

Amended to Senate 5/13/83 (p. 1727)

REC'D MAY 13 1983

SENATE FILE 556

BY COMMITTEE ON APPROPRIATIONS  
*Approved 5/13/83 (p. 1726)*

Passed Senate, Date 5-13-83 (p. 1727) Passed House, Date 5-13-83 (p. 2141)  
Vote: Ayes 43 Nays 4 Vote: Ayes 83 Nays 10  
Approved May 21, 1983

### A BILL FOR

1 An Act appropriating federal funds made available from federal  
2 block grants, allocating portions of federal block grants,  
3 and providing procedures if federal funds are more or less  
4 than anticipated or if federal block grants are more or less  
5 than anticipated or if categorical grants are consolidated  
6 into new or existing block grants.

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

8  
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10

S.F. 555

SENATE FILE 556

S-3931

1 Amend Senate File 556 as follows:  
2 1. Page 8, line 30, by striking the word  
3 "edudcation" and inserting in lieu thereof the word  
4 "education".

S-3931 FILED & ADOPTED  
MAY 13, 1983 (p. 1729)

BY DOUG RITSEMA

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DIVISION I

Section 1. ALCOHOL AND DRUG ABUSE AND MENTAL HEALTH SERVICES APPROPRIATION.

1. There is appropriated from the fund created by section 8.41 to the department of substance abuse, two million one hundred seventy-two thousand (2,172,000) dollars for the federal fiscal year beginning October 1, 1983, and ending September 30, 1984. The funds appropriated by this section are the anticipated funds to be received from the federal government for federal fiscal year 1984 under Pub. L. No. 97-35, Title IX, Subtitle A, which provides for the alcohol and drug abuse and mental health services block grant. The department shall expend the funds appropriated by this section as provided in the federal law making the funds available and in conformance with chapter 17A.

2. An amount not exceeding two hundred seventeen thousand two hundred (217,200) dollars of the funds appropriated in subsection 1 shall be used by the department of substance abuse for administrative expenses. From the funds set aside by this subsection for administrative expenses, the department of substance abuse shall pay to the auditor of state an amount sufficient to pay the cost of auditing the use and administration of the state's portion of the funds appropriated in subsection 1. The auditor of state shall bill the department of substance abuse for the costs of the audit.

3. Eight and seventy-five hundredths percent of the funds appropriated in subsection 1 shall be transferred to the division of mental health, mental retardation, and developmental disabilities within the department of social services and allocated for community mental health centers.

4. After deducting the funds allocated in subsections 2 and 3, the remaining funds appropriated in subsection 1 shall be allocated according to the following percentages to supplement appropriations for the following programs within the department of substance abuse:

- 1 a. Drug abuse programs ..... 38.89 percent
- 2 b. Alcohol abuse programs ..... 38.89 percent
- 3 c. Alcohol and drug prevention programs ... 22.22 percent

4 Notwithstanding 1982 Iowa Acts, chapter 1262, section 7,  
 5 subsection 3, the percentage distribution of the funds for  
 6 the fiscal period beginning October 1, 1982 and ending  
 7 September 30, 1983 shall be as follows:

- 8 a. Drug abuse programs ..... 35.11 percent
- 9 b. Alcohol abuse programs ..... 35.11 percent
- 10 c. Alcohol and drug prevention programs ... 20.06 percent

11 Nine and seventy-two hundredths percent of such funds shall  
 12 be transferred to the division of mental health, mental  
 13 retardation, and developmental disabilities within the  
 14 department of social services and allocated for community  
 15 mental health centers.

16 Sec. 2. ALCOHOL AND DRUG ABUSE AND MENTAL HEALTH SERVICES  
 17 SUPPLEMENTAL APPROPRIATION.

18 1. There is appropriated from the fund created by section  
 19 8.41 to the department of substance abuse, the sum of one  
 20 hundred forty-nine thousand (149,000) dollars for the federal  
 21 fiscal period beginning October 1, 1982, and ending September  
 22 30, 1984. The funds appropriated by this section are the  
 23 funds anticipated to be received from the federal government  
 24 for the specified fiscal period under the federal Emergency  
 25 Jobs Appropriations Act, Pub. L. No. 98-8. The department  
 26 shall expend the funds appropriated by this section as provided  
 27 in the federal law making the funds available and in  
 28 conformance with chapter 17A.

29 2. Eight and seventy-five hundredths percent of the funds  
 30 appropriated in subsection 1 shall be transferred to the  
 31 division of mental health, mental retardation, and  
 32 developmental disabilities within the department of social  
 33 services and allocated for community mental health centers.

34 3. The additional funds appropriated in subsection 1 and  
 35 allocated in subsection 2 shall not be prorated for

1 administrative expenses.

2 Sec. 3. MATERNAL AND CHILD HEALTH SERVICES APPROPRIATIONS.

3 1. There is appropriated from the fund created by section  
4 8.41 to the state department of health, the sum of four million  
5 two hundred sixty-one thousand one hundred fifty-two  
6 (4,261,152) dollars for the federal fiscal year beginning  
7 October 1, 1983, and ending September 30, 1984. The funds  
8 appropriated by this section are the funds anticipated to  
9 be received from the federal government for federal fiscal  
10 year 1984 under Pub. L. No. 97-35, Title XXI, Subtitle D,  
11 which provides for the maternal and child health services  
12 block grant. The department shall expend the funds  
13 appropriated by this section as provided in the federal law  
14 making the funds available and in conformance with chapter  
15 17A.

16 2. Sixty-three percent of the funds appropriated in sub-  
17 section 1 shall be allocated to supplement appropriations  
18 for maternal and child health programs within the personal  
19 and family health division of the state department of health.  
20 Of these funds, thirty thousand six hundred eighty (30,680)  
21 dollars shall be set aside for sudden infant death syndrome.

22 Thirty-seven percent of the funds appropriated in subsection  
23 1 shall be transferred to the university of Iowa hospitals  
24 and clinics under the control of the state board of regents  
25 for regional and mobile child health specialty clinics.

26 3. An amount not exceeding one hundred fifty-five thousand  
27 nine hundred twelve (155,912) dollars of the funds allocated  
28 in subsection 2 to the state department of health shall be  
29 used by the state department of health for administrative  
30 expenses. From the funds set aside by this subsection for  
31 administrative expenses, the state department of health shall  
32 pay to the auditor of state an amount sufficient to pay the  
33 cost of auditing the use and administration of the state  
34 department of health's portion of the funds allocated in  
35 subsection 2. The auditor of state shall bill the state

1 department of health for the costs of the audit.

2     Sec. 4. TRANSFER OF FUNDS. Those federal maternal and  
3 child health services block grant funds transferred from the  
4 federal preventive health and health services block grant  
5 funds under section 6, subsection 4 of this Act for the federal  
6 fiscal year beginning October 1, 1983, and ending September  
7 30, 1984, are transferred to the division of personal and  
8 family health and to the university of Iowa hospitals and  
9 clinics under the control of the state board of regents for  
10 regional and mobile child health specialty clinics according  
11 to the percentages specified in section 2, subsection 2 of  
12 this Act.

13     Sec. 5. MATERNAL AND CHILD HEALTH SERVICES SUPPLEMENTAL  
14 APPROPRIATION.

15     1. There is appropriated from the fund created by section  
16 8.41 to the state department of health, the sum of one million  
17 four hundred eleven thousand two hundred (1,411,200) dollars  
18 for the federal fiscal period beginning October 1, 1982, and  
19 ending September 30, 1984. The funds appropriated by this  
20 section are the funds anticipated to be received from the  
21 federal government for the specified fiscal period under the  
22 federal Emergency Jobs Appropriations Act, Pub. L. No. 98-  
23 8. The department shall expend the funds appropriated by  
24 this section as provided in the federal law making the funds  
25 available and in conformance with chapter 17A.

26     2. Sixty-three percent of the funds appropriated in  
27 subsection 1 shall be allocated to supplement appropriations  
28 for maternal and child health programs within the personal  
29 and family health division of the state department of health.  
30 Thirty-seven percent of the funds appropriated in subsection  
31 1 shall be transferred to the university of Iowa hospitals  
32 and clinics under the control of the state board of regents  
33 for regional and mobile child health speciality clinics.  
34 The personal and family health division of the state department  
35 of health and the regional and mobile child health specialty

1 clinics at the university of Iowa hospitals and clinics under  
2 the council of the state board of regents shall jointly develop  
3 and implement a plan for the expenditure of these funds in  
4 accordance with this subsection. These funds shall be tar-  
5 geted, to the extent possible, to areas of high unemployment  
6 and to disadvantaged families who lack adequate third party  
7 reimbursement to pay for care.

8 3. The additional funds appropriated in subsection 1 and  
9 allocated in subsection 2 shall not be prorated for  
10 administrative expenses.

11 Sec. 6. PREVENTIVE HEALTH AND HEALTH SERVICES  
12 APPROPRIATIONS.

13 1. There is appropriated from the fund created by section  
14 8.41 to the state department of health, one million three  
15 thousand six hundred eighteen (1,003,618) dollars for the  
16 federal fiscal year beginning October 1, 1983, and ending  
17 September 30, 1984. The funds appropriated by this section  
18 are the anticipated funds to be received from the federal  
19 government for federal fiscal year 1984 under Pub. L. No.  
20 97-35, Title IX, Subtitle A, which provides for the preventive  
21 health and health services block grant. The department shall  
22 expend the funds appropriated by this section as provided  
23 in the federal law making the funds available and in  
24 conformance with chapter 17A.

25 2. An amount not exceeding ninety-three thousand three  
26 hundred thirty-six (93,336) dollars of the funds appropriated  
27 in subsection 1 shall be used by the state department of  
28 health for administrative expenses. From the funds set aside  
29 by this subsection for administrative expenses, the state  
30 department of health shall pay to the auditor of state an  
31 amount sufficient to pay the cost of auditing the use and  
32 administration of the state's portion of the funds appropriated  
33 in subsection 1. The auditor of state shall bill the state  
34 department of health for the costs of the audit.

35 3. Of the funds appropriated in subsection 1, the specific

1 amount of funds required by Pub. L. No. 97-35, Title IX,  
2 Subtitle A, shall be allocated to the rape prevention program.

3 4. Pursuant to Pub. L. No. 97-35, Title IX, Subtitle A,  
4 seven percent of the funds appropriated in subsection 1 is  
5 transferred within the special fund in the state treasury  
6 established under section 8.41, for use by the state department  
7 of health as authorized by Pub. L. No. 97-35, Title XXI,  
8 Subtitle D and section 4 of this Act.

9 5. After deducting the funds allocated and transferred  
10 in subsections 2, 3, and 4, the remaining funds appropriated  
11 in subsection 1 shall be allocated according to the following  
12 percentages to supplement appropriations for the following  
13 programs within the following divisions of the state department  
14 of health:

- 15 a. Disease prevention division for  
16 hypertension grants ..... 15.2 percent
- 17 b. Disease prevention division for  
18 risk reduction services ..... 21.0 percent
- 19 c. Community health division and  
20 disease prevention division for health  
21 incentive grants ..... 17.9 percent
- 22 d. Community health division for  
23 emergency medical services ..... 30.0 percent
- 24 e. Personal and family health division  
25 for fluoridation grants ..... 15.9 percent

26 DIVISION II

27 Sec. 7. COMMUNITY SERVICES APPROPRIATIONS.

28 1. a. There is appropriated from the special fund created  
29 in section 8.41 to the office for planning and programming,  
30 the sum of three million six hundred twenty-three thousand  
31 seventy-one (3,623,071) dollars for the federal fiscal year  
32 beginning October 1, 1983 and ending September 30, 1984.  
33 The funds appropriated by this paragraph are the anticipated  
34 funds to be received from the federal government for the  
35 federal fiscal year 1984 under Pub. L. No. 97-35, Title VI.

1 Subtitle B, which provides for the community services block  
2 grant. The office for planning and programming shall expend  
3 the funds appropriated by this paragraph as provided in the  
4 federal law and in conformance with chapter 17A.

5 b. The director of the office for planning and programming  
6 shall allocate not less than ninety percent of the amount  
7 of the block grant based upon the size of the poverty level  
8 population in the community action area compared to the size  
9 of the poverty level population in the state. The director  
10 of the office for planning and programming after consultation  
11 with community action agencies shall allocate an amount not  
12 exceeding five percent of the amount of financial assistance  
13 based upon other measures of need in each community action  
14 area.

15 2. An amount not exceeding one hundred sixty thousand  
16 nine hundred seventy-one (160,971) dollars of the funds ap-  
17 propriated in subsection 1 shall be used by the office for  
18 planning and programming for administrative expenses. From  
19 the funds authorized under this subsection for administrative  
20 expenses, the office for planning and programming shall pay  
21 to the auditor of state an amount sufficient to pay the cost  
22 of auditing the use and administration of the state's portion  
23 of the funds appropriated in subsection 1. The auditor of  
24 state shall bill the office for planning and programming for  
25 the costs of the audit.

26 Sec. 8. COMMUNITY DEVELOPMENT APPROPRIATIONS.

27 1. There is appropriated from the special fund created  
28 in section 8.41 to the office for planning and programming,  
29 the sum of twenty-four million seven hundred seventy-five  
30 thousand (24,775,000) dollars for the federal fiscal year  
31 beginning October 1, 1983 and ending September 30, 1984.  
32 The funds appropriated by this section are the anticipated  
33 funds to be received from the federal government under Pub.  
34 L. No. 97-35, Title III, Subtitle A, which provides for the  
35 community development block grant. The office for planning

1 and programming shall expend the funds appropriated by this  
2 paragraph as provided in the federal law and in conformance  
3 with chapter 17A.

4 2. An amount not exceeding nine hundred twenty-five  
5 thousand one hundred eighty (925,180) dollars shall be used  
6 by the office for planning and programming for administrative  
7 expenses. The total amount used for administrative expenses  
8 includes four hundred sixty-two thousand five hundred ninety  
9 (462,590) dollars of funds appropriated in subsection 1 and  
10 a matching contribution from the state equal to four hundred  
11 sixty-two thousand five hundred ninety (462,590) dollars from  
12 the appropriation of state funds for the community development  
13 block grant and state appropriations for related activities  
14 of the office for planning and programming. The total  
15 administrative expenses at the state level, from both federal  
16 and state sources, shall not exceed four percent of the amount  
17 appropriated in subsection 1. From the funds authorized for  
18 administrative expenses by this subsection, the office for  
19 planning and programming shall pay to the auditor of state  
20 an amount sufficient to pay the cost of auditing the use and  
21 administration of the state's portion of the funds appropriated  
22 in subsection 1. The auditor of state shall bill the office  
23 for planning and programming for the costs of the audit.

24 DIVISION III

25 Sec. 9. EDUCATION APPROPRIATIONS.

26 1. There is appropriated from the fund created by section  
27 8.41 to the department of public instruction for the federal  
28 fiscal year beginning July 1, 1983 and ending June 30, 1984,  
29 the amount received from Pub. L. No. 97-35, Title V, Subtitle  
30 D, chapter 2, which provides for the education block grant  
31 not to exceed five million four hundred thirty-three thousand  
32 (5,433,000) dollars. The department shall expend the funds  
33 appropriated by this section as provided in the federal law  
34 making the funds available and in conformance with chapter  
35 17A.

1 2. Twenty percent of the funds appropriated in subsection  
2 1, not to exceed one million eighty-six thousand six hundred  
3 (1,086,600) dollars, shall be used by the department for basic  
4 skills development, state leadership and support services,  
5 educational improvement and support services, special projects,  
6 and state administrative expenses and auditing. However,  
7 not more than two hundred twenty-five thousand (225,000)  
8 dollars shall be used by the department for state  
9 administrative expenses.

10 3. Eighty percent of the funds appropriated in subsection  
11 1 shall be allocated by the department to local educational  
12 agencies in this state, as local educational agency is defined  
13 in Pub. L. No. 97-35, Title V, Subtitle D. The amount  
14 allocated under this subsection shall be allocated to local  
15 educational agencies according to the following percentages  
16 and enrollments:

17 a. Seventy-five percent shall be allocated on the basis  
18 of enrollments in public and approved nonpublic schools.

19 b. Twenty percent shall be allocated on the basis of the  
20 number of disadvantaged children in local educational agencies  
21 whose incidence ratio for disadvantaged children is above  
22 the state average incidence ratio.

23 c. Five percent shall be allocated on the basis of the  
24 number of limited English speaking children whose language  
25 imposes a barrier to learning.

26 Sec. 10. Funds appropriated in section 9 of this Act shall  
27 not be used to aid schools or programs that illegally  
28 discriminate in employment or educational programs on the  
29 basis of sex, race, color, national origin, or disability.

30 DIVISION IV

31 Sec. 11. LOW-INCOME HOME ENERGY ASSISTANCE APPROPRIA-  
32 TIONS.

33 1. There is appropriated from the fund created by section  
34 8.41 to the energy policy council, the sum of thirty-six mil-  
35 lion seven hundred thousand (36,700,000) dollars for the

1 federal fiscal year beginning October 1, 1983 and ending  
2 September 30, 1984. The funds appropriated by this section  
3 are the funds anticipated to be received from the federal  
4 government for the federal fiscal year 1984 under Pub. L.  
5 No. 97-35, Title XXVI, which provides for the low-income home  
6 energy assistance block grant. The energy policy council  
7 shall expend the funds appropriated by this section as provided  
8 in the federal law making the funds available and in  
9 conformance with chapter 17A.

10 2. An amount not exceeding two million seven hundred fifty  
11 thousand (2,750,000) dollars or nine percent of the funds  
12 appropriated in subsection 1, whichever is less, may be used  
13 for administrative expenses not more than two hundred eighty  
14 thousand (280,000) dollars of which shall be used for  
15 administrative expenses of the energy policy council. From  
16 the total funds set aside by this subsection for administrative  
17 expenses, an amount sufficient to pay the cost of an audit  
18 of the use and administration of the state's portion of the  
19 funds appropriated is allocated for that purpose. The auditor  
20 shall bill the energy policy council for the costs of the  
21 audit.

22 3. The remaining funds appropriated in this section shall  
23 be allocated to help eligible households, as defined in ac-  
24 cordance with Pub. L. No. 97-35, to meet the costs of home  
25 energy. However, at least twelve and one-half percent and  
26 not more than fifteen percent of the funds appropriated by  
27 this section shall be used for low-income residential  
28 weatherization or other related home repairs for low-income  
29 households. The funds transferred to low-income weatherization  
30 shall include money for administrative expenses.

31 DIVISION V

32 Sec. 12. SOCIAL SERVICES APPROPRIATIONS.

33 1. There is appropriated from the fund created by section  
34 8.41 to the department of social services or its successor  
35 agency, the sum of thirty-one million three hundred thirty-

1 four thousand (31,334,000) dollars for the federal fiscal  
2 year beginning October 1, 1983 and ending September 30, 1984.  
3 Funds appropriated by this section are the funds anticipated  
4 to be received from the federal government for the federal  
5 fiscal year 1984 under Pub. L. No. 97-35, Title XXIII, Subtitle  
6 C, as codified in 42 U.S.C., secs. 1397-1397f, which provides  
7 for the social services block grant. The department of social  
8 services shall expend the funds appropriated by this section  
9 as provided in the federal law making the funds available  
10 and in conformance with chapter 17A.

11 2. Not more than one million nine hundred forty-two  
12 thousand seven hundred eight (1,942,708) dollars of the funds  
13 appropriated in subsection 1 shall be used by the department  
14 of social services for general administration for the federal  
15 fiscal year beginning October 1, 1983 and ending September  
16 30, 1984. From the funds set aside by this subsection for  
17 general administration, the department of social services  
18 shall pay to the auditor of state an amount sufficient to  
19 pay the cost of auditing the use and administration of the  
20 state's portion of the funds appropriated in subsection 1.  
21 The auditor of state shall bill the department of social  
22 services for the costs of the audit.

23 3. In addition to the allocation for general administration  
24 in subsection 2, the remaining funds appropriated in subsection  
25 1 shall be allocated to supplement appropriations for the  
26 federal fiscal year beginning October 1, 1983 and ending  
27 September 30, 1984 for the following programs within the  
28 department of social services:

29		1983-1984
30		Federal
31		<u>Fiscal Year</u>
32	a. Field operations .....	\$12,457,000
33	b. Home-based services .....	\$ 143,000
34	c. Foster care .....	\$ 4,533,000
35	d. Protective day care .....	\$ 681,700

1 e. Purchase of local services ..... \$11,452,592  
2 f. Volunteers ..... \$ 124,000

3 4. The social services block grant state advisory  
4 committee, formerly known as the Title XX state advisory  
5 committee, and the social services block grant district  
6 advisory committees, formerly known as the Title XX district  
7 advisory committees, shall continue to advise the department  
8 of policy matters with respect to the social services block  
9 grant funds allocated by the federal government to this state  
10 through June 30, 1984.

11 Sec. 13. ADDITIONAL FUNDS. There is appropriated from  
12 the fund created by section 8.41, from those federal social  
13 services block grant funds allocated to this state from the  
14 federal Emergency Jobs Appropriations Act, Pub. L. No. 98-  
15 8 for the fiscal year beginning July 1, 1983, and ending June  
16 30, 1984, to the department of social services, the following  
17 amounts, or so much thereof as is necessary, to be used for  
18 the purposes designated:

19 Allocation from the  
20 Emergency Jobs Appro-  
21 priations Act, Pub.  
22 L. No. 98-8  
23 1983-1984 Fiscal Year

24 1. For the division of field  
25 operations ..... \$ 125,000  
26 2. For home-based services ..... \$ 100,000  
27 3. For the purchase of local  
28 services, with an emphasis on the  
29 provision of child day care services ..... \$ 1,342,000

30 A county which uses a portion of its share of funds  
31 appropriated under this subsection for child day care services  
32 is not required to match that portion of the funds with local  
33 funds. All other funds appropriated under this subsection  
34 shall be matched by the county at a ratio of one dollar of  
35 local funds for every three dollars of funds appropriated

1 under this subsection. The department may raise the income  
2 guidelines for income eligible recipients of child day care  
3 services to those guidelines in effect during July, 1979.  
4 The department of social services shall adopt administrative  
5 rules under section 17A.4, subsection 2, and section 17A.5,  
6 subsection 2, paragraph b, to implement this subsection.

7 4. For volunteers ..... \$ 40,000

8 Sec. 14. SOCIAL SERVICES BLOCK GRANT PLAN. The department  
9 of social services shall develop a plan for the use of federal  
10 social services block grant funds for the state fiscal year  
11 beginning July 1, 1984 and ending June 30, 1985.

12 The proposed plan shall include all programs and services  
13 at the state level which the department proposes to fund with  
14 federal social services block grant funds, and shall identify  
15 state and other funds which the department proposes to use  
16 to fund the state programs and services.

17 The proposed plan shall also include all local programs  
18 and services which are eligible to be funded with federal  
19 social services block grant funds, the total amount of federal  
20 social services block grant funds available for the local  
21 programs and services, and the manner of distribution of the  
22 federal social services block grant funds to the counties.

23 The proposed plan shall identify state and local funds which  
24 will be used to fund the local programs and services.

25 The proposed plan shall be submitted with the department's  
26 budget requests to the governor and the general assembly.

27 DIVISION VI

28 Sec. 15. PROCEDURE FOR REDUCED FEDERAL FUNDS.

29 1. Except for section 9 of this Act, if the funds received  
30 from the federal government for the block grants specified  
31 in this Act are less than the amounts appropriated, the funds  
32 actually received shall be prorated by the governor for the  
33 various programs, other than for the rape prevention program  
34 under section 6, subsection 3 of this Act, for which each  
35 block grant is available according to the percentages that

1 each program is to receive as specified in this Act. However,  
2 if the governor determines that the funds allocated by the  
3 percentages will not be sufficient to effect the purposes  
4 of a particular program, or if the appropriation is not  
5 allocated by percentage, the governor may allocate the funds  
6 in a manner which will effect to the greatest extent possible  
7 the purposes of the various programs for which the block  
8 grants are available.

9 2. Before the governor implements the actions provided  
10 for in subsection 1, the following procedures shall be taken:

11 a. The chairpersons and ranking members of the standing  
12 committees of the senate and house on appropriations, the  
13 director of the legislative fiscal bureau, and the appropriate  
14 chairpersons and ranking members of subcommittees of those  
15 subcommittees shall be notified of the proposed action.

16 b. The notice shall include the proposed allocations,  
17 and information on the reasons why particular percentages  
18 or amounts of funds are allocated to the individual programs,  
19 the departments and programs affected, and other information  
20 deemed useful. Chairpersons notified shall be allowed at  
21 least two weeks to review and comment on the proposed action  
22 before the action is taken.

23 Sec. 16. PROCEDURE FOR INCREASED FEDERAL FUNDS.

24 1. If funds received from the federal government in the  
25 form of block grants exceed the amounts appropriated in  
26 sections 1, 3, 6, and 9, subsection 3, of this Act, the excess  
27 shall be prorated to the appropriate programs according to  
28 the percentages specified in those sections, except additional  
29 funds shall not be prorated for administrative expenses.

30 2. If funds received from the federal government in the  
31 form of block grants exceed the amounts appropriated in  
32 sections 7, 8 and section 9, subsection 2 of this Act, the  
33 excess shall be deposited in the special fund created in  
34 section 8.41 and is subject to appropriation by the general  
35 assembly.

1 3. If funds received from the federal government from  
2 block grants exceed the amounts appropriated in section 11  
3 of this Act, at least twelve and one-half percent and not  
4 more than fifteen percent of the excess shall be allocated  
5 to the low-income weatherization program.

6 4. If funds received from the federal government from  
7 the social services block grant, excluding funds allocated  
8 to this state from the federal Emergency Jobs Appropriations  
9 Act, Pub. L. No. 98-8, exceed the amount appropriated in  
10 section 12 of this Act, the excess shall be allocated for  
11 the purchase of local services and the department of social  
12 services may waive the requirement of local matching funds.

13 Sec. 17. PROCEDURE FOR CONSOLIDATED, CATEGORICAL, OR  
14 EXPANDED FEDERAL BLOCK GRANTS. Notwithstanding section 8.41,  
15 federal funds made available to the state which are authorized  
16 for the federal fiscal year beginning October 1, 1983 resulting  
17 from the federal government consolidating former categorical  
18 grants into block grants, or which expand block grants included  
19 in Pub. L. No. 97-35, to include additional programs formerly  
20 funded by categorical grants, which are not otherwise  
21 appropriated by the general assembly, are appropriated for  
22 the programs formerly receiving the categorical grants, subject  
23 to the conditions of this section. The governor shall,  
24 whenever possible, allocate from the block grant to each  
25 program in the same proportion as the amount of federal funds  
26 received by the program during the 1983 federal fiscal year  
27 as modified by the 1983 Session of the Seventieth General  
28 Assembly for the fiscal year beginning July 1, 1983 compared  
29 to the total federal funds received in the 1983 federal fiscal  
30 year by all programs consolidated into the block grant.  
31 However, if one agency did not have categorical funds  
32 appropriated for the federal fiscal year ending September  
33 30, 1983 but had anticipated applying for funds during the  
34 fiscal year ending September 30, 1984, the governor may  
35 allocate the funds in order to provide funding.

1 If the amount received in the form of a consolidated or  
2 expanded block grant is less than the total amount of federal  
3 funds received for the programs in the form of categorical  
4 grants for the 1983 federal fiscal year, state funds  
5 appropriated to the program by the general assembly to match  
6 the federal funds shall be reduced by the same proportion  
7 of the reduction in federal funds for the program. State  
8 funds released by the reduction shall be deposited in a special  
9 fund in the state treasury and are available for appropriation  
10 by the general assembly. The governor shall notify the  
11 chairpersons and ranking members of the senate and house  
12 standing committees on appropriations, the legislative fiscal  
13 director, and the appropriate chairpersons and ranking members  
14 of the subcommittees of those committees before making the  
15 allocation of federal funds or any proportional reduction  
16 of state funds under this section. The notice shall state  
17 the amount of federal funds to be allocated to each program,  
18 the amount of federal funds received by the program during  
19 the 1983 federal fiscal year, the amount by which state funds  
20 for the program will be reduced according to this section  
21 and the amount of state funds received by the program during  
22 the 1983 fiscal year. Chairpersons notified shall be allowed  
23 at least two weeks to review and comment on the proposed  
24 action before the action is taken.

25 If the amount received in the form of a consolidated or  
26 expanded block grant is more than the total amount of federal  
27 funds received for the programs in the form of categorical  
28 grants for the 1983 federal fiscal year, the excess funds  
29 shall be deposited in the special fund created in section  
30 8.41 and are subject to the provisions of that section.

31 Sec. 18. PROCEDURE FOR FUTURE FEDERAL ACTIONS.

32 1. If federal block grant funding is increased or decreased  
33 for the federal fiscal year following the year for which the  
34 block grants are appropriated by this Act, the actions  
35 prescribed in sections 15 and 16 of this Act shall be modified

1 by the governor as allowed by federal law in order that a  
2 consistent plan will be available for the affected state  
3 fiscal years.

4 2. Before the governor implements the actions provided  
5 for in subsection 1, the following procedures shall be taken:

6 a. The chairpersons and ranking members of the senate  
7 and house standing committees on appropriations, the  
8 appropriate chairpersons and ranking members of subcommittees  
9 of those committees, and the director of the legislative  
10 fiscal bureau shall be notified of the proposed action.

11 b. The notice shall include the proposed allocations,  
12 information on the reasons why particular percentages or  
13 amounts of funds are allocated to the individual programs,  
14 the departments and programs affected, and other information  
15 deemed useful. Chairpersons notified shall be allowed at  
16 least two weeks to review and comment on the proposed action  
17 before the action is taken.

18 Sec. 19. 1982 Iowa Acts, chapter 1262, division I, section  
19 1, subsection 1, unnumbered paragraph 2, is amended by striking  
20 the unnumbered paragraph and inserting in lieu thereof the  
21 following:

22 The director of the office for planning and programming  
23 shall allocate not less than ninety percent of the amount  
24 of the block grant based upon the size of the poverty level  
25 population in the community action area compared to the size  
26 of the poverty level population in the state. The director  
27 of the office for planning and programming after consultation  
28 with community action agencies shall allocate an amount not  
29 exceeding five percent of the amount of the block grant based  
30 upon other measures of need in each community action area.

31 Sec. 20. 1982 Iowa Acts, chapter 1262, section 4,  
32 subsections 1 and 3, are amended to read as follows:

33 1. There is appropriated from the fund created by 1981  
34 Iowa Acts of the Sixty-ninth General Assembly, 1981 Session,  
35 chapter 17, section 3, subsection 1, to the energy policy

1 council, ~~the sum of thirty-two million five hundred thousand~~  
2 ~~(32,500,000)~~ thirty-six million seven hundred nineteen thousand  
3 eight hundred (36,719,800) dollars for the fiscal period  
4 beginning October 1, 1982 and ending September 30, 1983.  
5 The funds appropriated by this section are the anticipated  
6 funds to be received from the federal government for federal  
7 fiscal year 1983 under Pub. L. No. 97-35, Title XXVI, which  
8 provides for the low-income home energy assistance block  
9 grants. The energy policy council shall expend the funds  
10 appropriated by this section as provided in the federal law  
11 making the funds available and in conformance with chapter  
12 17A.

13 3. The remaining funds appropriated in this section shall  
14 be allocated to help eligible households, as defined in  
15 accordance with Pub. L. No. 97-35, to meet the costs of home  
16 energy. However, at least ~~ten~~ twelve and one-half percent  
17 and not more than fifteen percent of the funds appropriated  
18 by this section shall be used to provide for low-income  
19 residential weatherization or other related home repairs for  
20 low-income households. If any low-income home energy  
21 assistance block grant funds are unexpended for home energy  
22 costs, and after reserving a reasonable portion of the funds,  
23 not to exceed one million dollars, to carry forward into the  
24 federal fiscal year beginning October 1, 1983, the unexpended  
25 funds shall be allocated for low-income residential  
26 weatherization or other related home repairs for low-income  
27 households, up to the maximum of fifteen percent. The funds  
28 transferred to low-income weatherization shall include money  
29 for administrative expenses.

30 Sec. 21. 1982 Iowa Acts, chapter 1262, section 14, subsec-  
31 tion 2, is amended to read as follows:

32 2. If funds received from the federal government from  
33 block grants exceed the amounts appropriated in ~~sections 17,~~  
34 ~~37--and~~ section 11, subsection 2 of this Act, the excess shall  
35 be deposited in the special fund created in Acts of the Sixty-

1 ninth General Assembly, 1981 Session, chapter 17, section  
2 3 and be subject to appropriation by the general assembly.

3 Sec. 22. 1982 Iowa Acts, chapter 1262, section 14, sub-  
4 section 3, is amended by striking the subsection.

5 Sec. 23. 1982 Iowa Acts, chapter 1262, section 14, is  
6 amended by adding the following new subsections:

7 NEW SUBSECTION. 4. If funds received from the federal  
8 government from community services block grants exceed the  
9 amounts appropriated in section 1 of this Act, one hundred  
10 percent of the excess is appropriated to the community services  
11 block grant program.

12 NEW SUBSECTION. 5. If funds received from the federal  
13 government from community development block grants exceed  
14 the amounts appropriated in section 3 of this Act, one hundred  
15 percent of the excess is appropriated to the community  
16 development block grant program. Not more than two percent  
17 of the excess may be used for additional administrative  
18 expenses if the amount is equally matched by the state  
19 appropriation for related activities of the office for planning  
20 and programming.

21 Sec. 24. A reference in this Act to the department of  
22 social services shall be construed to mean the department  
23 of human services, consistent with the intent of Senate File  
24 464, if Senate File 464 is enacted into law. The state  
25 comptroller shall transfer funds appropriated to the department  
26 of social services by this Act to the department of human  
27 services under the conditions of this section.

28 **EXPLANATION**

29 This bill appropriates federal funds received in the form  
30 of block grants for community services, community development,  
31 alcohol and drug abuse, preventive health, maternal and child  
32 health, education, energy assistance and social services for  
33 the federal fiscal year beginning October 1, 1983 and ending  
34 September 1, 1984. Sections 15 through 18 prescribe the  
35 procedure to be used when federal funds received are more

1 or less than the amount appropriated.

2 The bill also appropriates funds received from the 1982-  
3 83 community development and community services block grants  
4 that are in excess of the original appropriation to the office  
5 for planning and programming for distribution as specified  
6 for the original grant money. Without this change, any excess  
7 would go to the block grant fund in the state treasury. It  
8 also allows allocation of not more than five percent of the  
9 1982-83 community services block grant based on measures of  
10 need other than the size of poverty-level population.

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SENATE FILE 556

H-4232

1 Amend Senate File 556 as follows:

2 1. Page 13, by inserting after line 7 the following:

3 "The funds allocated in this section shall not be  
4 allocated until the comptroller's estimate of revenue  
5 for the balance of the fiscal year as of September  
6 30, 1983, is released.

7 If the estimate indicates that there will be  
8 insufficient funds available to fully implement  
9 the appropriations for the department of human  
10 services as set out in House File 641, 1983 session,  
11 and reductions are made in all state departments funds,  
12 the funds in this section shall be allocated as follows:

13 They shall be allocated to supplement state funds  
14 appropriated to the programs listed in section 12,  
15 subsection 3, in the same proportion as the allocations  
16 in that subsection, to the extent of the shortfall or  
17 the funds contained in this section, whichever is less."

H-4232 FILED MAY 13, 1983

BY WELDEN of Hardin

LOST (p 2/40)

SENATE FILE 556

H-4235

1 Amend Senate File 556 as passed by the Senate as  
2 follows:

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

5 "Sec. \_\_\_\_ Section 17A.8, subsection 1, Code 1983,  
6 is amended to read as follows:

7 1. There is created the "Administrative Rules  
8 Review Committee." The committee shall be bipartisan  
9 and not more than two members from each house shall  
10 be of the same political party. The committee shall  
11 be composed of the following members:

12 a. ~~Three~~ Four senators appointed by the president  
13 of the senate.

14 b. ~~Three~~ Four representatives appointed by the  
15 speaker of the house."

16 2. By numbering and renumbering sections to conform  
17 to this amendment.

H-4235 FILED MAY 13, 1983

BY SCHROEDER of Pottawattamie

RULED NOT GERMANE (p 2/13)

SENATE FILE 556

AN ACT

APPROPRIATING FEDERAL FUNDS MADE AVAILABLE FROM FEDERAL BLOCK GRANTS, ALLOCATING PORTIONS OF FEDERAL BLOCK GRANTS, AND PROVIDING PROCEDURES IF FEDERAL FUNDS ARE MORE OR LESS THAN ANTICIPATED OR IF FEDERAL BLOCK GRANTS ARE MORE OR LESS THAN ANTICIPATED OR IF CATEGORICAL GRANTS ARE CONSOLIDATED INTO NEW OR EXISTING BLOCK GRANTS.

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

DIVISION I

Section 1. ALCOHOL AND DRUG ABUSE AND MENTAL HEALTH SERVICES APPROPRIATION.

1. There is appropriated from the fund created by section 8.41 to the department of substance abuse, two million one hundred seventy-two thousand (2,172,000) dollars for the federal fiscal year beginning October 1, 1983, and ending September 30, 1984. The funds appropriated by this section are the anticipated funds to be received from the federal government for federal fiscal year 1984 under Pub. L. No. 97-35, Title IX, Subtitle A, which provides for the alcohol and drug abuse and mental health services block grant. The department shall expend the funds appropriated by this section as provided in the federal law making the funds available and in conformance with chapter 17A.

2. An amount not exceeding two hundred seventeen thousand two hundred (217,200) dollars of the funds appropriated in subsection 1 shall be used by the department of substance abuse for administrative expenses. From the funds set aside by this subsection for administrative expenses, the department of substance abuse shall pay to the auditor of state an amount sufficient to pay the cost of auditing the use and administration of the state's portion of the funds appropriated

in subsection 1. The auditor of state shall bill the department of substance abuse for the costs of the audit.

3. Eight and seventy-five hundredths percent of the funds appropriated in subsection 1 shall be transferred to the division of mental health, mental retardation, and developmental disabilities within the department of social services and allocated for community mental health centers.

4. After deducting the funds allocated in subsections 2 and 3, the remaining funds appropriated in subsection 1 shall be allocated according to the following percentages to supplement appropriations for the following programs within the department of substance abuse:

- a. Drug abuse programs ..... 38.89 percent
- b. Alcohol abuse programs ..... 38.89 percent
- c. Alcohol and drug prevention programs ... 22.22 percent

Notwithstanding 1982 Iowa Acts, chapter 1262, section 7, subsection 3, the percentage distribution of the funds for the fiscal period beginning October 1, 1982 and ending September 30, 1983 shall be as follows:

- a. Drug abuse programs ..... 35.11 percent
- b. Alcohol abuse programs ..... 35.11 percent
- c. Alcohol and drug prevention programs ... 20.06 percent

Nine and seventy-two hundredths percent of such funds shall be transferred to the division of mental health, mental retardation, and developmental disabilities within the department of social services and allocated for community mental health centers.

Sec. 2. ALCOHOL AND DRUG ABUSE AND MENTAL HEALTH SERVICES SUPPLEMENTAL APPROPRIATION.

1. There is appropriated from the fund created by section 8.41 to the department of substance abuse, the sum of one hundred forty-nine thousand (149,000) dollars for the federal fiscal period beginning October 1, 1982, and ending September 30, 1984. The funds appropriated by this section are the funds anticipated to be received from the federal government for the specified fiscal period under the federal Emergency Jobs Appropriations Act, Pub. L. No. 98-8. The department

shall expend the funds appropriated by this section as provided in the federal law making the funds available and in conformance with chapter 17A.

2. Eight and seventy-five hundredths percent of the funds appropriated in subsection 1 shall be transferred to the division of mental health, mental retardation, and developmental disabilities within the department of social services and allocated for community mental health centers.

3. The additional funds appropriated in subsection 1 and allocated in subsection 2 shall not be prorated for administrative expenses.

Sec. 3. MATERNAL AND CHILD HEALTH SERVICES APPROPRIATIONS.

1. There is appropriated from the fund created by section 8.41 to the state department of health, the sum of four million two hundred sixty-one thousand one hundred fifty-two (4,261,152) dollars for the federal fiscal year beginning October 1, 1983, and ending September 30, 1984. The funds appropriated by this section are the funds anticipated to be received from the federal government for federal fiscal year 1984 under Pub. L. No. 97-35, Title XXI, Subtitle D, which provides for the maternal and child health services block grant. The department shall expend the funds appropriated by this section as provided in the federal law making the funds available and in conformance with chapter 17A.

2. Sixty-three percent of the funds appropriated in subsection 1 shall be allocated to supplement appropriations for maternal and child health programs within the personal and family health division of the state department of health. Of these funds, thirty thousand six hundred eighty (30,680) dollars shall be set aside for sudden infant death syndrome.

Thirty-seven percent of the funds appropriated in subsection 1 shall be transferred to the university of Iowa hospitals and clinics under the control of the state board of regents for regional and mobile child health specialty clinics.

3. An amount not exceeding one hundred fifty-five thousand nine hundred twelve (155,912) dollars of the funds allocated

in subsection 2 to the state department of health shall be used by the state department of health for administrative expenses. From the funds set aside by this subsection for administrative expenses, the state department of health shall pay to the auditor of state an amount sufficient to pay the cost of auditing the use and administration of the state department of health's portion of the funds allocated in subsection 2. The auditor of state shall bill the state department of health for the costs of the audit.

Sec. 4. TRANSFER OF FUNDS. Those federal maternal and child health services block grant funds transferred from the federal preventive health and health services block grant funds under section 6, subsection 4 of this Act for the federal fiscal year beginning October 1, 1983, and ending September 30, 1984, are transferred to the division of personal and family health and to the university of Iowa hospitals and clinics under the control of the state board of regents for regional and mobile child health specialty clinics according to the percentages specified in section 2, subsection 2 of this Act.

Sec. 5. MATERNAL AND CHILD HEALTH SERVICES SUPPLEMENTAL APPROPRIATION.

1. There is appropriated from the fund created by section 8.41 to the state department of health, the sum of one million four hundred eleven thousand two hundred (1,411,200) dollars for the federal fiscal period beginning October 1, 1982, and ending September 30, 1984. The funds appropriated by this section are the funds anticipated to be received from the federal government for the specified fiscal period under the federal Emergency Jobs Appropriations Act, Pub. L. No. 98-8. The department shall expend the funds appropriated by this section as provided in the federal law making the funds available and in conformance with chapter 17A.

2. Sixty-three percent of the funds appropriated in subsection 1 shall be allocated to supplement appropriations for maternal and child health programs within the personal and family health division of the state department of health.

Thirty-seven percent of the funds appropriated in subsection 1 shall be transferred to the university of Iowa hospitals and clinics under the control of the state board of regents for regional and mobile child health speciality clinics. The personal and family health division of the state department of health and the regional and mobile child health speciality clinics at the university of Iowa hospitals and clinics under the council of the state board of regents shall jointly develop and implement a plan for the expenditure of these funds in accordance with this subsection. These funds shall be targeted, to the extent possible, to areas of high unemployment and to disadvantaged families who lack adequate third party reimbursement to pay for care.

3. The additional funds appropriated in subsection 1 and allocated in subsection 2 shall not be prorated for administrative expenses.

Sec. 6. PREVENTIVE HEALTH AND HEALTH SERVICES APPROPRIATIONS.

1. There is appropriated from the fund created by section 8.41 to the state department of health, one million three thousand six hundred eighteen (1,003,618) dollars for the federal fiscal year beginning October 1, 1983, and ending September 30, 1984. The funds appropriated by this section are the anticipated funds to be received from the federal government for federal fiscal year 1984 under Pub. L. No. 97-35, Title IX, Subtitle A, which provides for the preventive health and health services block grant. The department shall expend the funds appropriated by this section as provided in the federal law making the funds available and in conformance with chapter 17A.

2. An amount not exceeding ninety-three thousand three hundred thirty-six (93,336) dollars of the funds appropriated in subsection 1 shall be used by the state department of health for administrative expenses. From the funds set aside by this subsection for administrative expenses, the state department of health shall pay to the auditor of state an amount sufficient to pay the cost of auditing the use and

administration of the state's portion of the funds appropriated in subsection 1. The auditor of state shall bill the state department of health for the costs of the audit.

3. Of the funds appropriated in subsection 1, the specific amount of funds required by Pub. L. No. 97-35, Title IX, Subtitle A, shall be allocated to the rape prevention program.

4. Pursuant to Pub. L. No. 97-35, Title IX, Subtitle A, seven percent of the funds appropriated in subsection 1 is transferred within the special fund in the state treasury established under section 8.41, for use by the state department of health as authorized by Pub. L. No. 97-35, Title XXI, Subtitle D and section 4 of this Act.

5. After deducting the funds allocated and transferred in subsections 2, 3, and 4, the remaining funds appropriated in subsection 1 shall be allocated according to the following percentages to supplement appropriations for the following programs within the following divisions of the state department of health:

- a. Disease prevention division for hypertension grants ..... 15.2 percent
- b. Disease prevention division for risk reduction services ..... 21.0 percent
- c. Community health division and disease prevention division for health incentive grants ..... 17.9 percent
- d. Community health division for emergency medical services ..... 30.0 percent
- e. Personal and family health division for fluoridation grants ..... 15.9 percent

DIVISION II

Sec. 7. COMMUNITY SERVICES APPROPRIATIONS.

1. a. There is appropriated from the special fund created in section 8.41 to the office for planning and programming, the sum of three million six hundred twenty-three thousand seventy-one (3,623,071) dollars for the federal fiscal year beginning October 1, 1983 and ending September 30, 1984. The funds appropriated by this paragraph are the anticipated

funds to be received from the federal government for the federal fiscal year 1984 under Pub. L. No. 97-35, Title VI, Subtitle B, which provides for the community services block grant. The office for planning and programming shall expend the funds appropriated by this paragraph as provided in the federal law and in conformance with chapter 17A.

b. The director of the office for planning and programming shall allocate not less than ninety percent of the amount of the block grant based upon the size of the poverty level population in the community action area compared to the size of the poverty level population in the state. The director of the office for planning and programming after consultation with community action agencies shall allocate an amount not exceeding five percent of the amount of financial assistance based upon other measures of need in each community action area.

2. An amount not exceeding one hundred sixty thousand nine hundred seventy-one (160,971) dollars of the funds appropriated in subsection 1 shall be used by the office for planning and programming for administrative expenses. From the funds authorized under this subsection for administrative expenses, the office for planning and programming shall pay to the auditor of state an amount sufficient to pay the cost of auditing the use and administration of the state's portion of the funds appropriated in subsection 1. The auditor of state shall bill the office for planning and programming for the costs of the audit.

#### Sec. 8. COMMUNITY DEVELOPMENT APPROPRIATIONS.

1. There is appropriated from the special fund created in section 8.41 to the office for planning and programming, the sum of twenty-four million seven hundred seventy-five thousand (24,775,000) dollars for the federal fiscal year beginning October 1, 1983 and ending September 30, 1984. The funds appropriated by this section are the anticipated funds to be received from the federal government under Pub. L. No. 97-35, Title III, Subtitle A, which provides for the community development block grant. The office for planning

and programming shall expend the funds appropriated by this paragraph as provided in the federal law and in conformance with chapter 17A.

2. An amount not exceeding nine hundred twenty-five thousand one hundred eighty (925,180) dollars shall be used by the office for planning and programming for administrative expenses. The total amount used for administrative expenses includes four hundred sixty-two thousand five hundred ninety (462,590) dollars of funds appropriated in subsection 1 and a matching contribution from the state equal to four hundred sixty-two thousand five hundred ninety (462,590) dollars from the appropriation of state funds for the community development block grant and state appropriations for related activities of the office for planning and programming. The total administrative expenses at the state level, from both federal and state sources, shall not exceed four percent of the amount appropriated in subsection 1. From the funds authorized for administrative expenses by this subsection, the office for planning and programming shall pay to the auditor of state an amount sufficient to pay the cost of auditing the use and administration of the state's portion of the funds appropriated in subsection 1. The auditor of state shall bill the office for planning and programming for the costs of the audit.

#### DIVISION III

#### Sec. 9. EDUCATION APPROPRIATIONS.

1. There is appropriated from the fund created by section 8.41 to the department of public instruction for the federal fiscal year beginning July 1, 1983 and ending June 30, 1984, the amount received from Pub. L. No. 97-35, Title V, Subtitle D, chapter 2, which provides for the education block grant not to exceed five million four hundred thirty-three thousand (5,433,000) dollars. The department shall expend the funds appropriated by this section as provided in the federal law making the funds available and in conformance with chapter 17A.

2. Twenty percent of the funds appropriated in subsection 1, not to exceed one million eighty-six thousand six hundred

(1,086,600) dollars, shall be used by the department for basic skills development, state leadership and support services, educational improvement and support services, special projects, and state administrative expenses and auditing. However, not more than two hundred twenty-five thousand (225,000) dollars shall be used by the department for state administrative expenses.

3. Eighty percent of the funds appropriated in subsection 1 shall be allocated by the department to local educational agencies in this state, as local educational agency is defined in Pub. L. No. 97-35, Title V, Subtitle D. The amount allocated under this subsection shall be allocated to local educational agencies according to the following percentages and enrollments:

a. Seventy-five percent shall be allocated on the basis of enrollments in public and approved nonpublic schools.

b. Twenty percent shall be allocated on the basis of the number of disadvantaged children in local educational agencies whose incidence ratio for disadvantaged children is above the state average incidence ratio.

c. Five percent shall be allocated on the basis of the number of limited English speaking children whose language imposes a barrier to learning.

Sec. 10. Funds appropriated in section 9 of this Act shall not be used to aid schools or programs that illegally discriminate in employment or educational programs on the basis of sex, race, color, national origin, or disability.

#### DIVISION IV

Sec. 11. LOW-INCOME HOME ENERGY ASSISTANCE APPROPRIATIONS.

1. There is appropriated from the fund created by section 8.41 to the energy policy council, the sum of thirty-six million seven hundred thousand (36,700,000) dollars for the federal fiscal year beginning October 1, 1983 and ending September 30, 1984. The funds appropriated by this section are the funds anticipated to be received from the federal government for the federal fiscal year 1984 under Pub. L.

No. 97-35, Title XXVI, which provides for the low-income home energy assistance block grant. The energy policy council shall expend the funds appropriated by this section as provided in the federal law making the funds available and in conformance with chapter 17A.

2. An amount not exceeding two million seven hundred fifty thousand (2,750,000) dollars or nine percent of the funds appropriated in subsection 1, whichever is less, may be used for administrative expenses not more than two hundred eighty thousand (280,000) dollars of which shall be used for administrative expenses of the energy policy council. From the total funds set aside by this subsection for administrative expenses, an amount sufficient to pay the cost of an audit of the use and administration of the state's portion of the funds appropriated is allocated for that purpose. The auditor shall bill the energy policy council for the costs of the audit.

3. The remaining funds appropriated in this section shall be allocated to help eligible households, as defined in accordance with Pub. L. No. 97-35, to meet the costs of home energy. However, at least twelve and one-half percent and not more than fifteen percent of the funds appropriated by this section shall be used for low-income residential weatherization or other related home repairs for low-income households. The funds transferred to low-income weatherization shall include money for administrative expenses.

#### DIVISION V

Sec. 12. SOCIAL SERVICES APPROPRIATIONS.

1. There is appropriated from the fund created by section 8.41 to the department of social services or its successor agency, the sum of thirty-one million three hundred thirty-four thousand (31,334,000) dollars for the federal fiscal year beginning October 1, 1983 and ending September 30, 1984. Funds appropriated by this section are the funds anticipated to be received from the federal government for the federal fiscal year 1984 under Pub. L. No. 97-35, Title XXIII, Subtitle C, as codified in 42 U.S.C., secs. 1397-1397f, which provides

for the social services block grant. The department of social services shall expend the funds appropriated by this section as provided in the federal law making the funds available and in conformance with chapter 17A.

2. Not more than one million nine hundred forty-two thousand seven hundred eight (1,942,708) dollars of the funds appropriated in subsection 1 shall be used by the department of social services for general administration for the federal fiscal year beginning October 1, 1983 and ending September 30, 1984. From the funds set aside by this subsection for general administration, the department of social services shall pay to the auditor of state an amount sufficient to pay the cost of auditing the use and administration of the state's portion of the funds appropriated in subsection 1. The auditor of state shall bill the department of social services for the costs of the audit.

3. In addition to the allocation for general administration in subsection 2, the remaining funds appropriated in subsection 1 shall be allocated to supplement appropriations for the federal fiscal year beginning October 1, 1983 and ending September 30, 1984 for the following programs within the department of social services:

	1983-1984 Federal <u>Fiscal Year</u>
a. Field operations .....	\$12,457,000
b. Home-based services .....	\$ 143,000
c. Foster care .....	\$ 4,533,000
d. Protective day care .....	\$ 681,700
e. Purchase of local services .....	\$11,452,592
f. Volunteers .....	\$ 124,000

4. The social services block grant state advisory committee, formerly known as the Title XX state advisory committee, and the social services block grant district advisory committees, formerly known as the Title XX district advisory committees, shall continue to advise the department of policy matters with respect to the social services block

grant funds allocated by the federal government to this state through June 30, 1984.

Sec. 13. ADDITIONAL FUNDS. There is appropriated from the fund created by section 8.41, from those federal social services block grant funds allocated to this state from the federal Emergency Jobs Appropriations Act, Pub. L. No. 98-8 for the fiscal year beginning July 1, 1983, and ending June 30, 1984, to the department of social services, the following amounts, or so much thereof as is necessary, to be used for the purposes designated:

Allocation from the  
Emergency Jobs Approp-  
riations Act, Pub.  
L. No. 98-8  
1983-1984 Fiscal Year

- 1. For the division of field operations ..... \$ 125,000
- 2. For home-based services ..... \$ 100,000
- 3. For the purchase of local services, with an emphasis on the provision of child day care services ..... \$ 1,342,000

A county which uses a portion of its share of funds appropriated under this subsection for child day care services is not required to match that portion of the funds with local funds. All other funds appropriated under this subsection shall be matched by the county at a ratio of one dollar of local funds for every three dollars of funds appropriated under this subsection. The department may raise the income guidelines for income eligible recipients of child day care services to those guidelines in effect during July, 1979. The department of social services shall adopt administrative rules under section 17A.4, subsection 2, and section 17A.5, subsection 2, paragraph b, to implement this subsection.

- 4. For volunteers ..... \$ 40,000

Sec. 14. SOCIAL SERVICES BLOCK GRANT PLAN. The department of social services shall develop a plan for the use of federal social services block grant funds for the state fiscal year beginning July 1, 1984 and ending June 30, 1985.

The proposed plan shall include all programs and services at the state level which the department proposes to fund with federal social services block grant funds, and shall identify state and other funds which the department proposes to use to fund the state programs and services.

The proposed plan shall also include all local programs and services which are eligible to be funded with federal social services block grant funds, the total amount of federal social services block grant funds available for the local programs and services, and the manner of distribution of the federal social services block grant funds to the counties. The proposed plan shall identify state and local funds which will be used to fund the local programs and services.

The proposed plan shall be submitted with the department's budget requests to the governor and the general assembly.

#### DIVISION VI

##### Sec. 15. PROCEDURE FOR REDUCED FEDERAL FUNDS.

1. Except for section 9 of this Act, if the funds received from the federal government for the block grants specified in this Act are less than the amounts appropriated, the funds actually received shall be prorated by the governor for the various programs, other than for the rape prevention program under section 6, subsection 3 of this Act, for which each block grant is available according to the percentages that each program is to receive as specified in this Act. However, if the governor determines that the funds allocated by the percentages will not be sufficient to effect the purposes of a particular program, or if the appropriation is not allocated by percentage, the governor may allocate the funds in a manner which will effect to the greatest extent possible the purposes of the various programs for which the block grants are available.

2. Before the governor implements the actions provided for in subsection 1, the following procedures shall be taken:

a. The chairpersons and ranking members of the standing committees of the senate and house on appropriations, the director of the legislative fiscal bureau, and the appropriate

chairpersons and ranking members of subcommittees of those subcommittees shall be notified of the proposed action.

b. The notice shall include the proposed allocations, and information on the reasons why particular percentages or amounts of funds are allocated to the individual programs, the departments and programs affected, and other information deemed useful. Chairpersons notified shall be allowed at least two weeks to review and comment on the proposed action before the action is taken.

##### Sec. 16. PROCEDURE FOR INCREASED FEDERAL FUNDS.

1. If funds received from the federal government in the form of block grants exceed the amounts appropriated in sections 1, 3, 6, and 9, subsection 3, of this Act, the excess shall be prorated to the appropriate programs according to the percentages specified in those sections, except additional funds shall not be prorated for administrative expenses.

2. If funds received from the federal government in the form of block grants exceed the amounts appropriated in sections 7, 8 and section 9, subsection 2 of this Act, the excess shall be deposited in the special fund created in section 8.41 and is subject to appropriation by the general assembly.

3. If funds received from the federal government from block grants exceed the amounts appropriated in section 11 of this Act, at least twelve and one-half percent and not more than fifteen percent of the excess shall be allocated to the low-income weatherization program.

4. If funds received from the federal government from the social services block grant, excluding funds allocated to this state from the federal Emergency Jobs Appropriations Act, Pub. L. No. 98-8, exceed the amount appropriated in section 12 of this Act, the excess shall be allocated for the purchase of local services and the department of social services may waive the requirement of local matching funds.

Sec. 17. PROCEDURE FOR CONSOLIDATED, CATEGORICAL, OR EXPANDED FEDERAL BLOCK GRANTS. Notwithstanding section 8.41, federal funds made available to the state which are authorized

for the federal fiscal year beginning October 1, 1983 resulting from the federal government consolidating former categorical grants into block grants, or which expand block grants included in Pub. L. No. 97-35, to include additional programs formerly funded by categorical grants, which are not otherwise appropriated by the general assembly, are appropriated for the programs formerly receiving the categorical grants, subject to the conditions of this section. The governor shall, whenever possible, allocate from the block grant to each program in the same proportion as the amount of federal funds received by the program during the 1983 federal fiscal year as modified by the 1983 Session of the Seventieth General Assembly for the fiscal year beginning July 1, 1983 compared to the total federal funds received in the 1983 federal fiscal year by all programs consolidated into the block grant. However, if one agency did not have categorical funds appropriated for the federal fiscal year ending September 30, 1983 but had anticipated applying for funds during the fiscal year ending September 30, 1984, the governor may allocate the funds in order to provide funding.

If the amount received in the form of a consolidated or expanded block grant is less than the total amount of federal funds received for the programs in the form of categorical grants for the 1983 federal fiscal year, state funds appropriated to the program by the general assembly to match the federal funds shall be reduced by the same proportion of the reduction in federal funds for the program. State funds released by the reduction shall be deposited in a special fund in the state treasury and are available for appropriation by the general assembly. The governor shall notify the chairpersons and ranking members of the senate and house standing committees on appropriations, the legislative fiscal director, and the appropriate chairpersons and ranking members of the subcommittees of those committees before making the allocation of federal funds or any proportional reduction of state funds under this section. The notice shall state the amount of federal funds to be allocated to each program,

the amount of federal funds received by the program during the 1983 federal fiscal year, the amount by which state funds for the program will be reduced according to this section and the amount of state funds received by the program during the 1983 fiscal year. Chairpersons notified shall be allowed at least two weeks to review and comment on the proposed action before the action is taken.

If the amount received in the form of a consolidated or expanded block grant is more than the total amount of federal funds received for the programs in the form of categorical grants for the 1983 federal fiscal year, the excess funds shall be deposited in the special fund created in section 8.41 and are subject to the provisions of that section.

#### Sec. 18. PROCEDURE FOR FUTURE FEDERAL ACTIONS.

1. If federal block grant funding is increased or decreased for the federal fiscal year following the year for which the block grants are appropriated by this Act, the actions prescribed in sections 15 and 16 of this Act shall be modified by the governor as allowed by federal law in order that a consistent plan will be available for the affected state fiscal years.

2. Before the governor implements the actions provided for in subsection 1, the following procedures shall be taken:

a. The chairpersons and ranking members of the senate and house standing committees on appropriations, the appropriate chairpersons and ranking members of subcommittees of those committees, and the director of the legislative fiscal bureau shall be notified of the proposed action.

b. The notice shall include the proposed allocations, information on the reasons why particular percentages or amounts of funds are allocated to the individual programs, the departments and programs affected, and other information deemed useful. Chairpersons notified shall be allowed at least two weeks to review and comment on the proposed action before the action is taken.

Sec. 19. 1982 Iowa Acts, chapter 1262, division I, section 1, subsection 1, unnumbered paragraph 2, is amended by striking

the unnumbered paragraph and inserting in lieu thereof the following:

The director of the office for planning and programming shall allocate not less than ninety percent of the amount of the block grant based upon the size of the poverty level population in the community action area compared to the size of the poverty level population in the state. The director of the office for planning and programming after consultation with community action agencies shall allocate an amount not exceeding five percent of the amount of the block grant based upon other measures of need in each community action area.

Sec. 20. 1982 Iowa Acts, chapter 1262, section 4, subsections 1 and 3, are amended to read as follows:

1. There is appropriated from the fund created by 1981 Iowa Acts of the Sixty-ninth General Assembly, 1981 Session, chapter 17, section 3, subsection 1, to the energy policy council, the sum of thirty-two million five hundred thousand (\$22,500,000) thirty-six million seven hundred nineteen thousand eight hundred (36,719,800) dollars for the fiscal period beginning October 1, 1982 and ending September 30, 1983. The funds appropriated by this section are the anticipated funds to be received from the federal government for federal fiscal year 1983 under Pub. L. No. 97-35, Title XXVI, which provides for the low-income home energy assistance block grants. The energy policy council shall expend the funds appropriated by this section as provided in the federal law making the funds available and in conformance with chapter 17A.

3. The remaining funds appropriated in this section shall be allocated to help eligible households, as defined in accordance with Pub. L. No. 97-35, to meet the costs of home energy. However, at least ten twelve and one-half percent and not more than fifteen percent of the funds appropriated by this section shall be used to provide for low-income residential weatherization or other related home repairs for low-income households. If any low-income home energy assistance block grant funds are unexpended for home energy

costs, and after reserving a reasonable portion of the funds, not to exceed one million dollars, to carry forward into the federal fiscal year beginning October 1, 1983, the unexpended funds shall be allocated for low-income residential weatherization or other related home repairs for low-income households, up to the maximum of fifteen percent. The funds transferred to low-income weatherization shall include money for administrative expenses.

Sec. 21. 1982 Iowa Acts, chapter 1262, section 14, subsection 2, is amended to read as follows:

2. If funds received from the federal government from block grants exceed the amounts appropriated in ~~sections 1, 3, and~~ section 11, subsection 2 of this Act, the excess shall be deposited in the special fund created in Acts of the Sixty-ninth General Assembly, 1981 Session, chapter 17, section 3 and be subject to appropriation by the general assembly.

Sec. 22. 1982 Iowa Acts, chapter 1262, section 14, subsection 3, is amended by striking the subsection.

Sec. 23. 1982 Iowa Acts, chapter 1262, section 14, is amended by adding the following new subsections:

NEW SUBSECTION. 4. If funds received from the federal government from community services block grants exceed the amounts appropriated in section 1 of this Act, one hundred percent of the excess is appropriated to the community services block grant program.

NEW SUBSECTION. 5. If funds received from the federal government from community development block grants exceed the amounts appropriated in section 3 of this Act, one hundred percent of the excess is appropriated to the community development block grant program. Not more than two percent of the excess may be used for additional administrative expenses if the amount is equally matched by the state appropriation for related activities of the office for planning and programming.

Sec. 24. A reference in this Act to the department of social services shall be construed to mean the department of human services, consistent with the intent of Senate File

464, if Senate File 464 is enacted into law. The state comptroller shall transfer funds appropriated to the department of social services by this Act to the department of human services under the conditions of this section.

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ROBERT T. ANDERSON  
President of the Senate

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DONALD D. AVENSON  
Speaker of the House

I hereby certify that this bill originated in the Senate and is known as Senate File 556, Seventieth General Assembly.

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K. MARIE THAYER  
Secretary of the Senate

Approved May 31, 1983

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TERRY E. BRANSTAD  
Governor