakers, and other persons or household members in order to alleviate a situation involving abuse or neglect or to otherwise protect the child or adult from a threat of abuse or neglect.

The amount appropriated under this paragraph shall be allocated for use in the counties of the state. Fifteen percent of the amount shall be divided so that an equal amount is available for use in each county in the state. Of the remaining amount each county shall be allocated an amount equal to seventy-five percent of state expenditures for homemaker services in that county during the fiscal year beginning July 1, 1981, and ending June 30, 1982. After allocation of the seventy-five percent to each county, the following percentages of the remaining amount shall be allocated to each county according to that county's proportion of residents with the following demographic characteristics compared to all state residents with the same demographic characteristics: sixty percent according to the number of elderly persons living in the county; twenty percent according

to the number of low-income persons living in the county; and twenty percent according to the number of substantiated cases of child abuse in the county during the 1980-1981 fiscal year.

It is intended that the seventy-five percent allocation, based on state expenditures for homemaker services in each county during the 1981-1982 fiscal year, shall be reduced to fifty percent for the 1983-1984 fiscal year and to twenty-five percent for the 1984-1985 fiscal year. For the 1985-1986 fiscal year it is intended that no allocation be made based on those state expenditures for homemaker services but that the entire amount appropriated be allocated by dividing fifteen percent of the amount equally among the counties and by dividing the remaining amount according to the percentages and demographic characteristics stipulated above.

In order to receive allocations under this paragraph, the county board of supervisors, after consultation with the local boards of health, county board of social welfare, area agency on aging advisory council, local office of the department of social services, and other in-home health care provider agencies in the jurisdiction, shall prepare a proposal for the use of the allocated funds available for that jurisdiction that will provide the maximum benefits of expanded homemaker-home health aide services to elderly and low-income persons and children and adults in need of protective services in the jurisdiction. The proposal may provide that a maximum of fifteen percent of the allocated funds will be used to provide chore services. The proposal shall include a statement assuring that children and adults in need of protective services are given priority for homemaker-home health aide services and 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 county board of supervisors or a governmental body designated by the county

board of supervisors. The county board of supervisors or its designee may subcontract with a nonprofit nurses' association, an independent nonprofit agency, the department of social services, a suitable local governmental body, or a person as defined in section 4.1, subsection 13, to use the allocated funds to provide homemaker-home health aide services and chore services providing that the subcontract requires any service provided away from the home to be documented in a report available for review by the department.

If by July 30, 1982, the department is unable to conclude contracts for use of the allocated funds in a county, the department shall consider the unused funds appropriated under this paragraph an unallocated pool. The department shall also identify any allocated funds which the counties do not anticipate spending during the fiscal year ending June 30, 1983. If the anticipated excess funds to any county are substantial, the department and the county may agree to return those excess funds, if the funds are other than program revenues, to the department, and if returned, the department shall consider the returned funds a part of the unallocated pool. The department shall prior to February 1, 1983, reallocate the funds in the unallocated pool among the counties in which the department has concluded contracts under this paragraph.

The department shall adopt rules defining eligibility for homemaker-home health aide services and chore services paid for from funds appropriated by this paragraph. The rules shall require each local agency receiving funds to establish and use a sliding fee scale for those persons able to pay for all or a portion of the cost of the services and shall require the payments to be applied to the cost of the services. The department shall also adopt rules for standards regarding training, supervision, recordkeeping, appeals, program evaluation, cost analysis, and financial audits, and rules specifying reporting requirements.

The department shall evaluate the success of the homemaker-home health aide program. The evaluation shall include a description of the program and its implementation, the extent of local participation, the extent to which the program reduced or prevented inappropriate institutionalization, the extent to which the program provided or increased the availability of homemaker-home health aide services to elderly and low-income persons and children and adults in need of protective services, any problems and recommendations concerning the program, and an analysis of the costs of services across the state. The department shall submit a report of the evaluation to the governor and the general assembly by January 10, 1983.

Sec. 55. Section 135.11, Code 1981, is amended by adding the following new subsection:

NEW SUBSECTION. Administer the statewide public health nursing and homemaker-home health aide programs by approving grants of state funds to the local boards of health and the county boards of supervisors and by providing guidelines for the approval of the grants and allocation of the state funds.

Sec. 56. Acts of the Sixty-ninth General Assembly, 1981 Session, chapter 5, section 6, subsections 1 and 2, are amended to read as follows:

	<u>1981-1982</u>	<u>1982-1983</u>
	<u>Fiscal Year</u>	<u>Fiscal Year</u>
1. For salaries and support of not more than fourteen <u>nineteen point one</u> full-time equivalent positions annually, maintenance, and miscellaneous purposes	\$ 142,967	\$ 0
		<u>142,968</u>
2. For program grants	\$ 2,361,150	\$ 0
		<u>2,361,150</u>

Sec. 57. The commission on substance abuse and the mental health and mental retardation commission shall establish a

memorandum of understanding including provisions to coordinate compatible administrative activities. These activities include but are not limited to the utilization of management information systems, local and statewide fiscal and program planning, licensure and accreditation of community programs, and provision of training and technical assistance to local programs and governmental subdivisions.

The memorandum shall be developed by the commissions in consultation with the legislative fiscal bureau and a copy of the memorandum shall be sent to the legislative fiscal director by October 1, 1982. The legislative fiscal bureau shall report to the joint human resources and corrections and mental health appropriations subcommittees during the 1983 Session of the Seventieth General Assembly regarding the status of the memorandum and the coordination of activities.

Sec. 58. Acts of the Sixty-ninth General Assembly, 1981 Session, chapter 9, section 14, subsection 1, paragraph b, is amended to read as follows:

b. For the fiscal year beginning July 1, 1982, ~~\$86,999,000~~ \$86,599,000.

Sec. 59. Acts of the Sixty-ninth General Assembly, 1981 Session, chapter 9, section 26, subsection 4, is amended to read as follows:

4. To the substance abuse treatment facilities receiving substance abuse program grants as provided in section 125.25 \$ 200,000 \$ 400,000

The state comptroller shall allocate and distribute the funds appropriated by this subsection to each local substance abuse treatment facility in the same proportion that the substance abuse treatment facility's annual payroll for its employees for the fiscal year ending June 30, 1981 is to the annual payroll for the employees of all local substance abuse treatment facilities receiving substance abuse program grants

for that fiscal year. Moneys received by a local substance abuse facility under this subsection shall be used to pay the state's share of the authorized salary increases for the local substance abuse program employees for the designated fiscal years.

DIVISION IV

Sec. 60. Acts of the Sixty-ninth General Assembly, Second Extraordinary 1981 Session, chapter 3, section 24, is amended to read as follows:

SEC. 24. NEW SECTION. TAX IMPOSED. For the privilege of operating railway vehicles in this state, an excise tax is imposed at the rate of three cents per gallon beginning October 1, 1981 and is imposed at the rate of eight cents per gallon beginning July 1, 1982 upon the use of fuel for the propulsion of a railway vehicle within the state. The tax attaches at the time of use and shall be paid monthly to the department by the railroad company using the fuel. Fuel ~~At such time the Iowa railway finance authority deems necessary, it may require that fuel~~ dispensed in this state shall only be through meters which have been approved for accuracy by the ~~department-of-agriculture~~ Iowa railway finance authority and sealed by the ~~department~~ authority. The authority may contract the responsibility for approving and sealing meters to the department of agriculture. Fuel dispensed through sealed meters shall be presumed taxable unless the railroad company proves otherwise.

Sec. 61. NEW SECTION. PAYMENT OF TAX. Notwithstanding the requirement for monthly payment of the excise tax in Acts of the Sixty-ninth General Assembly, Second Extraordinary 1981 Session, chapter 3, sections 24 and 26, if it is reasonably expected, as determined by rules prescribed by the director, that a railroad company's annual tax liability will not exceed one thousand two hundred dollars for a calendar year, the railroad company may request and the director may grant permission, in lieu of the requirement for monthly

payment of tax, that the tax shall be payable on a calendar year basis. The tax is due and payable no later than January 31 following each calendar year in which the railroad company carried on business.

Sec. 62. The provisions of Acts of the Sixty-eighth General Assembly, 1979 Session, chapter 12, section 6, subsection 3, shall apply to the state fish and game protection fund for the fiscal biennium beginning July 1, 1981 and ending June 30, 1983. This section is to be retroactive to July 1, 1981.

Sec. 63. Acts of the Sixty-ninth General Assembly, 1981 Session, chapter 12, section 7, subsection 1, is amended to read as follows:

	1981-1982	1982-1983
	<u>Fiscal Year</u>	<u>Fiscal Year</u>
1. For salaries, support, maintenance, and miscellaneous purposes	\$ 2,222,351	\$ 2,285,725 2,393,225

Sec. 64. Acts of the Sixty-ninth General Assembly, 1981 Session, chapter 12, section 9, subsection 1, unnumbered paragraph 1, is amended to read as follows:

	1981-1982	1982-1983
	<u>Fiscal Year</u>	<u>Fiscal Year</u>
For salaries, support, maintenance, and for miscellaneous purposes	\$ 1,961,402	\$ 2,076,190 2,182,413

Sec. 65. It is the intent of the general assembly that the fee schedule required by section 45B.32, subsection 6, be implemented. The fees shall be deposited in the general fund of the state.

Sec. 66. There is appropriated from the general fund of the state to the Iowa natural resources council for the fiscal year beginning July 1, 1982 and ending June 30, 1983 the

amount of forty-eight thousand (48,000) dollars, or so much thereof as is necessary for the salary, support, and maintenance of the Missouri river coordinator and the support of the Missouri basin states association and the upper Mississippi river basin association.

Sec. 67. Acts of the Sixty-ninth General Assembly, 1981 Session, chapter 12, section 3, subsection 4, is amended by striking the subsection.

Sec. 68. There is appropriated from the general fund of the state to the Iowa state water resource research institute for the fiscal year beginning July 1, 1982 and ending June 30, 1983, the sum of one hundred thirty-five thousand (135,000) dollars or so much thereof as is necessary for research approved by the panel provided in section 69 of this Act.

Sec. 69. A panel is established to advise the Iowa state water resource research institute on the areas of research to be conducted with the funds appropriated by section 68 of this Act. The panel is composed of the administrative head of the following agencies or that person's representative: Iowa geological survey, Iowa natural resources council, department of soil conservation, energy policy council, and department of agriculture. The representative of the Iowa geological survey shall serve as the chairperson and call the meetings of the panel.

DIVISION V

Sec. 70. Acts of the Sixty-ninth General Assembly, 1981 Session, chapter 6, section 2, subsection 3, unnumbered paragraph 1, is amended to read as follows:

For salaries, support, maintenance, and other operational purposes	\$ 15,785,931	\$ 16,839,864 16,719,864
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Sec. 71. Acts of the Sixty-ninth General Assembly, 1981 Session, chapter 6, section 2, subsection 13, is amended to read as follows:

13. IOWA REAL ESTATE COMMISSION

For salaries, support, maintenance, rental fees, and other

operational purposes	\$	256,980	\$	269,160
				<u>272,668</u>

Sec. 72. There is appropriated from the general fund of the state to the department of revenue for the fiscal year beginning July 1, 1982 and ending June 30, 1983, the sum of twenty-five thousand (25,000) dollars, or so much thereof as may be necessary, to conduct a study of the stress days and grain price differentials for use in determining agricultural productivity for purposes of valuing agricultural land.

DIVISION VI

Sec. 73. Acts of the Sixty-ninth General Assembly, 1981 Session, chapter 10, section 1, subsection 1, is amended to read as follows:

1. OFFICE OF THE STATE APPELLATE DEFENDER

For deposit in the appellate defender operating account	\$	100,000	\$	<u>50,000</u>
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~~Funds appropriated by this subsection to the office of the appellate defender are appropriated only if the office of the appellate defender is in existence for the fiscal year beginning July 1, 1981 and ending June 30, 1982.~~

Sec. 74. Acts of the Sixty-ninth General Assembly, 1981 Session, chapter 10, section 1, subsection 2, is amended to read as follows:

2. IOWA STATE ARTS COUNCIL

For salaries, support, maintenance, and miscellaneous purposes including funds to match

federal grants	\$	291,113	\$	305,150
				<u>343,150</u>

Sec. 75. Acts of the Sixty-ninth General Assembly, 1981 Session, chapter 10, section 1, subsection 3, paragraphs a and b, are amended to read as follows:

a. For the general office of attorney general for salaries, support, maintenance, and miscellaneous purposes

	\$	2,191,472	\$	2,290,361
				<u>2,335,217</u>

b. Prosecuting attorney training program

For salaries, support, maintenance and miscellaneous purposes which funds shall be used to attract federal and county

funding	\$	59,058	\$	62,164
				<u>70,164</u>

Sec. 76. Acts of the Sixty-ninth General Assembly, 1981 Session, chapter 10, section 1, subsection 3, paragraph d, is amended by striking the paragraph.

Sec. 77. Acts of the Sixty-ninth General Assembly, 1981 Session, chapter 10, section 2, subsection 1, is amended by adding the following new lettered paragraph:

NEW LETTERED PARAGRAPH. c. STATE-HOUSE RENOVATION

For the payment of statehouse renovation costs	\$		\$	600,000
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Notwithstanding other provisions of this section or section 8.33, unencumbered funds appropriated by this paragraph shall be available and shall not revert to the general fund of the state until July 1, 1986.

Sec. 78. Acts of the Sixty-ninth General Assembly, 1981 Session, chapter 10, section 6, subsection 1, unnumbered paragraph 2, is amended by striking the unnumbered paragraph.

Sec. 79. Acts of the Sixty-ninth General Assembly, 1981 Session, chapter 10, section 7, subsection 1, is amended to

read as follows:

1. BUREAU OF LABOR

For salaries, support, maintenance, and miscellaneous purposes \$ 1,214,659 \$ ~~1,299,935~~
1,342,885

Sec. 80. Acts of the Sixty-ninth General Assembly, 1981 Session, chapter 10, section 7, subsection 8, paragraph a, is amended by adding the following new subparagraphs:

NEW SUBPARAGRAPH. (1) For the intergovernmental assistance function which includes the community services block grant, community development block grant, local government assistance, and city development board \$ \$ 372,450

NEW SUBPARAGRAPH. (2) For the interagency planning and coordination function which includes the state occupational information coordinating committee, highway safety office, statistical analysis center, and office for state resource planning which includes staff of not less than two full-time equivalent positions and necessary support with funds appropriated under this subparagraph for the Iowa council for children, youth, and families \$ \$ 1,099,950

NEW SUBPARAGRAPH. (3) For the administrative function which includes the state demographic center and federal funds clearinghouse \$ \$ 129,400

It is the intent of the general assembly that in expending the funds appropriated under subparagraphs 1 through 3, the office for planning and programming shall comply with recommendation 5 of the legislative fiscal bureau program evaluation of the office for planning and programming, dated February, 1982. Of the funds appropriated under subparagraph 3, seven thousand six hundred (\$7,600) dollars shall be used to pay the mileage, meals or other necessary expenses of the advisory commission on intergovernmental relations.

Sec. 81. Acts of the Sixty-ninth General Assembly, 1981 Session, chapter 10, section 7, subsection 8, paragraph e, is amended to read as follows:

e. For the juvenile victim restitution program pursuant to section 7A.10 \$ 100,000 \$

Notwithstanding other provisions of this section or section 8.33, unencumbered funds appropriated by this paragraph shall be available and shall not revert to the general fund of the state until July 1, 1983.

Sec. 82. Acts of the Sixty-ninth General Assembly, 1981 Session, chapter 10, section 7, subsection 6, is amended to read as follows:

6. IOWA MERIT EMPLOYMENT DEPARTMENT

For the general office for salaries, maintenance, and miscellaneous purposes \$ 1,176,346 \$ ~~1,158,526~~
1,235,786

It is the intention of the general assembly that the Iowa merit employment department may add an additional full-time equivalent position for the fiscal year beginning July 1, 1982 for administration of testing services throughout the state to replace the testing services previously provided for the Iowa merit employment department by the Iowa department of job services.

Sec. 83. Acts of the Sixty-ninth General Assembly, 1981 Session, chapter 189, section 6, unnumbered paragraph 2, is amended to read as follows:

There is appropriated from the state general fund to the supreme court for the fiscal year commencing July 1, 1982 and ending June 30, 1983, the sum of one hundred fifty thousand (150,000) dollars or so much thereof as is necessary to fund the additional judgeships created by section 1 of this Act. There is appropriated from the state general fund to the supreme court for the fiscal year commencing July 1, 1982 and ending June 30, 1983, the sum of eight one million two hundred forty-five thousand (1,245,000) dollars or so much thereof as is necessary to fund the expenses of operation of the offices of district court administrators as provided in section 605.35. However, notwithstanding section 605.35, the counties of a judicial district in which an office of district court administrator is established shall furnish the district court administrator with appropriate office space and related utilities. The cost of furnishing the office space and related utilities shall be apportioned among the counties in the judicial district in the same manner as the expenses of shorthand reporters are apportioned under section 605.9. Except for the cost of office space and related utilities, a county shall not contribute to the salaries, support, maintenance, or any other direct or indirect cost for the office of district court administrator. As used in this paragraph, "related utilities" mean heating, cooling, electricity and water services. Of the sum appropriated to fund the expenses of the operation of the offices of district court administrators, three hundred twenty thousand (320,000) dollars shall be used to employ sixteen law clerks.

Sec. 84. DISPUTE RESOLUTION PROGRAMS.

1. There is appropriated from the general fund of the state to the office of the court administrator of the judicial department for the fiscal year beginning July 1, 1982 and

ending June 30, 1983, the sum of one hundred thousand (100,000) dollars or so much thereof as necessary for the payment of grants authorized in subsection 2. The court administrator may expend an amount not exceeding six thousand (6,000) dollars for administrative expenses.

2. Except for administrative expenses, the funds appropriated under subsection 1 shall be used for grants to establish or improve dispute resolution programs that are designed to provide mediation and conciliation services for the parties to a dispute. The dispute resolution programs shall encourage and enable the parties to a dispute to achieve a mutually satisfactory resolution of the dispute in an informal and nonadversary setting that assures confidentiality to the parties.

3. A county, city or nonprofit corporation may submit an application to the court administrator of the judicial department for a dispute resolution program grant on forms prescribed and furnished by the administrator. The court administrator with the advice of the judicial coordinating committee established by the supreme court shall allocate the funds to the dispute resolution programs that provide nonjudicial resolution of disputes at the community or county level. At least twenty-five percent of the amount budgeted for the annual operation of a newly-established dispute resolution program or that portion of a dispute resolution program which is improved shall be obtained from sources other than the grant provided under this section. Moneys appropriated under this section shall not be used to fund that portion of a dispute resolution program established before the effective date of this Act.

4. The court administrator shall submit a progress report on the operation of the dispute resolution programs funded under this section to the senate state government appropriations subcommittee and the house state departments appropriations subcommittee prior to February 1, 1983.

Sec. 85. LEGAL SERVICES CORPORATION FUNDING STUDY.

1. The office of the governor shall conduct a study of the effect of the loss of federal funds on the legal services provided by the legal services corporation. The office of the governor may participate in the conduct of the study. The study shall include but not be limited to the following:

- a. An examination of the efficiency of the legal services corporation.
- b. An examination of the feasibility of attaching a client's income or assets for services rendered.
- c. Consideration of alternative sources of funds for legal services to low-income persons.

The office of the governor shall submit a report of the study to the state government appropriations subcommittee before February 1, 1983.

2. There is appropriated from the general fund of the state to the office of the governor for the fiscal year beginning July 1, 1982, and ending June 30, 1983, the sum of ten thousand dollars or so much thereof as necessary to conduct the study as provided in subsection 1.

DIVISION VII

Sec. 86. COMMUNITY WORK PROGRAM FOR UNEMPLOYED PARENTS.

The department of social services shall establish a community work program in each county for unemployed parents for the fiscal year beginning July 1, 1982, and ending March 31, 1983 by contracting at reasonable cost with county boards of supervisors or another local organization designated by both the county board of supervisors and the department of social services. At the time of determining eligibility for the unemployed parents program under the aid to families with dependent children program pursuant to section 91 of this Act, the department of social services shall determine whether the principal wage earner is eligible for work under the community work program. The county boards of supervisors or the designated local organizations shall work with community groups concerned with the delivery of local services to develop

work assignments in order to fully utilize public resources to meet public needs and to allow unemployed parents to contribute to the betterment of the community. The county board of supervisors or the designated local organizations shall assign participants in the community work program to work in accordance with applicable federal regulations. The work assignments may be with governmental entities, including school districts, and with nonprofit agencies and organizations. The work assignments shall maintain the dignity of the participants and shall be of benefit to the community.

The state shall provide workers' compensation benefits under chapters 85, 85A, 85B, and 86 to participants in the community work program and those chapters shall be exclusive, compulsory, and obligatory upon the state and the participants in the community work program.

Sec. 87. Acts of the Sixty-ninth General Assembly, 1981 Session, chapter 7, section 1, is amended to read as follows:

SECTION 1. There is appropriated from the general fund of the state for each fiscal year of the biennium beginning July 1, 1981, and ending June 30, 1983, to the department of social services for general administration, including salaries and support, maintenance, and miscellaneous purposes the following amounts, or so much thereof as may be necessary:

	1981-1982	1982-1983
	<u>Fiscal Year</u>	<u>Fiscal Year</u>
	\$ 7,000,000	\$ 7,000,000
		<u>6,509,000</u>

Sec. 88. Acts of the Sixty-ninth General Assembly, 1981 Session, chapter 7, section 2, unnumbered paragraph 5, is amended to read as follows:

The reorganization required by this subsection becomes effective on July 1, 1982, unless the joint social services appropriations subcommittee recommends an alternative plan to the general assembly during the 1982 session of the general assembly. If the department determines that an alternative

reorganization plan would best serve its clients, the department shall report the alternative plan to the joint social services appropriations subcommittee by February 1, 1982:

1981-1982	1982-1983
<u>Fiscal Year</u>	<u>Fiscal Year</u>
\$ 15,779,000	\$ 15,779,000
	<u>14,674,700</u>

Sec. 89. Acts of the Sixty-ninth General Assembly, 1981 Session, chapter 7, section 2, subsection 1, is amended by striking the subsection.

Sec. 90. Acts of the Sixty-ninth General Assembly, 1981 Session, chapter 7, section 3, subsection 1, unnumbered paragraph 1, is amended to read as follows:

For aid to families with dependent children \$ 55,327,000 ~~\$ 55,327,000~~
54,554,000

Sec. 91. Acts of the Sixty-ninth General Assembly, 1981 Session, chapter 7, section 3, subsection 1, paragraph c, is amended by striking the paragraph and inserting in lieu thereof the following:

c. For the fiscal period beginning July 1, 1982, and ending March 31, 1983, the department of social services shall provide benefits under an unemployed parent program under the aid to families with dependent children program. In determining the amount of a grant under the program, the spouse of an unemployed parent shall be excluded from the eligible group. Medical assistance shall be available to the spouse of an unemployed parent. The department of social services shall request a waiver from the United States department of health and human services to limit grants under the unemployed parent program to six months for any eligible group.

The department of social services shall require income maintenance workers, at the time of their review of unemployed

parents' monthly reports, to monitor the job search, application, and acceptance requirements under the community work program which shall at a minimum require unemployed parents to meet the job search, application, and acceptance requirements necessary to receive unemployment compensation benefits under the Iowa administrative code 370-4.22(1)"c" and section 96.5, subsection 3. However, only the suitable work reference in section 96.5, subsection 3, paragraph a, subparagraph (4) shall apply. In addition, the unemployed parents shall accept work assignments established under the community work program for unemployed parents under section 86 of this Act.

Sec. 92. Acts of the Sixty-ninth General Assembly, 1981 Session, chapter 7, section 3, subsection 1, is amended by adding the following new paragraphs:

NEW PARAGRAPH. The department of social services shall establish a new schedule of basic needs, effective July 1, 1982, under the aid to families with dependent children program, which will increase by fifteen percent the schedule of basic needs, in effect for the fiscal year ending June 30, 1982, for eligible groups of two or more persons. The level of grant payments under the aid to families with dependent children program shall not be increased.

NEW UNNUMBERED PARAGRAPH. The department of social services shall provide current recipients under the aid to families with dependent children program with opportunities to receive instruction on retrospective budgeting and monthly reporting and shall provide applicants under the program with individualized instruction on retrospective budgeting and monthly reporting during the application process.

NEW PARAGRAPH. The department of social services shall request a waiver from the United States department of health and human services to exclude from the monthly reporting requirements those recipients under the aid to families with dependent children program who have no income or a very

constant income. The department shall review its monthly reporting forms for readability, clarity, and simplicity and modify the forms to attain efficiency. The department shall account for any cost savings attributable to the waiver or the form modifications and shall report the cost savings to the joint social services appropriations subcommittee by February 1, 1983.

NEW PARAGRAPH. Of the funds appropriated in this subsection for the fiscal year beginning July 1, 1982, and ending June 30, 1983, three hundred thirty-four thousand (334,000) dollars, or so much thereof as is necessary, is appropriated to the department of social services to establish a coordinated manpower services demonstration project for recipients of aid to families with dependent children in two of the department's districts. One demonstration project shall be located in Sioux City and one shall be located in Marshalltown. The department shall consult with the department of job service, knowledgeable economists, community college educators and administrators, and other knowledgeable persons concerning the availability of job training, job search skill training, assistance in job placement, mass transportation, and child care to potential participants in a demonstration project.

In addition to the basic grant under the aid to families with dependent children program, a recipient shall receive a monthly allowance for costs incurred while participating in a community work experience demonstration project. The allowance shall be twenty-five dollars plus fifteen percent of the recipient's basic grant. However the allowance shall not exceed ninety-five dollars and may be reduced to take absences or partial participation into consideration. The department shall report the results of the project to the general assembly in January, 1983.

Sec. 93. Acts of the Sixty-ninth General Assembly, 1981 Session, chapter 7, section 3, subsection 2, unnumbered paragraph 1, is amended to read as follows:

For medical assistance, provided that the funds appropriated in this subsection shall not be transferred or used for any other purpose than specified in this subsection, notwithstanding section 8.39, including reimbursement for abortion services, which shall be available under the medical assistance program only for those abortions which are medically necessary. Medically necessary abortions are those performed under any of the following conditions:

Sec. 94. Acts of the Sixty-ninth General Assembly, 1981 Session, chapter 7, section 3, subsection 2, paragraph e, is amended to read as follows:

e. Any spontaneous abortion, commonly known as a miscarriage, if not all of the products of conception are expelled

\$101,235,000	\$104,206,000
	113,909,000

Medical assistance shall be made available, beginning July 1, 1982 and ending March 31, 1983, to children under twenty-one years of age who meet all eligible criteria of the aid to families with dependent children program except that the children are not deprived of parental support.

Of the funds appropriated in this subsection for the fiscal year beginning July 1, 1982, and ending June 30, 1983, thirty thousand (30,000) dollars, or so much thereof as is necessary, shall be expended by the department of social services for additional staffing in the third party liability unit of the bureau of medical services. The department shall conduct investigations to determine the availability of workers' compensation, medicare, major medical insurance, and other third party liability sources for payment of medical assistance claims. The department shall pursue recovery of funds from third party liability sources when the sources are available and shall pursue benefits from insurance policies carried by absent parents through coordination with the child support

recovery program. State's share of funds recouped through these efforts shall be returned to the medical assistance program.

Sec. 95. There is appropriated from the general fund of the state for the fiscal year beginning July 1, 1982, and ending June 30, 1983, to the department of social services four hundred sixty thousand (460,000) dollars, or so much thereof as is necessary, for supplementing funds appropriated for the medical assistance program.

Sec. 96. Acts of the Sixty-ninth General Assembly, 1981 Session, chapter 7, section 3, subsection 2, unnumbered paragraph 7, is amended to read as follows:

Pharmacists Pharmacies in this state ~~who~~ which reduce the charges of prescription drugs to persons participating in private, third-party payor prescription drug insurance or benefit plans or to the insurance or benefit plans shall also reduce by the same amount the charges to persons participating in the medical assistance program or to the program. For the purpose of this unnumbered paragraph, the reduction of charges includes the discounting of deductibles or coinsurance payable by plan participants or the distribution of free merchandise directly or indirectly through coupon or rebate programs to plan participants. The board of pharmacy examiners shall adopt rules under section 17A.4, subsection 2 and section 17A.5, subsection 2, paragraph b to insure that pharmacists reduce charges by the same amount to both third-party payors and the medical assistance program and that co-payment requirements are applied equally to both third-party payors and the medical assistance program. The rules shall become effective immediately upon filing, unless a later effective date is specified in the rules.

Effective October 1, 1982, a professional dispensing fee reimbursement of fifty cents per prescription, in addition to the ordinary professional dispensing fee reimbursement, shall be made for the selection of equivalent drug products

which are less expensive than those prescribed by the physician and which result in a cost savings to the medical assistance program of at least one dollar and fifty cents per prescription.

Sec. 97. Acts of the Sixty-ninth General Assembly, 1981 Session, chapter 7, section 3, subsection 2, unnumbered paragraph 5, is amended to read as follows:

Beginning July 1, 1981, 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 June 30, 1981 compilation of unaudited financial and statistical reports. This compilation is composed of facility cost reports received prior to May 1, 1981. If the department of social services determines that adequate funding is available, the department may, on January 1, ~~1982~~ 1983, establish the maximum reimbursement rate for intermediate care facilities at the seventy-fourth percentile of all facilities' per diems as calculated from the December 31, ~~1981~~ 1982 compilation of unaudited financial and statistical reports. This compilation is composed of facility cost reports received prior to November 1, ~~1981~~ 1982.

Sec. 98. Acts of the Sixty-ninth General Assembly, 1981 Session, chapter 7, section 3, subsection 2, is amended by adding the following new unnumbered paragraphs:

NEW UNNUMBERED PARAGRAPH. Effective October 1, 1982, medical assistance reimbursement rates for hospitals shall be established on a prospective basis. The department of social services shall not change the method of reimbursement for the state mental health institutes.

NEW UNNUMBERED PARAGRAPH. Medical assistance payments shall not be made for inpatient hospital services which can, effectively and safely be performed on an outpatient basis.

NEW UNNUMBERED PARAGRAPH. Inpatient hospital reimbursements under the medical assistance program shall be limited to

lengths of stays which do not exceed the fiftieth percentile of lengths of stays for various diagnoses and medical and surgical procedures, as determined annually by the professional activities study for the north central region of the United States, unless utilization review determines that a longer length of stay is medically necessary.

NEW UNNUMBERED PARAGRAPH. Medical assistance payments to hospitals, skilled nursing facilities, and intermediate care facilities shall be limited to the rate applicable to the lowest level of care medically required by the patient, including the rate for residential care facilities, rather than to the level of care for which the hospital or facility is certified to provide under the medical assistance program.

NEW UNNUMBERED PARAGRAPH. The medical assistance reimbursement rate for reserve bed days for intermediate care facility residents who are hospitalized or on a home stay shall be reduced from eighty percent to seventy-five percent of the allowable audited costs for those beds, which costs shall not exceed the maximum daily reimbursement rate for intermediate care facilities under the medical assistance program.

NEW UNNUMBERED PARAGRAPH. Medical assistance reimbursement rates for physicians shall be established on the basis of statewide, prevailing physician fees and on the basis of a maximum five percent annual increase in the fees.

NEW UNNUMBERED PARAGRAPH. Notwithstanding Acts of the Sixty-ninth General Assembly, 1981 Session, chapter 7, section 3, subsection 2, unnumbered paragraph 6, medical assistance payments for all mandatory and optional services, except for intermediate care facility services, intermediate care facility services for the mentally retarded, services provided to recipients in state mental health institutes, and medical transportation services other than ambulance services, shall be reduced by a factor of two and one-half percent. However, the two and one-half percent reduction shall not apply to

reimbursements for the ingredient cost of prescription drugs or to physician reimbursements and shall not apply to hospital reimbursements beginning October 1, 1982.

NEW UNNUMBERED PARAGRAPH. The maximum co-payments allowed by federal law or regulation shall be placed on all optional services under the medical assistance program. A fixed co-payment shall be established for each optional service by computing the average or typical payment for each optional service. The co-pay requirement shall not apply to the services provided under the early and periodic screening, diagnosis, and treatment program and to services provided to recipients in hospitals, skilled nursing facilities, intermediate care facilities, intermediate care facilities for the mentally retarded, residential care facilities, and state mental health institutes.

NEW UNNUMBERED PARAGRAPH. Criteria for prior authorization of specified services under the medical assistance program shall be scrutinized to determine whether the current review process results in the most effective provision of needed services. If a change in the review process would be beneficial, the criteria shall be modified to change the review process or to subject additional services to prior authorization.

NEW UNNUMBERED PARAGRAPH. One or more pilot projects to provide medical assistance for in-home care to persons who would otherwise be institutionalized may be established. Before establishing a pilot project, the department of social services shall document the cost-effectiveness of the project, structure the project to be in the best interests of the persons involved, and ensure federal approval and financial participation in the establishment and operation of the project.

Sec. 99. Acts of the Sixty-ninth General Assembly, 1981 Session, chapter 7, section 3, subsection 3, is amended to read as follows:

3. For contractual services-medical carrier \$ 1,316,000 \$ ~~1,316,000~~
1,739,000

Sec. 100. Acts of the Sixty-ninth General Assembly, 1981 Session, chapter 7, section 3, subsection 4, is amended to read as follows:

4. For work and training programs \$ 62,000 \$ ~~62,000~~
9,000

Sec. 101. Acts of the Sixty-ninth General Assembly, 1981 Session, chapter 7, section 3, subsection 5, is amended by adding the following new unnumbered paragraph:

NEW UNNUMBERED PARAGRAPH. Notwithstanding section 252B.4, if federal law or regulation requires the imposition of a fee on an individual who owes a support obligation for the support collection services provided under chapter 252B to a resident parent not otherwise eligible as a public assistance recipient, the commissioner of the department of social services shall charge the individual the fee required by federal law or regulation which may be in addition to the actual amount of support owed by the individual.

Sec. 102. Acts of the Sixty-ninth General Assembly, 1981 Session, chapter 7, section 3, subsection 6, unnumbered paragraphs 1 and 3, are amended to read as follows:

For state supplementary assistance, including state supplementary assistance for the blind \$ 6,731,000 \$ ~~6,731,000~~
6,881,000

The department of social services shall increase the maximum cost-related reimbursement rate for residential care facility services to fifteen dollars per day and the flat rate to ten dollars per day. Beginning July 1, 1982, the department of social services shall establish the maximum reimbursement rate for residential care facilities utilizing the cost-related

reimbursement system at the point where forty-nine percent of all state supplementary assistance recipients who are residential care facility residents are receiving full cost coverage for care. The forty-ninth percentile shall be calculated from the December 10, 1981 compilation of all allowable per diems on file. Beginning July 1, 1982, the department of social services shall increase the flat rate to ten dollars and ninety cents per day.

Sec. 103. Acts of the Sixty-ninth General Assembly, 1981 Session, chapter 7, section 3, subsection 8, is amended to read as follows:

8. For home-based services as allocated in paragraph a of this subsection \$ 7,351,000 \$ ~~7,351,000~~
2,837,000

a. Of the funds appropriated for home-based services by this subsection for the fiscal year beginning July 1, 1981, and ending June 30, 1982, four million seven hundred sixty-six thousand (4,766,000) dollars is appropriated for chore and homemaker services ~~for each fiscal year of the biennium.~~ The department of social services shall not provide homemaker services during the biennium fiscal year beginning July 1, 1981, and ending June 30, 1982, to clients who are above the income and resource guidelines established by the department for adult protective services.

b. The department shall by rule define the homemaker and chore services to be delivered, the eligibility for services, and the providers delivering the services during the fiscal year beginning July 1, 1981, and ending June 30, 1982. The department shall explore with homemaker agencies the possibility of expanding purchase of service contracts to include the provision of chore services. The decision to purchase chore services should be based on the ability of an agency to provide the continuum of services at rates commensurate with the levels of service to be provided.

c. The department shall by rule develop a fee schedule effective for the fiscal year beginning July 1, 1981, and ending June 30, 1982, for chore services made available to clients who meet adult protective services criteria and who are above the income and resource guidelines for chore services.

Sec. 104. Acts of the Sixty-ninth General Assembly, 1981 Session, chapter 7, section 3, subsection 9, unnumbered paragraph 1, is amended to read as follows:

For foster care	\$ 17,558,000	\$ 17,558,000
		<u>22,401,000</u>

Sec. 105. Acts of the Sixty-ninth General Assembly, 1981 Session, chapter 7, section 3, subsection 9, is amended by adding the following new paragraphs:

NEW PARAGRAPH. For the fiscal year beginning July 1, 1982, and ending June 30, 1983, no more than fifty percent of all children in foster care funded under Title IV, Part E of the federal Social Security Act shall have been in foster care for more than twenty-four months.

NEW PARAGRAPH. In placing a child in foster care, the department of social services shall first consider placing the child in a private foster care home, unless the court orders an alternative placement or the department documents a compelling reason for an alternative placement.

Sec. 106. Acts of the Sixty-ninth General Assembly, 1981 Session, chapter 7, section 3, subsection 10, unnumbered paragraph 1, is amended to read as follows:

For community-based services	\$ 1,508,000	\$ 1,508,000
		<u>1,639,000</u>

Sec. 107. The department of social services shall study the feasibility of providing adoption services entirely through purchase of service contracts with licensed private providers and make recommendations to the general assembly by January 15, 1983. In preparing the study the department shall invite

the participation of outside interested groups including private providers and interested consumers.

Sec. 108. There is appropriated from the general fund of this state for the fiscal year beginning July 1, 1982, and ending June 30, 1983, to the department of social services four million six thousand (4,006,000) dollars, or so much thereof as is necessary, for supplementation of federal social services block grant funds and for allocation to the various districts of the department of social services for the purchase of local day care services and other local services for eligible individuals and for allocation to the various counties for local administration. Federal social services block grant funds received by this state and funds appropriated in this section which are available for local administration costs and purchase of day care and other local services shall be allocated to the counties through the district offices of the department of social services. The district administrator shall advise the county boards of supervisors within the district of the funding which will be available to each county. The district administrator shall assist the counties in planning for the use of the funds and in coordinating the use of the funds among the counties in the district.

County boards of supervisors shall determine, after receiving appropriate advice from interested parties, the services which the counties wish to fund. The county boards of supervisors may choose to fund only those services which are listed as services which can be locally purchased in the fiscal year 1981-1982 state plan for the use of funds received under Title XX of the federal Social Security Act. The county boards of supervisors shall advise the district administrator by a date specified by the district administrator of those services the counties wish to fund. The county boards of supervisors shall match every three dollars of funds allocated to the counties under this section with one dollar of local funds. However, a county board of supervisors may set aside

no more than four percent of the federal and state funds allocated to the county under this section for the purchase of day care services without matching the federal and state funds with local funds. If a county in the district does not use all funds allocated to the county under this section, the district administrator may transfer funds to other counties in the district. The counties shall not be responsible for client eligibility determinations, case management, or contracting with providers for services; the department of social services shall retain those responsibilities.

The department of social services shall maintain and utilize the state and district advisory committees established pursuant to Title XX of the federal Social Security Act for the purpose of providing recommendations on the allocation and uses of federal social services block grant funds received by this state during the fiscal year ending June 30, 1983.

Sec. 109. The eligibility level for services under Title XX of the federal Social Security Act, also referred to as services provided with social services block grant funds, for the fiscal year beginning July 1, 1982, and ending June 30, 1983, shall not be reduced below forty-one and two-tenths percent of the federal median income as established in the fiscal year 1981-1982 state plan for use of funds received under Title XX of the federal Social Security Act. The eligibility priorities for income maintenance recipients established for the fiscal year ending June 30, 1982, shall be maintained during the fiscal year ending June 30, 1983. However, if the social services block grant funds received from the federal government are less than the amounts appropriated in Acts of the Sixty-ninth General Assembly, 1982 Session, House File 2477, division III for the fiscal year beginning July 1, 1982, and ending June 30, 1983, the eligibility level and priorities established in this section shall be adjusted by the department of social services in accordance with the procedure for reduced federal funds in

Acts of the Sixty-ninth General Assembly, 1982 Session, House File 2477, division VI.

The department of social services shall conduct a public hearing in each district of the department of social services and report to the legislative council before making any adjustments required by this section.

Sec. 110. Beginning on and after July 1, 1982, the department of social services shall limit the annual inflation and cost-based reimbursement increases to purchase of service providers contracting with the department up to a maximum of eight percent of the current reimbursement. This section does not apply to foster residential care and foster group home providers receiving the maximum reimbursements, but does apply to those providers receiving reimbursements below the maximum reimbursements.

Sec. 111. The department of social services shall examine cost containment alternatives for reimbursing purchase of service providers. The department shall report the alternatives to the social services appropriations subcommittee during the 1983 session of the general assembly.

Sec. 112. The department of social services, in conjunction with representatives of provider and consumer groups, shall examine alternatives for disregarding income in the form of workshop earnings received by individuals participating in sheltered work and work activity services. The department shall report the alternatives to the social services appropriations subcommittee by January 15, 1983.

Sec. 113. There is appropriated from the general fund of the state for the fiscal period beginning July 1, 1982, and ending June 30, 1983, to the department of social services three hundred thousand (300,000) dollars, or so much thereof as is necessary, to be allocated to the counties through the department's district offices for sheltered work and work activity services, provided all of the following conditions are met:

1. The counties shall match every three dollars of funds allocated to the counties under this section with one dollar of local funds.

2. The funds shall not be used for other than sheltered work and work activity services.

3. The department of social services, in establishing eligibility standards for sheltered work and work activity services, shall disregard the first sixty-five dollars of income from sheltered work or work activity services and fifty percent of any income from sheltered work or work activity services above sixty-five dollars.

The district administrator may transfer funds among the counties in the district if a county does not use all of the funds allocated to the county under this section. The funds shall not be used for other than sheltered work and work activity services.

Sec. 114. Section 230.15, unnumbered paragraph 1, Code 1981, is amended to read as follows:

~~Mentally ill persons~~ A mentally ill person and ~~persons~~ a person legally liable for ~~their~~ the person's support ~~shall~~ remain liable for the support of ~~such~~ the mentally ill person as provided in this section. Persons legally liable for the support of a mentally ill person ~~shall~~ include the spouse of the mentally ill person, any ~~person, firm, or corporation~~ bound by contract for support of the mentally ill person, and, with respect to mentally ill persons under eighteen years of age only, the father and mother of the mentally ill person. The county auditor, subject to the direction of the board of supervisors, shall enforce the obligation ~~herein~~ created in this section as to all sums advanced by the county. The liability to the county incurred by a mentally ill person or a person legally liable for the person's support under this section ~~on account of any mentally ill person shall be~~ is limited to an amount equal to one hundred percent of the cost of care and treatment of the mentally ill person at a

state mental health institute for one hundred twenty days of hospitalization, ~~whether occurring subsequent to a single admission or accumulated as a consequence of two or more separate admissions, and thereafter to~~. This limit of liability may be reached by payment of the cost of care and treatment of the mentally ill person subsequent to a single admission or multiple admissions to a state mental health institute or, if the person is not discharged as cured, subsequent to a single transfer or multiple transfers to a county care facility pursuant to section 227.11. After reaching this limit of liability, a mentally ill person or a person legally liable for the person's support is liable to the county for the care and treatment of the mentally ill person at a state mental health institute or, if transferred but not discharged as cured, at a county care facility in an amount not in excess of the average minimum cost of the maintenance of a physically and mentally healthy individual residing in ~~his~~ the individual's own home, which standard shall be established and may from time to time be revised by the department of social services. No ~~A~~ A lien imposed by section 230.25 shall not exceed the amount of the liability which may be incurred under this section on account of any mentally ill person.

Sec. 115. Section 230.15, unnumbered paragraph 3, Code 1981, is amended by striking the unnumbered paragraph.

Sec. 116. Section 114 of this Act applies to all payments made by a mentally ill person or a person legally liable for the person's support for the cost of care and treatment of the mentally ill person at a state mental health institute or, if transferred but not discharged from a state mental health institute, at a county care facility before, on, or after the effective date of this Act. However, if such payments exceed the liability limitations in section 114 of this Act on the effective date of this Act, a county is not liable for repayment of the excess payments.

Sec. 117. There is appropriated from the general fund of the state for the fiscal period beginning January 1, 1983, and ending June 30, 1983, to the department of social services, two hundred thousand (200,000) dollars, or so much thereof as is necessary, for the development and operation of a dependent adult abuse program by the community services division.

The department of social services, on January 1, 1983 or as soon thereafter as practicable, shall establish a program relating to the providing of services in cases of dependent adult abuse. The program shall emphasize the reporting and evaluation of dependent adult abuse of an adult who is unable to protect his or her own interests or unable to perform or obtain essential services. For the purposes of the program "dependent adult abuse" means:

1. Any of the following as a result of the willful or negligent acts or omissions of a caretaker:
 - a. Physical injury to or unreasonable confinement or cruel punishment of a dependent adult.
 - b. The commission of a sexual offense under chapter 709 or section 726.2 with or to a dependent adult.
 - c. Exploitation of a dependent adult which means the act or process of taking unfair advantage of a dependent adult or the adult's physical or financial resources for one's own personal or pecuniary profit by the use of undue influence, harassment, duress, deception, false representation, or false pretenses.
 - d. The deprivation of the minimum food, shelter, clothing, supervision, physical and mental health care, and other care necessary to maintain a dependent adult's life or health.
 2. The deprivation of the minimum food, shelter, clothing, supervision, physical and mental health care, and other care necessary to maintain a dependent adult's life or health as a result of the acts or omissions of the dependent adult.
- Dependent adult abuse does not include:

a. Depriving a dependent adult of medical treatment if the dependent adult is an adherent of a religion whose tenets and practices call for reliance on spiritual means through prayer alone in place of reliance on medical treatment.

b. The withholding and withdrawing of health care from a dependent adult when the withholding and withdrawing of health care is done at the request of the dependent adult or at the request of the dependent adult's next-of-kin or guardian when the dependent adult is unable to express his or her wishes and is terminally ill in the opinion of a licensed physician.

A person who believes that a dependent adult has suffered abuse may report the suspected abuse to the department of social services.

The department shall receive dependent adult abuse reports and shall collect, maintain, and disseminate the reports in a statewide registry and shall inform the appropriate county attorneys of any reports. The department shall evaluate the reports expeditiously. However, the state department of health is solely responsible for the evaluation and disposition of adult abuse cases within health care facilities and shall inform the department of social services of such evaluations and dispositions.

For purposes of the dependent adult abuse program the department of social services shall expand the central registry for child abuse to include reports of dependent adult abuse and chapter 235A shall apply to the statewide registry for dependent adult abuse.

The department of social services shall complete an assessment of needed services, shall make appropriate referrals to services, and in the best interest of the dependent adult shall initiate court action for the appointment of a guardian or conservator or for admission or commitment to an appropriate institution or facility.

The department may provide necessary protective services and may establish a sliding fee schedule for those persons able to pay a portion of the protective services provided.

The department shall submit a final report by January 1, 1984 to the governor and the senate and house committees on human resources reporting its findings and recommendations regarding the continuance of a state dependent adult abuse program.

For purposes of this program and upon showing of probable cause that a dependent adult has been abused, a district court may authorize a person, authorized by the department, to make an evaluation, to enter the residence of, and to examine the dependent adult.

A person participating in good faith in reporting or cooperating or assisting the department in evaluating a case of dependent adult abuse has immunity from liability, civil or criminal, which might otherwise be incurred or imposed based upon the act of making the report or giving the assistance. The person has the same immunity with respect to participation in good faith in a judicial proceeding resulting from the report or assistance or relating to the subject matter of the report or assistance.

The department shall adopt rules pursuant to chapter 17A to implement the dependent adult abuse program.

Sec. 118. Section 232.80, Code 1981, is amended to read as follows:

232.80 HOMEMAKER SERVICES. A homemaker-home health aide may be assigned to give care to a child in the child's place of residence. Whenever possible, ~~such~~ the services shall be provided in preference to removal of the child from the home. ~~Such~~ The care may be provided under this Act on an emergency basis for up to twenty-four hours without court order, and may be ordered by the court for a period of time extending until dismissal or disposition of the case. ~~Expenses incurred under this section shall be paid for according to,~~

~~and reimbursement from the parent, guardian or custodian may be sought under the provisions of section 232.141.~~

Sec. 119. Section 232.141, subsection 2, Code 1981, is amended to read as follows:

2. Whenever legal custody of a minor is transferred by the court or whenever the minor is placed by the court with someone other than the parents ~~or whenever homemaker-home health aide service is provided under section 232.80,~~ or whenever a minor is given physical or mental examinations or treatment under order of the court and no provision is otherwise made by law for payment for the care, examination, or treatment of the minor, the costs shall be charged upon the funds of the county in which the proceedings are held upon certification of the judge to the board of supervisors. Except where the parent-child relationship is terminated, the court may inquire into the ability of the parents to support the minor and after giving the parents a reasonable opportunity to be heard may order the parents to pay in the manner and to whom the court may direct, such sums as will cover in whole or in part the cost of care, examination, or treatment of the minor. An order entered under this section shall not obligate a parent paying child support under a custody decree, except that any part of such a monthly support payment may be used to satisfy the obligations imposed by an order entered under this section. If the parents fail to pay the sum without good reason, the parents may be proceeded against for contempt or the court may inform the county attorney who shall proceed against the parents to collect the unpaid sums or both. Any such sums ordered by the court shall be a judgment against each of the parents and a lien as provided in section 624.23. If all or any part of the sums that the parents are ordered to pay is subsequently paid by the county, the judgment and lien shall thereafter be against each of the parents in favor of the county to the extent of such payments.

Sec. 120. Section 234.13, Code 1981, is amended by adding the following new subsection:

NEW SUBSECTION. Acquires, alters, transfers, or redeems food stamp coupons or possesses coupons, knowing that the coupons have been received, transferred, or used in violation of this section or the provisions of the federal food stamp program under 7 U.S.C. ch. 51 or the federal regulations issued pursuant to that chapter.

Sec. 121. Section 249A.4, subsection 1, Code 1981, is amended to read as follows:

1. Determine the greatest amount, duration, and scope of assistance which may be provided, and the broadest range of eligible individuals to whom assistance may effectively be provided, under this chapter within the limitations of available funds. In so doing, ~~he~~ the commissioner shall at least every six months evaluate the scope of the program currently being provided under this chapter, project the probable cost of continuing a like program, compare such probable cost with the remaining balance of the state appropriation made for payment of assistance under this chapter during the current appropriation period, and expand or curtail the program accordingly; provided that ~~in no event reimbursement for medical and health services shall the scope of the program be less than payment of all costs of the care and services to which reference is made in section 249A.2, subsection 5, which are provided to the individuals and families described in section 249A.3, subsection 1 made in accordance with section 249A.4, subsection 9 in section 122 of this Act.~~ After each evaluation of the scope of the program, the commissioner shall report ~~his conclusions and his action thereon~~ to the general assembly through the legislative council or in ~~such other~~ another manner as the general assembly may by resolution direct.

Sec. 122. Section 249A.4, subsection 9, Code 1981, is amended by striking the subsection and inserting in lieu thereof the following:

9. Determine the method and level of reimbursement for all medical and health services referred to in section 249A.2, subsection 5 or 6, after considering all of the following:

- a. The promotion of efficient and cost-effective delivery of medical and health services.
- b. Compliance with federal law and regulations.
- c. The level of state and federal appropriations for medical assistance.
- d. Reimbursement at a level as near as possible to actual costs and charges after priority is given to the considerations in paragraphs a, b, and c.

Sec. 123. Section 252B.5, Code 1981, is amended by adding the following new subsection:

NEW SUBSECTION. Determine periodically whether an individual receiving unemployment compensation benefits under chapter 96 owes a support obligation which is being enforced by the unit, and enforce the support obligation through court proceedings in the absence of a voluntary agreement by the individual to have specified amounts withheld from the individual's unemployment compensation benefits.

Sec. 124. The department of social services shall adopt administrative rules under section 17A.4, subsection 2 and section 17A.5, subsection 2, paragraph b relating to the community work program for unemployed parents, the coordinated manpower services demonstration project, hospital reimbursements based on a prospective basis, percentage reductions of reimbursements for most mandatory and optional services, the limitations on lengths of hospital stays, physician reimbursements based on prevailing fees, social services block grant allocations to the counties, and allocations to the counties for sheltered work and work activity services in sections 86, 92, 98, 108, and 113 of this Act, and may adopt administrative rules under section 17A.4, subsection 2 and section 17A.5, subsection 2, paragraph b relating to professional prescription drug dispensing fee

reimbursements, the unemployed parent program under the aid to families with dependent children program and residential care facility reimbursements in sections 91, 96, and 102 of this Act and the rules shall become effective immediately upon filing, unless a later effective date is specified in the rules. However, it is the intent of the general assembly that the rules be adopted pursuant to the provisions of chapter 17A and that the emergency rule-making process be used only if the procedures specified in chapter 17A cannot be completed in time.

DIVISION VIII

Sec. 125. Acts of the Sixty-ninth General Assembly, 1981 Session, chapter 14, section 1, subsection 1, and subsection 2, paragraph a, are amended to read as follows:

1. IOWA LAW ENFORCEMENT

ACADEMY

For salaries, support, maintenance, and miscellaneous purposes \$ 665,750 \$ 686,442
 690,342

~~If legislation creating a criminal justice improvement fund is enacted and becomes law, the funds appropriated by this subsection for the Iowa law enforcement academy are reduced for the fiscal year beginning July 1, 1981 and ending June 30, 1982 by one hundred thirty-nine thousand nine hundred sixty-two (\$139,962) dollars and for the fiscal year beginning July 1, 1982 and ending June 30, 1983 by one hundred forty-eight thousand eight hundred seventy-one (\$148,871) dollars.~~

a. Military division

For salaries except salaries provided for in paragraph b of this subsection, support, maintenance, and miscellaneous purposes \$ 2,256,288 \$ 2,351,916
 2,592,862

Sec. 126. Acts of the Sixty-ninth General Assembly, 1981 Session, chapter 14, section 2, subsection 2, is amended to read as follows:

2. INSPECTION AND SECURITY
 FUNCTION

For salaries, support, maintenance, and miscellaneous purposes of fire marshal's inspections, administration of the state building code, and arson investigators including the state's contribution to the peace officers' retirement, accident, and disability system provided in chapter 97A in the amount of sixteen percent of the salaries for which the funds are appropriated, and capitol security divisions \$ 1,281,347 \$ 1,340,250
 1,493,020

Sec. 127. Acts of the Sixty-ninth General Assembly, 1981 Session, chapter 14, section 2, subsection 3, paragraph d, is amended by striking the paragraph.

Sec. 128. Acts of the Sixty-ninth General Assembly, 1981 Session, chapter 14, section 3, subsection 3, is amended by striking the subsection.

Sec. 129. If the appropriations made by this Act create a general fund balance that results in the state comptroller having to delay or consider delaying making any payments authorized by this Act, or any other Act making appropriations, the state comptroller shall make a monthly report to members of the general assembly relating to the fiscal condition of the state and the report shall include, but not be limited to, the revenue growth for the previous month, and the general

fund balance, which shall reflect the total general fund obligations not satisfied at the end of the month.

TERRY E. BRANSTAD
President of the Senate

DELWYN STROMER
Speaker of the House

I hereby certify that this bill originated in the Senate and is known as Senate File 2304, Sixty-ninth General Assembly.

K. MARIE THAYER
Secretary of the Senate

Ken Wetzel
Approved 5/19, 1982

ROBERT D. RAY
Governor