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APPROPRIATIONS CALENDAR

HOUSE FILE 2484
BY COMMITTEE ON APPROPRIATIONS

Passed House, Date 4-24-86 (p. 1750) Passed Senate, Date _____
Vote: Ayes 70 Nays 39 Vote: Ayes _____ Nays _____
Approved Item Veto 5/31/86

A BILL FOR

An Act relating to and making appropriations to agencies, boards, commissions, departments, and programs of state government and making certain provisions retroactive.

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

HF 2484

TLSB 8407HF 71
bk/rr/8

S.F. _____ H.F. 2484

DIVISION I

BUSINESS/TRADE/TRANSPORTATION

Section 1. There is appropriated from the general fund of the state to the department of economic development for the fiscal year beginning July 1, 1986 and ending June 30, 1987 the following amounts, or so much thereof as is necessary, to be used for the purposes designated:

	1986-1987 Fiscal Year
1. For salaries, support, maintenance, and other operational purposes	$ 3,019,319

It is the intent of the general assembly that the funds appropriated by this subsection shall not be expended for a volunteer coordinator.

2. For tourism and promotion programs	$ 1,429,560

Of the funds appropriated by this subsection, one hundred thousand (100,000) dollars, or so much thereof as is necessary, shall be expended to develop a state tourism marketing plan. The plan shall be provided to the legislative council upon completion. Of the funds appropriated by this subsection, one million (1,000,000) dollars shall not be expended prior to the completion of the state tourism marketing plan and presentation of the plan to the legislative council.

There is created a tourism marketing plan task force. The director of the department of economic development or the director's designee shall serve as chairperson of the tourism marketing plan task force. The task force shall consist of five members. The director shall appoint a representative of the state conservation commission, a representative of the recreation, tourism, and leisure study committee, a representative of the department of cultural affairs, and a representative of the tourism industry from the private

sector.

The task force shall develop guidelines for the preparation of a comprehensive statewide tourism marketing plan and tourism information delivery system plan, recommendations from which shall be submitted by the task force to the legislative council for the release of withheld funds.

3. For advertising and marketing ..... $ 92,333

4. For establishment and maintenance of an ambassador's program ..... $ 1,000,000

6601 5. For establishment and maintenance of a Japan trade office ..... $ 300,000

6601 6. For establishment and maintenance of an export finance program ..... $ 1,000,000

7. Community development block grant administration and related federal housing and urban development community development grant administration

For salaries, support, maintenance, and miscellaneous purposes ..... $ 53,800

8. Job training partnership Act: dislocated workers

For salaries, support, maintenance, and miscellaneous purposes to develop and administer the job training partnership Act ..... $ 958,936

9. Mississippi river parkway commission

For support, maintenance, and miscellaneous purposes ..... $ 11,700

5903 Sec. 2. There is appropriated from the general fund of the state to the department of cultural affairs for the historical division for the fiscal period beginning July 1, 1986 and

ending June 30, 1988 the sum of one hundred twenty-five thousand (125,000) dollars, or so much thereof as is necessary, to acquire by negotiated sale part of the land encompassing the Blood Run national historic landmark in Lyon county, Iowa. This appropriation shall be matched by revenue from other sources.

Ten thousand (10,000) dollars of the appropriation in this section shall be allocated to the state archaeologist for the fiscal year beginning July 1, 1986 and ending June 30, 1987, or so much thereof as is necessary, for the development planning and the next phase of archaeological field study at the Blood Run national historic landmark in Lyon county, Iowa. The state archaeologist shall consult with the historical division of the department of cultural affairs in conducting the developmental planning and archaeological field study.

Sec. 3. There is appropriated from the general fund of the state to the department of revenue and finance for the fiscal year beginning July 1, 1986 and ending June 30, 1987, 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:

	1986-1987 Fiscal Year
For salaries, support, maintenance, and miscellaneous purposes	$ 15,733,000

5403

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 ..... $ 926,184

Sec. 4.

1. There is appropriated from the general fund of the state to the department of revenue and finance for the fiscal year beginning July 1, 1986 and ending June 30, 1987, the sum of eight hundred twenty-five thousand four hundred ten (825,410) dollars, or so much thereof as may be necessary, to be paid to the college of osteopathic medicine and surgery for the subvention program created pursuant to sections 261.18 and 261.19. Notwithstanding section 261.19, for the fiscal year beginning July 1, 1986, the subvention shall be used for the admission and education of students enrolled in each of the four years of classes in the college of osteopathic medicine and surgery.

2. In addition to the requirements of sections 261.18 and 261.19, the availability of funds appropriated by this section is subject to the condition that one half of the funds appropriated for fiscal year 1986-1987 shall not be released until delivery to the legislative fiscal bureau of the June 30, 1986, financial audits, conducted by an independent third party, of the college of osteopathic medicine and surgery.

Sec. 5. There is appropriated from the motor vehicle fuel tax fund to the department of revenue and finance for the fiscal year beginning July 1, 1986 and ending June 30, 1987 the following amount, or so much thereof as may be necessary, for salaries, support, maintenance, and other operational purposes for administration and enforcement of the provisions of chapter 324 and the motor vehicle use tax program:

	1986-1987 Fiscal Year
	$ 827,788

Sec. 6. There is appropriated from the general fund of the state to the office of treasurer of state for the fiscal year beginning July 1, 1986 and ending June 30, 1987 the following amount, or so much thereof as is necessary, to be used for the

purposes designated:

	1986-1987 Fiscal Year
For salaries, support, maintenance, and other operational purposes	$ 487,646

Sec. 7. There is appropriated from the general fund of the state to the moneys and credits replacement fund established in section 422.100 for the fiscal year beginning July 1, 1986 and ending June 30, 1987 the sum of two million four hundred seventy-five thousand (2,475,000) dollars, or so much thereof as may be necessary, to be used for payments to counties as provided in section 422.100.

Sec. 8. There is appropriated from the general fund of the state to the state department of transportation for the fiscal year beginning July 1, 1986 and ending June 30, 1987 the following amounts, or so much thereof as may be necessary, to be used for the following purposes:

	1986-1987 Fiscal Year
STATE DEPARTMENT OF TRANSPORTATION	
1. For salaries, support, maintenance, and miscellaneous purposes	$ 1,000,000
2. For deposit in the public transit assistance fund	$ 1,765,366

Sec. 9. There is appropriated from the road use tax fund to the state department of transportation for the fiscal year beginning July 1, 1986 and ending June 30, 1987 the following amounts, or so much thereof as may be necessary, to be used for the following purposes:

	1986-1987 Fiscal Year
STATE DEPARTMENT OF TRANSPOR-	

TATION

1. For salaries, support, maintenance, and miscellaneous purposes ..... $ 10,865,594

2. For the purpose of making payments to the Iowa merit employment department for expenses incurred in administering the merit system on behalf of the state department of transportation, as required by chapter 19A ..... $ 16,000

3. Unemployment compensation ..... $ 12,250

Sec. 10. There is appropriated from the road use tax fund to the department of personnel for the fiscal year beginning July 1, 1986 and ending June 30, 1987 the sum of thirty-two thousand seven hundred fifty (32,750) dollars, or so much thereof as is necessary, to be used for the purpose of paying workers' compensation claims under chapter 85 on behalf of employees of the state department of transportation.

Sec. 11. There is appropriated from the primary road fund to the state department of transportation for the fiscal year beginning July 1, 1986 and ending June 30, 1987 the following amounts, or so much thereof as may be necessary, to be used for the following purposes:

	1986-1987 Fiscal Year
STATE DEPARTMENT OF TRANSPORTATION	
1. For salaries, support, maintenance, and miscellaneous purposes	$127,962,152
2. To be deposited in the state department of transportation materials and equipment revolving fund established by section 307A.7	

for funding the increased replacement cost of vehicles ..... $ 2,000,000

3. For the purpose of making payments to the Iowa merit employment department for expenses incurred in administering the merit system on behalf of the state department of transportation, as required by chapter 19A ..... $ 304,000

4. Unemployment compensation ..... $ 232,750

5. For Sac City, Odebolt area garage ..... $ 611,000

6. For Belle Plaine, Tama, Blairstown area garage ..... $ 733,000

Sec. 12. There is appropriated from the primary road fund to the department of personnel for the fiscal year beginning July 1, 1986 and ending June 30, 1987 the sum of six hundred twenty-two thousand two hundred fifty (622,250) dollars, or so much thereof as is necessary, for the purpose of paying workers' compensation claims under chapter 85 on behalf of the employees of the state department of transportation.

Sec. 13. There is appropriated from the state aviation fund to the state department of transportation for the fiscal year beginning July 1, 1986 and ending June 30, 1987, the following amount, or so much thereof as may be necessary, to be used for the following purposes:

	1986-1987 Fiscal Year
For salaries, support, maintenance, and miscellaneous purposes	$ 261,318

Sec. 14. Notwithstanding the appropriation amounts in section 261.25, there is appropriated from the general fund of the state to the college aid commission for the fiscal year beginning July 1, 1986 and ending June 30, 1987 the following

amounts for the purposes listed:

1. Nineteen million eight hundred six thousand nine hundred (19,806,900) dollars for tuition grants.

2. Three hundred thirty-six thousand five hundred twenty-five (336,525) dollars for scholarships.

3. Six hundred forty-six thousand five hundred eighty-two (646,582) dollars for vocational-technical tuition grants.

Sec. 15. Notwithstanding the appropriation amount listed in section 261.45, there is appropriated from the general fund of the state to the college aid commission for the fiscal year beginning July 1, 1986 and ending June 30, 1987 the sum of fifty-seven thousand six hundred ninety (57,690) dollars, or as much thereof as is necessary, to make the reimbursement payments for the guaranteed student loan payment program.

Sec. 16. Notwithstanding the appropriation amount listed in section 261.53, there is appropriated from the general fund of the state to the Iowa college aid commission for the fiscal year beginning July 1, 1986 and ending June 30, 1987, the sum of sixty-seven thousand three hundred five (67,305) dollars, or as much thereof as is necessary, for science and mathematics loans.

Sec. 17. Notwithstanding the appropriation amount listed in section 261.63, there is appropriated from the general fund of the state to the Iowa college aid commission for the fiscal year beginning July 1, 1986 and ending June 30, 1987, the sum of nine hundred thousand (900,000) dollars, or as much thereof as is necessary, for supplemental grants.

Sec. 18. Notwithstanding section 321.145, there is transferred from the road use tax fund to the general fund of the state for the fiscal year beginning July 1, 1986 and ending June 30, 1987 the sum of twenty-eight thousand seven hundred thirty-five (28,735) dollars to fund salary adjustments required pursuant to 1984 Iowa Acts, chapter 1314.

Sec. 19. There is appropriated from the road use tax fund to the general fund of the state for the fiscal year beginning

July 1, 1986 and ending June 30, 1987 the sum of one hundred seventy-nine thousand three hundred eighty-six (179,386) dollars, or so much thereof as is necessary to fund salary adjustments required pursuant to 1984 Iowa Acts, chapter 1314.

Sec. 20. There is appropriated from the road use tax fund to the state department of transportation for the fiscal year beginning July 1, 1986 and ending June 30, 1987 the sum of three hundred seventy-two thousand eight hundred twenty-three (372,823) dollars, or so much thereof as is necessary, to provide salary adjustments required by implementation action taken under 1984 Iowa Acts, chapter 1314.

Sec. 21. There is appropriated from the primary road fund to the state department of transportation for the fiscal year beginning July 1, 1986 and ending June 30, 1987 the sum of two million eighty-one thousand one hundred seventeen (2,081,117) dollars, or so much thereof as is necessary, to provide salary adjustments required by implementation action taken under 1984 Iowa Acts, chapter 1314.

Sec. 22. A supplemental authorization is authorized for each departmental revolving, trust, or special fund for the fiscal year beginning July 1, 1986 and ending June 30, 1987 for which the general assembly has established an operating budget in an amount necessary to provide salary adjustments required by implementation action taken under 1984 Iowa Acts, chapter 1314. The supplemental authorization allowed under this section is not applicable to the road use tax fund or the primary road fund.

Sec. 23. Section 261.2, subsection 4, Code 1985, is amended to read as follows:

4. Prepare and administer a state plan for a state supported and administered scholarship program. ~~Said~~ The state plan shall provide for scholarships based on ability and need, and for scholarships based solely on ability, to deserving students of Iowa, matriculating in Iowa universities, colleges, area vocational schools, area

community colleges, or schools of professional nursing.

Sec. 24. Section 261.25, subsection 2, Code Supplement 1985, is amended to read as follows:

2. There is appropriated from the general fund of the state to the commission for each fiscal year the sum of three hundred fifty thousand (350,000) dollars for scholarships based upon ability and need.

Sec. 25. Section 261.25, Code Supplement 1985, is amended by adding the following new subsection:

NEW SUBSECTION. 3A. There is appropriated from the loan reserve account of the commission for each fiscal year the amount of interest earned on moneys in the account in excess of the amount appropriated for operating costs of the guaranteed student loan program to be used for scholarships based solely upon ability.

Sec. 26. Section 261.35, subsection 5, Code 1985, is amended to read as follows:

5. "Eligible borrower" means a person, or the parent of a person, who is a resident of this state and is enrolled or will be enrolled at an eligible institution within or without the state or who is a nonresident of this state and is enrolled or will be enrolled at an eligible institution within the state ~~and who meets~~, or who is a resident of a contiguous state and is borrowing from an Iowa-based eligible lender and is enrolled or will be enrolled at an eligible institution within or without the state. All eligible borrowers must meet the eligibility requirements established by the commission. The commission shall establish the qualifications for being a resident of this state~~,~~; however, the qualifications shall not be more stringent than those established by the state board of regents.

Sec. 27. Section 261.38, subsection 1, Code 1985, is amended to read as follows:

1. The commission shall establish a loan reserve account from which any default on a guaranteed student loan shall be

paid. The commission shall credit to this account all moneys designated exclusively for the reserve fund by the United States, the state of Iowa or any of their agencies, departments or instrumentalities, as well as any funds accruing to the program which are not required for current administrative expenses. The state comptroller shall determine the actuarially sound reserve requirement for the amount of guaranteed loans outstanding.

Sec. 28. Section 261.38, subsection 2, Code 1985, is amended by striking the subsection and inserting in lieu thereof the following:

2. The general assembly shall appropriate moneys from the loan reserve account of the commission to the college aid commission for operating costs of the guaranteed student loan program. Moneys appropriated form the loan reserve account for operating costs of the guaranteed student loan program that are unencumbered or unobligated on June 30 of a fiscal year shall revert to the loan reserve account of the commission.

Sec. 29. Section 261.38, subsection 4, Code 1985, is amended to read as follows:

4. Funds on deposit in the loan reserve account ~~or in the administrative account~~ shall not revert to the state general fund at the close of any fiscal year.

Sec. 30. The college aid commission shall repay to the secretary of the United States department of education the amount of an advance made to the college aid commission which has been deposited in the loan reserve account.

Sec. 31. Section 308.4, subsection 3, Code Supplement 1985, is amended to read as follows:

3. There is appropriated from the general fund of the state to the state department of transportation the sum of ~~one hundred~~ ninety-six thousand one hundred fifty (96,150) dollars for each fiscal year beginning July 1, 1983, and ending June 30, 1988. The money is to be utilized for the acquisition and

construction of highway-associated project components for any portion of the great river road, regardless of jurisdiction. Each annual appropriation shall first be used to reimburse the great river road fund established in section 312.2, with remaining funds being available for a period of one fiscal year following the year of appropriation. The state department of transportation, in ~~co-operation~~ cooperation with the state conservation commission and the Mississippi river parkway commission, shall administer this subsection and shall issue rules for administration in accordance with chapter 17A. A report shall be submitted listing the expenditures for the previous year and cumulative expenditures of all funds appropriated by this section and the report shall be incorporated in the annual report required by section 17.9.

Sec. 32. Section 321.211, unnumbered paragraph 1, Code 1985, is amended to read as follows:

Upon suspending the license of any person as authorized the department shall immediately notify the licensee in writing and upon the licensee's request shall afford the licensee an opportunity for a hearing before the director or the director's authorized agent as early as practical within not to exceed thirty days after receipt of the request in the county in which the licensee resides unless the department and the licensee agree that such hearing may be held in some other county. Upon such hearing the director or the director's authorized agent may administer oaths and may issue subpoenas for the attendance of witnesses and the production of relevant books and papers and may require a re-examination of the licensee. Upon such hearing the department shall either rescind its order of suspension or for good cause may extend the suspension of such license or revoke such license. There is appropriated each year from the general fund of the state to the department ~~ninety~~ eighty-six thousand five hundred thirty-five (86,535) dollars or so much thereof as may be necessary to be used to pay the cost of notice and personal

delivery of service, if necessary to meet the notice requirement of this section. The department shall promulgate rules governing the payment of the cost of personal delivery of service. The reinstatement fees collected under section 321.191 shall be deposited in the general fund of the state in a manner provided in section 321.192, as reimbursement for the costs of notice under this section.

Sec. 33. All federal grants to and the federal receipts of the agencies appropriated funds under this division of this Act are appropriated for the purposes set forth in such federal grants and receipts unless otherwise provided by the general assembly.

DIVISION II

EDUCATION

Sec. 101. There is appropriated from the general fund of the state for the fiscal year beginning July 1, 1986 and ending June 30, 1987, to the following named agencies the following amounts, or so much thereof as necessary, to be used for the purposes designated:

	1986-1987 Fiscal Year
1. IOWA STATE ARTS COUNCIL	
For salaries, support, maintenance, and miscellaneous purposes including funds to match federal grants	$ 450,000
2. IOWA STATE HISTORICAL DEPARTMENT	
For salaries, support, maintenance, and miscellaneous purposes	$ 1,286,045
3. IOWA LIBRARY DEPARTMENT	
a. For the state library for salaries, support, maintenance, and miscellaneous	

purposes ..... $ 997,576

b. For the regional library system for state aid ..... $ 1,430,730

4. IOWA DEPARTMENT OF PUBLIC BROADCASTING

For salaries, support, maintenance, and miscellaneous purposes ..... $ 5,586,848

5. STATE FAIR BOARD

For maintenance of state fair buildings and grounds ..... $ 69,038

6. TERRACE HILL AUTHORITY

For salaries, support, maintenance, and miscellaneous purposes for the operation of Terrace Hill and for conducting tours ..... $ 127,792

7. HERBERT HOOVER BIRTHPLACE FOUNDATION

For capital improvements ..... $ 1,246

Sec. 102. There is appropriated from the general fund of the state to the Iowa state arts council for the fiscal period beginning July 1, 1986 and ending June 30, 1988 the following amounts, or so much thereof as is necessary, to be used for the following purposes:

	1986-1988 Fiscal Year
1. For the Herbert Hoover memorial in West Branch, Iowa, for tours	$ 35,000
2. For the Cedar Rapids science station for repairs	$ 30,000
3. For the Ottumwa arts council	$ 30,000
4. For the Dubuque great rivers hall of fame for capital improvements	$ 40,000
5. For the Amana art guild-folk	

art show for the folk art show case ..... $ 20,000

6. For the Clinton riverboat theater for rehabilitation ..... $ 20,000

7. For the Davenport river development project for capital improvements ..... $ 35,000

8. For general promotion of the arts ..... $ 40,000

Notwithstanding section 8.33, unencumbered and unobligated funds appropriated in this section shall not revert to the general fund.

Sec. 103. There is appropriated from the general fund of the state to the Iowa state historical department for the fiscal period beginning July 1, 1986 and ending June 30, 1988 the following amounts, or so much thereof as is necessary, to be used for the following purposes:

	1986-1988 Fiscal Year
1. For the purchase and development of property adjacent to the gravesite at Gardner cabin	$ 41,700
2. For capital improvements and operational contract services for the Matthew Edel blacksmith shop in Haverhill	$ 30,000
3. For Montauk at Clermont for repairs	$ 20,700
4. For the Bow-String Bridge restoration project for restoration	$ 20,000
5. For the centennial building in Iowa City for repairs	$ 40,000
6. For old Fort Madison for reconstruction	$ 25,000
7. For the Rock Island depot in Council Bluffs for reconstruction	$ 20,000

8. For the old territorial capitol in Burlington for restoration ..... $ 22,000

9. For promotion of historical sites in this state ..... $ 30,000

Notwithstanding section 8.33, unencumbered and unobligated funds appropriated in this section shall not revert to the general fund.

Sec. 104. There is appropriated from the general fund of the state to the Iowa commission for the blind for the fiscal year beginning July 1, 1986 and ending June 30, 1987, the following amount, or so much thereof as may be necessary, to be used by the following agency for the purposes designated:

	1986-1987 Fiscal Year
5903 IOWA COMMISSION FOR THE BLIND	
For salaries, support, maintenance, and miscellaneous purposes	$ 1,019,280

Sec. 105. There is appropriated from the general fund of the state for the fiscal year beginning July 1, 1986 and ending June 30, 1987, to the department of public instruction the following amounts, or so much thereof as may be necessary, to be used in the manner designated:

	1986-1987 Fiscal Year
1. GENERAL OFFICE ADMINISTRATION	
a. For salaries, support, maintenance, and miscellaneous purposes	$ 4,148,910

It is the intent of the general assembly that the department of public instruction expend, from funds appropriated in this paragraph, at least five hundred thousand (500,000) dollars to be used by the department to provide technical assistance and monetary grants to school districts

for developing elementary and secondary foreign language programs. The department shall transmit plans for the expenditure of moneys allocated for development of foreign language programs under this paragraph to the joint education appropriations subcommittee not later than January 1, 1987.

It is also the intent of the general assembly that a portion of moneys appropriated in this paragraph to the department of public instruction be expended for the continuation of the meetings of subject matter committees and committees that cross subject matter lines for coordination of curriculum at all education levels.

b. Fire service education ..... $ 140,377

c. As a condition of the appropriation made in paragraph "a", the department of public instruction shall expend at least sixty thousand (60,000) dollars of the moneys appropriated in paragraph "a" to provide funding for the evaluator approval process.

2. VOCATIONAL EDUCATION ADMINISTRATION

For salaries, support, maintenance, and miscellaneous purposes ..... $ 795,655

3. VOCATIONAL EDUCATION AID

For vocational education aid to secondary schools ..... $ 3,723,061

Funds appropriated by this paragraph are to be used for aid to school districts for development and the conduct of both continuing and new vocational programs, services and activities of vocational education through secondary schools, and for aid to existing jointly administered secondary vocational education programs, in accordance with chapter 258 and chapter 280A, and to purchase instructional equipment for vocational and technical courses of instruction in such schools.

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4. PROFESSIONAL TEACHING

PRACTICES COMMISSION

For the use of the professional teaching practices commission to carry out chapter 272A ..... $ 35,128

5. VOCATIONAL YOUTH ORGANIZATION FUND

To carry out section 258.14 ..... $ 9,252

6. SCHOOL FOOD SERVICE

For the purpose of providing assistance to students enrolled in public school districts and nonpublic schools of the state for breakfasts, lunches and minimal equipment programs with the funds being used as state matching funds for federal programs and which shall be disbursed according to federal regulations ..... $ 3,173,131

7. TEXTBOOKS OF NONPUBLIC SCHOOL PUPILS

To provide funds for costs of providing textbooks to each resident pupil who attends a nonpublic school or authorized by section 301.1. Such funding is limited to ten dollars per pupil and shall not exceed the comparable services offered to resident public school pupils ..... $ 333,160

8. SCHOOL BUDGET REVIEW COMMITTEE ..... $ 10,000

9. VOCATIONAL REHABILITATION

DIVISION

For salaries, support, maintenance, and miscellaneous purposes ..... $ 2,587,715

10. NON-ENGLISH SPEAKING

To provide funding to public schools and for nonpublic school students for special instruction for non-English speaking students as provided in section 280.4 ..... $ 150,000

11. MERGED AREA SCHOOLS

a. For general state financial aid to merged areas as defined in section 280A.2 the amount of forty-two million five hundred seventy-six thousand five hundred eighty-six (42,576,586) dollars to be allocated as follows:

(1)	Merged area I ..... $	1,970,381
(2)	Merged area II ..... $	2,620,675
(3)	Merged area III ..... $	2,328,125
(4)	Merged area IV ..... $	921,853
(5)	Merged area V ..... $	2,953,129
(6)	Merged area VI ..... $	2,594,155
(7)	Merged area VII ..... $	2,951,909
(8)	Merged area IX ..... $	3,572,825
(9)	Merged area X ..... $	5,545,497
(10)	Merged area XI ..... $	6,152,704
(11)	Merged area XII ..... $	2,100,476
(12)	Merged area XIII ..... $	2,943,089
(13)	Merged area XIV ..... $	1,033,696
(14)	Merged area XV ..... $	2,934,428
(15)	Merged area XVI ..... $	1,953,644

b. To provide funds for

matching federal reimbursement for continuing and new vocational education programs in merged area schools in accordance with chapter 258 and chapter 280A, and to purchase instructional equipment for vocational and technical courses of instruction in such schools ..... $ 8,049,520

Sec. 106.

1. There is appropriated from the general fund of the state to the department of public instruction for the fiscal year beginning July 1, 1987 and ending June 30, 1988, for general state financial aid to merged areas the amount of fourteen million one hundred twenty-nine thousand five hundred eighty-three (14,129,583) dollars, to be accrued as income and used for expenditures incurred by the area schools during the fiscal year beginning July 1, 1986 and ending June 30, 1987, to be allocated to each area school as follows:

a. Merged area I ..... $ 658,260
b. Merged area II ..... $ 868,028
c. Merged area III ..... $ 784,978
d. Merged area IV ..... $ 308,988
e. Merged area V ..... $ 1,034,684
f. Merged area VI ..... $ 872,933
g. Merged area VII ..... $ 989,868
h. Merged area IX ..... $ 1,133,265
i. Merged area X ..... $ 1,769,391
j. Merged area XI ..... $ 2,059,840
k. Merged area XII ..... $ 743,035
l. Merged area XIII ..... $ 1,025,453
m. Merged area XIV ..... $ 347,525
n. Merged area XV ..... $ 880,354
o. Merged area XVI ..... $ 652,991

2. Funds appropriated by this section shall be allocated

pursuant to this section and paid on or about August 15, 1987.

Sec. 107. 1985 Iowa Acts, chapter 263, section 7, subsection 1, is amended by striking the subsection and inserting in lieu thereof the following:

1. There is appropriated from the general fund of the state to the department of public instruction for the fiscal year beginning July 1, 1986 and ending June 30, 1987, for general state financial aid to merged areas the amount of thirteen million seven hundred seventy-six thousand five hundred seven (13,776,507) dollars, to be accrued as income and used for expenditures incurred by the area schools during the fiscal year beginning July 1, 1985 and ending June 30, 1986, to be allocated to each area school as follows:

a. Merged area I ..... $ 658,260
b. Merged area II ..... $ 863,660
c. Merged area III ..... $ 777,840
d. Merged area IV ..... $ 296,488
e. Merged area V ..... $ 1,004,788
f. Merged area VI ..... $ 850,695
g. Merged area VII ..... $ 989,868
h. Merged area IX ..... $ 1,114,498
i. Merged area X ..... $ 1,683,267
j. Merged area XI ..... $ 2,059,840
k. Merged area XII ..... $ 688,938
l. Merged area XIII ..... $ 995,539
m. Merged area XIV ..... $ 335,025
n. Merged area XV ..... $ 813,544
o. Merged area XVI ..... $ 644,257

Sec. 108. General state aid paid to area schools under section 105, subsection 11, paragraph "a" of this Act, for expenditures incurred during the fiscal year beginning July 1, 1986 and ending June 30, 1987, shall be paid by the state comptroller in installments due on or about November 15, February 15, and May 15 of that fiscal year. The payment received by area schools on or about August 15 under section

106 of this Act is an account receivable for the previous fiscal year. The installments shall be as nearly equal as possible as determined by the state comptroller, taking into consideration the relative budget and cash position of the state resources.

Sec. 109. There is appropriated from the general fund of the state to the Iowa academy of science for the fiscal year beginning July 1, 1986 and ending June 30, 1987, the following amount, or so much thereof as may be necessary, to be used by the following agency for the purposes designated:

	1986-1987 Fiscal Year
IOWA ACADEMY OF SCIENCE	
For support and maintenance	$ 57,494

It is the intent of the general assembly that the Iowa academy of science submit a report to the legislative fiscal bureau by December 1, 1986, listing each project funded under this section, describing the anticipated results of each project, and outlining the potential value to or impact upon this state of each project.

Sec. 110. There is appropriated from the general fund of the state to the state board of regents for the fiscal year beginning July 1, 1986 and ending June 30, 1987, the following amounts, or so much thereof as may be necessary, for use for the following designated purposes, however, as a condition for the appropriation of these funds, the state board of regents, for purposes of implementing and administering collective bargaining pursuant to chapter 20, shall act as the exclusive representative of the state of Iowa with respect to its faculty, scientific, and other professional staff:

	1986-1987 Fiscal Year
1. OFFICE OF STATE BOARD OF REGENTS	
a. For salaries, support,	

maintenance, equipment, and miscellaneous purposes, including state board of regents members receiving a per diem not to exceed forty dollars per day ..... $ 111,336

The state board of regents shall not assess charges to the three institutions of higher education under the control of the state board, for the fiscal year beginning July 1, 1986, in excess of the charges to the three institutions assessed and approved by the state board as of April 1, 1986 for the fiscal year ending June 30, 1986.

b. For allocation by the state board of regents to the state university of Iowa, the Iowa state university of science and technology, and the university of northern Iowa in amounts as may be necessary to reimburse the institutions for deficiencies in their operating funds resulting from the pledging of tuitions, student fees and charges and institutional income to finance the cost of providing academic and administrative buildings and facilities and utility services at the institutions ..... $ 17,291,054

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c. For allocation by the state board of regents to the institutions under its control for supplemental salary increases for faculty, professional, and scientific employees ..... $ 2,000,000

The state board of regents shall allocate moneys appropriated in this paragraph so that each institution of higher education receives a portion of the appropriation equal to the percent the eligible full-time equivalent faculty at the institution bears to the total full-time equivalent faculty at the three institutions. The funds allocated to the university of northern Iowa shall be distributed through the collective bargaining in force for the fiscal year beginning July 1, 1986.

2. STATE UNIVERSITY OF IOWA

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 $117,800,274

The university shall reduce its public relations expenditures by forty thousand dollars.

It is the intent of the general assembly that funds appropriated in this paragraph not be used to pay for efforts of the prisoner assistance clinic at the university of Iowa law school to solicit participation in the clinic by inmates at state correctional facilities.

It is the intent of the general assembly that three hundred twelve thousand five hundred (312,500) dollars of the funds appropriated in this paragraph be used for the purchase of research and instructional equipment.

b. University hospitals

(1) For salaries, support, maintenance, equipment, and miscellaneous purposes; for medical and surgical treatment of indigent patients as provided in chapter 255 ..... $ 23,410,941

(2) For allocation by the dean of the college of medicine, with approval of the advisory board, to qualified participants, to carry out chapter 148C for the family practice program ..... $ 1,359,609

(3) For specialized child health care services, including childhood cancer diagnostic and treatment network programs; rural comprehensive care for hemophilia patients; and Iowa high risk infant follow-up program ..... $ 278,758

c. As a condition of the appropriation made in paragraph "b", subparagraph (1), the county quotas for indigent patients for the fiscal year commencing July 1, 1986 shall not be lower than the county quotas for the fiscal year commencing July 1, 1985. Before a patient is eligible for the indigent patient program, the county general relief director shall first ascertain from the local office of human services if the applicant would qualify for medical assistance under chapter 249A. If the patient is not eligible for the medically-needy program under the spend-down provision but is eligible for medical assistance, the patient shall be certified for medical assistance and shall not be counted under chapter 255.

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It is also the intent of the general assembly that university hospitals shall not perform heart, liver or heart-lung transplantations on indigent patients referred under chapter 255 unless the candidate meets recipient criteria developed by the national heart, lung, and blood institute's special advisory group for heart recipients or the 1983 national institutes of health consensus conference on liver recipients.

d. As a condition of the appropriation made in paragraph "b", subparagraph (1), funds appropriated in that subparagraph shall not be allocated to the university hospitals until the superintendent has filed with the state comptroller and the legislative fiscal bureau a quarterly report containing the account required in section 255.24. The report shall include the information required in section 255.24 for patients by the type of service provided.

e. As a condition of the appropriation made in paragraph "b", funds appropriated in this section shall not be used to perform abortions except medically necessary abortions, and shall not be used to operate the early termination of pregnancy clinic except for the performance of medically necessary abortions. For the purpose of this paragraph, an abortion is the purposeful interruption of pregnancy with the intention other than to produce a live-born infant or to remove a dead fetus, and a medically necessary abortion is one performed under one of the following conditions:

(1) The attending physician certifies that continuing the pregnancy would endanger the life of the pregnant woman.

(2) The attending physician certifies that the fetus is physically deformed, mentally deficient, or afflicted with a congenital illness.

(3) The pregnancy is the result of a rape which is reported within forty-five days of the incident to a law enforcement agency or public or private health agency which may include a family physician.

(4) The pregnancy is the result of incest which is reported within one hundred fifty days of the incident to a law enforcement agency or public or private health agency which may include a family physician.

(5) The abortion is a spontaneous abortion, commonly known as a miscarriage, wherein not all of the products of conception are expelled.

f. Psychiatric hospital

For salaries, support, maintenance, equipment, and miscellaneous purposes and for the care, treatment and maintenance of committed and voluntary public patients ..... $ 5,321,186

g. State hygienic laboratory

For salaries, support, maintenance, equipment, and miscellaneous purposes ..... $ 2,098,376

h. Hospital school

For salaries, support, maintenance, equipment, and miscellaneous purposes ..... $ 3,874,645

i. Oakdale campus

For salaries, support, maintenance, equipment, and miscellaneous purposes ..... $ 2,278,902

3. IOWA STATE UNIVERSITY OF SCIENCE AND TECHNOLOGY

a. General university

For salaries, support, maintenance, equipment, and miscellaneous purposes ..... $ 96,082,703

It is the intent of the general assembly that three hundred

twelve thousand five hundred (312,500) dollars of the funds appropriated in this paragraph be used for the purchase of research and instructional equipment.

b. Agricultural experiment station

For salaries, support, maintenance, equipment, and miscellaneous purposes ..... $ 11,002,021

c. Cooperative extension service in agriculture and home economics

(1) For salaries, support, maintenance, and miscellaneous purposes ..... $ 10,224,403

It is the intent of the general assembly that moneys appropriated in this paragraph be expended to fund not more than five area extension directors.

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(2) For continuation of the rural concern hotline ..... $ 189,000

(3) Winter beef exposition

For a winter beef exposition ..... $ 40,000

4. UNIVERSITY OF NORTHERN IOWA

For salaries, support, maintenance, equipment, and miscellaneous purposes ..... $ 37,846,399

5. STATE SCHOOL FOR THE DEAF

For salaries, support, maintenance, and miscellaneous purposes ..... $ 4,520,929

6. IOWA BRAILLE AND SIGHT-SAVING SCHOOL

For salaries, support, maintenance, and miscel-

laneous purposes ..... $ 2,475,290

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Sec. 111. INDIGENT OBSTETRICAL PATIENT QUOTAS.

1. The statewide indigent patient care program shall continue the nonquota system for indigent obstetrical and orthopedic patients and shall maintain the current county quota system for other indigent patients. In addition, commencing October 1, 1986, under the statewide indigent patient care program each county shall be allocated an indigent obstetrical patient quota equal to the lesser of sixty patients or a total number equal to four percent of the average number of live births per year in the county, calculated for the 1983, 1984, and 1985 calendar years, minus the number of obstetrical patients from the county who delivered at the university of Iowa hospitals and clinics under the statewide indigent patient care program in the fiscal year beginning July 1, 1985. However, each county shall be allocated a minimum indigent obstetrical patient quota of four, and each county, for which the department of human services may contract with the university hospitals for obstetric and newborn care under the authority of 1984 Iowa Acts, chapter 1310, section 3, subsection 2, unnumbered paragraph 2, provided the county is not located more than seventy miles from the university of Iowa hospitals and clinics and is wholly contained in a federal standard metropolitan statistical area, shall be allocated a maximum indigent obstetrical patient quota of four. The state comptroller shall provide for the reassignment of an unused county obstetrical quota allotment to other counties on April 1, 1986. The reassignment shall only be taken from a county which has an unused obstetrical patient quota for the portion of the fiscal period ending March 31, 1986, and the reassignment shall not affect the county's portion of the quota for the calendar quarter ending June 30, 1986. The reassignments shall be made to other counties on a first-come, first-served basis. A newborn infant who is born locally to

an indigent woman under a county's indigent obstetrical patient quota may be transferred to the university of Iowa hospitals and clinics and receive care as a nonquota indigent patient. A county may use its obstetrical quota to provide services to indigent obstetrical patients and their newborns under the county's general relief program to hospitals licensed in this state and to physicians licensed and practicing in this state if the providers of the services agree to accept as full payment the reimbursements allowable under the medical assistance program established pursuant to chapter 249A, adjusted for intensity of care. However, the total reimbursement from the obstetrical patient care fund to providers for residents of a county is limited to that county's indigent obstetrical patient quota multiplied by one thousand four hundred dollars. Hospitals shall submit their billings on the UB 82, uniform hospital billing form, and physicians shall submit their billings on the HCFA 1500. The billings shall be submitted through the county general relief directors to the state comptroller.

2. The department of human services, in collaboration with the state department of health and in consultation with the Iowa state association of counties, shall adopt rules, pursuant to chapter 17A, establishing minimum standards for eligibility for obstetrical and newborn care, including physician examination, medical testing, and inpatient transportation costs, for indigent obstetrical and newborn care provided at the university of Iowa hospitals and clinics and by other hospitals licensed in this state and physicians licensing and practicing in this state. The minimum standards for eligibility shall provide eligibility for persons with incomes at or below one hundred fifty percent of the annual revision of the poverty income guidelines published by the United States department of health and human services, and shall provide, but shall not be limited to providing, eligibility for uninsured and underinsured persons financially

unable to pay for necessary obstetrical and newborn care. The minimum standards may include a spend-down provision. The resource standards shall be set at or above the resource standards under the federal supplemental security income program. The resource exclusions allowed under the federal supplemental security income program shall be allowed and shall include resources necessary for self-employment. The department of human services shall adopt administrative rules to implement the statewide indigent obstetrical patient quota system under section 17A.4, subsection 2, and section 17A.5, subsection 2, paragraph "b" and the rules shall become effective no later than October 1, 1986.

3. The state comptroller shall establish procedures for payment to other hospitals licensed in this state, and physicians licensed and practicing in this state.

4. A county shall not be responsible for the costs of providing obstetrical and newborn care, including physician examination, medical testing, and transportation costs, to pregnant women and their newborn infants who meet the eligibility requirements adopted by the department of human services but can not be served within the county's indigent obstetrical patient quota.

5. A person desiring obstetrical and newborn care, the cost of which is payable under the obstetrical patient care program, or the parent or guardian of a minor desiring or in need of such care, may apply to the general relief director of the person's county of residence to have the cost of such care paid from the obstetrical patient care fund. The applicant shall attest to the accuracy of the information contained on the application. The county general relief director shall first ascertain from the local office of the department of human services if the applicant would be eligible for medical assistance or for assistance under the medically needy program without any spend-down requirement, pursuant to chapter 249A. The county general relief director shall also assure that any

local obligations under the federal Hill-Burton program for free care, as well as any other nonpublic programs for care, are fully utilized. If the applicant is eligible for assistance pursuant to chapter 249A, if the applicant is eligible for maternal and child health care services covered by a maternal and child health program, or if the applicant is eligible for Hill-Burton care or other nonpublic programs, the obstetrical patient care program shall not provide such assistance, care, or covered services provided under other programs.

6. The state comptroller and the state health data commission shall study the operation of the obstetrical patient care program for the fiscal period beginning July 1, 1986, and ending June 30, 1988, shall identify the levels of medical care provided and the location of the care provided under the program, and shall report its preliminary findings to the governor and the general assembly convening in 1987 and its final determinations to the governor and the general assembly convening in 1988.

7. There is appropriated from the general fund of the state to a special account in the state treasury to be known as the obstetrical patient care fund, for the fiscal year beginning July 1, 1986, and ending June 30, 1987, one million one hundred thousand (1,100,000) dollars, or so much thereof as is necessary, for the development and operation, commencing October 1, 1986, of a statewide obstetrical patient care program as provided in this section. The state comptroller shall be the administrator of the fund.

If moneys appropriated to the obstetrical patient care fund by this section remain unobligated and unencumbered on June 30, 1987, the moneys shall not revert to the general fund of the state but shall be transferred to the indigent patient care fund established pursuant to chapter 255.

8. It is the intent of the general assembly that the statewide obstetrical patient care program shall be

decentralized to all counties by July 1, 1988, provided the decentralization meets the goals of delivering obstetrical and newborn care locally and of maintaining the tertiary health care facility and teaching hospital at the university of Iowa.

Sec. 112. Upon the request of the Iowa department of public broadcasting, the executive council shall sell the property and building located at 2801 Bell avenue in Des Moines, Iowa, and used by the Iowa department of public broadcasting. The proceeds from the sale of the property and building are appropriated to the Iowa department of public broadcasting to pay a portion of the costs of construction of a new building for the Iowa department of public broadcasting. However, the executive council may direct that the building and property located at 2801 Bell avenue in Des Moines, Iowa, be used for another state purpose. The executive council shall determine by independent appraisal the fair market value of the building and property and, in that case, an appropriation equal to appraised value of the building and property may be considered by the general assembly to pay a portion of the costs of construction of a new building for the Iowa department of public broadcasting.

5905 Sec. 113. The department of public instruction shall conduct an inventory of all publicly supported library and media services in this state, including but not limited to an analysis of similar services such as collection development, acquisitions, technical services, circulation, and reference and information services; personnel needs; and financial information. The Iowa library department, area education agencies, merged area schools, regional library systems, school districts, counties, and cities shall cooperate with and provide requested information to the department of public instruction. The department shall report the results of its inventory to the joint education appropriations subcommittee not later than January 1, 1987.

Sec. 114. The state board of public instruction shall

establish auditable standards and a maximum number of reimbursable contact hours for each program offered by one or more of the area schools. The standards shall provide the basis for allocation of state general aid and state vocational aid, on an equitable program basis for the fiscal year beginning July 1, 1987 and thereafter.

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Sec. 115. 1985 Iowa Acts, chapter 254, section 2, subsection 1, is amended by adding the following new unlettered paragraphs after unlettered paragraph 2:

NEW UNLETTERED PARAGRAPH. A pay adjustment provided in this subsection for the 1986-1987 fiscal year shall be added to the salary of a full-time nonadministrative certificated employee and shall supplement, not supplant, the results of a collective bargaining agreement negotiated under chapter 20, if any. The amount of a pay adjustment is for the adjustment of base pay only.

NEW UNLETTERED PARAGRAPH. It is the intent of the general assmbly that moneys appropriated for salary adjustments for each area school under this subsection shall be included in each institution's general aid request for the fiscal year beginning July 1, 1987 and the amounts of the pay adjustments shall be submitted to the general assembly by the department of public instruction.

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Sec. 116. Section 8.6, subsection 9, Code Supplement 1985, as amended by House File 2225, enacted by the Seventy-first General Assembly, 1986 Session, is amended by striking the subsection and inserting in lieu thereof the following:

9. INTEREST OF THE PERMANENT SCHOOL FUND. To transfer the interest of the permanent school fund to the credit of the first in the nation in education foundation as provided in section 302.1A.

Sec. 117. Section 257A.1, unnumbered paragraph 1, Code Supplement 1985, is amended to read as follows:

There is created a corporate body called "First In the Nation in Education, an education foundation". The foundation

is an independent nonprofit quasi-public instrumentality and the exercise of the powers granted to the foundation as a corporation in this chapter is an essential governmental function. As used in this chapter "foundation" means "First In the Nation in Education, an education foundation". The purposes of the foundation include but are not limited to the following for the common schools of this state:

Sec. 118. Section 257A.7, Code Supplement 1985, is amended by striking the section and inserting in lieu thereof the following:

257A.7 FUND CREATED AND TRANSFER OF MONEYS.

The "First in the Nation in Education Fund" is established in the office of treasurer of state. The fund shall be an endowment for the foundation and moneys deposited in the fund shall not be expended, but shall be invested by the treasurer of state in investments authorized for the Iowa public employees' retirement fund in section 97B.7.

The governing board of the foundation may accept gifts, grants, bequests, and other moneys for deposit in the fund as a part of the endowment or for the use of the foundation.

Gifts, grants, and bequests from public and private sources, federal funds, and other moneys received for the endowment shall be deposited in the fund. Interest earned on the fund shall be transferred by the state comptroller to the credit of the foundation at the request of the governing board and shall be used for the purposes of this chapter.

The governing board may transfer moneys credited for the use of the foundation not encumbered or obligated on June 30 of a fiscal year to the fund and those moneys shall be considered interest earned by the fund and may be transferred back to the credit of the foundation at the request of the governing board at any time.

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Sec. 119. Section 260.15, Code Supplement 1985, is amended to read as follows:

260.15 APPLICATIONS -- DISBURSEMENT OF FEES.

Applications for the issuance or renewal of all teachers' certificates shall be made to the commissioner of public instruction. Fees for the issuance or renewal of certificates shall be paid to the commissioner of public instruction who shall deposit each fee received from these sources with the treasurer of state and credit the fee to the general fund of the state. ~~If an application for the issuance or renewal of a certificate is not approved, the commissioner of public instruction shall remit the fee to the applicant by a state comptroller's warrant issued on the general fund of the state upon certification of the commissioner of public instruction that the fee has not been earned.~~ The commissioner shall keep an accurate and detailed account of money received.

Sec. 120. Section 262.44, subsection 1, Code 1985, is amended to read as follows:

1. Set aside and use ~~such~~ portions of the respective campuses of the institutions of higher education under its control, namely, the state ~~University~~ university of Iowa, the Iowa ~~State University~~ state university of science and technology, and the ~~University of Northern~~ university of northern Iowa, as the board ~~shall determine to be~~ determines are suitable for the acquisition or construction ~~thereon~~ of the following self-liquidating and revenue producing buildings and facilities~~, which the board deems necessary for the comfort, convenience and welfare of their students and suitable for the purposes for which the institutions were established, including student~~: Student unions, recreational buildings, auditoriums, stadiums, field houses, athletic buildings and areas, parking structures and areas, research equipment if the debt incurred in its acquisition will be retired by federal, private, or other lawfully available nonappropriated funds, and additions to or alterations of existing buildings or structures ~~now or hereafter used for any or all of the purposes aforesaid~~.

Except as provided for self-liquidating dormitories, the

state board of regents, or any bonding authority established by them, shall not issue any notes, bonds or other evidence of indebtedness for construction of other buildings or facilities without prior approval by the general assembly and the governor in the manner provided in section 262A.4 for bonds issued under that chapter.

Sec. 121. Section 262A.2, Code 1985, is amended by adding the following new subsection:

NEW SUBSECTION. 8. "Tuition replacement costs" means an amount necessary to reimburse the institutions of higher education for deficiencies in their operation funds resulting from the pledging of tuitions, student fees and charges and institutional income to finance the cost of projects under this chapter.

Sec. 122. Section 262A.5, unnumbered paragraph 1, Code 1985, is amended to read as follows:

The board is authorized to borrow money under ~~the provisions of~~ this chapter, and the board may issue and sell negotiable bonds to pay all or any part of the cost of carrying out any project at any institution and may refund and refinance bonds issued for any project or for refunding purposes at the same rate or at a higher or lower rate or rates of interest. Bonds issued under the provisions of this chapter shall be sold by said board at public sale on the basis of sealed proposals received pursuant to a notice specifying the time and place of sale and the amount of bonds to be sold which shall be published at least once not less than seven days prior to the date of sale in a newspaper published in the state of Iowa and having a general circulation in said state. ~~The provisions of chapter~~ Chapter 75 ~~shall~~ does not apply to bonds issued under authority contained in this chapter, but ~~such~~ the bonds shall be sold upon terms of not less than par plus accrued interest. Bonds issued to refund other bonds issued under ~~the provisions of~~ this chapter may either be sold in the manner ~~hereinbefore~~

specified in this chapter and the proceeds ~~thereof~~ applied to the payment of the obligations being refunded, or the refunding bonds may be exchanged for and in payment and discharge of the obligations being refunded. The refunding bonds may be sold or exchanged in installments at different times or an entire issue or series may be sold or exchanged at one time. Any issue or series of refunding bonds may be exchanged in part or sold in parts in installments at different times or at one time. The refunding bonds may be sold or exchanged at any time on, before, or after the maturity of any of the outstanding bonds or other obligations to be refinanced thereby and may be issued for the purpose of refunding a like or greater principal amount of bonds, except that the principal amount of the refunding bonds may exceed the principal amount of the bonds to be refunded to the extent necessary to pay any premium due on the call of the bonds to be refunded or to fund interest in arrears or ~~about~~ which is to become due.

5900 Sec. 123. NEW SECTION. 262A.5A REFUNDING BONDS.

The board shall refund and refinance selected academic revenue bonds under section 262A.5 in order to reduce the shortfall in tuition replacement appropriations to the amounts appropriated for that purpose. The board shall analyze the conditions prevalent in the tax exempt bond market, the overall potential savings, the restructuring of debt service to lessen future tuition replacement costs, the potential impacts upon the owners of state board of regents' bonds, and the potential impacts upon future sales of state board of regents' bonds.

In determining the amount of the shortfall, the state board of regents shall not include tuition or fee increases approved by the state board of regents after May 1, 1986.

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Sec. 124. NEW SECTION. 270.10 MERGER REQUIREMENTS.

The state board of regents shall not merge the school for the deaf at Council Bluffs with the Iowa braille and sight-

saving school at Vinton or close either of those institutions until all of the following requirements have been met:

1. The department of management has presented to the general assembly a comprehensive plan, program, and fiscal analysis of the existing circumstances and the circumstances which would prevail upon the proposed merger or closing, together with data which would support the contention that the merger or closing will be more efficient and effective than continuation of the existing facilities. The analysis shall include a detailed study of the educational implications of the merger or closing, the impact on the students, and the opinions and research of nationally recognized experts in the field of the education of visually impaired and deaf students. The comprehensive plan shall further include a study relating to the programming, fiscal consequences, and political implications which would result if either a merger or an agreement under chapter 28E should be implemented between the school for the deaf in Council Bluffs and comparable state programs in the state of Nebraska.

2. The general assembly has studied the plans, programs, and fiscal analysis and has reviewed their impact on the programs.

3. The general assembly has enacted legislation authorizing either the closing or the merger to take effect not sooner than two years after the enactment of the legislation.

Sec. 125. Section 273.3, subsection 10, Code Supplement 1985, is amended to read as follows:

10. In any county operating a juvenile home, upon request of the county board of supervisors, provide suitable curriculum, teaching staff, books, supplies, and other necessary materials for the instruction of children of school age who are maintained in the juvenile home of the county, as provided in section 232.142. An area education agency shall also provide suitable curriculum, teaching staff, books,

supplies, and other necessary materials for the instruction of children of school age in juvenile homes other than those operated by a county if the juvenile home meets the criteria adopted by the state board of public instruction and if the children have been placed in the juvenile homes by the district court and parental rights have been terminated. The state board of public instruction shall adopt rules under chapter 17A for the instruction provided by area education agencies under this subsection. Reimbursement for the cost of instruction provided under this section shall be made pursuant to section 273.11.

Sec. 126. Section 273.11, Code Supplement 1985, is amended to read as follows:

273.11 APPROPRIATION FOR REIMBURSEMENT OF INSTRUCTIONAL COSTS OF CHILDREN IN JUVENILE HOMES.

The administrator of each area ~~educational~~ education agency shall determine annually the cost of instruction provided under section 273.3, subsection 10, to a child of school age maintained in a juvenile home located in the area. The administrator shall certify the total yearly audited cost of instruction and the amount due for instruction, to the commissioner of public instruction not later than September 1 of each year for the preceding fiscal year. The ~~state board~~ commissioner of public instruction shall review the amount due and may modify it and submit a requisition to the state comptroller. The amount due shall be paid by the ~~treasurer of state to the area education agency from any funds in the general fund of the state not otherwise appropriated upon warrants drawn and signed by the~~ state comptroller to the area education agency from moneys appropriated for state school foundation aid under section 442.26.

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Sec. 127. Section 281.12, Code Supplement 1985, is amended to read as follows:

281.12 CHILDREN PLACED BY DISTRICT COURT.

Notwithstanding ~~the provisions of~~ section 282.27, a child

who has been identified as requiring special education who has been placed in a facility or home by the district court, and for whom parental rights have been terminated by the district court, shall receive special education programs and services on the same basis as the programs and services are provided for children requiring special education who are residents of the school district in which the child has been placed. The special education instructional costs shall be certified to the commissioner of public instruction not later than September 1 of each year for the preceding fiscal year by the area education agency director of special education of the district in which the child has been placed. The ~~state board~~ commissioner of public instruction shall review the costs and may modify them and submit a requisition to the state comptroller. The amount due shall be paid by the ~~treasurer of~~ state comptroller to the school district or agency providing the program from ~~any funds in the general fund of the state not otherwise appropriated upon warrants drawn and signed by the state comptroller~~ moneys appropriated for state school foundation aid under section 442.26.

Sec. 128. Section 282.19, Code Supplement 1985, is amended to read as follows:

282.19 CHILD LIVING IN FOSTER CARE FACILITY.

A child who is living in a licensed child foster care facility as defined in section 237.1 in this state which is located in a school district other than the school district in which the child resided before receiving foster care may enroll in and attend an approved school in the school district in which the child is living. If a child does not require special education ~~and was not counted in the basic enrollment of a school district for a budget year under section 442.4, the tuition and transportation, when required by law, shall be paid by the treasurer of state from funds in the state treasury not otherwise appropriated, and upon warrants drawn by the state comptroller upon requisition of the commissioner~~

~~of public instruction~~, the superintendent of the school district shall certify the costs of instruction to the commissioner of public instruction not later than September 1 of each year for the preceding fiscal year. The commissioner of public instruction shall review the costs of instruction and may modify them and submit a requisition to the state comptroller. The amount due shall be paid by the state comptroller to the school district from moneys appropriated for state school foundation aid under section 442.26.

For the purpose of this section, "costs of instruction" means the tuition fee of the school district in which the child is enrolled calculated under section 282.24 and multiplied by the portion of the school year in which the child was enrolled.

Sec. 129. Section 282.27, Code Supplement 1985, is amended to read as follows:

282.27 PAYMENT FOR CERTAIN CHILDREN.

When a child requiring special education is living in a state-supported institution, charitable institution, or licensed boarding home as defined in this chapter which does not maintain a school and the residence of the child requiring special education is in a school district other than the school district in which the state-supported institution, charitable institution, or licensed boarding home is located, the child is eligible for special education programs and services provided for children requiring special education who are residents of the school district in which the institution or boarding home is located. The special education instructional costs shall be computed by means of weighted enrollment for that child under ~~the provisions of~~ chapters 273, 281, and 442 as if that child were a resident of the school district in which the institution or boarding home is located but the child shall be included in the enrollment count in the district of residence in the manner provided in sections 281.9 and 442.4. The costs as computed shall be paid

by the district of residence. No child requiring special education shall be denied special education programs and services because of a dispute over determination of residence of that child. If there is a dispute over the residence of the child, the state board of public instruction shall determine the residence of the child. ~~However, if the special education instructional costs incurred on behalf of the child exceed the amount which would be allowed if the child were provided the programs and services in the district of residence, the treasurer of the school district of residence shall make payment at the maximum amount allowed in that district for a child requiring special education who is similarly handicapped.~~ If the child requiring special education is not counted in the weighted enrollment of any district under section 281.9, and payment is not made by any district, the district in which the institution or boarding home is located ~~may~~ shall certify the special education instructional costs to the commissioner of public instruction not later than September 1 of each year for the preceding fiscal year. The ~~state board~~ commissioner of public instruction shall review the costs and may modify them and submit a requisition to the state comptroller. The amount due shall be paid by the ~~treasurer of~~ state comptroller to the district in which the institution or licensed boarding home is located from ~~any funds in the general fund of the state not otherwise appropriated upon warrants drawn and signed by the state comptroller~~ moneys appropriated for state school foundation aid under section 442.26. For the purposes of this section, the term "district of residence of the child" means the residence of the parent or legal guardian, or the location of the district court if the district court is the legal guardian, of the child.

Sec. 130. Section 285.1, subsection 3, Code Supplement 1985, is amended to read as follows:

3. In a district where transportation by school bus is

impracticable or where school bus service is not available, the board may require parents or guardians to furnish transportation for their children to the schools designated for attendance. ~~The~~ Except as provided in section 285.3, the parent or guardian shall be reimbursed for such transportation service for public and nonpublic school pupils by the board of the resident district in an amount equal to eighty dollars plus ~~the following~~ seventy-five percent of the difference between eighty dollars and the previous school year's statewide average per pupil transportation cost, as determined by the department of public instruction~~:~~

~~a.--For the school year commencing July 1, 1980, twenty-five percent.~~

~~b.--For the school year commencing July 1, 1981, fifty percent.~~

~~c.--For the school year commencing July 1, 1982 and each school year thereafter, seventy-five percent.~~

However, a parent or guardian shall not receive reimbursement for furnishing transportation for more than two family members who attend elementary school and one family member who attends high school.

Sec. 131. Section 285.2, unnumbered paragraph 2, Code 1985, is amended to read as follows:

There is appropriated from the general fund of the state to the department of public instruction funds sufficient to pay the approved claims of public school districts for transportation services to nonpublic school pupils as provided in this section. The portion of the amount appropriated for approved claims under section 285.1, subsection 3, shall be determined under section 285.3.

Sec. 132. Section 285.2, unnumbered paragraph 4, Code 1985, is amended to read as follows:

Claims for reimbursement shall be made to the department of public instruction by the public school district providing transportation or transportation reimbursement during a school

year on a form prescribed by the department, and the claim shall state the services provided and the actual costs incurred. A claim shall not exceed the average transportation costs of the district per pupil transported except as otherwise provided. If transportation is provided under section 285.1, subsection 3, the amount of a claim shall be determined ~~under paragraph "e" of that subsection shall be the amount of the claim~~ under section 285.3 regardless of the average transportation costs of the district per pupil transported.

PARAGRAPH DIVIDED. Claims shall be accompanied by an affidavit of an officer of the public school district affirming the accuracy of the claim. By February 1 and by July 15 of each year, the department shall certify to the state comptroller the amounts of approved claims to be paid, and the state comptroller shall draw warrants payable to school districts which have established claims. Claims shall be allowed where practical, and at the option of the public school district of the pupil's residence, subject to approval by the area education agency of the pupil's residence, under section 285.9, subsection 3, the public school district of the pupil's residence may transport ~~any~~ a pupil to a school located in a contiguous public school district outside the boundary lines of the public school district of the pupil's residence. The public school district of the pupil's residence may contract with the contiguous public school district or with a private contractor under section 285.5 to transport the pupils to the school of attendance within the boundary lines of the contiguous public school district. The public school district in which the pupil resides may contract with the contiguous public school district or with a private contractor under section 285.5 to transport the pupil from the pupil's residence or from designated school bus collection locations to the school located within the boundary lines of the contiguous public school district, subject to the approval

of the area education agency of the pupil's residence. The public school district of the pupil's residence may utilize the reimbursement provisions of section 285.1, subsection 3.

Sec. 133. NEW SECTION. 285.3 PARENTAL REIMBURSEMENT FOR NONPUBLIC TRANSPORTATION.

The portion of the amount appropriated under section 285.2 to pay claims to reimburse parents or guardians of nonpublic school pupils for furnishing transportation for their children is equal to eighty dollars plus seventy-five percent of the difference between eighty dollars and the previous school year's statewide average per pupil transportation cost as determined by the department of public instruction multiplied by the total number of nonpublic school pupils for which the parent or guardian furnishes transportation, except that only two members of a family who attend a nonpublic high school shall be included in the total number.

The amount of an approved claim to a parent or guardian for furnishing transportation shall include a base payment, and may include a supplemental payment, determined under this section. The base payment is equal to the amount of the reimbursement determined under section 285.1, subsection 3.

The difference between the amount appropriated under this section for reimbursement of parents and guardians and the amount paid to parents and guardians pursuant to section 285.1, subsection 3, shall be used for supplemental payments to the parents and guardians of nonpublic school pupils who transport one or more family members more than four miles to a school of attendance. The department of public instruction shall add together the number of parents and guardians who transport one or more family members more than four and less than eight miles to their schools of attendance and two times the number of parents and guardians who transport one or more family members eight or more miles to their schools of attendance and divide that total number of parents and guardians into the amount available for supplemental payments

to determine a supplemental payment amount. Parents and guardians who transport one or more family members more than four but less than eight miles to their schools of attendance shall receive an amount equal to the supplemental payment amount. Parents and guardians who transports one or more family members eight or more miles to their schools of attendance shall receive an amount equal to two times the supplemental payment amount.

5931Y

Sec. 134. Section 302.1, subsection 1, Code 1985, is amended to read as follows:

1. Five percent of the net proceeds of the public lands of the state, ~~which shall be paid to the state treasurer and be apportioned by the state comptroller among the area education agencies of this state.~~

5931

Sec. 135. Section 302.1, Code 1985, is amended by adding the following new subsection:

NEW SUBSECTION. 5. The portion of the interest on the permanent school fund that has not been transferred to the credit of the first in the nation in education foundation.

Annually on January 1, the treasurer of state shall transfer a portion of the permanent school fund to the first in the nation in education fund pursuant to the requirements of this section. Prior to January 1 of each year, the governing board of the first in the nation in education foundation shall certify to the treasurer of state the amount that the governing board has received under section 257A.7, subsections 2 and 3, during the previous calendar year. The treasurer of state shall deposit in a separate account in the first in the nation in education fund the portion of the permanent school fund equivalent to the amount certified.

Sec. 136. NEW SECTION. 302.1A TRANSFER OF INTEREST.

The state comptroller shall transfer the interest earned on the permanent school fund to the first in the nation in education foundation in the manner provided in this paragraph. Prior to March 1 of each year, the governing board of the

first in the nation in education foundation established in section 257A.2 shall certify to the state comptroller the total amount of the endowment in the first in the nation in education fund. The portion of the permanent school fund that is equal to the total amount of the endowment is dedicated to the first in the nation in education foundation for that year. The interest from this dedicated amount shall be transferred to the credit of the first in the nation in education foundation. The remaining portion of the interest earned on the permanent school fund shall become a part of the permanent school fund.

5916

Sec. 137. Section 442.3, Code 1985, is amended by striking the section and inserting the following:

442.3 STATE FOUNDATION BASE.

The state foundation base for the school year beginning July 1, 1986 is eighty percent of the state cost per pupil. The state foundation base for the school year beginning July 1, 1987 is eighty-one and one-half percent of the state cost per pupil. For each succeeding school year, the state foundation base shall be increased by the amount of one-half percent of the state cost per pupil, up to a maximum of eighty-five percent of the state cost per pupil. The district foundation base is the larger of the state foundation base or the amount per pupil which the district will receive from foundation property tax and state school foundation aid.

6019

Sec. 138. Section 442.26, Code 1985, is amended to read as follows:

442.26 APPROPRIATIONS.

1. There is hereby appropriated each year from the general fund of the state an amount necessary to pay the state school foundation aid.

All state aids paid under this chapter, unless otherwise stated, shall be paid in monthly installments beginning on September 15 of a budget year and ending on June 15 of the budget year and the installments shall be as nearly equal as

possible as determined by the state comptroller, taking into consideration the relative budget and cash position of the state resources. However, the state aids paid to school districts under section 442.28 shall be paid in monthly installments beginning on December 15 and ending on June 15 of a budget year and state aids paid to school districts under section 442.38 shall be paid in monthly installments beginning on February 15 and ending on June 15 of a budget year.

All moneys received by a school district from the state under the provisions of this chapter shall be deposited in the general fund of the school district, and may be used for any school general fund purpose.

2. From moneys appropriated under subsection 1 as state school foundation aid for a budget year, the state comptroller shall deduct the total of the amounts due under sections 273.11, 281.12, 282.19, and 282.27, and the state comptroller shall deduct a proportional amount from the state aids paid to each school district under subsection 1.

Sec. 139. Section 442.27, Code 1985, is amended by adding the following new subsection:

NEW SUBSECTION. 4A. For the school year beginning July 1, 1986, the state comptroller shall increase the area media services cost per pupil in each area education agency and the state media services cost per pupil determined under subsection 4 by one dollar and one cent for the purchase or replacement of material required in section 273.6, subsection 1, paragraphs "a", "b", and "c".

Sec. 140. NEW SECTION. 286A.1 STATE AREA SCHOOL FUNDING PLAN.

The state area school funding plan is established for the fiscal year beginning July 1, 1986 and succeeding fiscal years. Funds appropriated specifically for distribution under this chapter shall be allocated to the area schools established under chapter 280A in the manner provided in this chapter. If the funds appropriated for distribution under

this chapter are insufficient to make the allocations required, the state comptroller shall prorate the allocations.

Sec. 141. NEW SECTION. 286A.2 DEFINITIONS.

As used in this chapter and chapter 280A, unless the context otherwise requires:

1. "Contact hour" means fifty minutes of contact between an instructor and students in a scheduled course offering for which students are registered.

The total contact hours for an area school in a cost center for a budget year for purposes of determining state general aid under this chapter are the average of the total contact hours offered by the area school in that cost center for the base year and the two fiscal years preceding the base year.

2. "Contact hour eligible for general aid" is a contact hour as provided in subsection 1 except for the contact hours of nonresident students; contact hours of students in avocational or recreational programs; and contact hours of students in courses or programs the direct operational costs of which are entirely paid by federal, state, or other governmental agencies, or private subsidy, or both.

3. "Base year" means base year as defined in section 442.6.

4. "Budget year" means budget year as defined in section 442.6.

5. "State percent of growth" is the state percent of growth calculated under section 442.7.

6. "Area school allowable growth for an instructional cost center" is a dollar amount determined by the department of public instruction by multiplying the state average cost per contact hour for that cost center for a base year times the state percent of growth for the budget year. The department shall notify the state comptroller of the amount.

7. "Instructional cost center" means one of the following areas of course offerings of the area schools:

a. Arts and sciences cost center.

b. Vocational-technical preparatory cost center.

c. Vocational-technical supplementary cost center.

d. Adult basic education and high school completion cost center.

e. Continuing and general education cost center.

8. "Noninstructional function" means all of the following functions:

a. General institutional function.

b. Student services function.

c. Physical plant, including plant maintenance and utility costs functions.

d. Library services function.

9. "State average cost per contact hour for an instructional cost center" is the actual state average cost per contact hour for that instructional cost center for all area schools for the base year beginning July 1, 1985 adjusted in succeeding years to equal the base year's state average cost per contact hour for the instructional cost center plus the area school allowable growth for the instructional cost center for the budget year. The state average cost per contact hour does not include expenditures for capital outlay.

Sec. 142. 286A.3 FOUNDATION SUPPORT LEVEL.

The department of public instruction shall determine for the base year beginning July 1, 1985, the state average cost per contact hour for each instructional cost center and shall notify the state comptroller. The state foundation support level per contact hour for each instructional cost center is sixty-five percent of the state average cost per contact hour for that year.

For the budget year commencing July 1, 1986 and succeeding budget years, the department of public instruction shall determine the area school allowable growth for each instructional cost center and shall add those amounts to the foundation support level per contact hour for each instructional cost center for the base year in order to deter-

mine the foundation support level per contact hour for the budget year. The department shall notify the state comptroller. However, for any budget year for which funds are appropriated by the general assembly for salary improvement for the arts and sciences cost center and for the vocational-technical preparatory cost center, the foundation support level per contact hour for those cost centers for the budget year shall be increased by a salary improvement cost per contact hour. However, the salary improvement cost per contact hour is not included in the foundation support level per contact hour for those cost centers. Funds appropriated for salary improvement for a budget year shall be divided by the total number of contact hours in the arts and sciences cost center and the vocational-technical preparatory cost center in all area schools for the budget year to determine a salary improvement cost per contact hour. Salary improvement moneys received by an area school shall be added to the base salaries of recipients of the moneys, and shall supplement, not supplant, the results of a collective bargaining agreement negotiated under chapter 20, if any.

Sec. 143. NEW SECTION. 286A.4 SUPPORT PER INSTRUCTIONAL COST CENTER.

Each area school shall multiply the state foundation support level per contact hour for each instructional cost center for a budget year by the number of contact hours eligible for state general aid in the area school in the cost center for the budget year to obtain the support per cost center in that area school. The total support for an area school for instructional cost centers is the sum of the support per cost center for all five instructional cost centers.

Sec. 144. NEW SECTION. 286A.5 GENERAL INSTITUTIONAL FUNCTION.

The general institutional function cost for the base year commencing July 1, 1985 for an area school is determined by multiplying the area school's total expenditures for the

fiscal year beginning July 1, 1985 by thirteen and ninety-six hundredths percent, which is the average percent of total expenditures of the area schools for general institutional function costs.

The foundation support level for the general institutional function for an area school for the base year beginning July 1, 1985 is sixty-five percent of the area school's general institutional support function cost for that year.

For the budget year beginning July 1, 1986 and succeeding budget years, the foundation support level for the general institutional support function for an area school is the foundation support level for the base year plus a general institutional function allowable growth amount. The allowable growth amount is determined by the department of public instruction by multiplying the state percent of growth for the budget year by the state average general institutional function cost for the base year. The department shall notify the state comptroller.

For the base year beginning July 1, 1989, and each four years thereafter, the department shall recalculate the average percent of total expenditures of the area schools for general institutional function costs and shall use that percent for the four next following budget years.

Sec. 145. NEW SECTION. 286A.6 STUDENT SERVICES FUNCTION COST.

The state student services function cost for the base year commencing July 1, 1985 is determined by dividing the total of all area schools' expenditures for the student services function for that year by the total number of contact hours eligible for general aid in the state for that year to achieve a state average student services function cost per contact hour for the base year.

The foundation support level per contact hour for the student services function cost for the base year beginning July 1, 1985 is sixty-five percent of the state average

student services function cost per contact hour for that year.

For the budget year beginning July 1, 1986 and succeeding budget years, the foundation support level per contact hour eligible for state general aid for the student services function cost for an area school is the foundation support level per contact hour for the base year plus a student services support allowable growth amount. The allowable growth amount is determined by the department of public instruction by multiplying the state percent of growth for the budget year by the state average student services function cost per contact hour for the base year. The department shall notify the state comptroller. The total is then multiplied by the number of contact hours in the area school to determine the foundation support for the student services function cost for a budget year.

Sec. 146. NEW SECTION. 286A.7 PHYSICAL PLANT FUNCTION COST.

The physical plant function cost includes physical plant maintenance cost and the physical plant utility cost.

1. The physical plant function cost for the base year commencing July 1, 1985 for all area schools is determined by dividing the total physical plant maintenance cost of all area schools for that year by the total square feet of buildings of the area schools for that year to achieve a state average cost per square foot.

The foundation support level per square foot for the physical plant maintenance costs for the base year beginning July 1, 1985 is sixty-five percent of the state average cost per square foot for that year.

For the budget year beginning July 1, 1986 and succeeding budget years, the foundation support level per square foot for the physical plant maintenance costs for an area school is the foundation support level per square foot for the base year plus a physical plant maintenance allowable growth amount. The allowable growth amount is determined by the department of

public instruction by multiplying the state percent of growth for the budget year by state average cost per square foot for the base year. The total is then multiplied by the number of square feet in buildings of the area school to determine the foundation support for the physical plant maintenance costs for a budget year. The department shall notify the state comptroller.

2. The physical plant utility function cost for the base year commencing July 1, 1985 for all area schools is determined by dividing the total physical plant utility costs of all area schools for that year by the total cubic feet of buildings of the area schools for that year to achieve a state average cost per cubic foot.

The foundation support level per cubic foot for the physical plant utility cost for the base year beginning July 1, 1985 is sixty-five percent of the state average cost per cubic foot for the base year for that year.

For the budget year beginning July 1, 1986 and succeeding budget years, the foundation support level per cubic foot for the physical plant utility cost for an area school is the foundation support level per cubic foot for the base year plus a physical plant utility allowable growth amount. The allowable growth amount is determined by the department of public instruction by multiplying the state percent of growth for the budget year by the state average cost per cubic foot for the base year. The total is then multiplied by the number of cubic feet in buildings of the area school to determine the foundation support for the physical plant utility cost for a budget year. The department shall notify the state comptroller.

3. The foundation support for the physical plant maintenance cost added to the foundation support for the physical plant utility cost for a budget year equals the foundation support for the physical plant function for a budget year.

Sec. 147. NEW SECTION. 286A.8 LIBRARY FUNCTION COST.

The library function cost for the base year commencing July 1, 1985 for an area school is determined by the department of public instruction by multiplying the total of the area school's support for the five instructional cost centers, for the general institutional support function, for the student services function, and for the physical plant function for that year by three and thirty-three hundredths percent, which is the average percent of the area schools' support expended for the library function cost. The department shall notify the state comptroller.

The foundation support level for the library services function for an area school for the base year beginning July 1, 1985 is sixty-five percent of the area school's library function cost for that year.

For the budget year beginning July 1, 1986 and succeeding budget years, the foundation support level for the library function for an area school is the foundation support level for the base year plus a library allowable growth amount. The allowable growth amount is determined by the department of public instruction by multiplying the state percent of growth for the budget year by the state average library function cost for the base year for each area school. The department shall notify the state comptroller.

Sec. 148. NEW SECTION. 286A.9 AREA SCHOOL MONEYS.

The difference between the amount of an area school's budget and the sum of the amount of state general aid plus the amount raised by the tax levy under section 280A.17 may include tuition, student fees, revenues received from property tax levies other than the levy established in section 280A.17, federal moneys, and other moneys received by the area school.

Sec. 149. NEW SECTION. 286A.10 EXPENDITURES FOR BASE YEAR.

When an area school determines its total expenditures, expenditures for the student services function, physical plant maintenance costs, physical plant utility costs, and costs per

cost center for the base year beginning July 1, 1985 for purposes of determining state general aid under this chapter, the area school shall use the actual costs and expenditures for the first three quarters of the fiscal year and shall estimate the costs of the fourth quarter. When actual costs and expenditures are known, the department of public instruction shall direct the state comptroller to adjust the support levels for the cost centers and noninstructional functions and the amount of state general aid to be paid for that budget year on the basis of the actual figures.

Sec. 150. NEW SECTION. 286A.11 STATE GENERAL AID AMOUNT.

The amount of state general aid to which an area school is entitled for a budget year under this chapter is equal to the sum of the following:

1. An amount equal to the difference between the total of foundation support levels for the five instructional cost centers and the four noninstructional functions, and the amount raised by the tax levy under section 280A.17.

2. An amount for operation of a public radio station if one has been established for the area school and has been funded by the state. The amount is the amount for operation of the radio station for the base year plus an amount equal to the cost of operation for the base year multiplied by the state percent of growth for the budget year.

3. Fifty thousand dollars if the area school has fewer than one million contact hours.

Sec. 151. NEW SECTION. 286A.12 PAYMENT OF APPROPRIATION.

Payment shall be made by the state comptroller in four installments due on or about November 15, February 15, and May 15 of a budget year and on or about August 15 of the next following budget year, and installments shall be as nearly equal as possible, as determined by the state comptroller, taking into consideration the relative budget and cash position of the state resources.

The payment made on or about August 15 of the next

following budget year is an account receivable for the budget year.

Sec. 152. NEW SECTION. 286A.13 MISREPRESENTATION OF REQUIRED INFORMATION.

An area school which misrepresents the cost for a cost center or its contact hours shall repay any excess funds received under this chapter.

Sec. 153. NEW SECTION. 286A.14 AREA SCHOOL BUDGET REVIEW.

1. An area school budget review procedure is established through the state board of public instruction. The state board shall meet and hold hearings each year to review unusual circumstances of area schools, either upon the state board's motion or upon the request of an area school. The state board may grant supplemental aid to the area school from funds appropriated to the department of public instruction for area school budget review purposes, or an amount may be added to the area school allowable growth for all cost centers and area school allowable growth for noninstructional functions for the budget year either on a temporary or permanent basis, or both.

Unusual circumstances shall include but not be limited to the following:

a. An unusual increase or decrease in enrollment.

b. Natural disasters.

c. Unusual staffing problems.

d. Unusual necessity for additional funds to permit continuance of a course or program which provides substantial benefit to students.

e. Unusual need for a new course or program which will provide substantial benefit to students, if the area school establishes the need and the amount of necessary increased cost.

f. Unique problems of area schools to include vandalism, civil disobedience, and other costs incurred by area schools.

2. When the state board makes a decision under subsection

1, it shall provide written notice of its decision, including all changes, to the board of directors of the area school and to the state comptroller.

3. All decisions by the state board under this chapter shall be made in accordance with reasonable and uniform policies which shall be consistent with this chapter.

4. Failure by an area school to provide information or appear before the state board as requested for the accomplishment of review or hearing constitutes justification for the state board to instruct the state comptroller to withhold state area school aid to that area school until the state board's inquiries are satisfied completely.

Sec. 154. NEW SECTION. 286A.15 INFORMATION FURNISHED BY AREA SCHOOL.

Each area school shall supply to the state comptroller and the department of public instruction the information required for calculation of the amount of state area school aid due each area school under the state area school funding plan. Forms for reporting information to calculate the state area school aid for a budget year shall be supplied by the state comptroller to each area school.

Sec. 155. NEW SECTION. 286A.16 RULES.

The state board of public instruction shall adopt rules and definitions of terms necessary for the administration of this chapter.

Sec. 156. Sections 257.44 and 442.44, Code Supplement 1985, and sections 292.1 and 302.13, Code 1985, are repealed.

Sec. 157. Chapter 265, Code 1985, is repealed effective July 1, 1988.

Sec. 158. The state board of regents shall not provide funding or staff for laboratory schools after June 30, 1988.

Sec. 159. All federal grants to and the federal receipts of agencies appropriated funds under this division of this Act are appropriated for the purposes set forth in such federal grants or receipts.

Sec. 160. Moneys appropriated by this division of this Act, except sections 102 and 103 of this division, shall not be used for capital improvements.

DIVISION III

HEALTH AND HUMAN RIGHTS

Sec. 201. There is appropriated from the general fund of the state for the fiscal year beginning July 1, 1986, and ending June 30, 1987, the following amount, or so much thereof as is necessary, to be used by the following agency for the purposes designated:

	1986-1987 Fiscal Year
1. IOWA STATE CIVIL RIGHTS COMMISSION	
For salaries and support of not more than twenty-one full-time equivalent positions annually, maintenance, and miscellaneous purposes	$ 664,122

Sec. 202. There is appropriated from the general fund of the state to the department of human rights for the fiscal year beginning July 1, 1986 and ending June 30, 1987, the following amounts, or so much thereof as is necessary, to be used for the purposes designated:

1. CENTRAL ADMINISTRATION DIVISION	
For salaries and support of not more than four full-time equivalent positions annually, maintenance, and miscellaneous purposes	$ 116,171
2. SPANISH-SPEAKING PEOPLE DIVISION	
For salaries and support of not more than one full-time	

equivalent position annually, maintenance, and miscellaneous purposes ..... $ 43,316

3. PERSONS WITH DISABILITIES DIVISION

For salaries and support of not more than three full-time equivalent positions annually, maintenance, and miscellaneous purposes ..... $ 96,531

4. STATUS OF WOMEN DIVISION

For salaries and support of not more than two full-time equivalent positions annually, maintenance, and miscellaneous purposes ..... $ 68,222

5. CHILDREN, YOUTH, AND FAMILIES DIVISION

For salaries and support of not more than two full-time equivalent positions annually, maintenance and miscellaneous purposes ..... $ 68,001

It is the intent of the general assembly that the children, youth, and families division be terminated June 30, 1988.

6. DEAF SERVICES DIVISION

For salaries and support of not more than eight and twenty-six hundreths full-time equivalent positions annually, maintenance, and miscellaneous purposes ..... $ 215,766

7. ELDER AFFAIRS DIVISION

a. For salaries and support of not more than twenty-six and five-tenths full-time equivalent po-

sitions annually, maintenance, and miscellaneous purposes ..... $ 229,645

b. For the administration of area agencies on aging ..... $ 114,248

c. For the senior citizen employment program ..... $ 104,865

d. For the older Iowans legislature ..... $ 12,953

e. For the retired seniors volunteer program ..... $ 14,278

All of the funds appropriated under paragraph "e" shall be divided equally among the programs in existence as of July 1, 1986 and shall not be used by the division for administrative purposes.

f. For the Alzheimer's disease support program ..... $ 70,000

All funds appropriated under paragraph "f" shall be used for training and education programs for families serving as caregivers for Alzheimer's disease victims and shall not be used for administrative purposes.

g. For elderly services programs ..... $ 777,195

All funds appropriated under this paragraph shall be received and disbursed by the commission of elder affairs for the elderly services program, shall not be used for administrative purposes, and shall be used for citizens of Iowa over sixty-five years of age for chore, telephone reassurance, adult day care, and home repair services, including the winterizing of homes, and for the construction of entrance ramps which meet the requirements of section 104A.4 and make residences accessible to the physically handicapped. Funds appropriated under this paragraph may be used to supplement federal funds under federal regulations.

Sec. 203. There is appropriated from the general fund of the state to the state department of public health for the

fiscal year beginning July 1, 1986, and ending June 30, 1987, the following amounts, or so much thereof as is necessary, to be used for the purposes designated:

	1986-1987 Fiscal Year
1. CENTRAL ADMINISTRATION DIVISION For salaries and support of not more than fifty-three and three-tenths full-time equivalent positions annually, maintenance, and miscellaneous purposes	$ 731,771
2. HEALTH PLANNING AND DEVELOPMENT DIVISION For salaries and support of not more than fifteen equivalent positions annually, maintenance, and miscellaneous purposes	$ 179,411
3. DISEASE PREVENTION DIVISION For salaries and support of not more than fifty-four and six-tenths full-time equivalent positions annually, maintenance, and miscellaneous purposes	$ 1,092,967
4. PROFESSIONAL LICENSURE For salaries and support of not more than fourteen full-time equivalent positions annually, maintenance, and miscellaneous purposes	$ 499,609
5. STATE BOARD OF DENTAL EXAMINERS For salaries and support of	

not more than two full-time equivalent positions annually, maintenance, and miscellaneous purposes ..... $ 98,393

6. STATE BOARD OF MEDICAL EXAMINERS

For salaries and support of not more than eight full-time equivalent positions annually, maintenance, and miscellaneous purposes ..... $ 376,167

7. STATE BOARD OF NURSING EXAMINERS

For salaries and support of not more than thirteen and two-tenths full-time equivalent positions annually, maintenance, and miscellaneous purposes ..... $ 442,467

8. STATE BOARD OF PHARMACY EXAMINERS

For salaries and support of not more than four full-time equivalent positions annually, maintenance, and miscellaneous purposes ..... $ 122,609

Professional licensure pursuant to subsection 4 and the boards pursuant to subsections 5 through 8 shall prepare estimates of projected receipts 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 receipts equal projected costs.

9. PERSONAL AND FAMILY HEALTH DIVISION

a. For salaries and support

of not more than forty-six full-time equivalent positions annually, maintenance, and miscellaneous purposes ..... $ 1,510,018

The department shall allocate from the funds appropriated under this paragraph at least six hundred thousand nine hundred forty-four (600,944) dollars for the fiscal year beginning July 1, 1986, and ending June 30, 1987, for the birth defects and genetics counseling program and of these funds, thirty-nine thousand six hundred (39,600) dollars shall be allocated for a central birth defects registry program.

Of the funds appropriated in this paragraph, the following amounts shall be allocated to the university of Iowa hospitals and clinics under the control of the state board of regents for the following programs under the Iowa specialized child health care services:

(1) Mobile and regional child health specialty clinics ..... $ 308,411

(2) Muscular dystrophy and related genetic disease programs ..... $ 125,322

(3) Statewide perinatal program ..... $ 41,635

The birth defects and genetic counseling service shall apply a sliding fee scale to determine the amount a person receiving the services is required to pay for the services. These fees shall be considered repayment receipts and used for the program.

Of the funds allocated to the mobile and regional child health speciality clinics under subparagraph 1 of this paragraph, sixty-eight thousand five hundred thirty-six (68,536) dollars shall be used for a specialized medical home care program providing care planning and coordination of community support services for children who require technical medical care in the home.

The university of Iowa hospitals and clinics shall not

receive indirect costs from the funds for each program.

The department of public health shall administer the statewide maternal and child health program and the crippled children's program by conducting mobile and regional child health specialty clinics and conducting other activities to improve the health of low-income women and children and to promote the welfare of children with actual or potential handicapping conditions and chronic illnesses in accordance with the requirements of Title V of the Social Security Act.

b. Sexual abuse investigations.

For medical procedures required by section 709.10 ..... $ 55,014

c. Sudden infant death syndrome autopsies.

For reimbursing counties for expenses resulting from autopsies of suspected victims of sudden infant death syndrome required under section 331.802, subsection 3, paragraph "j" ..... $ 14,278

10. COMMUNITY HEALTH DIVISION

a. For salaries and support of not more than thirty-one and ninety-nine hundredths full-time equivalent positions annually, maintenance, and miscellaneous purposes ..... $ 1,562,508

The department shall allocate from the funds appropriated under this lettered paragraph eight hundred ninety-five thousand forty-one (895,041) dollars for the fiscal year beginning July 1, 1986, for the chronic renal disease program. The types of assistance to eligible recipients under the program may include hospital and medical expenses, home dialysis supplies, insurance premiums, travel expenses,

prescription and nonprescription drugs, and lodging expenses for persons in training. The program expenditures shall not exceed these allocations. If projected expenditures will exceed the allocations, the department shall establish by administrative rule a mechanism to reduce financial assistance under the renal disease program in order to keep expenditures within the allocations.

b. For grants to local boards of health for the public health nursing program ..... $ 2,101,259

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.

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 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. 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

shall subcontract with a nonprofit nurses' association, an independent nonprofit agency, or a suitable local governmental body 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 of each year of the biennium, 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. If the unallocated pool is fifty thousand dollars or more it shall be reallocated to the 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 and ending June 30 of each fiscal year of the biennium. If the unallocated pool is less than fifty thousand dollars, the department may allocate it to counties with demonstrated special needs for public health nursing.

The department shall maintain rules governing the expenditure of funds appropriated by paragraph "b". The rules 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 annually 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 each annual evaluation to the governor and the general assembly.

c. For grants to county boards of supervisors for the homemaker-home health aide program ..... $ 7,033,669

Funds appropriated under this paragraph shall be used to provide homemaker-home health aide services with emphasis on services to elderly and persons below the poverty level 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. It also includes heavy house cleaning which includes cleaning attics or basements to remove fire hazards, moving heavy furniture, extensive wall washing, floor care or painting, and trash removal.

(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, and household management.

(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. 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: sixty percent according to the number of elderly persons living in the county; twenty percent according to the number of persons below the poverty level living in the county; and twenty percent according to the number of substantiated cases of child abuse in the county during the three most recent fiscal years for which data is available.

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 human 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 planning for 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 shall subcontract with a nonprofit nurses' association, an independent nonprofit agency, the department of human services, or a suitable local governmental body 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 of each year of the biennium, 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 each fiscal year of the biennium. 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 15 of each fiscal year of the biennium, reallocate the funds in the unallocated pool among the counties in which the department has concluded contracts under this paragraph. The department shall also review the first ten months' expenditures for each county in May of each year, to determine if any counties have contracted funds which they do not anticipate spending. If such funds are identified and the county agrees to release the funds, the released funds will be considered a new

reallocation pool. The department may, prior to June 1 of each year, reallocate funds from this new reallocation pool to those counties which have experienced a high utilization of protective service hours for children and dependent adults.

The department shall maintain rules governing the expenditure of funds appropriated by this paragraph. The rules 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 maintain rules for standards regarding training, supervision, recordkeeping, appeals, program evaluation, cost analysis, and financial audits, and rules specifying reporting requirements.

The department shall annually 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 annual evaluation to the governor and the general assembly.

d. For the development and maintenance of well-elderly clinics in the state ..... $ 205,957

11. SUBSTANCE ABUSE DIVISION

a. For salaries and support of not more than fifteen full-time equivalent positions annually, maintenance, and miscellaneous pur-

poses ..... $ 503,917

b. For program grants ..... $ 6,772,423

Sec. 204. The licensing boards for which general fund appropriations have been provided for in section 203, subsections 4, 5, 6, 7, and 8 of this Act may expend additional funds, if those additional expenditures are directly the cause of actual examination expenses exceeding funds budgeted for examinations. Before a licensing board included in section 203, subsections 4, 5, 6, 7, and 8 of this Act expends or encumbers an amount in excess of the funds budgeted for examinations, the director of the office of management shall approve the expenditure or encumbrance. Before approval is given, the state comptroller shall determine that the examination expenses exceed the funds budgeted by the general assembly to the board and the board does not have other funds from which examination expenses can be paid. Upon approval of the state comptroller the licensing board may expend and encumber funds for excess examination expenses. The amounts necessary to fund the excess examination expenses shall be collected as fees from additional examination applicants and shall be treated as repayment receipts as defined in section 8.2, subsection 5.

Sec. 205. All federal grants to and federal receipts of the agencies appropriated funds under this division of this Act are appropriated for the purposes set forth in the federal grants or receipts unless otherwise provided by the general assembly. Full-time equivalent positions funded entirely with federal funds are exempt from the limits on the number of full-time equivalent positions provided in this division of this Act, but are approved only for the period of time for which the federal funds are available for the position.

DIVISION IV

HUMAN SERVICES

Sec. 301. GENERAL ADMINISTRATION. There is appropriated from the general fund of the state for the fiscal year

beginning July 1, 1986, and ending June 30, 1987, to the department of human services for general administration, including salaries and support, maintenance, and miscellaneous purposes, the following amount, or so much thereof as is necessary:

	1986-1987 Fiscal Year
	$ 5,752,032

The funds appropriated by this section include necessary amounts to continue, for the fiscal year beginning July 1, 1986, the general administration programs relating to staff training, program evaluation, and the purchase-of-local-services allocations to the counties as operated in the fiscal year beginning July 1, 1985.

Sec. 302. FIELD OPERATIONS AND VOLUNTEERS. There is appropriated from the general fund of the state for the fiscal year beginning July 1, 1986, and ending June 30, 1987, to the department of human services, the following amounts, or so much thereof as is necessary, to be used for the purposes designated:

	1986-1987 Fiscal Year
1. For field operations, including salaries and support, maintenance, and miscellaneous purposes	$ 21,055,632

The funds appropriated by this subsection include necessary amounts to continue, for the fiscal year beginning July 1, 1986, the purchase-of-local-services allocations to the counties and the individual education and training plan program as made and operated in the fiscal year beginning July 1, 1985.

2. For development and coordination of volunteer services	$ 68,000

3. For the support of protective service workers ..... $ 95,000

Sec. 303. SPECIAL PROGRAMS. There is appropriated from the general fund of the state for the fiscal year beginning July 1, 1986, and ending June 30, 1987, to the department of human services, the following amounts, or so much thereof as is necessary, to be used for the purposes designated:

	1986-1987 Fiscal Year
1. For aid to families with dependent children	$ 59,000,000

The funds appropriated by this subsection include necessary amounts to continue, for the fiscal year beginning July 1, 1986, the individual education and training plan program as operated in the fiscal year beginning July 1, 1985.

2. For medical assistance, 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:

a. The attending physician certifies that continuing the pregnancy would endanger the life of the pregnant woman.

b. The attending physician certifies that the fetus is physically deformed, mentally deficient, or afflicted with a congenital illness.

c. The pregnancy is the result of a rape which is reported within forty-five days of the incident to a law enforcement agency or public or private health agency which may include a family physician.

d. The pregnancy is the result of incest which is reported within one hundred fifty days of the incident to a law enforcement agency or public or private health agency which may include a family physician.

e. Any spontaneous abortion, commonly known as a mis-

carriage, if not all of the products of conception are expelled $126,500,000

The funds appropriated by this subsection include necessary amounts to continue, for the fiscal year beginning July 1, 1986, the expanded medically needy program for supplemental security income-related groups as operated in the last quarter of the fiscal year beginning July 1, 1985, and to increase provider reimbursements, for the fiscal year beginning July 1, 1986, for intermediate care facilities above the provider reimbursements for the fiscal year beginning July 1, 1985.

Of the funds appropriated by this subsection, not more than two hundred thousand (200,000) dollars may be transferred to the state department of health for contingency state assistance for the federal women, infants, and children program in order to allow the state department of health to fully use available federal funds under the program.

The department may expend up to one hundred twenty thousand (120,000) dollars of the funds appropriated in this subsection to continue the development and implementation of one or more health maintenance organization projects in the fiscal year beginning July 1, 1986.

The department shall explore means to make full use of veterans' benefits for those medical assistance recipients in intermediate care facilities whose current eligibility for veterans' benefits has not been established.

The department shall seek to reduce the utilization of surgical procedures with high coefficients of variation under the medical assistance program. The department may develop special utilization review efforts, physician education programs, or may mandate second opinions for selected surgical procedures in order to reduce utilization rates.

The department may continue to seek a waiver under the authority of 1984 Iowa Acts, chapter 1310, section 3, subsection 2, unnumbered paragraph 2.

If the department receives approval for a program of home and community-based services pursuant to a waiver under Title XIX of the federal Social Security Act, the program shall be funded with the appropriation made by this subsection. A county shall reimburse the department for the cost of services under the program, which is not paid from federal funds, to mentally retarded or mentally ill persons with legal settlement in the county at the same percentage which the county is required to reimburse the state for mentally retarded or mentally ill persons receiving services at state institutions.

The department may seek a grant to study and implement alternative methods to improve financial access to medical care for Iowa's rural underinsured citizens and if approved, may expend up to one hundred fifty thousand (150,000) dollars of the funds appropriated by this subsection to match foundation moneys or private source donations.

3. For medical contracts ..... $ 2,290,000

The department may expend up to sixty-two thousand nine hundred (62,900) dollars of the funds appropriated in this subsection to contract for staff to further develop and implement recommendations contained in the medical assistance reimbursement study required by 1985 Iowa Acts, chapter 259, section 3, subsection 3.

4. For child support recoveries, including salary and support, maintenance, and miscellaneous purposes ..... $ 950,000

The commissioner of human services, within the limitations of the funds appropriated in this subsection or funds transferred from the aid to families with dependent children program for this purpose, may establish new positions and add additional employees to the child support recovery unit when the commissioner determines that both the current and additional employees together can reasonably be expected to recover for the aid to families with dependent children

program and the nonpublic assistance support recovery program more than twice the amount of money required to pay the salaries and support for both the current and additional employees. The department shall demonstrate the cost effectiveness of the current and additional employees by reporting to the human services appropriations subcommittee the ratio of the total amount of administrative costs for child support recoveries to the total amount of the child support recoveries.

5. For state supplementary assistance, including state supplementary assistance for the blind ..... $ 9,500,000

6. For aid to Indians under section 252.43 ..... $ 35,000

The tribal council shall not use more than ten percent of the funds for administrative expenses.

7. For home-based services ..... $ 5,119,000

a. Of the funds appropriated by this subsection, six hundred seventy-two thousand six hundred fifty (672,650) dollars, or so much thereof as is necessary, is allocated for subsidized adoptions, including the purchase of services for severely handicapped children and children in large sibling groups.

b. Of the funds appropriated by this subsection, one hundred ninety-one thousand four hundred fifty (191,450) dollars, or so much thereof as is necessary, is allocated for family planning.

c. Of the funds appropriated by this subsection, four million two hundred fifty-four thousand nine hundred (4,254,900) dollars, or so much thereof as is necessary, is allocated for family centered services.

8. For foster care ..... $ 26,900,000

a. The department may transfer a portion of the funds appropriated by this subsection for use in providing

subsidized adoption services, if funds allocated under subsection 7 are insufficient to provide necessary subsidized adoption services.

b. No more than thirty-five percent of all children in foster care funded under Title IV, part E of the federal Social Security Act shall be in foster care for more than twenty-four months.

c. Of the funds appropriated by this subsection, forty-five thousand (45,000) dollars, or so much thereof as is necessary, is allocated for foster parent training.

d. The department may expend up to five hundred sixty thousand (560,000) dollars, or so much thereof as is necessary, of the funds appropriated by this subsection or subsection 2 to contract for appropriate staff to develop a plan for enhancing federal funding in Title XIX, Title IV-E, third party liability and increased supplemental security income and social security disability insurance participation. The department may begin implementation, if appropriate. The director of human services shall identify and appoint an oversight committee that includes interested and affected groups. The director shall provide periodic updates to the legislative council and a progress report, including recommendations, to the general assembly not later than February 1, 1987.

9. For community-based programs ..... $ 2,883,000

a. Of the funds appropriated by this subsection, one hundred twenty thousand (120,000) dollars, or so much thereof as is necessary, is allocated for displaced homemakers.

b. Of the funds appropriated by this subsection, four hundred thirty thousand (430,000) dollars, or so much thereof as is necessary, is allocated for child care center financial assistance.

Notwithstanding section 237A.13, subsection 4, funds unencumbered as of April 30, 1987, shall not be reallocated

unless the unencumbered funds reclaimed exceed two thousand dollars.

Notwithstanding section 237A.18, a day care facility is eligible to receive funds if the facility serves some low-income families, even if low-income families serve comprise less than a majority of total families served.

c. Of the funds appropriated by this subsection, three hundred fourteen thousand (314,000) dollars, or so much thereof as is necessary, is allocated for the child abuse prevention grant program.

d. Of the funds appropriated by this subsection, two hundred fifteen thousand (215,000) dollars, or so much thereof as is necessary is allocated for domestic abuse program grants.

e. The commissioner of human services shall pay from funds appropriated by this subsection, as the entitled aid from the state under section 232.142, subsection 4, one-half of one percent of the total cost of the establishment, improvements, operation, and maintenance of approved county or multicounty juvenile homes.

f. Of the funds appropriated by this subsection, one hundred thousand (100,000) dollars, or so much thereof as is necessary, is allocated for community-based juvenile services. These funds shall be used to reduce the need for long-term juvenile institutional and group foster care placements, and to encourage home-based treatment programs as alternatives to juvenile institutional care and group foster care. The department shall only approve grants for residential community-based services when such projects are designed to directly reduce the state juvenile institutional population or the number of children being placed in group foster care outside the state.

g. Of the funds appropriated by this subsection, five hundred forty-five thousand (545,000) dollars, or so much thereof as is necessary, is allocated for state cases.

h. Of the funds appropriated by this subsection, one million one hundred thousand (1,100,000) dollars, or so much thereof as is necessary, is allocated for protective day care.

i. Of the funds appropriated by this subsection, fifty thousand (50,000) dollars, or so much thereof as is necessary, is allocated to provide grants for the provision of essential services to children who are at risk of running away and to the children's families.

10. For county-based juvenile justice reimbursement under section 232.141, subsection 4 ..... $ 2,100,000

11. To establish and maintain the registry for the brain injured ..... $ 17,000

Of the funds appropriated by this subsection, fifty thousand (50,000) dollars, or so much thereof as is necessary, is allocated to the judicial department for administrative preparations to reimburse counties for witness, transportation, and attorney fees pursuant to section 232.141 and for the development of plans for the legal representation of children before the juvenile court in each of the judicial districts.

Sec. 304. JUVENILE AND VETERANS INSTITUTIONS. There is appropriated from the general fund of the state for the fiscal year beginning July 1, 1986, and ending June 30, 1987, to the department of human services, the following amounts, or so much thereof as is necessary, to be used for the purposes designated:

	1986-1987 Fiscal Year
1. For the operation of the state training school and the Iowa juvenile home, including salaries and support, maintenance, and mis-	

cellaneous purposes ..... $ 7,574,308

2. For operation of the Iowa veterans home, including salaries and support, maintenance, and miscellaneous purposes ..... $ 18,358,486

As a condition of this appropriation, the department shall open and staff twenty beds on February 15, 1987 and seventeen additional beds on April 15, 1987 for the care of residents with Alzheimer's disease.

The department may use the gifts accepted by the commissioner of human services pursuant to section 218.96 and other resources available to the department for use at the Iowa veterans home for purposes identified by the department.

Sec. 305. MENTAL HEALTH INSTITUTES. There is appropriated from the general fund of the state for the fiscal year beginning July 1, 1986, and ending June 30, 1987, to the department of human services, for the state mental health institutes, the following amount, or so much thereof as is necessary:

	1986-1987 Fiscal Year
1. For salaries and support, maintenance, and miscellaneous purposes	$ 30,954,794

2. All funds received from client participation shall be deposited in the general fund of the state.

3. The superintendents of the state mental health institutes at Cherokee and Independence, in discharging the duties imposed by section 230.20, shall not include the costs of the psychiatric residency and chaplain intern programs maintained at those institutes in computing the institutes' respective daily charges to patients.

4. A state mental health institute shall not accept physical custody of a child alleged to be a child in need of assistance, on guest status or otherwise, for more than thirty

days. A child found to be a child in need of assistance shall not be placed in a state mental health institute or other appropriate secure facility unless the juvenile court finds that the standard for voluntary admission or involuntary commitment in chapter 229 has been met. The finding may be made by the court under section 232.103 at any time prior to the expiration of a dispositional order.

5. The department shall pursue all reasonable courses of action necessary to expand the recruitment and retention of psychiatrists at the state mental health institutions. The department shall aggressively recruit psychiatrists, when necessary by sending department representatives to events and locations where psychiatrists are likely to be recruited and by taking other similar actions which have the likelihood of contributing to the recruitment of psychiatrists. The department shall continue to explore and implement, if necessary, alternative approaches to retaining psychiatrists in the state hospital system, such as special contractual arrangements, expanded staff privileges, or improved educational opportunities for the medical staff.

Sec. 306. HOSPITAL-SCHOOLS. There is appropriated from the general fund of the state for the fiscal year beginning July 1, 1986, and ending June 30, 1987, to the department of human services, for the state hospital-schools, the following amount, or so much thereof as is necessary:

	1986-1987 Fiscal Year
1. For salaries and support, maintenance, and miscellaneous purposes	$ 46,969,633

2. All funds received from client participation shall be deposited in the general fund of the state.

3. The state hospital-schools' per-patient-per-day cost as determined pursuant to section 222.73 shall be billed at eighty percent for the fiscal year, except as otherwise

provided by subsection 4.

4. If more than twenty percent of the cost of a patient's care is initially paid from any source other than state-appropriated funds, the amount so paid shall be subtracted from the per-patient-per-day cost of that patient's care computed pursuant to section 222.73 and the patient's county of legal settlement shall be billed for the full balance of the cost so computed.

5. In the calculation of per diem rates, charges assessed to the county shall be credited with one hundred percent of client participation for eligible medical assistance patients at the state hospital-schools.

Sec. 307. MENTAL HEALTH AND RETARDATION SERVICES FUND. There is appropriated from the general fund of the state for the fiscal year beginning July 1, 1986, and ending June 30, 1987, to the state community mental health and mental retardation services fund established in section 225C.7, the following amount, or so much thereof as is necessary:

	1986-1987 Fiscal Year
	$ 3,333,000

1. Notwithstanding section 225C.10, subsection 2, paragraph "a", subparagraph (1), counties shall indicate in their annual plan that general allocation moneys will be expended in accordance with administrative rules adopted by the mental health and mental retardation commission and will not be used for major maintenance or capital expenditure projects.

2. Notwithstanding section 225C.10, subsection 3, counties shall submit annual rather than quarterly financial and plan status reports. The annual reports shall include the services funded; the amounts expended by service and by agency; a description of the use of the funds; and the number of persons or units of service provided.

Sec. 308. BLOCK GRANT SUPPLEMENTATION. There is

appropriated from the general fund of this state for the fiscal year beginning July 1, 1986, and ending June 30, 1987, to the department of human services for supplementation of federal social services block grant funds and for allocation to the various counties for the purchase of local services and child day care services for eligible individuals, the following amount, or so much thereof as is necessary:

	1986-1987 Fiscal Year
	$ 3,180,000

The funds appropriated by this section shall be allocated to the counties pursuant to the rules of the department in effect on January 1, 1985. The department shall increase the income guidelines for income eligible persons receiving services funded with federal social services block grant funds for the fiscal year beginning July 1, 1986 by the same percentage and at the same time as federal social security benefits are increased due to a recognized increase in the cost of living.

Of the funds appropriated by this section, two million six hundred ninety thousand (2,690,000) dollars shall be earmarked for the purchase of local services and four hundred ninety thousand (490,000) dollars shall be earmarked for child day care services.

A county may use up to four percent of the federal social services block grant funds and the state purchase of local services funds for the purchase of child day care services without matching the federal and state funds with local funds.

The department shall not require counties to match the state child day care services funds with local funds but shall require that the counties allocate local funds for child day care services in an amount at least equal to the county expenditures for child day care services in the fiscal year ending June 30, 1983. The department shall reallocate state child day care services funds from counties which do not

qualify for or do not utilize the funds to counties which do qualify for the funds.

If the department determines that funds earmarked under this section for child day care services will not be fully expended, the department may increase the income guidelines in order to provide for the expenditure of all funds earmarked under this section for child day care services.

The department may develop and implement a pilot project establishing a prospective payment system for purchase of service providers in no more than two departmental districts.

Sec. 309. REIMBURSEMENT RATES.

1. Except as provided in paragraphs "a", "b", "c", "d", and "e", and except for medical assistance services provided to recipients in state mental health institutes and the veterans home, rural health clinic services, intermediate care facilities services for the mentally retarded, and the material costs of products which are reimbursed at the acquisition cost, the reimbursement and per diem rates for medical assistance providers for the fiscal year beginning July 1, 1986, shall be limited to the reimbursement and per diem rates for the providers in effect on June 30, 1985.

a. Medical assistance payments for all mandatory and optional services, except for hospital services, physican services, skilled nursing facility services, intermediate care facility services, intermediate care facility services for the mentally retarded, services provided to recipients in state mental health institutes, rural health clinic services, medical transportation services other than ambulance services, and the material costs of products which are reimbursed at the acquisition cost, shall be reduced by a factor of two and one-half percent.

b. A continued reduction of three and eighty-five hundredths percent shall be applied to medical assistance payments for all mandatory and optional services, except for skilled nursing facility services, intermediate care facility

services, intermediate care facility services for the mentally retarded services, services provided to recipients in state mental health institutes and the veterans home, rural health clinic services, medical transportation services other than ambulance services, and the material costs of products which are reimbursed at the acquisition cost.

c. For the fiscal year beginning July 1, 1986, the removal of the incentive factor and the removal of one-half of the inflation factor shall be continued. Beginning January 1, 1987, the basis for establishing the maximum medical assistance rate for intermediate care facilities shall be the fiftieth percentile of all facility per diems as calculated from the December 31, 1986, unaudited compilation of financial and statistical reports.

d. Beginning July 1, 1986, the professional fee for pharmacies shall continue to be reduced by five and twenty-one hundredths percent until the department establishes a new reimbursement system for drug products based on estimates of actual acquisition costs. The department shall establish by October 1, 1986, unless disapproved by the United States department of health and human services, a new reimbursement system for drug products based on estimates of actual acquisition costs derived from data obtained from the department's survey of drug product costs and professional fees. The department shall adjust the maximum allowable professional fee to reflect the change in the reimbursement system from average wholesale price reimbursement to actual acquisition cost reimbursement. However, the adjustment in the professional fee shall not exceed the professional fee which represents the seventy-fifth percentile of fees charged to the private paying public by pharmacies in this state. Beginning on the date the new reimbursement system is implemented, the professional fees shall be reduced by three and eighty-five hundredths percent rather than by five and twenty-one hundredths percent.

e. For the fiscal year beginning July 1, 1986, skilled nursing facility payment rates shall be increased by four and three-tenths percent and rural health clinic rates shall be increased in accordance with increases under the federal medicare program, pursuant to Title XVIII of the federal Social Security Act.

2. For the fiscal year beginning July 1, 1986, reimbursement limits for residential care facilities shall remain in effect as established for the fiscal year which began July 1, 1985. For the fiscal year beginning July 1, 1986, state supplementary assistance payments for recipients in residential care facilities and recipients receiving in-home health-related care shall be reduced by a factor of three and eighty-five hundredths percent.

3. For the fiscal year beginning July 1, 1986, maximum rates for providers of social services shall remain in effect as established for the fiscal year which began July 1, 1985. For the fiscal year beginning July 1, 1986, the following purchase-of-service providers, at their own option, shall have either their rates or invoices reduced by the following percentages: state cases, three and eighty-five hundredths percent; protective day care, two and thirty-three hundredths percent; family-centered services, three and eighty-five hundredths percent; family planning, two and fifteen hundredths percent; foster group care, two and seventy hundredths percent; subsidized adoption, two and seventy hundredths percent; foster family care, two and seventy hundredths percent; and local purchase, ninety-three hundredths percent.

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Sec. 310. ASSISTANCE TO GAMBLERS. The department shall use funds deposited in the gamblers assitance fund established in section 99E.10 only for programs to assist gamblers. Any unspent funds shall remain in the fund and shall not be transferred or reverted to the general fund.

Sec. 311. EMPLOYEE DAMAGE REIMBURSEMENTS. Notwithstanding

the dollar limitation in section 217.23, subsection 2, the department may reimburse an employee under that section an amount up to one hundred fifty dollars for each item damaged or destroyed.

Sec. 312. SLIDING-FEE PAYMENT SCHEDULES FOR CHILDREN'S SERVICES. The department shall study the feasibility of establishing sliding-fee payment schedules for all services provided by the department to children and their families. The payment schedules shall be based on the ability of the children's parents, guardians, or custodians to pay for the services, the nature of the services, and other relevant factors. The department shall report its findings to the general assembly by January 15, 1987. The department may implement by administrative rule during the fiscal year beginning July 1, 1986 one or more sliding-fee payment schedules for services provided to children and their families.

5865>

Sec. 313. TRANSFERS. Except as provided in section 303, subsections 2 and 4 of this Act, funds appropriated under section 303, subsections 1, 2, 8, and 10 of this Act, shall not be transferred or used for any other purposes than specified in those subsections, notwithstanding section 8.39. However, funds appropriated under section 303, subsections 1, 2, 8, and 10 of this Act may be transferred under section 8.39 among those subsections and may be used for the purposes specified in those subsections.

Sec. 314. RULES. The department of human services may adopt administrative rules under section 17A.4, subsection 2, and section 17A.5, subsection 2, paragraph "b", relating to subsidized adoption services in section 303, subsection 7, paragraph "a" of this Act, county-based juvenile justice reimbursements in section 303, subsection 10 of this Act, supplementation of federal social services block grant funds in section 308 of this Act, and reimbursements in section 309 of this Act, and the rules shall become effective immediately

upon filing, unless a later effective date is specified in the rules.

Sec. 315. NEW SECTION. 225C.22 CENTRAL REGISTRY FOR BRAIN INJURIES.

1. As used in this section, "brain injury" means clinically evident brain damage resulting directly or indirectly from trauma, infection, anoxia, or vascular lesions not primarily related to degenerative or aging processes, which temporarily or permanently impairs a person's physical or cognitive functions.

2. The director shall establish and maintain a central registry of persons with brain injuries in order to facilitate the provision of appropriate rehabilitative services to the persons by the department and other state agencies. Hospitals and attending physicians shall report a brain injury to the director within seven days after identification of the person sustaining a brain injury. The report shall contain the name, age and residence of the person, the date and cause of the brain injury, and additional information as the director requires.

Sec. 316. FEDERAL RECEIPTS. All federal grants to and the federal receipts of the department of human services are appropriated for the purposes set forth in the federal grants or receipts. The veterans per diem payable for veterans at the veterans home and funds received under Title XIX of the federal Social Security Act by the state mental health institutes and state hospital-schools shall be deposited in the general fund.

Sec. 317. CAPITAL EXPENDITURES EXCLUDED. Funds appropriated by this division of this Act shall not be used for capital acquisitions or improvements.

DIVISION V

JUSTICE SYSTEM

Sec. 401. There is appropriated from the general fund of the state for the fiscal year beginning July 1, 1986 and

ending June 30, 1987, to the department of corrections the following amount, or so much thereof as is necessary, to be used for the purposes designated:

	1986-1987 Fiscal Year
1. For operation of adult correctional institutions, including salaries and support, maintenance, and miscellaneous purposes, provided that the director of corrections, in order to keep expenditures from exceeding the amount of funds appropriated by this section, shall declare a prison overcrowding state of emergency in the state's prisons when the population of the prison system exceeds two thousand six hundred forty-five inmates for sixty consecutive days. Upon the declaration of a prison overcrowding state of emergency, the board of parole shall consider all inmates, except for inmates convicted of class "A" felonies, for parole who are within nine months of their tentative discharge date. If the board of parole's actions do not reduce the population of the prison system below two thousand six hundred twenty inmates within ninety days of the date of the declaration of the	

prison overcrowding state of emergency, the tentative discharge dates of all inmates, whose most serious offenses for which the inmates are currently incarcerated are crimes against property and who are incarcerated in state prisons on the date of the declaration, shall be reduced by ninety days by the director of corrections. However, the tentative discharge date of a prisoner sentenced under section 204.406, 204.413, 902.7, 902.8, or 906.5 shall not be reduced under this section prior to completion of the mandatory minimum sentence required by the section. The director of corrections shall terminate a prison overcrowding state of emergency in the state's prisons when the population of the prison system is reduced below two thousand six hundred twenty inmates. The department shall adopt administrative rules which identify all offenses as either crimes against property or crimes against persons. As used in this section, "prison" means a correctional facility operated by the department of corrections and funded under

this section, "prison system" means the prisons of this state which are the Iowa correctional institution for women, the Iowa state men's reformatory, the Iowa state penitentiary, the Iowa medical and classification facility, the north central correctional facility, the Mount Pleasant correctional facility, the Clarinda correctional treatment facility, the correctional release center, and the rehabilitation camps; and "tentative discharge date" means the date at which an inmate is scheduled for release including good conduct and work time currently received. However, offenders for whom the board of parole has authorized parole, but for whom the director has determined that inadequate parole plans have been formulated, may remain within the correctional institution for a period of ten days following parole authorization or until adequate parole plans have been developed, whichever date is sooner. During this period of time, the offender shall not be included in the list of names used to determine the existence of a prison overcrowding emergency. On and after July 1, 1986, the superintendent

shall not admit additional inmates to the medium security facility of the men's reformatory at Anamosa if the inmate population of the men's reformatory equals or exceeds eight hundred and fifty inmates ..... $ 50,021,543

2. For the planting and care of fruit trees at correctional institutions, the unobligated or unencumbered balance of which shall not revert as provided in section 8.33 ..... $ 9,976

The department of corrections shall report to the legislative fiscal bureau on a monthly basis the current expenditures of the department's various allocations with a comparison of actual to budgeted expenditures.

Sec. 402. There is appropriated from the general fund of the state for the fiscal year beginning July 1, 1986 and ending June 30, 1987, to the department of corrections the following amounts, or so much thereof as is necessary, for the programs as designated:

	1986-1987 Fiscal Year
1. For general administration, including salaries and support, maintenance, and miscellaneous purposes	$ 1,395,402
2. For salaries, support, and maintenance related to providing additional residential bed space for use in treating substance abuse problems of persons convicted of violating section 321.281 who are sentenced to the custody of the department	

of corrections ..... $ 932,238

The funds appropriated under this subsection shall be allocated and expended for the purpose and subject to the conditions specified in paragraphs "a" through "d".

a. The department of corrections, not later than October 1, 1986, shall establish in each judicial district bed space for the confinement and treatment of offenders convicted of violating section 321.281 (OWI) who are sentenced to the custody of the department of corrections. It is the intent of the general assembly that OWI offenders who are sentenced to the custody of the department of corrections shall first be assigned to the Iowa medical and classification facility at Oakdale for classification. Notwithstanding any contrary provision of law, the OWI offenders after classification may be assigned to a residential facility operated by any judicial district department of correctional services.

b. The department of corrections shall allocate the funds appropriated under this subsection to the judicial district departments of correctional services upon approval of a written agreement by each judicial district department with the department of corrections. The agreement shall specify the number of beds to be operated, the substance abuse treatment programming to be provided, and whether the beds will be sited in a new facility, in a remodeled existing facility, or in a residential correctional facility currently in use. In developing the allocations, the department of corrections shall pattern the budgets of any new residential facility upon the budgets of existing work release facilities.

c. The department of corrections shall adopt rules concerning standards for the residential facilities offering substance abuse programs for OWI offenders. The department of corrections and the department of substance abuse shall annually review the facilities to ensure compliance with the program standards and licensing standards of the respective state departments. If a facility does not meet these

standards, the department of corrections shall follow the process to correct deficiencies or assume administrative control in the same manner as specified in section 905.9.

d. The judicial district departments of correctional services shall offer employment counseling services to OWI offenders who are receiving substance abuse treatment. While in a residential facility operated by a district department, each OWI offender shall be charged a daily fee, but services shall not be denied because of an inability to pay this fee.

3. For salaries, support and maintenance related to the establishment of an alcohol and drug treatment facility, licensed by the Iowa department of substance abuse or its successor agency, at a correctional institution chosen by the department of corrections ..... $ 63,476

4. For reimbursement of counties for temporary confinement of work release and parole violators, as provided in sections 247A.10, 901.7, and 906.17 ..... $ 68,242

5. For federal prison reimbursement and miscellaneous contracts ..... $ 355,427

The department of corrections shall use funds appropriated in this subsection to continue to contract for the services of a Muslim imam.

6. For salaries, support, maintenance, and miscellaneous purposes at the correctional training center at Mount Pleasant ..... $ 248,368

7. For salaries, support, maintenance, and miscellaneous purposes

for jail inspectors as provided in section 356.43 ..... $ 75,223

Sec. 403. There is appropriated from the general fund of the state for the fiscal year beginning July 1, 1986 and ending June 30, 1987, to the department of corrections the sum of sixteen million four hundred eighty-two thousand three hundred thirty-two (16,482,332) dollars, or so much thereof as is necessary, for preinstitutional and postconviction community-based corrections, halfway houses, and parole services.

Sec. 404. There is appropriated from the general fund of the state for the fiscal year beginning July 1, 1986 and ending June 30, 1987, to the board of parole, the sum of three hundred ninety-four thousand one hundred seventy-three (394,173) dollars, or so much thereof as is necessary, for salaries, support and miscellaneous purposes.

Sec. 405. There is appropriated from the general fund of the state to the following named agency for the fiscal year beginning July 1, 1986 and ending June 30, 1987, the following amounts, or so much thereof as is necessary, to be used for the purposes designated:

	1986-1987 Fiscal Year
DEPARTMENT OF JUSTICE	
1. For the general office of attorney general for salaries, support, maintenance, and miscellaneous purposes ..... $	3,001,847

2. In addition to the funds appropriated under subsection 1, there is appropriated from the general fund of the state to the department of justice for the fiscal year beginning July 1, 1986 and ending June 30, 1987, an amount not exceeding ninety-five thousand (95,000) dollars to be used for the enforcement of the Iowa competition law under chapter 553. The expenditure of the funds appropriated under this

subsection is contingent upon receipt by the general fund of the state of an amount at least equal to either the expenditures from damages awarded to the state or a political subdivision of the state by a civil judgment under chapter 553, if the judgment authorizes the use of the award for enforcement purposes or costs or attorney fees awarded the state in state or federal antitrust actions.

3. In addition to the funds appropriated under subsection 1, there is appropriated from the general fund of the state to the department of justice for the fiscal year beginning July 1, 1986 and ending June 30, 1987, an amount not exceeding fifty thousand (50,000) dollars to be used for public education relating to consumer fraud and for enforcement of section 714.16. The expenditure of the funds appropriated under this paragraph is contingent upon receipt by the general fund of the state of an amount at least equal to the expenditures from damages awarded to the state or a political subdivision of the state by a civil consumer fraud judgment, if the judgment authorizes the use of the award for public education on consumer fraud. Funds received in a previous fiscal year which have not been expended shall be credited to this fiscal year.

4. Prosecuting attorney training program for salaries, support, maintenance and miscellaneous purposes which funds shall be used to attract federal and county funding ..... $ 78,742

5. Prosecuting intern program; however, counties participating in the prosecuting intern program shall match funds appropriated by this paragraph ..... $ 48,308

Sec. 406. There is appropriated from the general fund of

the state for the fiscal year beginning July 1, 1986 and ending June 30, 1987, to the judicial department, the following amount, or so much thereof as is necessary, to be used for the purposes designated:

	1986-1987 Fiscal Year
COURTS AND ADMINISTRATION	
For salaries of supreme court justices, appellate court judges, district court judges, district associate judges, judicial magistrates and staff, court administrator, clerk of the supreme court, district court administrators, board of law examiners and board of examiners of shorthand reporters and judicial qualifications commission, maintenance, equipment and miscellaneous purposes, including implementation of court reorganization according to provisions of 1983 Iowa Acts, chapter 186, section 10301	$ 51,545,266

It is the intent of the general assembly that the counties be aware that the state may delay the schedule of state assumption of responsibility for the fiscal year beginning July 1, 1987. If the state is unable to fully assume the 1987-1988 fiscal year component of the court system, the chairpersons of the house and senate committees on appropriations shall notify the supreme court and the counties of this possible delay by no later than February 15, 1987.

Sec. 407. 1985 Iowa Acts, chapter 253, section 2, is amended by adding the following new lettered paragraph:

NEW LETTERED PARAGRAPH. j. The collective bargaining agreements negotiated pursuant to chapter 20 for employees in the bargaining units of the judicial department.

Sec. 408. There is appropriated from the general fund of the state to the department of public safety for the fiscal year beginning July 1, 1986 and ending June 30, 1987, the following amounts, or so much thereof as is necessary, to be used for funding the following functions and programs for the purposes designated:

	1986-1987 Fiscal Year
DEPARTMENT OF PUBLIC SAFETY	
1. ADMINISTRATIVE FUNCTION	
a. For salaries, support, maintenance, and miscellaneous purposes of the department and the criminal justice information system	$ 1,697,542
b. For salaries, support, maintenance and miscellaneous purposes relating to radio communication	$ 2,482,592
c. For salaries, support, maintenance, and miscellaneous purposes of the victim compensation program	$ 40,810

When the department of transportation revokes a person's license or operating privilege under chapter 321B, the department shall assess the person a civil penalty of one hundred dollars. A separate fund is created in the state treasury. The money collected by the department under this paragraph shall be transmitted to the treasurer of state who shall deposit the money in the fund to be used for the purposes of chapter 912. Any balance in this fund on June 30 of any fiscal year exceeding fifty thousand dollars shall revert to the general fund of the state. A temporary restricted license shall not be issued or a license or privilege to drive reinstated until the civil penalty has been

paid.

2. INSPECTION FUNCTION

For salaries, support, maintenance, and miscellaneous purposes of fire marshal's inspections, administration of the state building code, 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 ..... $ 1,023,634

3. SECURITY FUNCTION

For salaries, support, maintenance, and miscellaneous purposes of the capitol security division ..... $ 688,452

4. INVESTIGATION FUNCTION

a. For salaries, support, maintenance, and miscellaneous purposes, including lease or lease purchase of laboratory equipment, of the division of criminal investigation containing the bureaus of identification, drug law enforcement, and beer and liquor law enforcement, 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 ..... $ 4,658,508

b. For undercover purchases by the division of criminal investigation agents and local law enforcement agents ..... $ 189,816

c. For salaries, support, maintenance, and miscellaneous purposes for the employment of pari-mutuel law enforcement agents, 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 ..... $ 220,186

It is the intent of the general assembly that the division of criminal investigation of the department of public safety shall not purchase more than five motor vehicles of the same make or model based upon specifications submitted by the department.

An employee of the department of public safety or the state conservation commission or their successor agencies who retires after the effective date of this Act is eligible for payment of life or health insurance premiums as provided for in the collective bargaining agreement covering the public safety bargaining unit at the time of retirement if that employee previously served in a position which would have been covered by that agreement. The employee shall be given credit for the service in that prior position as though it was covered by that agreement. This section shall not operate to reduce any retirement benefits an employee may have earned under other collective bargaining agreements or retirement

programs.

5. STATE MEDICAL EXAMINER

For salaries, support, maintenance, and miscellaneous purposes ..... $ 28,473

If the department of public safety uses funds appropriated for one purpose for other purposes within the scope of the department as provided in section 8.39, the department shall notify, at least two weeks prior to the transfer, in addition to those persons provided in section 8.39, each of the members of the justice system appropriations subcommittee regarding the transfer.

6. IOWA LAW ENFORCEMENT ACADEMY

For salaries, support, maintenance, and miscellaneous purposes ..... $ 557,796

5989 Notwithstanding section 80B.11, subsection 5, during the fiscal year beginning July 1, 1986, one-half of the cost of providing cognitive and psychological examinations of law enforcement officer candidates shall be charged to the hiring entity on behalf of which the examination is being conducted. However, no charge shall be made to hiring entities that are state agencies.

The Iowa law enforcement academy shall charge the hiring entity one-half of the cost of providing the ten-week course, designed to meet the minimum basic training requirements, to each law enforcement officer. However, a charge shall not be made to hiring entities that are state agencies. The hiring entity may require the officer candidate who is enrolled in the course to reimburse the hiring entity for the charge.

7. JAILER TRAINING

For jailer training and technical assistance ..... $ 23,586

Sec. 409. There is appropriated from the road use tax fund to the department of public safety for the fiscal year begin-

ning July 1, 1986 and ending June 30, 1987, the following amount, or so much thereof as is necessary, to be used as follows:

DIVISION OF HIGHWAY SAFETY AND UNIFORMED FORCE

1. For salaries, support, maintenance, and miscellaneous purposes 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 for funding not to exceed fourteen community service officers, one in each state patrol district, and a statewide coordinator ..... $ 17,154,415

588 However, the unfunded liability of the peace officers retirement accident and disability system, as of July 1, 1986 shall not be considered a liability of the road use tax fund.

2. In addition to the complement of not to exceed four hundred ten persons, not more than eight additional persons shall be appointed to serve as members of the highway safety patrol for the period beginning July 1, 1986 and ending June 30, 1987, subject to available federal funding. The additional members of the highway safety patrol appointed to serve under this subsection shall be totally funded through the use of federal funds.

5903 > 5975 Sec. 410. There is appropriated from the general fund of the state to the department of justice two hundred fifty thousand (250,000) dollars for the fiscal year beginning July 1, 1986 and ending June 30, 1987, for the legal assistance for farmers program administered by the farm crisis program coordinator. The amounts appropriated under this section are not subject to section 8.33.

Sec. 411. There is appropriated from the general fund of the state to the department of justice the sum of one hundred thousand (100,000) dollars for the fiscal year beginning July 1, 1986 and ending June 30, 1987, for the administrative costs of the farm mediation service administered by the farm crisis program coordinator. The amounts appropriated under this section are not subject to section 8.33.

Sec. 412. All federal grants to and the federal receipts of agencies appropriated funds under this division of this Act are appropriated for the purposes set forth in such federal grants or receipts.

DIVISION VI

NATURAL RESOURCES

Sec. 501. DEPARTMENT OF AGRICULTURE. There is appropriated from the general fund of the state and the trust funds indicated to the department of agriculture for the fiscal year beginning July 1, 1986 and ending June 30, 1987 the following amounts, or so much thereof as is necessary, to be used for the purposes designated:

	1986-1987 Fiscal Year
1. GENERAL ADMINISTRATION	
a. From the general fund for salaries, support, maintenance, and miscellaneous purposes	$ 1,385,409
b. From the fertilizer fund to be transferred to the administration division	$ 43,387
c. From the dairy trade practice fund to be transferred to the administration division	$ 73,614
d. From the commercial feed fund to be transferred to the administration division	$ 43,387
e. Of the amount appropriated from the general fund of the	

state under paragraph "a" of this subsection, three hundred forty thousand nine hundred sixty-six (340,966) dollars shall be allocated to the horticultural division for the following purposes:

	1986-1987 Fiscal Year
(1) Farmers market development program For salaries, support, maintenance, and miscellaneous purposes ..... $	95,490

It is the intent of this appropriation that the position of farmers market manager, who would work on organizing, developing, and operating a full-time metropolitan farmers market in Iowa, and the position of farmers market specialist, who would provide assistance in areas around the state which desire to upgrade or develop a local farmers market, be established, and that support staff be provided for the program. These funds may be utilized to obtain matching federal grants.

(2) Centralized facilities development program For salaries, support, maintenance, and miscellaneous purposes ..... $	99,995

It is the intent of this appropriation that two agricultural economic development specialist positions, who would work within the community structure in developing and coordinating the overall local centralized facilities plan, assist in pulling together financing mechanisms for the capital investments necessary for centralized facility development, and work with localized grower groups to establish and expand their markets, be established, and that support staff be provided for the program. These funds may be utilized to obtain matching federal grants.

(3) Electronic marketing program

For salaries, support, maintenance, and miscellaneous purposes ..... $ 44,872

It is the intent of this appropriation that the position of horticultural market specialist be retained and the program continued and expanded to develop working relationships with contacts at regional terminal markets, to integrate in-state market trading prices, to develop hook-ups at centralized marketing facilities within Iowa, and to update and expand the existing data base on buyers, growers, and market prices. These funds may be utilized to obtain matching federal grants.

(4) Alternative agricultural products market evaluation program

For salaries, support, maintenance, and miscellaneous purposes ..... $ 50,606

It is the intent of this appropriation that the position of agricultural diversification administrator be maintained and that the administrator shall work with other departments of agriculture, other state departments, universities, and individual entrepreneurs in order to identify market outlets, market demand, and potential areas for future economic growth, and to identify constraints that need to be overcome in order for Iowa producers to participate in the market. These funds may be utilized to obtain matching federal grants.

(5) Marketing promotions program

For salaries, support, maintenance, and miscellaneous purposes ..... $ 50,003

It is the intent of this appropriation that the division work with other state departments, and with businesses and producers on promotional and consumer awareness activities, encouraging the purchase of Iowa grown products encompassed in the agricultural diversification program. These funds may be

utilized to obtain matching federal grants.

f. The department of agriculture shall establish annual subscription fees for the regular and periodic publications of the department. Fees collected from subscribers shall be deposited in the general fund of the state.

It is the intent of the general assembly that the department of agriculture continue the agricultural diversification program.

2. REGULATORY DIVISION

From the general fund for salaries, support, maintenance, and miscellaneous purposes ..... $ 3,369,262

3. LABORATORY DIVISION

a. From the general fund for salaries, support, maintenance, and miscellaneous purposes ..... $ 553,674

b. From the commercial feed fund to be transferred to the laboratory division ..... $ 726,814

c. From the pesticide fund to be transferred to the laboratory division ..... $ 440,317

d. From the fertilizer fund to be transferred to the laboratory division ..... $ 774,371

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Sec. 502. MULTIFLORA ROSE ERADICATION COST REIMBURSEMENT.

1. There is appropriated from the general fund of the state to the state department of agriculture for the fiscal year beginning July 1, 1986 and ending June 30, 1987, the sum of forty thousand (40,000) dollars, or as much thereof as may be necessary, to be used for the purpose of partially reimbursing agricultural landowners or tenants for the cost of herbicide for controlling or eradicating the multiflora rose which has severely infested their agricultural land. Not more than five percent of the funds appropriated under this subsection shall be used for administrative expenses. It is the intent of the general assembly that funds appropriated in

this section shall only be used in counties with a population of less than one hundred thousand.

2. A county board of supervisors desiring a share of the appropriation shall, in conjunction with the county weed commissioner and the county soil conservation district commissioners, develop a plan to combat severe infestations of multiflora rose on privately-owned land within the county. The plan shall be based upon partial reimbursement of individual landowner's costs for the purchase of herbicide from both state and county appropriations; however, the share of costs reimbursed by state funds shall not exceed one-fourth. The plan shall be submitted to the secretary of agriculture for approval or recommendations for modification.

3. A landowner or tenant whose agricultural land is severely infested by multiflora roses may apply to the soil conservation district commissioners of the county for partial reimbursement, according to the approved plan, of the cost of herbicide for controlling or eradicating the multiflora rose on the agricultural land. The county weed commissioner shall assist the soil conservation district commissioners in investigating the application and determining if the infestation is severe. The soil conservation district commissioners shall review and approve each application for partial cost reimbursement if the infestation is severe on the applicant's agricultural land. If the soil conservation district commissioners find the amount of reimbursement claimed to be excessive, the district commissioners may approve a lesser amount. The reasons for disapproval of an application or reduction of the amount of reimbursement shall be sent in writing to the applicant. The amount of reimbursement certified by the secretary shall be paid by warrant issued by the state comptroller.

4. Federal lands and federal land tenants are not eligible for reimbursement under this section.

Sec. 503. SOIL CONSERVATION. There is appropriated from

the general fund of the state to the department of agriculture for the fiscal year beginning July 1, 1986 and ending June 30, 1987, the following amounts, or so much thereof as is necessary, to be used for the purposes designated:

	1986-1987 Fiscal Year
1. For salaries, support, maintenance, assistance to soil conservation districts, and for miscellaneous purposes	$ 3,395,935

It is the intent of the general assembly that if full-time equivalent positions must be reduced, the department shall first consider staff reductions in the central office.

2. For soil conservation grants which shall be allocated by the state soil conservation committee as follows:

a. To conduct soil surveys in conjunction with federal, state, and local agencies in Iowa	$ 303,436
b. To provide financial incentives for soil conservation practices in accordance with the provisions of subsection 3 of this section	$ 6,546,519

3. The following requirements apply to the funds appropriated by subsection 2, paragraph "b":

a. Not more than five percent may be allocated for cost sharing to abate complaints filed under sections 467A.47 and 467A.48.

b. Not more than ten percent may be allocated for financial incentives not exceeding seventy-five percent of the approved cost of permanent soil conservation practices under chapter 467A on watersheds above publicly-owned lakes in accordance with the priority list required in subsection 3 of section 506 of this Act.

c. The committee may allocate funds to conduct research and demonstration projects to promote conservation tillage practices and nonpoint source pollution control practices.

d. Not more than thirty percent of a district's allocation may be allocated by the soil conservation district commissioners for the establishment of management practices to control soil erosion on land that is now row cropped.

e. The soil conservation district commissioners may allocate financial incentives not exceeding sixty percent of the cost of permanent soil conservation practices for special watershed practices or summer construction incentives under section 467A.7, subsections 17 and 19.

f. Except for the allocation subject to paragraphs "a", "b", and "e", the financial incentives for voluntary permanent soil conservation practices shall not exceed fifty percent of the approved cost and priority shall be given to family-operated farms.

g. Not more than twenty thousand (20,000) dollars may be used for reimbursement of out-of-pocket expenses of fencing authorized by section 467A.75.

h. The financial incentive payments may be used in combination with state conservation commission funds.

4. The provisions of section 8.33 shall not apply to the funds appropriated by subsection 2. Unencumbered or unobligated funds remaining on June 30, 1990 from funds appropriated for the fiscal year beginning July 1, 1986 shall revert to the general fund on September 30, 1990.

Sec. 504. STATE CONSERVATION COMMISSION. There is appropriated from the general fund of the state and the funds indicated to the state conservation commission and its divisions for the fiscal year beginning July 1, 1986 and ending June 30, 1987 the following amounts, or so much thereof as may be necessary, to be used for the following purposes:

	1986-1987 Fiscal Year
1. DIVISION OF LANDS AND WATERS	
For deposit in the state conservation fund from the general fund of	

the state for salaries, support, maintenance, equipment, and miscellaneous purposes and for maintenance of state parks, waters, and forests, and including not more than one million three hundred ninety-eight thousand one hundred thirty (1,398,130) dollars during the fiscal year beginning July 1, 1986 which shall be available for the administration fund from the state conservation fund in compliance with the provisions of section 107.17 ..... $ 5,799,785

The commission shall give priority to the acquisition of private property along the Cedar Valley nature trail in Black Hawk, Buchanan, Benton, and Linn counties and its extension into Johnson and Cedar counties; the Heritage trail in Dubuque county; the Comet trail in Grundy county; and the trail from Des Moines to Arispe in Polk, Warren, Madison, and Union counties. The department of transportation shall provide technical assistance to the state conservation commission with regard to acquisition proceedings. No state funds will be used unless appropriated by the general assembly.

2. DIVISION OF FISH AND GAME

a. From the state fish and game protection fund for salaries, support, maintenance, equipment, and miscellaneous purposes including not more than one million nine hundred eighty-six thousand three hundred fifty-two (1,986,352) dollars during the fiscal year beginning on July 1, 1986 which shall be available from the state fish and game protection fund for the administration fund in compliance with the provisions of sec-

tion 107.17 ..... $ 13,106,897

b. From the fees deposited under section 321G.7 to the fish and game protection fund for enforcement of snowmobile laws as part of the state snowmobile program ..... $ 67,000

c. From the fees deposited under section 106.52 to the fish and game protection fund for administration and enforcement of navigation laws and water safety ..... $ 906,610

d. Funds remaining in the fish and game protection fund during fiscal year 1986-1987 which are not specifically appropriated by section 504 of this Act are appropriated and may be used for capital projects and contingencies arising during the fiscal year beginning July 1, 1986. A contingency shall not include any purpose or project which was presented to the general assembly by way of a bill or a proposed bill and which failed to be enacted into law. For the purpose of this subsection, a necessity of additional operating funds may be construed as a contingency. Before any of the funds authorized to be expended by this subsection are allocated for contingencies, it shall be determined by the executive council that a contingency exists and that the contingency was not existent while the general assembly was in session and that the proposed allocation shall be for the best interests of the state. If a contingency arises or could reasonably be foreseen during the time the general assembly is in session, expenditures for the contingency must be authorized by the general assembly.

3. GREEN THUMB PROGRAM

From the general fund for deposit in the green thumb fund for the employment of persons under the green thumb program established pursuant to chapter 601H ..... $ 138,730

4. PRESERVES BOARD

From the general fund for payment of per diem and actual expenses of the members of the state advisory board for preserves ..... $ 2,500

Sec. 505. MARINE FUEL TAX FUND. There is appropriated from the marine fuel tax fund to the state conservation commission and its divisions for the fiscal year beginning July 1, 1986 and ending June 30, 1987 the following amounts, or so much thereof as is necessary, to be used for the following purposes:

	1986-1987 Fiscal Year
1. For deposit in the state conservation fund for maintenance and development of boating facilities and access to public waters	$ 374,100
2. For deposit in the state fish and game protection fund for the administration and enforcement of navigation laws and boat safety	$ 100,000

The balance of the amount computed as provided in section 324.84 for the fiscal year beginning July 1, 1986 and ending June 30, 1987 is appropriated for the purposes provided in section 324.79, subsections 1, 2, 3 and 5. The unencumbered or unobligated balances of funds specifically allocated for such projects for the fiscal year ending June 30, 1987, shall revert to the fund from which appropriated June 30, 1989.

Sec. 506. ADMINISTRATION FUND.

1. The transfer of funds from the state conservation fund and the state fish and game protection fund to the administration funds shall not exceed the amounts specified in subsections 1 and 2 of section 504 of this Act.

2. All receipts and refunds and reimbursements related to activities funded by the administration fund are appropriated

to the administration fund. All refunds and reimbursements relating to activities of the state fish and game protection fund shall be credited to the state fish and game protection fund.

3. The state conservation commission shall establish a priority list of watersheds above publicly-owned lakes and areas within those watersheds which are of highest importance based on soil loss to be used for the allocation of funds set aside in subsection 3 of section 503 of this Act for permanent soil conservation practices on watersheds above publicly-owned lakes.

Sec. 507. GEOLOGICAL SURVEY. There is appropriated from the general fund of the state for the fiscal year beginning July 1, 1986 and ending June 30, 1987 to the Iowa geological survey the amounts specified, or so much thereof as is necessary, to be used for the following purposes:

	1986-1987 Fiscal Year
1. For salaries, support, maintenance, and for miscellaneous purposes for the general office	$ 1,132,970
2. For reimbursement to federal agencies for cooperative contracts	$ 185,558

Sec. 508. DEPARTMENT OF WATER, AIR AND WASTE MANAGEMENT. There is appropriated from the general fund of the state for the fiscal year beginning July 1, 1986 and ending June 30, 1987, to the department of water, air and waste management the following amounts, or so much thereof as is necessary, to be used for the purposes designated:

	1986-1987 Fiscal Year
1. For salaries, support, maintenance, and for miscellaneous purposes	$ 2,200,000

Notwithstanding section 8.33 funds appropriated for the state's contribution to the AIDEX superfund by 1984 Iowa Acts,

chapter 1303, section 18, subsection 3, and by 1985 Iowa Acts, chapter 260, section 12, subsection 3, which are unexpended or unencumbered shall carry forward into the 1986-1987 fiscal year for the same purpose as originally appropriated. During the fiscal year for which funds are appropriated by this section the department of water, air and waste management shall not require the installation or use of equipment to control the emission of dust or other particulate matter on facilities for the storage of grain which are located within the ambient air quality attainment areas for suspended particulates.

2. For payments to the governing bodies responsible for publicly-owned sewage treatment facilities which are eligible for grants under section 202 of the federal Water Pollution Control Act, 33 U.S.C. 466 et seq., as amended by the federal Clean Water Act of 1977, Pub. L. 95-217, in an amount equal to five percent of the amount approved as the eligible cost of the project by the water, air and waste management commission ..... $ 1,865,695

Notwithstanding the provisions of unnumbered paragraph 1, of this subsection, not more than ten thousand (10,000) dollars of the funds appropriated by this subsection may be used for payments to governing bodies of local governments to reimburse up to fifty percent of expenses incurred since January 1, 1985 for alternative solid waste disposal projects.

The department is authorized to utilize from funds appropriated for payments to governing bodies responsible for publicly-owned sewage treatment facilities but which are unexpended an amount not to exceed four hundred ninety-three thousand (493,000) dollars for the state share of the AIDEX superfund cleanup. Any funds remaining in the AIDEX superfund

account once the final site cleanup work, excluding the ongoing monitoring of the site, has been completed shall revert to the general fund of the state.

The provisions of section 8.33 shall not apply to the funds appropriated by this subsection. Unencumbered or unobligated funds remaining on June 30, 1990 from funds appropriated for the fiscal year beginning July 1, 1986, shall revert to the general fund on September 30, 1990.

Sec. 509. There is appropriated from the general fund of the state to the Iowa state water resources research institute for the fiscal year beginning July 1, 1986 and ending June 30, 1987, the sum of one hundred thousand (100,000) dollars, or so much thereof as is necessary, for research approved by the panel created in 1984 Iowa Acts, chapter 1303, section 20.

Sec. 510. If House File 2276 is enacted by the Seventy-first General Assembly, 1986 Session, and becomes law, there is appropriated from the general fund of the state to the interstate agricultural grain marketing commission for the fiscal period beginning July 1, 1986 and ending June 30, 1988, the sum of fifty thousand (50,000) dollars for the state's initial contribution to the commission for expenses incurred by the commission.

Sec. 511. All federal grants to and the federal receipts, not otherwise appropriated, of the agencies appropriated funds under this division of this Act are appropriated for the purposes set forth in the federal grants or receipts, unless otherwise provided by the general assembly.

DIVISION VII

REGULATORY AND LICENSING

Sec. 601. There is appropriated from the general fund of the state to the department of commerce and industry for the fiscal year beginning July 1, 1986 and ending June 30, 1987 the following amounts, or so much thereof as may be necessary, to be used for the following purposes:

1986-1987

	Fiscal Year
1. PROFESSIONAL LICENSING AND REGULATION DIVISION	
a. BOARD OF ARCHITECTURAL EXAMINERS	
For salaries, support, maintenance, and other operational purposes ..... $	42,000
b. BOARD OF LANDSCAPE ARCHITECTURAL EXAMINERS	
For salaries, support, maintenance, and other operational purposes ..... $	11,000
c. BOARD OF ACCOUNTANCY	
For salaries, support, maintenance, and other operational purposes ..... $	213,000
d. STATE BOARD OF ENGINEERING AND LAND SURVEYING EXAMINERS	
For salaries, support, maintenance, and other operational purposes ..... $	61,913
e. IOWA REAL ESTATE COMMISSION	
For salaries, support, maintenance, and other operational purposes ..... $	119,056

The licensing boards for which general fund appropriations have been provided for in paragraphs "a", "b", and "d" may expend additional funds, if those additional expenditures are directly the cause of actual examination expenses exceeding funds budgeted for examinations. Before a licensing board included in paragraphs "a", "b", and "d" expends or encumbers an amount in excess of the funds budgeted for examinations, the state comptroller shall approve the expenditure or

encumbrance. Before approval is given, the state comptroller shall determine that the examination expenses exceed the funds budgeted by the general assembly to the board and the board does not have other funds from which examination expenses can be paid. Upon approval of the state comptroller the licensing board may expend and encumber funds for excess examination expenses. The amounts necessary to fund the excess examination expenses shall be collected as fees from additional examination applicants and shall be treated as repayment receipts as defined in section 8.2, subsection 5.

2. BANKING DIVISION

For salaries, support, maintenance, and other operational purposes to be used as startup funding for the banking revolving fund ..... $ 295,000

3. CREDIT UNION DIVISION

For salaries, support, maintenance, and other operational purposes to be used as startup funding for the credit union revolving fund ..... $ 50,000

4. INSURANCE DIVISION

For salaries, support, maintenance, and other operational purposes ..... $ 1,650,000

Of the amount appropriated in this subsection, three hundred fifty thousand (350,000) dollars is to be used as startup funding for the insurance examination revolving fund.

5. GAMING DIVISION

For salaries, support, maintenance, and other operational purposes ..... $ 49,000

6. CONSUMER ADVOCATE

For salaries, support, main-

tenance, and other operational
purposes ..... $ 833,933

7. COMMERCE COMMISSION

For salaries, support, maintenance, and other operational
purposes ..... $ 3,963,503

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Sec. 602. There is appropriated from the general fund of the state for the fiscal year beginning July 1, 1986 and ending June 30, 1987 to the following named agencies, the following amounts, or so much thereof as is necessary, to be used for the purposes designated:

	1986-1987 Fiscal Year
1. AUDITOR OF STATE	
For salaries, support, maintenance, and other operational purposes	$ 1,793,877
2. CAMPAIGN FINANCE DISCLOSURE COMMISSION	
For salaries, support, maintenance, and other operational purposes	$ 155,000
3. DEPARTMENT OF AUDITS AND APPEALS	
For salaries, support, maintenance, and other operational purposes	$ 3,088,158
4. BUREAU OF LABOR	
For salaries, support, maintenance, and other operational purposes	$ 1,563,000
5. FOSTER CARE REVIEW BOARD	
For salaries, support, maintenance, and other operational purposes	$ 129,000

6. OCCUPATIONAL SAFETY AND HEALTH REVIEW COMMISSION

For salaries, support, maintenance, and other operational purposes ..... $ 24,523

7. INDUSTRIAL COMMISSIONER

For salaries, support, maintenance, and other operational purposes ..... $ 946,199

8. IOWA YOUTH CORPS

For salaries, support, maintenance, and miscellaneous purposes ..... $ 832,000

9. SECRETARY OF STATE

a. For salaries, support, maintenance, and other operational purposes ..... $ 1,007,086

b. For editing and printing the Iowa official register ..... $ 62,000

The secretary of state is responsible for the printing of the Iowa official register and the centralized printing department of the department of general services is responsible for the distribution of the Iowa official register.

The secretary of state shall not collect a fee for providing persons with the Iowa official register. If additional copies of the Iowa official register are required for distribution, the secretary of state shall not reprint the most expensive version of the Iowa official register but shall reprint the version that is less expensive for distribution.

5959,5903 Sec. 603. There is appropriated from the banking revolving fund to the banking division of the department of commerce and industry for the fiscal year beginning July 1, 1986 and ending June 30, 1987 the sum of three million three hundred fifty thousand (3,350,000) dollars, or so much thereof as is

necessary, for salaries, support, maintenance, and other operational purposes of the banking division. Of the funds deposited in the banking revolving fund, the treasurer of state shall transfer from the fund and credit to the general fund of the state for the fiscal year beginning July 1, 1986 and ending June 30, 1987 the sum of two hundred ninety-five thousand (295,000) dollars to reimburse the general fund of the state for startup funding providing for the banking revolving fund from the general fund of the state.

Sec. 604. There is appropriated from the credit union revolving fund to the credit union division of the department of commerce and industry for the fiscal year beginning July 1, 1986 and ending June 30, 1987 the sum of four hundred ninety-one thousand (491,000) dollars, or so much thereof as is necessary, for salaries, support, maintenance, and other operational purposes of the credit union division. Of the funds deposited in the credit union revolving fund, the treasurer of state shall transfer from the fund and credit to the general fund of the state for the fiscal year beginning July 1, 1986 and ending June 30, 1987 the sum of fifty thousand (50,000) dollars to reimburse the general fund of the state for startup funding provided for the credit union revolving fund from the general fund of the state.

Sec. 605. There is appropriated from the insurance examination revolving fund to the insurance division of the department of commerce and industry for the fiscal year beginning July 1, 1986 and ending June 30, 1987, the sum of one million one hundred fifty thousand (1,150,000) dollars, or so much thereof as is necessary, for salaries, support, maintenance, and other operational purposes of the insurance division. Of the funds deposited in the insurance examination revolving fund, the treasurer of state shall transfer from the fund and credit to the general fund of the state the sum of three hundred fifty thousand (350,000) dollars for the fiscal year beginning July 1, 1986 and ending June 30, 1987 to

reimburse the general fund of the state for startup funding provided for the insurance examination revolving fund from the general fund of the state.

Sec. 606. There is appropriated from the savings and loan revolving fund to the savings and loan division of the department of commerce and industry for the fiscal year beginning July 1, 1986 and ending June 30, 1987 the sum of three hundred forty-five thousand (345,000) dollars, or so much thereof as is necessary, for salaries, support, maintenance, and other operational purposes of the savings and loan division.

6681?

Sec. 607. Section 19A.3, Code Supplement 1985, is amended by adding the following new subsections:

NEW SUBSECTION. 25. The administrator and the deputy administrator of the credit union department, all members of the credit union review board, and all employees of the credit union department.

NEW SUBSECTION. 26. The superintendent and the deputy superintendent of the department of banking, all members of the state banking board, and all employees of the department of banking.

Sec. 608. Section 20.4, Code 1985, is amended by adding the following new subsections:

NEW SUBSECTION. 11. Persons employed by the credit union department.

NEW SUBSECTION. 12. Persons employed by the department of banking.

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Sec. 609. Section 505.7, Code 1985, is amended to read as follows:

505.7 FEES.

All fees and charges ~~of every character whatsoever~~ which are required by law to be paid by insurance companies and associations shall be payable to the commissioner of insurance or department of revenue, as provided by law, whose duty it shall be to account for and pay over the same to the treasurer of state at the time and in the manner provided by law.

However, fees paid for the inspection or examination of an insurer or other entity subject to regulation by the department shall be deposited in a special trust fund. The treasurer of state shall hold these funds in an account that shall be established in the name of the commissioner for the payment of the inspection and examination expenses of the department upon appropriation by the general assembly. This fund is subject at all times to the warrant of the department of revenue, drawn upon written requisition of the commissioner or the commissioner's designated representative, for the payment of all salaries and other expenses necessary to carry out the inspection or examination duties of the insurance department. The commissioner may keep on hand with the treasurer of state funds in excess of the current needs of the department. Transfers shall not be made from the general fund of the state or any other fund for the payment of the inspection and examination expenses of the department. No part of the funds held by the treasurer of state for the account of the commissioner shall be transferred to the general fund of the state or any other fund. The funds held by the treasurer of state for the account of the commissioner shall be invested by the treasurer of state and the income derived from these investments shall be credited to the general fund of the state.

The commissioner shall account for receipts and disbursements according to the separate inspection and examination duties imposed upon the commissioner by the laws of this state and each separate inspection and examination duty shall be fiscally self-sustaining.

Sec. 610. Section 524.207, Code 1985, is amended by striking the section and inserting in lieu thereof the following:

524.207 EXPENSES OF THE DEPARTMENT OF BANKING -- FEES.

All expenses required in the discharge of the duties and responsibilities imposed upon the department of banking, the

superintendent, and the state banking board by the laws of this state shall be paid from fees provided by the laws of this state and appropriated by the general assembly from the fund established in this section. All of these fees are payable to the superintendent. The superintendent shall pay all the fees and other money received by the superintendent to the treasurer of state within the time required by section 12.10. The treasurer of state shall hold these funds in an account that shall be established in the name of the superintendent for the payment of the expenses of the department. This fund is subject at all times to the warrant of the department of revenue, drawn upon written requisition of the superintendent or the superintendent's designated representative, for the payment of all salaries and other expenses necessary to carry out the duties of the department of banking. The superintendent may keep on hand with the treasurer of state funds in excess of the current needs of the department to the extent approved by the state banking board. Transfers shall not be made from the general fund of the state or any other fund for the payment of the expenses of the department. No part of the funds held by the treasurer of state for the account of the superintendent shall be transferred to the general fund of the state or any other fund, except as follows: Seventy-five thousand dollars each fiscal year shall be transferred to the general fund of the state. That amount shall be considered as one of the costs of the department. The funds held by the treasurer of state for the account of the superintendent shall be invested by the treasurer of state and the income derived from these investments shall be credited to the general fund of the state.

The superintendent shall account for receipts and disbursements according to the separate duties imposed upon the superintendent by the laws of this state and each separate duty shall be fiscally self-sustaining.

Sec. 611. Section 524.219, unnumbered paragraph 1, Code 1985, is amended to read as follows:

524.219 FEES FOR EXAMINATIONS.

A state bank~~,-and-any-private-bank~~ subject to examination, supervision, and regulation by the superintendent, shall pay to the superintendent a fee, established by the state banking board, based on the time required for the examination and the administrative costs and expenses incurred in the discharge of the duties imposed upon the superintendent by this chapter. The fee shall include, but not be limited to costs and expenses for salaries, expenses and travel for employees, office facilities, supplies, and equipment. Such fee shall apply equally to all state banks ~~and-private-banks-subject-to examination,-and-may-not-be-changed-more-frequently-than annually-and-when-changed,-shall-be-effective-on-January-1-of the-year-following-the-year-in-which-the-change-was-approved.~~

Sec. 612. NEW SECTION. 533.67 EXPENSES OF THE CREDIT UNION DEPARTMENT -- FEES.

All expenses required in the discharge of the duties and responsibilities imposed upon the credit union department, the administrator, and the credit union review board by the laws of this state shall be paid from fees provided by the laws of this state and appropriated by the general assembly from the fund established in this section. All of these fees are payable to the administrator. The administrator shall pay all the fees and other money received by the superintendent to the treasurer of state within the time required by section 12.10. The treasurer of state shall hold these funds in an account that shall be established in the name of the administrator for the payment of the expenses of the department. This fund is subject at all times to the warrant of the department of revenue, drawn upon written requisition of the administrator or the administrator's designated representative, for the payment of all salaries and other expenses necessary to carry out the duties of the department. The administration may keep

on hand with the treasurer of state funds in excess of the current needs of the department to the extent approved by the credit union review board. No transfers shall be made from the general fund of the state or any other fund for the payment of the expenses of the department. No part of the funds held by the treasurer of state for the account of the administrator shall be transferred to the general fund of the state or any other fund, except as follows: Forty thousand dollars each fiscal year shall be transferred to the general fund of the state. The amount shall be considered as one of the costs of the department. The funds held by the treasurer of state for the account of the administrator shall be invested by the treasurer of state and the income derived from these investments shall be credited to the general fund of the state.

The administrator shall account for receipts and disbursements according to the separate duties imposed upon the administrator by the laws of this state and each separate duty shall be fiscally self-sustaining.

Sec. 613. Section 534.408, subsection 1, Code 1985, is amended to read as follows:

1. PAYABLE TO ~~STATE~~ AUDITOR OF STATE. Associations shall pay fees by delivering to the supervisor a check payable to the ~~state~~ auditor of state. All fees collected under ~~the provisions of~~ this chapter shall be deposited with the treasurer of state in a separate fund to be known as the savings and loan revolving fund, except fifteen thousand dollars each fiscal year shall be transferred to the general fund of the state. The amount shall be considered as one of the costs of the savings and loan division. All expenses necessary to carry out ~~the provisions of~~ this chapter shall be paid from the savings and loan revolving fund and appropriated by the general assembly from the fund.

Sec. 614. 1986 Iowa Acts, Senate File 540, section 11, is amended to read as follows:

SEC. 11. NEW SECTION. 56.14 POLITICAL ADVERTISEMENTS.

A person who causes the publication or distribution of published material after July 1, 1984 designed to promote or defeat the nomination or election of a candidate for public office or the passage of a constitutional amendment or public measure shall include conspicuously on the the published material the identity and address of the person responsible for the material. If the person responsible is an organization, the name of one officer of the organization shall appear on the material. However, if the organization is a committee which has filed a statement of organization under this chapter, only the name of the committee is required to be included on the published material. This section does not apply to the editorials or news articles of a newspaper or magazine which are not political advertisements. For the purpose of this section, "published material" means any newspaper, magazine, shopper, outdoor advertising facility, poster, yard sign including hand lettered signs, direct mailing, brochure, or any other form of printed general public political advertising, however, the identification need not be conspicuous on posters and yard signs including hand lettered signs. This section does not apply to bumper stickers, pins, buttons, pens, matchbooks and similar small items upon which the inclusion of the disclaimer would be impracticable or to published material which is subject to federal regulations regarding a disclaimer requirement.

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5959 Sec. 615. All federal grants to and the federal receipts of the agencies appropriated funds under this division of this Act are appropriated for the purposes set forth in such federal grants or receipts unless otherwise provided by the general assembly.

DIVISION VIII

STATE GOVERNMENT

Sec. 701. There is appropriated from the general fund of the state to the office of the governor for the fiscal year

commencing July 1, 1986 and ending June 30, 1987, the following amounts, or so much thereof as is necessary, to be used for the purposes designated:

	1986-1987 Fiscal Year
1. For salaries, support, maintenance, and miscellaneous purposes of the general office of the governor	$ 643,650
2. For the governor's expenses connected with office	$ 5,439
3. For salaries, support, and miscellaneous purposes of the governor's quarters at Terrace Hill	$ 56,728
4. For the payment of expenses of ad hoc committees, councils, and task forces appointed by the governor to research and analyze a particular subject area relevant to the problems and responsibilities of state and local government, including the employment of professional, technical, and administrative staff and the payment of per diem, not exceeding forty dollars, and actual expenses of committee, council, or task force members	$ 15,706
5. For salaries, support, maintenance, and miscellaneous purposes of the office of administrative rules coordinator	$ 58,053

Sec. 702. There is appropriated from the general fund of

the state to the office of the lieutenant governor for the fiscal year beginning July 1, 1986 and ending June 30, 1987, the following amount, or so much thereof as is necessary, to be used for the purposes designated:

	1986-1987 Fiscal Year
For salaries, support, maintenance, and miscellaneous purposes including the lieutenant governor's compensation and expenses as provided in subsection 2 of section 2.10 including service as a member of the legislative council and for per diem and expenses incurred while performing duties of the lieutenant governor when the general assembly is not in session	$ 102,339

Sec. 703. There is appropriated from the general fund of the state to the executive council for the fiscal year beginning July 1, 1986 and ending June 30, 1987 the following amount, or so much thereof as is necessary, to be used for the purposes designated:

	1986-1987 Fiscal Year
For salaries, support, maintenance, and miscellaneous purposes	$ 39,605

Sec. 704. Section 8.20, Code 1985, is amended to read as follows:

8.20 CANCELLATION OF STATE WARRANTS.

The state comptroller as of March 31, June 30, September 30, and December 31 of each year shall cancel and request the treasurer of state to stop payment on all state warrants which

have been outstanding and unredeemed by the state treasurer for ~~one-year~~ six months or longer.

Sec. 705. There is appropriated from the general fund of the state to the department of general services for the fiscal year beginning July 1, 1986 and ending June 30, 1987 the following amounts, or so much thereof as is necessary, to be used for the purposes designated:

	1986-1987 Fiscal Year
1. GENERAL OPERATIONS	
For salaries, support, maintenance, and miscellaneous purposes	$ 4,437,424
2. DIVISION OF DATA PROCESSING	
For salaries, support, maintenance, and miscellaneous purposes of the division of data processing	$ 6,217,905
3. CAPITOL PLANNING COMMISSION	
For expenses of the members in carrying out their duties under chapter 18A	$ 1,255
4. UTILITY COSTS	
For payment of utility costs	$ 1,804,755
5. RENTAL SPACE	
For payment of lease or rental costs of buildings and office space at the seat of government as provided in section 18.12, subsection 9, notwithstanding section 18.16	$ 890,311
6. To implement a risk management program	$ 184,666

Sec. 706. There is appropriated from the revolving funds designated to the department of general services for the

fiscal year beginning July 1, 1986 and ending June 30, 1987, the following amounts, or so much thereof as necessary, to be used for the purposes designated:

	1986-1987 Fiscal Year
DEPARTMENT OF GENERAL SERVICES -- REVOLVING FUNDS	
1. From the centralized printing permanent revolving fund established by section 18.57 for salaries, support, maintenance, and miscellaneous purposes	$ 717,161
2. The remainder of the centralized printing permanent revolving fund is appropriated for the expense incurred in supplying paper stock, offset printing, copy preparation, binding, distribution costs, original payment of printing and binding claims and contingencies arising during the fiscal year beginning July 1, 1986 which are legally payable from this fund.	
3. From the general service revolving fund established by section 18.9 for salaries, support, maintenance, and miscellaneous purposes	$ 452,915
4. The remainder of the general service revolving	

fund is appropriated for the payment of expenses incurred through purchases by various state departments and for contingencies arising during the fiscal year beginning July 1, 1986 which are legally payable from this fund.

5. From the vehicle dispatcher revolving fund established by section 18.119 for salaries, support, maintenance, and miscellaneous purposes ..... $ 434,540

6. The remainder of the vehicle dispatcher revolving fund is appropriated for the purchase of gasoline, oil, tires, repairs and all other maintenance expenses incurred in the operation of state-owned motor vehicles and for contingencies arising during the fiscal year beginning July 1, 1986 which are legally payable from this fund.

Sec. 707. There is appropriated from the general fund of the state to the following named agencies for the fiscal year commencing July 1, 1986 and ending June 30, 1987, the following amounts, or so much thereof as necessary, to be used for the purposes designated:

	1986-1987 Fiscal Year
1. NATIONAL CONFERENCE OF STATE LEGISLATURES	

For support of the membership assessment ..... $ 51,002

2. COMMISSION ON UNIFORM STATE LAWS

For support of the commission and expenses of the members ..... $ 8,538

3. PIONEER LAWMAKERS

For expenses of the biennial meeting and banquet ..... $ 707

Sec. 708. There is appropriated from the general fund of the state for the fiscal year beginning July 1, 1986 and ending June 30, 1987 to the office of management, the following amounts, or so much thereof as necessary, to be used for the purposes designated:

	1986-1987 Fiscal Year
1. OFFICE OF MANAGEMENT	
a. For salaries, support, maintenance, and miscellaneous purposes	$ 1,344,812
b. Juvenile victim restitution program	$ 115,178
2. COUNCIL OF STATE GOVERNMENTS	
For support of the membership assessment	$ 44,806

Sec. 709. There is appropriated from the general fund of the state to the municipal assistance fund, established in section 405.1, for the fiscal year beginning July 1, 1986 and ending June 30, 1987, the following amount, or so much thereof as necessary, to be used for state assistance to municipalities, with distribution in accordance with section 405.1.

	1986-1987 Fiscal Year
	$ 14,502,280

Sec. 710. There is appropriated from the general fund of the state to the county government assistance fund, established in section 334A.1, for the fiscal year beginning July 1, 1986 and ending June 30, 1987, the following amount or so much thereof as is necessary, to be used for state assistance to counties, with the distribution in accordance with section 334A.2.

	1986-1987 Fiscal Year
	$ 5,295,236

Sec. 711. Section 331.660, Code 1985, is amended to read as follows:

331.660 APPROPRIATION -- INDIAN SETTLEMENT OFFICER.

There is appropriated annually from the general fund of the state to the county of Tama the sum of three thousand ~~five~~ three hundred sixty-five dollars to be used by the county only for the payment of the salary and expenses of an additional deputy sheriff for the county. The principal duty of the deputy sheriff is to provide law enforcement on the Sac and Fox Indian settlement in the county of Tama. If possible, the deputy sheriff shall reside on the settlement. Additional funds necessary to pay the salary and expenses of the deputy sheriff shall be paid by the county of Tama.

Sec. 712. 1985 Iowa Acts, chapter 254, section 1, subsection 1, paragraph b, is amended to read as follows:

b. For the fiscal year beginning July 1, 1986 ..... $ ~~48,004,900~~ -0-

Sec. 713. 1985 Iowa Acts, chapter 254, section 1, subsection 3, paragraph b, is amended to read as follows:

b. For the fiscal year beginning July 1, 1986 ..... $ ~~1,103,700~~ -0-

Sec. 714. 1985 Iowa Acts, chapter 258, section 9, is amended to read as follows:

SEC. 9. COMPARABLE WORTH PAY ADJUSTMENTS. There is appropriated from the general fund of the state to the salary adjustment fund established in section 8.43 for the fiscal year beginning July 1, 1985 and ending June 30, 1986, the sum of ~~nineteen~~ eighteen million eighty-five thousand eight hundred fifteen (~~19,000,000~~ 18,085,815) dollars, or so much thereof as is necessary, to be distributed to the various departments to supplement other general fund moneys appropriated by the general assembly to provide salary adjustments resulting from implementing actions taken under 1984 Iowa Acts, chapter 1314, including plans developed for agencies with positions which are exempt or partially exempt from the state merit system pursuant to 1984 Iowa Acts, chapter 1314, section 8.

Sec. 715. COMPARABLE WORTH PAY ADJUSTMENTS. There is appropriated from the general fund of the state to the salary adjustment fund established in section 8.43 for the fiscal year beginning July 1, 1986 and ending June 30, 1987, the sum of eighteen million eighty-five thousand eight hundred fifteen (18,085,815) dollars, or so much thereof as necessary, to be distributed to the various departments to supplement other general fund moneys appropriated by the general assembly to provide salary adjustments resulting from implementing actions taken under 1984 Iowa Acts, chapter 1314, including plans developed for agencies with positions which are exempt or partially exempt from the state merit system pursuant to 1984 Iowa Acts, chapter 1314, section 8.

Sec. 716. There is appropriated from the general fund of the state, to the department of personnel for the fiscal year beginning July 1, 1986 and ending June 30, 1987, the following amounts, or so much thereof as necessary, to be used for the purposes designated:

	1986-1987 Fiscal Year
1. For salaries, support,	

maintenance, and miscellaneous purposes ..... $ 2,928,227

2. To be transferred to the department of corrections for salary, support, maintenance, and miscellaneous purposes of the core personnel staff ..... $ 222,206

3. To be transferred to the department of human services for salary, support, maintenance, and miscellaneous purposes of the core personnel staff ..... $ 787,714

4. To be transferred to the department of transportation for salary, support, maintenance, and miscellaneous purposes of the core personnel staff ..... $ 12,074

5961 5. For salaries, support, maintenance, and other operational purposes of the public employment relations board ..... $ 497,687

6. For salaries, support, maintenance, and other operational purposes for the administration of chapter 97 and chapter 97C and section 294.15 ..... $ 145,785

5961, 5867, 6018, 6010 Sec. 717. NEW SECTION. 28.110 IOWA WINE AND BEER PROMOTION BOARD.

An Iowa wine and beer promotion board is created. The board consists of three members appointed by the commission. Each member shall serve a term of two years on the board. One member shall represent the commission, one member shall represent the Iowa wine makers, and one member shall represent the Iowa beer makers. The board shall advise the commission

on the best means to promote wine and beer made in Iowa.

Sec. 718. NEW SECTION. 28.111 PROMOTION OF IOWA WINE AND BEER.

The commission shall consult with the Iowa wine and beer promotion board on the best means to promote wine and beer made in Iowa. The commission has the authority to contract with private persons for the promotion of beer and wine made in Iowa. At the direction of the commission, the state comptroller shall issue warrants to the commission on the barrel tax fund created in section 123.143 and the gallonage tax fund created in section 123.183, which moneys may be used by the commission for the purpose of this section, including administrative expenses incurred under this section.

Sec. 719. Section 97B.49, subsection 3, Code Supplement 1985, is amended to read as follows:

3. For each member employed before January 1, 1976, who has qualified for prior service credit in accordance with the first paragraph of section 97B.43, there shall be determined a benefit of eight-tenths of one percent per year of prior service credit multiplied by the monthly rate of the member's total remuneration not in excess of three thousand dollars annually during the twelve consecutive months of the member's prior service for which ~~such~~ that total remuneration was the highest. An additional three-tenths of one percent of ~~such~~ the remuneration not in excess of three thousand dollars annually shall be payable for prior service during each year in which the accrued liability for benefit payments created by the abolished system is funded by appropriation from the general fund of the state ~~of Iowa as provided under section 97B.56~~.

Sec. 720. Section 97B.49, subsection 7, Code Supplement 1985, is amended to read as follows:

7. Notwithstanding other provisions of this chapter, a member who is or has been employed as a conservation peace officer under section 107.13 and who retires between July 1,

1978 and June 30, 1982 and at the time of retirement is at least sixty years of age and has completed at least twenty-five years of membership service as a conservation peace officer, may elect to receive, in lieu of the receipt of any benefits under subsection 5 of this section, a monthly retirement allowance equal to one-twelfth of forty-seven percent of the member's five-year average covered wage as a conservation peace officer, with benefits payable during the member's lifetime. For each conservation peace officer eligible for benefits under this subsection who retires on or after July 1, 1982, the percent used in computing the monthly retirement allowance is fifty. There is appropriated from the ~~general fund of the state to the Iowa department of job service from funds not otherwise appropriated~~ state fish and game protection fund to the department of personnel an amount determined by the Iowa public employees' retirement system sufficient to pay ~~eight and forty-three hundredths percent~~ for the additional benefits to conservation peace officers provided by this section, as a percentage of the covered wages of each conservation peace officer, in addition to the contribution paid by the employer under section 97B.11~~,~~ ~~to finance increased benefits to conservation peace officers under this subsection~~.

Sec. 721. Section 97B.56, unnumbered paragraph 2, Code 1985, is amended to read as follows:

Commencing July 1, 1967, and each year thereafter, the contributions required to fund the actuarial liabilities from the abolished system shall be determined in accordance with section 97B.54. ~~There is hereby appropriated from the general fund of the state of Iowa the amount of contribution required under said section but not to exceed one million dollars per biennium. The amount of such contribution shall be deposited in the retirement fund in two annual installments not later than June 30 of each fiscal year.~~

5895 strike from Sec. 748

Sec. 722. Section 123.3, subsection 21, Code Supplement

1985, is amended by striking the subsection.

Sec. 723. Section 123.16, subsection 2, paragraph c, Code Supplement 1985, is amended to read as follows:

c. The establishment of ~~retail~~ wholesale prices of alcoholic liquor.

Sec. 724. Section 123.20, subsections 5 and 8, Code Supplement 1985, are amended to read as follows:

5. To appoint ~~vendors,~~ clerks, agents, or other employees required for carrying out the provisions of this chapter; to dismiss employees for cause; to assign employees to divisions as created by the director within the department; and to designate their title, duties, and powers. All employees of the department are subject to chapter 19A unless exempt under section 19A.3.

8. To accept intoxicating liquors ordered delivered to the Iowa beer and liquor control department pursuant to section 127.8, subsection 1, and offer such intoxicating liquors for sale ~~through the state liquor stores~~ to class "E" liquor control licensees, unless the director determines that such intoxicating liquors may be adulterated or contaminated. If the director determines that such intoxicating liquors may be adulterated or contaminated the director shall order their destruction.

Sec. 725. Section 123.20, subsections 2 and 9, Code Supplement 1985, are amended by striking the subsections.

Sec. 726. Section 123.21, subsections 1, 2, 3, 6 and 8, Code Supplement 1985, are amended to read as follows:

1. Prescribing the duties of officers, ~~vendors,~~ clerks, agents, or other employees of the department and regulating their conduct while in the discharge of their duties.

2. Regulating the management, equipment, and merchandise of state ~~liquor stores and~~ warehouses in and from which alcoholic liquors are transported, kept, or sold and prescribing the books and records to be kept ~~therein~~ in the warehouses.

3. Regulating the purchase of alcoholic liquor generally and the furnishing of ~~such~~ alcoholic liquor to ~~state-liquor stores~~ class "E" liquor control licensees established under this chapter, and determining the classes, varieties, and brands of alcoholic liquors to be kept in state warehouses ~~or for-sale-at-any-state-liquor-store~~.

6. Providing for the issuance and distribution of price lists which show the price to be paid by ~~purchasers~~ class "E" liquor control licensees for each brand, class, or variety of liquor kept for sale ~~under-this-chapter~~ by the department, providing for the filing or posting of prices charged in sales between class "A" beer and class "A" wine permit holders and retailers, as provided in this chapter, and establishing or controlling the prices based on minimum standards of fill, quantity, or alcoholic content for each individual sale of intoxicating liquor or beer as deemed necessary for retail or consumer protection. However, the department ~~does~~ shall not ~~have-the-authority-to~~ regulate markups, prices, discounts, allowances, or other terms of sale at which alcoholic liquor may be purchased by the retail public or liquor control licensees from class "E" liquor control licensees or at which wine may be purchased and sold by class "A" and retail wine permittees, or change, nullify, or vary the terms of ~~any~~ an agreement between a holder of a vintner certificate of compliance and a class "A" wine permittee.

8. Prescribing, subject to this chapter, the days and hours during which state ~~liquor-stores~~ warehouses shall be kept open for the purpose of the sale and delivery of alcoholic liquors.

Sec. 727. Section 123.22, unnumbered paragraph 1, Code Supplement 1985, is amended to read as follows:

The department has the exclusive right of importation into the state of all forms of alcoholic liquor, except as otherwise provided in this chapter, and a person shall not import alcoholic liquor, except that an individual of legal

age may import and have in the individual's possession an amount of alcoholic liquor not exceeding one quart or, in the case of alcoholic liquor personally obtained outside the United States, one gallon for personal consumption only in a private home or other private accommodation. No distillery shall sell ~~any~~ alcoholic liquor within the state to any person but only to the department, except as otherwise provided in this chapter. ~~It is the intent of this~~ This section ~~to vest~~ vests in the department exclusive control within the state ~~both~~ as purchaser ~~and vendor~~ of all alcoholic liquor sold by distilleries within the state or imported, except beer and wine, and except as otherwise provided in this chapter. ~~The department may continue to purchase wine from persons holding a vintner's certificate of compliance or a class "A" wine permit for resale in state liquor stores.~~ The department shall act as the sole wholesaler of alcoholic liquor to class "E" liquor control licensees.

Sec. 728. Section 123.24, Code 1985, is amended to read as follows:

123.24 ~~VENDORS----CASH SALES~~ ALCOHOLIC LIQUOR AND WINE SALES BY THE DEPARTMENT -- DISHONORED CHECKS -- LIQUOR PRICES.

1. ~~In the conduct and management of state liquor stores, the director is empowered to employ a person who shall be known as a "vendor" who shall, subject to the directions of the director, observe all provisions of this chapter and the rules and regulations of the department. No vendor of any state liquor store shall sell alcoholic liquor to any person except for cash or traveler's check.~~ The department shall sell alcoholic liquor at wholesale only. The department shall sell alcoholic liquor to class "E" liquor control licensees only. The department shall offer the same price on alcoholic liquor to all exclusive retailers.

2. a. ~~Notwithstanding the preceding paragraph, a vendor may accept from a class "A", "B", "C" or "D"~~ The department may accept from a class "E" liquor control licensee, a

cashier's check which shows the licensee is the remitter or a check issued by the licensee~~,~~ in payment of alcoholic liquor ~~purchased for resale.~~ ~~In the event~~ If a check is subsequently dishonored, the ~~vendor~~ department shall cause a notice of nonpayment and penalty to be served upon the class "E" liquor control licensee or upon any person in charge of the licensed premises. The notice shall state that if payment or satisfaction for the dishonored check is not made within ten days of the service of notice, the licensee's liquor control license shall be suspended ~~by the procedures of~~ under section 123.39. The notice of nonpayment and penalty shall be in a form prescribed by the director, and shall be served by a peace officer.

b. If upon notice and hearing under ~~the procedures specified in~~ section 123.39 and pursuant to the provisions of chapter 17A concerning a contested case hearing, the director determines that the class "E" liquor control licensee failed to satisfy the obligation for which the check was issued within ten days after the notice of nonpayment and penalty was served on the licensee as provided in paragraph "a" of this subsection, the director shall suspend the licensee's class "E" liquor control license for not less than three days but not more than thirty days.

c. Paragraphs "a" and "b" do not apply if a class "E" liquor control licensee tenders the department three or more checks during a twelve-month period which are dishonored. Following notification to the department of dishonor of ~~any~~ a check after the second check so dishonored from the same licensee, the director shall suspend a licensee's class "E" liquor control license for not less than three nor more than thirty days, after notice and an opportunity for hearing. Payment of ~~any~~ a check whose dishonor subjects the licensee to suspension does not affect the liability of the licensee to suspension.

3. The price of alcoholic liquor sold by the department

shall include a markup at least equal to sixty percent of the wholesale price paid by the department for the alcoholic liquor. The markup shall apply to all alcoholic liquor sold by the department; however, the department may reduce the markup on selected kinds of alcoholic liquor sold by the department if the average return to the department on all sales of alcoholic liquor equals or exceeds the wholesale price paid by the department and the sixty percent markup.

Sec. 729. Section 123.25, Code 1985, is amended to read as follows:

123.25 CONSUMPTION ON PREMISES.

~~No vendor,~~ An officer, clerk, agent, or employee of the department employed in ~~any state liquor store or~~ a state-owned warehouse shall not allow any alcoholic liquor to be consumed on ~~such~~ the premises, nor shall ~~any~~ a person consume any liquor on ~~such~~ the premises.

Sec. 730. Section 123.26, Code 1985, is amended to read as follows:

123.26 RESTRICTIONS ON SALES -- SEALS -- LABELING.

Alcoholic liquor shall not be sold by the department to ~~a purchaser~~ a class "E" liquor control licensee except in a sealed container with identifying markers as prescribed by the director and affixed on the premises of a state warehouse ~~or store~~ and no such container shall be opened upon the premises of a state warehouse ~~or store~~. Possession of alcoholic liquors which do not carry the prescribed identifying markers is a violation of this chapter except as provided in section 123.22~~, and except as authorized by the council pursuant to section 123.56, subsection 4~~.

Sec. 731. Section 123.27, Code Supplement 1985, is amended to read as follows:

123.27 SALES AND DELIVERIES PROHIBITED.

It is unlawful to transact the sale or delivery of alcoholic liquor in, on, or from the premises of a state ~~liquor store or~~ warehouse:

1. After the closing hour as established by the director.
2. On any legal holiday except those designated by the director and approved by the executive council.
3. On any Sunday.
4. During other periods or days as designated by the director.

Sec. 732. Section 123.28, unnumbered paragraph 1, Code Supplement 1985, is amended to read as follows:

It is lawful to transport, carry, or convey alcoholic liquors from the place of purchase by the department to a state warehouse~~,~~ ~~store,~~ or depot established by the department or from one such place to another and, when so permitted by this chapter, it is lawful for the department, a common carrier, or other person to transport, carry, or convey alcoholic liquor sold ~~by a vendor~~ from a state warehouse, ~~store,~~ depot, or point of purchase by the state to any place to which the liquor may be lawfully delivered under this chapter. Notwithstanding section 321.230, sections 321.225 and 321.226 do not apply to department employees in the regular course of their employment. A common carrier or other person shall not break or open or allow to be broken or opened a container or package containing alcoholic liquor or use or drink or allow to be used or drunk any alcoholic liquor while it is being transported or conveyed, but this section does not prohibit a private person from transporting individual bottles or containers of alcoholic liquor exempted pursuant to section 123.22 and individual bottles or containers bearing the identifying mark prescribed in section 123.26 which have been opened previous to the commencement of the transportation. This section does not affect the right of a special permit or a class "E" liquor control license holder to purchase, possess, or transport alcoholic liquors subject to ~~the provisions of~~ this chapter.

Sec. 733. Section 123.29, subsections 1 and 2, Code Supplement 1985, are amended to read as follows:

1. To a physician, pharmacist, dentist, or veterinarian, entitling the holder to purchase and import alcohol from distillers and wholesalers or from the ~~state liquor stores~~ department or a class "E" liquor control licensee for use medicinally and in compounding prescriptions and to sell the ~~same~~ alcohol for use medicinally in the compounded prescription only upon the prescription of a licensed physician or surgeon, or to use ~~such~~ the alcohol in manufacturing or compounding lotions, compounds, and like commodities not susceptible for beverage purposes, and to sell the ~~same~~ commodities for public use.

2. To a veterans home, sanitarium, hospital, college, or home for the aged which will entitle the holder to purchase and import alcohol from distillers and wholesalers or from the ~~state liquor stores~~ department or a class "E" liquor control licensee for use for medicinal, laboratory, and scientific purposes only.

Sec. 734. Section 123.29, unnumbered paragraph 5, Code Supplement 1985, is amended to read as follows:

Every person holding a special liquor permit under this chapter shall fill out in duplicate, on forms furnished by the department, the amount and kinds of liquors purchased, and shall retain one copy in the person's establishment for a period of two years. The ~~vendor of the state liquor store at which~~ class "E" liquor control licensee from whom the purchase was made shall monthly forward the other copy to the department.

Sec. 735. Section 123.30, subsection 3, paragraphs a, b, and c, Code Supplement 1985, are amended to read as follows:

a. CLASS "A". A class "A" liquor control license may be issued to a club and shall authorize the holder to purchase alcoholic liquors from class "E" liquor control licensees only ~~the department~~, wine from ~~the department or~~ class "A" wine permittees only, and native wines from native wine manufacturers, and to sell liquors, wine, and beer, to bona

fide members and their guests by the individual drink for consumption on the premises only.

b. CLASS "B". A class "B" liquor control license may be issued to a hotel or motel and shall authorize the holder to purchase alcoholic liquors from class "E" liquor control licensees only ~~the department~~, wine from ~~the department or~~ class "A" wine permittees only, and native wines from native wine manufacturers, and to sell liquors, wine, and beer, to patrons by the individual drink for consumption on the premises only~~, however~~. However, beer may also be sold for consumption off the premises. Each license shall be effective throughout the premises described in the application.

c. CLASS "C". A class "C" liquor control license may be issued to a commercial establishment but must be issued in the name of the individuals who actually own the entire business and shall authorize the holder to purchase alcoholic liquors from class "E" liquor control licensees only ~~the department~~, wine from ~~the department or~~ class "A" wine permittees only, and native wines from native wine manufacturers, and to sell liquors, wine, and beer, to patrons by the individual drink for consumption on the premises only~~, however~~. However, beer may also be sold for consumption off the premises.

A special class "C" liquor control license may be issued and shall authorize the holder to purchase wine from ~~the department or~~ class "A" wine permittees only, and to sell wine and beer to patrons by the individual drink for consumption on the premises only~~, however~~. However, beer may also be sold for consumption off the premises. The license issued to holders of a special class "C" license shall clearly state on its face that the license is limited.

Sec. 736. Section 123.30, subsection 3, Code Supplement 1985, is amended by adding the following new lettered paragraph:

NEW LETTERED PARAGRAPH. e. CLASS "E". A class "E" liquor control license may be issued and shall authorize the holder

to purchase alcoholic liquor from the department only and to sell the alcoholic liquor to patrons for consumption off the licensed premise and to other liquor control licensees. A class "E" license shall not be issued to premises at which gasoline is sold. A holder of a class "E" liquor control license may hold other liquor control licenses or wine or beer permits, but the premises licensed under a class "E" liquor control license shall be separate from other licensed premises. However, the holder of a class "E" liquor control license may also hold a class "B" wine or class "C" beer permit or both for the premises licensed under a class "E" liquor control license.

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Sec. 737. Section 123.36, Code Supplement 1985, is amended by adding the following new subsections:

NEW SUBSECTION. 9. Class "E" liquor control license, a sum determined on a sliding scale as established by the department taking into account the factors of square footage of the licensed premises, the location of the licensed premises, and the population of the area of the location of the licensed premises. Notwithstanding subsection 6, the holder of a class "E" liquor control license may sell alcoholic liquor for consumption off the licensed premises on Sunday subject to section 123.49, subsection 2, paragraph "b".

NEW SUBSECTION. 10. There is imposed a surcharge on the fee for each class "A", "B", or "C" liquor control license equal to thirty percent of the scheduled license fee. The surcharges collected under this section shall be deposited in the beer and liquor control fund, and notwithstanding subsection 8, no portion of the surcharges collected under this section shall be remitted to the local authority.

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Sec. 738. Section 123.51, Code Supplement 1985, is amended to read as follows:

123.51 ADVERTISEMENTS FOR ALCOHOLIC LIQUOR, WINE, OR BEER.

~~1.--Except-as-permitted-by-federal-statute-and-regulations, there-shall-be-no-public-advertisement-or-advertising-of~~

~~alcoholic liquors in any manner or form within the state.~~

~~2. No person shall publish, exhibit, or display or permit to be displayed any other advertisement or form of advertisement, or announcement, publication, or price list of, or concerning any alcoholic liquors, or where, or from whom the same may be purchased or obtained, unless permitted so to do by the regulations adopted by the department and then only in strict accordance with such regulations. This subsection shall not apply, however:~~

~~a. To the department.~~

~~b. To the correspondence, or telegrams, or general communications of the department, or its agents, servants, and employees.~~

~~c. To the receipt or transmission of a telegram or telegraphic copy in the ordinary course of the business of agents, servants, or employees of any telegraph company.~~

~~3~~ 1. No signs or other matter advertising any brand of alcoholic liquor, beer, or wine shall be erected or placed upon the outside of any premises occupied by a licensee or permittee authorized to sell alcoholic liquor, beer, or wine at retail. This subsection does not prohibit the use of signs or other matter inside a fence or similar enclosure which wholly or partially surrounds the licensed premises.

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~~4~~ 2. Violation of this section ~~shall be~~ is a simple misdemeanor.

Sec. 739. Section 123.53, subsections 3, 7, and 8, Code Supplement 1985, are amended to read as follows:

3. The treasurer of state shall semiannually distribute a sum of money equal to at least ten percent of the gross sales made by the ~~state liquor stores~~ department but not less than six million four hundred thousand dollars to the cities of the state. ~~Such~~ The amount shall be distributed to the cities of the state in proportion to the population that each incorporated city bears to the total population of all incorporated cities of the state as computed by the latest

federal census. A city may have one special federal census taken each decade, and the population figure thus obtained shall be used in apportioning amounts under this subsection beginning the calendar year following the year in which the special census is certified by the secretary of state. ~~Such~~ The apportionment shall be made semiannually as of July 1 and January 1 of each year. Warrants for the ~~same~~ apportionment shall be issued by the state comptroller upon certification of the treasurer of state and mailed to the city clerk of each incorporated city of the state and shall be made payable to ~~such~~ the incorporated city and ~~shall be~~ are subject to expenditure under the direction of the city council or other governing bodies of ~~such~~ the incorporated city for any lawful municipal purpose. It ~~shall be~~ is a lawful municipal purpose for cities to allocate a portion of the ~~above funds~~ moneys received for the purpose of financing the activities of a city commission or committee on alcoholism, ~~such commission or committee~~ to be appointed by the mayor or by the council or both. The commission or committee may use any funds so allocated for the treatment, rehabilitation, and education of alcoholics in Iowa.

7. The treasurer of state shall credit to the military service tax fund described in chapter 426A, a sum of money equal to at least five percent of the gross amount of sales made by the ~~state liquor stores in the cities of the state~~ department but not less than six million four hundred thousand dollars. Any amount thus credited shall be allocated to the various taxing districts of the state as reimbursement for losses of revenue due to exemption or remission of property taxes which would be imposed upon property upon which soldiers' exemptions or soldiers' tax credits are provided under ~~such~~ terms ~~as~~ the general assembly ~~may provide~~ provides.

8. The treasurer of state shall transfer into a special revenue account in the general fund of the state, a sum of money at least equal to seven percent of the gross amount of

sales made by the ~~state liquor stores in the cities of the state~~ department from the beer and liquor control fund on a monthly basis but not less than nine million dollars annually, and any amounts so transferred shall be used by the department of substance abuse for substance abuse treatment and prevention programs in an amount determined by the general assembly and any amounts received in excess of the amounts appropriated to the department of substance abuse shall be considered part of the general fund balance.

Sec. 740. Section 123.55, Code Supplement 1985, is amended to read as follows:

123.55 ANNUAL REPORT.

The council shall cause to be prepared an annual report to the governor of the state, ending with June 30 of each year, showing fully the results of the operations of the department covering the period since the last previous report. Such report shall show:

1. Amount of profit or loss from ~~state liquor store~~ department operations.

~~2. Number of state liquor stores opened, the number closed, and the number operating on last day included in report.~~

~~3. Amount of fees received from such stores, separately and in gross.~~

~~4~~ 2. The current balance of the beer and liquor control fund, and the amount transferred from ~~such~~ the fund to the treasurer of state during the period covered by the report.

~~5~~ 3. All other funds on hand and the source from which derived.

~~6~~ 4. The total quantity and particular kind of alcoholic liquor sold.

~~7~~ 5. The increase or decrease of liquor sales from the previous reporting period.

~~8~~ 6. The number of liquor control licenses, wine permits, and beer permits issued, by class, the number in effect on the

last day included in the report, and the number which have been suspended or revoked during the period covered by the report.

9 7. Amount of fees paid to the department from liquor control licenses, wine permits, and beer permits, in gross, and the amount of liquor control license fees returned to local subdivisions of government as provided under this chapter.

Sec. 741. Section 123.57, Code 1985, is amended to read as follows:

123.57 EXAMINATION OF ACCOUNTS.

The financial condition and transactions of all offices, departments, ~~stores,~~ warehouses, and depots of the department shall be examined at least once each year by the state auditor and at shorter periods if requested by the director, governor, or executive council.

Sec. 742. Section 123.58, Code 1985, is amended to read as follows:

123.58 AUDITING.

All provisions of sections 11.6, 11.7, 11.10, 11.11, 11.14, 11.18, 11.21, and 11.23, relating to auditing of financial records of governmental subdivisions which are not inconsistent ~~herewith~~ with this chapter are ~~hereby made~~ applicable to the department and its offices, ~~stores,~~ warehouses, and depots.

Sec. 743. Section 123.92, unnumbered paragraph 1, Code Supplement 1985, is amended to read as follows:

Every husband, wife, child, parent, guardian, employer or other person who is injured in person or property or means of support by any intoxicated person or resulting from the intoxication of any person, has a right of action for all damages actually sustained, severally or jointly, against any licensee or permittee, who ~~sells or gives~~ sold and served any beer, wine, or intoxicating liquor to ~~a~~ the intoxicated person ~~while the person is~~ when the licensee or permittee knew or

should have known the person was intoxicated, or ~~serves a~~ who sold to and served the person to a point where the ~~person is~~ licensee or permittee knew or should have known the person would become intoxicated. If the injury was caused by an intoxicated person, a permittee or licensee may establish as an affirmative defense that the intoxication did not contribute to the injurious action of the person. However, this section does not apply to a class "E" liquor control licensee.

Sec. 744. Section 123.136, unnumbered paragraph 1, Code 1985, is amended to read as follows:

In addition to the annual permit fee to be paid by all class "A" permittees under the provisions of this chapter there shall be levied and collected from such permittees on all beer manufactured for sale or sold in this state at wholesale and on all beer imported into this state for sale at wholesale and sold in this state at wholesale, a tax of ~~four~~ seven and ~~thirty-four~~ forty-four hundredths dollars for every barrel containing thirty-one gallons, and at a like rate for any other quantity or for the fractional part of a barrel. However, no tax shall be levied or collected on beer shipped outside this state by a class "A" permittee or sold by one class "A" permittee to another class "A" permittee.

Sec. 745. Section 123.178, subsection 3, Code Supplement 1985, is amended to read as follows:

3. A person holding a class "B" wine permit may purchase wine for resale only ~~from the department or~~ from a person holding a class "A" wine permit.

Sec. 746. Section 123.48, Code 1985, and sections 123.23 and 123.96, Code Supplement 1985, are repealed.

Sec. 747. The alcoholic beverages control division of the department of commerce shall establish a program for employees of the department whose positions are terminated as a result of this Act and who do not qualify for or who choose not to accept early retirement. The program shall provide retraining

for other positions within the department or otherwise within state government. The department shall give a preference to qualified persons previously employed by the department whose jobs were terminated as a result of this Act when hiring to fill vacant positions within the department.

Sec. 748. The alcoholic beverages control division of the department of commerce shall adopt reasonable procedures to expedite the release of lease obligations and to otherwise minimize expenses incurred as a result of this Act.

Sec. 749. There is appropriated from the general fund of the state for the fiscal year beginning July 1, 1986 and ending June 30, 1987 to the department of public defense, the following amounts, or so much thereof as necessary, to be used for the purposes designated:

	1986-1987 Fiscal Year
1. For salaries, support, maintenance, and miscellaneous purposes including the chemical exposure reporting program	$ 3,097,210

Notwithstanding section 29A.33, the per capita annual allowance to units will be five dollars per capita to be paid on a semiannual basis in installments of two dollars fifty cents per capita for the fiscal year beginning July 1, 1986 and ending June 30, 1987. The per capita allowance shall be used for morale purposes and be for the welfare of the troops and in no circumstances expended for support and maintenance.

2. For the war orphans educational aid fund	$ 14,278

Sec. 750. There is appropriated to the disaster services division of the department of public defense from the general fund of the state the sum of five thousand (5,000) dollars for the purpose of preparing and submitting a written report and recommendations for an overall plan to implement 911 service to the general assembly not later than January 16, 1987. The

recommendations shall include, but are not limited to:

1. The responsibilities that should be assumed by state and local public agencies and public safety agencies and by exchange carriers providing public telephone service in implementing statewide 911 service.

2. The size of 911 service areas necessary to operate effectively and to achieve economies of scale and the local government coordination necessary to establish 911 service.

3. Whether it is necessary or desirable for an existing or new state agency to be given the responsibility for monitoring, reviewing, supervising, or coordinating the implementation of statewide 911 service.

4. The equipment, capability and operational standards that should be established for 911 service, including procedures for transmitting calls, that will result in the shortest response time in emergencies and the best service to the public.

5. An estimate of the cost to state and local public agencies to plan, implement, and operate 911 systems throughout the state. The cost reported should indicate the current costs of telephone and related services as well as the incremental costs of 911 implementation.

6. Whether it is necessary or desirable for the general assembly to establish a deadline by which every public agency and public or private safety agency must establish or participate in 911 service.

7. Whether it is necessary or desirable for the general assembly to allow a public agency or utility to seek a waiver of all or some of the time limits for implementing 911 service.

8. Identification and listing of all existing federal, state, local, and private funding sources available for implementation of 911 service. The report shall discuss the merits of alternative methods of collecting the necessary revenues including an increase in taxes, an imposition of a surcharge on the amounts paid by every person in the state for intrastate telephone service, and combinations of these methods.

9. How public agency costs for the planning, installation, and continued operation of the 911 system should be met and from which sources.

10. Legislation needed to implement statewide 911 services.

Sec. 751. All federal grants to and the federal receipts of the agencies appropriated funds under this division of this Act, not otherwise appropriated, are appropriated for the purposes set forth in the federal grants or receipts unless otherwise provided by the general assembly.

Sec. 752. Section 139 of this Act takes effect retroactive to April 30, 1986.

EXPLANATION

Division I of the bill appropriates moneys to the department of economic development, department of revenue and finance, treasurer of state, and state department of transportation for the fiscal year beginning July 1, 1986 and ending June 30, 1987.

Division II of this bill makes appropriations for the 1986-1987 fiscal year to educational, artistic, and historical agencies.

Division III of this bill appropriates funding for certain human services agencies for the fiscal year beginning July 1, 1986 and ending June 30, 1987. The agencies include the civil rights commission, the department of human rights, and the department of public health.

Division IV of this bill appropriates moneys from the general fund of the state for the 1986-1987 fiscal year to the department of human services for its operating expenses and various programs and institutions, including but not limited to aid to families with dependent children, medical assistance, foster care, state supplementary assistance, the state mental health institutes and hospital-schools, the veterans home, and the state juvenile institutions.

Division V of this bill appropriates moneys from the general fund of the state for the fiscal year beginning July 1, 1986 and ending June 30, 1987 to the judicial department, the department of corrections, the criminal and juvenile justice planning agency, the department of justice, the Iowa law enforcement academy, the board of parole, the state medical examiner, state fire marshal, and the department of public safety.

Division VI of this bill appropriates funds to the department of agriculture, state conservation commission, geological survey, and department of water, air and waste management.

Division VII of this bill makes appropriations from the state general fund for the fiscal year beginning July 1, 1986 and ending June 30, 1987 to various state regulatory and licensing departments, boards, and commissions. The division also prohibits the secretary of state from charging a fee for the Iowa official register. The division specifies that all federal grants and receipts received by agencies appropriated funds under this bill are appropriated for the purposes set forth in those federal grants or receipts unless otherwise provided by the general assembly.

Division VIII of this bill appropriates funds to various executive departments and agencies, various executive officers, and legislative organizations and associations for the fiscal year beginning July 1, 1986. The agencies or organizations funded include the office of administrative rules coordinator, capitol planning commission, office of management, council of state governments, national conference of state legislatures, the executive council, the pioneer lawmakers, department of public defense, commission on uniform state laws, department of general services, office of governor, office of lieutenant governor, and department of personnel.

HOUSE FILE 2484

H-5870

Amend House File 2484 as follows:
1. Page 36, by inserting after line 13, the following:
"Sec. ___. Section 262.9, Code 1985, is amended by adding the following new subsection:
NEW SUBSECTION. 15. Provide that residents of Yamanashi, Japan; Yucatan, Mexico; and Hebei, China, who enroll in its institutions of higher education are eligible for resident student status and resident student tuition. The named locations are Iowa's sister states."

BY HAMMOND of Story
LLOYD-JONES of Johnson
GRONINGA of Cerro Gordo

H-5870 FILED APRIL 21, 1986
Adopted 4/23/86 (J. 1639)

HOUSE FILE 2484

H-5867

Amend House File 2484 as follows:
1. Page 137, by inserting after line 27 the following:
"A person who desires to be reimbursed for legitimate costs incurred while performing service to the state must submit a receipt documenting such cost prior to receiving remuneration from the state."

BY VAN MAANEN of Mahaska
HARBOR of Mills
HALVORSON of Clayton
MAULSBY of Calhoun

H-5867 FILED APRIL 21, 1986
Adopted 4/23 (J. 1669)

HOUSE FILE 2484

H-5869

Amend House File 2484 as follows:
1. Page 154, line 9, by inserting after the word "Act." the following: "Lease obligations incurred by the department for the operation of state liquor stores shall be honored for one year following the effective date of this Act."

H-5869 FILED APRIL 21, 1986 BY SCHNEKLOTH of Scott
Lost 4/23 (J. 1683)

HOUSE FILE 2484

H-5873

Amend House File 2484 as follows:
1. Page 153, by striking lines 10 through 23.
2. By renumbering as necessary.

BY RUNNING of Linn
SCHNEKLOTH of Scott
WOODS of Polk
PEICK of Linn
PETERSEN of Muscatine
McINTEE of Black Hawk
HUMMEL of Benton
SKOW of Guthrie
SIEGRIST of Pottawattamie
OLLIE of Clinton

H-5873 FILED APRIL 22, 1986
Lost 4/23 (J. 1683)

HOUSE FILE 2484

H-5865

Amend House File 2484 as follows:

1. Page 89, by inserting after line 17 the following:

"Sec. ___. ADMINISTRATIVE RULES INTERIM STUDY -- DEPARTMENT OF HUMAN SERVICES AND DEPARTMENT OF PUBLIC HEALTH. The legislative council shall create an interim study committee to review all the administrative rules of the department of human services and of the department of public health, other than rules relating to substance abuse programs. The committee shall be composed of two senators, one appointed by the majority leader of the senate and one appointed by the minority leader of the senate, two representatives, one appointed by the speaker of the house of representatives and one appointed by the minority leader of the house of representatives, the administrative rules coordinator, two representatives of the department of human services appointed by the director of the department, two representatives of the department of public health appointed by the director of the department, and representatives of providers and provider groups appointed by the legislative council, which are regulated or reimbursed in some manner by the department of human services or the department of public health. The committee shall identify burdensome and unnecessary administrative rules and shall make recommendations, which would not have a negative impact on departmental clients, concerning the retention, modification, or rescission of the departments' administrative rules."

2. By renumbering as necessary.

BY VAN MAANEN of Mahaska
HARBOR of Mills

H-5865 FILED APRIL 21, 1986
Adopted 4/23/86 (p. 1655)

HOUSE FILE 2484

H-5863

Amend House File 2484 as follows:

1. Page 59, by striking lines 28 through 31.

BY TEAFORD of Black Hawk
DIEMER of Black Hawk

H-5863 FILED APRIL 21, 1986
Adopted 4/23 (p 1649)

HOUSE FILE 2484

H-5866 CORRECTED

Amend House File 2484 as follows:

1. Page 87, line 14, by inserting after the word "reports." the following: "The department shall designate a prevailing daily reimbursement rate for intermediate care facilities in each county in the state and funds appropriated under section 303, subsection 2 of this Act shall be prorated in such a manner that the same percentage of cost shall be paid in all counties of the state."

BY SCHNEKLOTH of Scott
VAN CAMP of Scott
PETERSEN of Muscatine
CARPENTER of Polk
METCALF of Polk

H-5866 FILED APRIL 21, 1986
Lost 4/24 (p. 1653)

HOUSE FILE 2484

H-5874

Amend House File 2484 as follows:

1. Page 59, by inserting after line 25 the following:

"Sec. ___. NEW SECTION. COORDINATION OF BONDING ACTIVITIES OF STATE BOARD OF REGENTS.

1. As used in this section, unless the context otherwise requires:

a. "Board" means the state board of regents.

b. "Obligations" means notes, bonds, including refunding bonds, and other evidences of indebtedness of the board.

c. "Treasurer" means the treasurer of state of the state of Iowa.

2. Notwithstanding any provisions of Senate File 2175 of the Seventy-first General Assembly or any other provision of the Code the treasurer shall coordinate the issuance of obligations by the board with other authorities. The treasurer, or the treasurer's designee, shall serve as ex officio nonvoting member of the board. Prior to the issuance of obligations, the board shall notify the treasurer of its intention to do so. The treasurer shall:

a. Select and fix the compensation for, in consultation with the board, through a competitive selection procedure, attorneys, accountants, financial advisors, banks, underwriters, insurers, and other employees and agents which in the treasurer's judgment are necessary to carry out the board's intention. Prior to the initial selection, the treasurer shall, after consultation with the board, establish a procedure which provides for a fair and open selection process including, but not limited to, the opportunity to present written proposals and personal interviews. The treasurer shall maintain a list of firms which have requested to be notified of requests for proposal. The selection criteria shall take into consideration, but is not limited to, compensation, expenses, experience with similar issues, scheduling, ability to provide the services of individuals with specific knowledge in the relevant subject matter and length of the engagement. The treasurer may waive the requirements for a competitive selection procedure for any specific employment upon written notice to the executive council stating why the waiver is in the public interest. Upon selection by the treasurer, the board shall promptly employ the individual or firm and be responsible for payment of costs.

b. Submit an account to the board for all costs incurred in each transaction. The treasurer will charge the board for costs of administration. The

board shall disburse to the treasurer the amounts set forth in the account.

c. Direct the investment or deposit of the proceeds of the sale of the obligations, in accordance with the language of the documents drafted to effectuate issuance of the obligations, except for the proceeds necessary to fund the ongoing operations of the board. This paragraph does not apply to proceeds of obligations issued before the effective date of this section.

d. Collect from the board and other sources, any statistical and financial information necessary to draft an offering document or prepare a presentation necessary for the issuance or marketing of the obligations.

3. The board shall consult with the treasurer on the following:

a. Amount, terms, and conditions of the obligations to be issued by the board including other provisions deemed necessary by the treasurer or the board.

b. The documents or instruments necessary to effectuate issuance of the obligation.

c. Presentations to rating agencies and marketing activities. The treasurer may choose to participate in these presentations.

4. Professional services, including but not limited to attorneys, accountants, financial advisors, banks, underwriters, insurers, and other employees employed by a project sponsor may be selected by the project sponsor, if the obligation is issued in behalf of the project sponsor and the purchaser of the obligation does not have recourse to the board or state.

5. The treasurer may delay implementation of this section for up to six months following the effective date of this section for the board to facilitate an orderly transition."

H-5874 FILED APRIL 22, 1986 BY HATCH of Polk

H/D 4/23 (p. 1648)

HOUSE FILE 2484

H-5871

Amend House File 2484 as follows:

1. Page 30, line 15, by striking the word "Hospitals" and inserting the following: "The university of Iowa hospitals and clinics and other hospitals".

2. Page 30, line 17, by striking the word "The" and inserting the following: "University hospital billings shall be submitted directly to the state comptroller and other".

3. Page 30, line 27, by inserting after the word "clinics" the following: "under both the statewide indigent patient care program and the statewide indigent obstetrical patient quota system".

4. Page 32, line 26, by inserting after the word "statewide" the following: "indigent".

5. Page 32, line 35, by inserting after the word "statewide" the following: "indigent".

H-5871 FILED APRIL 21, 1986 BY ZIMMERMAN of Dallas

Placed O/C 4/22 (p. 1694)

H-5878

Amend House File 2484 as follows:

1. By striking page 9, line 28 through page 10, line 15.

2. By striking page 10, line 32 through page 11, line 28.

3. Renumber sections and correct internal references as necessary in accordance with this amendment.

BY KOENIGS of Mitchell
SWEARINGEN of Keokuk
PONCY of Wapello
DAGGETT of Taylor

H-5878 FILED APRIL 22, 1986
W/D 4/24 (J. 1727)

HOUSE FILE 2484

H-5880

Amend House File 2484 as follows:

1. Page 26, by striking lines 1 through 8 and inserting the following:

"Prior to the use of any funds, appropriated for the medical and surgical treatment of indigent patients as provided in chapter 255, for organ transplantations, a study to develop a process for the review and approval of organ transplantations shall be conducted. The legislative council shall establish an eight-member organ transplantation study committee, composed of four senators and four representatives, four of whom are members of the human resources standing committees and four of whom are members of the joint education appropriations subcommittee. The study committee shall investigate the transplantation experience of other states and review the report of the governor's task force on organ transplantations. The study committee shall develop a process for the disbursement of medical assistance funds and chapter 255 indigent patient program funds for organ transplantations, and report its findings to the legislative council by January 1, 1987. Until the general assembly enacts a process for the review and approval of organ transplantations, the costs of which will be paid for, in whole or in part, from chapter 255 indigent patient program funds, chapter 255 indigent patient program funds shall not be used to pay for the cost of organ transplantations. Until the general assembly enacts a process for the review and approval of organ transplantations, the costs of which will be paid for, in whole or in part, from medical assistance funds, medical assistance funds shall only be used to pay for the cost of organ transplantations in accordance with administrative rules adopted by the department of human services and in effect on January 1, 1986."

BY MULLINS of Kossuth
ZIMMERMAN of Dallas

H-5880 FILED APRIL 22, 1986
ADOPTED (p. 1617)

HOUSE FILE 2484

H-5875

Amend House File 2484 as follows:

1. Page 93, line 14, by inserting after the word "camps" the following: ", excluding facilities established under section 402, subsection 2 of this Act for treatment of OWI offenders".

H-5875 FILED APRIL 22, 1986 BY SPEAR of Lee
W/D 4/23 (p. 1657)

HOUSE FILE 2484

H-5876

Amend House File 2484 as follows:

1. Page 28, by inserting after line 17 the following:

"As a condition of the appropriation in this subparagraph, the state comptroller shall withhold three million three hundred sixty thousand twenty-one (3,360,021) dollars until the cooperative extension service in agriculture and home economics certifies to the state comptroller that it has signed an agreement under chapter 28E with the department of economic development that provides a procedure for the department of economic development to approve economic development activities conducted by the cooperative extension service."

H-5876 FILED APRIL 22, 1986 BY GRONINGA of Cerro Gordo
ADOPTED (p. 1618)

HOUSE FILE 2484

H-5877

Amend House File 2484 as follows:

1. Page 38, by inserting after line 32 the following:

"Sec. ___. Section 270.9, subsection 2, Code 1985, is amended to read as follows:

2. Transportation reimbursement at a rate established annually by the state board of regents to the parents or guardians for ~~not-more-than-eleven trips-per-year~~ transportation from the institution to the residence of the parent or guardian and return to the institution for children who reside in the institution."

BY PAVICH of Pottawattamie
SIEGRIST of Pottawattamie

H-5877 FILED APRIL 22, 1986
Adopted 4/23 (p. 1641)

HOUSE FILE 2484

H-5879

Amend House File 2484 as follows:

1. By striking page 29, line 2 through page 33, line 4 and inserting the following:

"Sec. 111. INDIGENT OBSTETRICAL PATIENT QUOTAS.

1. The statewide indigent patient care program shall continue the nonquota system for indigent obstetrical and orthopedic patients and shall maintain the current county quota system for other indigent patients. In addition, commencing October 1, 1986, under the statewide indigent patient care program each county shall be allocated an indigent obstetrical patient quota equal to the lesser of sixty patients or a total number equal to four percent of the average number of live births per year in the county, calculated for the 1983, 1984, and 1985 calendar years, minus the number of obstetrical patients from the county who delivered at the university of Iowa hospitals and clinics under the statewide indigent patient care program in the fiscal year beginning July 1, 1985. However, each county shall be allocated a minimum indigent obstetrical patient quota of four. The department of public health shall provide for the reassignment of an unused county obstetrical quota allotment to other counties on April 1, 1986. The reassignment shall only be taken from a county which has an unused obstetrical patient quota for the portion of the fiscal period ending March 31, 1986, and the reassignment shall not affect the county's portion of the quota for the calendar quarter ending June 30, 1986. The reassignments shall be made to other counties on a first-come, first-served basis. A newborn infant who is born locally to an indigent woman under a county's indigent obstetrical patient quota may be transferred to the university of Iowa hospitals and clinics and receive care as a nonquota indigent patient. A county may use its obstetrical quota to provide services to indigent obstetrical patients and their newborns under the county's general relief program to hospitals licensed in this state and to physicians licensed and practicing in this state. All providers of services to quota and nonquota obstetrical and newborn patients shall agree to accept as full payment the reimbursements allowable under the medical assistance program established pursuant to chapter 249A, adjusted for intensity of care. However, the total reimbursement from the obstetrical patient care fund to providers for residents of a county is limited to that county's indigent obstetrical patient quota multiplied by one thousand four hundred dollars. The university of Iowa

hospitals and clinics and other hospitals shall submit their billings on the UB 82, uniform hospital billing form, and physicians shall submit their billings on the HCFA 1500. University hospital billings shall be submitted directly to the department of public health and other billings shall be submitted through the county general relief directors to the department of public health.

2. The department of public health, in collaboration with the department of human services and in consultation with the Iowa state association of counties, shall adopt rules, pursuant to chapter 17A, establishing minimum standards for eligibility for obstetrical and newborn care, including physician examination, medical testing, and inpatient transportation costs, for indigent obstetrical and newborn care provided by the university of Iowa hospitals and clinics and by other hospitals licensed in this state and physicians licensing and practicing in this state. The minimum standards for eligibility shall provide eligibility for persons with incomes at or below one hundred fifty percent of the annual revision of the poverty income guidelines published by the United States department of health and human services, and shall provide, but shall not be limited to providing, eligibility for uninsured and underinsured persons financially unable to pay for necessary obstetrical and newborn care. The minimum standards may include a spend-down provision. The resource standards shall be set at or above the resource standards under the federal supplemental security income program. The resource exclusions allowed under the federal supplemental security income program shall be allowed and shall include resources necessary for self-employment. The department of public health shall adopt administrative rules to implement the statewide indigent obstetrical patient quota system under section 17A.4, subsection 2, and section 17A.5, subsection 2, paragraph "b" and the rules shall become effective no later than October 1, 1986.

3. The department of public health shall establish procedures for payment to other hospitals licensed in this state, and physicians licensed and practicing in this state.

4. A county shall not be held responsible for the costs of providing obstetrical and newborn care, including physician examination, medical testing, and transportation costs, to pregnant women and their newborn infants who meet the eligibility requirements

adopted by the department of public health.

5. A person desiring obstetrical and newborn care, the cost of which is payable under the obstetrical patient care program, or the parent or guardian of a minor desiring or in need of such care, may apply to the general relief director of the person's county of residence to have the cost of such care paid from the obstetrical patient care fund. The applicant shall attest to the accuracy of the information contained on the application. The county general relief director shall first ascertain from the local office of the department of human services if the applicant would be eligible for medical assistance or for assistance under the medically needy program without any spend-down requirement, pursuant to chapter 249A. The county general relief director shall also assure that any local obligations under the federal Hill-Burton program for free care, as well as any other nonpublic programs for care, are fully utilized. If the applicant is eligible for assistance pursuant to chapter 249A, if the applicant is eligible for maternal and child health care services covered by a maternal and child health program, or if the applicant is eligible for Hill-Burton care or other nonpublic programs, the obstetrical patient care program shall not provide such assistance, care, or covered services provided under other programs.

6. The legislative fiscal bureau and the state health data commission shall study the operation of the obstetrical patient care program for the fiscal period beginning July 1, 1986, and ending June 30, 1988, shall identify the levels of medical care provided and the location of the care provided under the program, and the costs of the care provided by all hospitals under this section, and shall report its preliminary findings to the governor and the general assembly convening in 1987 and its final determinations to the governor and the general assembly convening in 1988.

7. There is appropriated from the general fund of the state to a special account in the state treasury to be known as the obstetrical patient care fund, for the fiscal year beginning July 1, 1986, and ending June 30, 1987, one million one hundred thousand (1,100,000) dollars, or so much thereof as is necessary, for the development and operation, commencing October 1, 1986, of a statewide obstetrical patient care program as provided in this section. The department of public health shall be the administrator of the fund.

H-5879
Page Four

If moneys appropriated to the obstetrical patient care fund by this section remain unobligated and unencumbered on June 30, 1987, the moneys shall not revert to the general fund of the state but shall be transferred to the indigent patient care fund established pursuant to chapter 255.

8. It is the intent of the general assembly that commencing July 1, 1987 under the statewide indigent patient care program established pursuant to chapter 255, each county shall be allocated an indigent obstetrical and newborn patient quota equal to the lesser of seventy patients or a total number equal to six percent of the average number of live births per year in the county, calculated for the 1984, 1985, and 1986 calendar years, minus the number of obstetrical patients from the county who delivered at the university of Iowa hospitals and clinics under the statewide indigent patient care program in the fiscal year beginning July 1, 1986, with each county being allocated a minimum quota of four.

It is the intent of the general asembly that the portion of the indigent patient care program established pursuant to chapter 255 serving indigent obstetrical and newborn patients be completely decentralized to all counties by July 1, 1988 so as to allow reimbursement for care locally as well as at the university of Iowa hospitals and clinics. It is the intent of the general assembly that persons certified for obstetrical and newborn care under the decentralized program be entitled to reimbursement only to the extent of moneys appropriated to the program. It is further the intent of the general assembly that the amount appropriated for obstetrical and newborn care under the decentralized program be equal to the amount that would otherwise have been appropriated for obstetrical and newborn patients under the indigent patient care program established pursuant to chapter 255."

BY HAMMOND of Story
JOHNSON of Winneshiek
BUHR of Polk
HAVERLAND of Polk
OSTERBERG of Linn
TEAFORD of Black Hawk
MULLINS of Kossuth
CARPENTER of Polk
RENKEN of Grundy
DE GROOT of Lyon

H-5879 FILED APRIL 22, 1986
ADOPTED (p. 1624)

HOUSE FILE 2484

H-5888

Amend House File 2484 as follows:

1. Page 48, by striking lines 12 through 25, and inserting the following:

"Sec. ___. Section 442.2, subsection 1, Code 1985, is amended by striking the subsection and inserting in lieu thereof the following:

1. For the budget year beginning July 1, 1986, each school district shall cause to be levied, for the school general fund, a foundation property tax of five dollars and forty cents per thousand dollars of assessed valuation on all taxable property in the district. For the budget year beginning July 1, 1987, the department of management shall establish the rate of the foundation property tax so that the amount of moneys appropriated under section 442.26 is equal to the amount that would have been appropriated under that section if the foundation property tax were five dollars and forty cents per thousand dollars of assessed valuation and the state foundation base were eighty-one and one-half percent of the state cost per pupil. For each succeeding budget year, the department of management shall establish the rate of the foundation property tax so that the amount of moneys appropriated under section 442.26 is equal to the amount that would have been appropriated under that section if the foundation property tax were five dollars and forty cents per thousand dollars of assessed valuation and the state foundation base were increased by the amount of one-half percent of the state cost per pupil per year, up to a maximum of eighty-five percent of the state cost per pupil.

For the purpose of this chapter, a school district is defined as a school corporation organized under chapter 274."

H-5888 FILED APRIL 22, 1986 BY STROMER of Hancock

Lost 4/23/86 (p. 1644)

HOUSE FILE 2484

H-5886

Amend House File 2484 as follows:

1. Page 29, line 23, by inserting after the word "seventy" the following: "interstate highway".

2. Page 29, by striking line 24 and inserting the following: "clinics, has a population of more than seventy-five thousand, and is contained in a federal".

3. Page 30, line 4, by inserting after the word "its" the following: "total reimbursement from the obstetrical patient care fund pursuant to its".

4. Page 31, by striking lines 21 and 22 and inserting the following: "services."

H-5886 FILED APRIL 22, 1986 BY VARN of Johnson

OUT OF ORDER (p. 1624)

HOUSE FILE 2484

H-5882

Amend House File 2484 as follows:

1. Page 51, line 22, by inserting before the figure "286A.3" the words "NEW SECTION".

2. Page 87, line 2, by striking the words "retarded services" and inserting the word "retarded".

3. Page 88, line 31, by striking the word "assitance" and inserting the "assistance".

4. Page 103, line 11, by striking the word "subcommittee" and inserting the words "subcommittees of the senate and house of representatives".

5. Page 104, by striking lines 18 and 19 and inserting the words "However, the unfunded liability of the peace officers' retirement, accident, and disability system, as of July 1, 1986,".

H-5882 FILED APRIL 22, 1986 BY JOCHUM of Dubuque

Adopted 4/23/86 (p. 1647)

HOUSE FILE 2484

H-5883

Amend House File 2484 as follows:

1. Page 93, line 14, by inserting after the word "camps" the following: ", excluding the Luster Heights honor camp and facilities established under section 402, subsection 2 of this Act for treatment of OWI offenders".

H-5883 FILED APRIL 22, 1986 BY SPEAR of Lee

Adopted 4/23 (p. 1655)

HOUSE FILE 2484

H-5885

Amend House File 2484 as follows:

1. Page 148, by inserting after line 12 the following:

"Sec. 737. Section 123.32, subsection 2, Code Supplement 1985, is amended to read as follows:

2. Action by local authorities. The local authority shall either approve or disapprove the issuance of a liquor control license, retail wine permit, or retail beer permit, shall endorse its approval or disapproval on the application and shall forward the application along with the required fee and bond to the department. Upon the initial application for a liquor control license, retail wine permit, or retail beer permit, the fact that the local authority determines that no liquor control license, retail wine permit, or retail beer permit shall be issued shall not be held to be arbitrary, capricious, or without reasonable cause. There is no limit upon the number of liquor control licenses, retail wine permits, or retail beer permits which may be approved for issuance by local authorities. Local authorities may choose not to issue any class "E" liquor control licenses."

H-5885 FILED APRIL 22, 1986 BY SPEAR of Lee

Lost 4/23 (p. 1673)

HOUSE FILE 2484

H-5892

Amend House File 2484 as follows:
1. Page 118, line 27, by striking the figure "119,056" and inserting the following: "146,000".

H-5892 FILED APRIL 22, 1986 BY GROTH of Buena Vista
W/D 4/24 (p. 1736)

HOUSE FILE 2484

H-5893

Amend House File 2484 as follows:
1. Page 154, line 9, by inserting after the word "Act." the following: "In seeking the release of lease obligations incurred for the operation of state liquor stores, the division shall as nearly as possible treat all lessors equally."

H-5893 FILED APRIL 22, 1986 BY HALVORSON of Clayton
Lost 4/23 (p. 1683)

HOUSE FILE 2484

H-5894

Amend House File 2484 as follows:
1. Page 140, by inserting after line 1 the following:
"Sec. 723. Section 123.3, subsection 27, Code Supplement 1985, is amended to read as follows:
27. "Retailer" means any person who shall sell, barter, exchange, offer for sale, or have in possession with intent to sell any alcoholic liquor ~~for consumption on the premises where sold,~~ wine, or beer ~~or wine~~ for consumption either on or off the premises where sold."

H-5894 FILED APRIL 22, 1986 BY SWARTZ of Marshall
Adopted 4/23 (p. 1669)

HOUSE FILE 2484

H-5895

Amend House File 2484 as follows:
1. By striking page 139, line 35 through page 154, line 9.
2. By renumbering as necessary.

H-5895 FILED APRIL 22, 1986 BY OSTERBERG of Linn
Lost 4/23 (p. 1686)

HOUSE FILE 2484

H-5896

Amend House File 2484 as follows:
1. Page 33, by striking lines 22 through 34.

H-5896 FILED APRIL 22, 1986 BY HANSON of Delaware
W/D 4/23 (p. 1635)

HOUSE FILE 2484

H-5881

Amend House File 2484 as follows:

1. Page 98, by inserting after line 34 the following:

"6. For payment of grants to dispute resolution programs under the prosecuting attorney training program ..... $ 50,000".

BY HAMMOND of Story
PETERSON of Carroll
COCHRAN of Webster

H-5881 FILED APRIL 22, 1986

w/d 4/23 (J. 1657)

HOUSE FILE 2484

H-5889

Amend House File 2484 as follows:

1. Page 103, by striking lines 17 through 30 and inserting the following:

"Notwithstanding section 80B.11, subsection 5, during the fiscal year beginning July 1, 1986, not more than one-half of the cost of providing cognitive and psychological examinations of law enforcement officer candidates may be charged to the candidates taking the examinations by the Iowa law enforcement academy.

The Iowa law enforcement academy may also charge each law enforcement officer candidate not more than one-half of the cost of providing the ten-week course which is designed to meet the minimum basic training requirements for a law enforcement officer."

BY O'KANE of Woodbury
PLATT of Muscatine
COOPER of Lucas
WELDEN of Hardin
MUHLBAUER of Crawford

H-5889 FILED APRIL 22, 1986

w/d 4/23 (J. 1657)

HOUSE FILE 2484

H-5890

Amend House File 2484 as follows:

1. By striking page 108, line 34 through page 109, line 2 and inserting the following: "subsection shall be used for administrative expenses."

BY PETERSEN of Muscatine
SCHNEKLOTH of Scott
OSTERBERG of Linn
PEICK of Linn
VAN CAMP of Scott
COOPER of Lucas
ROYER of Page
OXLEY of Linn
SHONING of Woodbury
PAULIN of Plymouth

H-5890 FILED APRIL 22, 1986

adopted 4/23 (J. 1659)

HOUSE FILE 2484

H-5891

Amend House File 2484 as follows:

1. Page 110, line 21, by striking the figure "6,546,519" and inserting the figure "8,546,519".

BY PELLETT of Cass
PAULIN of Plymouth

H-5891 FILED APRIL 22, 1986

Lost 4/23 (J. 1661)

HOUSE FILE 2484

H-5900

Amend House File 2484 as follows:

1. Page 23, by inserting after line 29 the following:

"The state board of regents shall refund and refinance selected academic revenue bonds under section 262A.5, if substantial savings can be expected, in order to reduce the shortfall in tuition replacement appropriations made in this paragraph. The board shall analyze the conditions prevalent in the tax exempt bond market, the overall potential savings, the possibility of restructuring debt service to lessen future tuition replacement costs, the potential impacts upon the owners of state board of regents' bonds, and the potential impacts upon future sales of state board of regents' bonds.

In determining the amount of the shortfall, the state board of regents shall not include tuition or fee increases approved by the state board of regents after May 1, 1986."

2. Page 37, by striking lines 7 through 14.

3. By striking page 37, line 30, through page 38, line 1, and inserting the following: "circulation in said state. The provisions of chapter 75 shall not apply to bonds issued under authority contained in this chapter, but such bonds shall be sold upon terms of not less than par plus accured interest. Bonds issued to refund other bonds issued under the provisions of this chapter may either be sold in the manner hereinbefore specified and the proceeds thereof applied to".

4. Page 38, by striking lines 19 through 32.

5. By renumbering sections as necessary.

H-5900 FILED APRIL 22, 1986 BY VARN of Johnson

ADOPTED (p. 1614)

HOUSE FILE 2484

H-5899

Amend House File 2484 as follows:

1. Page 17, by inserting after line 34 the following:

"It is the intent of the general assembly that the state board of education provide an opportunity for input from representatives from appropriate labor groups for vocational education programs that could lead to apprenticeships."

BY RUNNING of Linn

H-5899 FILED APRIL 22, 1986 SHERZAN of Polk

ADOPTED (p. 1613)

HOUSE FILE 2484

H-5897

Amend House File 2484 as follows:

1. Page 148, by inserting after line 12 the following:

"Sec. 737. Section 123.32, subsection 1, Code Supplement 1985, is amended to read as follows:

1. Filing of application. An application for a class "A", class "B", or class "C", or class "E" liquor control license, for a retail beer permit as provided in sections 123.128 and 123.129, or for a class "B" retail wine permit as provided in section 123.176, accompanied by the required fee and bond, shall be filed with the appropriate city council if the premises for which the license or permit is sought are located within the corporate limits of a city, or with the board of supervisors if the premises for which the license or permit is sought are located outside the corporate limits of a city. An application for a class "D" liquor control license and for a class "A" beer or class "A" wine permit, accompanied by the required fee and bond, shall be filed with the department, which shall proceed in the same manner as in the case of an application approved by local authorities."

H-5897 FILED APRIL 22, 1986 BY TABOR of Jackson

Adopted 4/23/86 (p. 1673)

HOUSE FILE 2484

H-5898

Amend House File 2484 as follows:

1. Page 16, line 30, by striking the figure "4,148,910" and inserting the following: "4,048,910".

2. Page 16, by striking lines 33 and 34 and inserting the following: "appropriated in this paragraph, at least four hundred thousand (400,000) dollars to be used by the department to provide".

3. Page 18, line 34, by striking the figure "10,000" and inserting the following: "110,000".

H-5898 FILED APRIL 22, 1986 BY DAGGETT of Taylor

LOST (p. 1612)

HOUSE FILE 2484

H-5901

Amend House File 2484 as follows:

1. Page 23, by striking line 6 and inserting the following:

"dollars per day ..... $ 411,336".

2. Page 24, by striking line 24 and inserting the following:

"of diabetes mellitus .....$ 117,840,274".

3. Page 24, by striking lines 25 and 26.

4. Page 25, line 8, by striking the figure "23,410,941" and inserting the following: "23,070,941".

H-5901 FILED APRIL 22, 1986 BY PONCY of Wapello

ADOPTED (p. 1613)

HOUSE FILE 2484

H-5903

Amend House File 2484 as follows:

1. Page 1, line 12, by striking the figure "3,019,319" and inserting the figure "2,789,691".

2. Page 2, by inserting after line 32 the following:

"___. Youth services administration

For salaries, support, maintenance, and miscellaneous purposes to develop and administer employment opportunities for the youth ..... $ 71,391

___. Iowa youth corps

For salaries, support, maintenance, and miscellaneous purposes ..... $ 832,709"

3. Page 3, line 26, by striking the figure "15,733,000" and inserting the figure "15,605,770".

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

"Sec. ___. There is appropriated from the general fund of the state to the college aid commission for the fiscal year beginning July 1, 1986 and ending June 30, 1987, the following amounts, or so much thereof as is necessary, to be used for the purposes designated:

	1986-1987 Fiscal Year
For salaries, support, maintenance, and miscellaneous purposes	$ 127,230"

5. Page 6, line 4, by striking the figure "10,865,594" and inserting the figure "14,623,482".

6. Page 6, lines 6 and 7, by striking the words "Iowa merit employment department" and inserting the words "department of personnel".

7. Page 6, line 31, by striking the figure "127,962,152" and inserting the figure "128,532,126".

8. Page 7, lines 4 and 5, by striking the words "Iowa merit employment department" and inserting the words "department of personnel".

9. By striking page 8, line 34 through page 9, line 4.

10. Page 9, lines 8 and 9, by striking the words and figure "three hundred seventy-two eight hundred twenty-three (372,823)" and inserting the words and figure "five hundred fifty-two thousand two hundred nine (552,209)".

11. Page 9, by inserting after line 27 the following:

"Sec. ___. Section 7.15, Code 1985, is amended to read as follows:

7.15 FEDERAL FUNDS FOR HIGHWAY SAFETY.

The governor, in addition to other duties and

responsibilities conferred by the Constitution and laws of this state, is hereby empowered to contract for the benefits available to this state under any Act of Congress for highway safety, law enforcement, or other related programs, and in so doing, to co-operate with federal and state agencies, private and public organizations, and with individuals, to effectuate the purposes of these enactments. The governor shall be responsible for and is hereby empowered to administer, either through the governor's office or through ~~one or more state departments or agencies designated by the governor~~ the state department of transportation which, for purposes of federal law, is designated as the state highway safety agency or any combination of the foregoing the highway safety, law enforcement and related programs of this state and those of its political subdivisions, all in accordance with said Acts and the Constitution of the state of Iowa, in implementation thereof.

12. Page 10, line 6, by striking the figure "(350,000)".

13. Page 11, line 6, by striking the words "state comptroller" and inserting the words "department of management".

14. Page 12, line 8, by striking the words "state conservation" and inserting the words "~~state conservation~~ natural resource".

15. Page 13, line 22, by striking the words "IOWA STATE ARTS COUNCIL" and inserting the words "ARTS DIVISION OF CULTURAL AFFAIRS".

16. Page 13, lines 27 and 28, by striking the words "IOWA STATE HISTORICAL DEPARTMENT" and inserting the words "HISTORICAL DIVISION OF CULTURAL AFFAIRS".

17. Page 13, line 32, by striking the words "IOWA LIBRARY DEPARTMENT" and inserting the words "LIBRARY DIVISION OF CULTURAL AFFAIRS".

18. Page 14, lines 4 and 5, by striking the words "IOWA DEPARTMENT OF PUBLIC BROADCASTING" and inserting the words "PUBLIC BROADCASTING DIVISION OF CULTURAL AFFAIRS".

19. Page 14, line 21, by striking the words "Iowa state arts council" and inserting the words "arts division of the department of cultural affairs".

20. Page 15, line 13, by striking the words "Iowa state historical department" and inserting the words "historical division of the department of cultural affairs".

21. Page 16, line 15, by striking the words "IOWA COMMISSION FOR THE BLIND" and inserting the words "DIVISION FOR THE BLIND, DEPARTMENT OF HUMAN RIGHTS".

22. Page 16, line 21, by striking the words "public instruction" and inserting the word "education".
23. Page 16, line 32, by striking the words "public instruction" and inserting the word "education".
24. Page 17, line 8, by striking the words "public instruction" and inserting the word "education".
25. Page 17, line 14, by striking the words "public instruction" and inserting the word "education".
26. Page 20, line 12, by striking the words "public instruction" and inserting the word "education".
27. Page 21, line 6, by striking the words "public instruction" and inserting the word "education".
28. Page 21, lines 32 and 33, by striking the words "state comptroller" and inserting the words "department of revenue and finance".
29. Page 22, line 3, by striking the words "state comptroller" and inserting the words "department of revenue and finance".
30. Page 29, lines 26 and 27, by striking the words "state comptroller" and inserting the words "department of management".
31. Page 30, line 19, by striking the words "state comptroller" and inserting the words "department of management".
32. Page 31, line 13, by striking the words "state comptroller" and inserting the words "department of revenue and finance".
33. Page 32, line 27, by striking the words "state comptroller" and inserting the words "department of revenue and finance".
34. Page 33, lines 5 and 6, by striking the words "Iowa department of public broadcasting" and inserting the words "public broadcasting division of the department of cultural affairs".
35. Page 33, lines 10 and 11, by striking the words "Iowa department of public broadcasting" and inserting the words "public broadcasting division of the department of cultural affairs".
36. Page 33, line 21, by striking the words "Iowa department of public broadcasting" and inserting the words "public broadcasting division of the department of cultural affairs".
37. Page 33, line 22, by striking the words "public instruction" and inserting the word

"education".

38. Page 33, line 35, by striking the words "state board of public instruction" and inserting the words "department of education".

39. Page 35, line 24, by striking the words "state comptroller" and inserting the words "department of revenue and finance".

40. Page 36, lines 2 and 3, by striking the words "commissioner of public instruction" and inserting the words "~~commissioner of public instruction~~ director of the department of education".

41. Page 36, line 4, by striking the words "commissioner of public instruction" and inserting the words "~~commissioner of public instruction~~ director of the department of education".

42. Page 36, line 12, by striking the word "commissioner" and inserting the words "~~commissioner~~ director".

43. Page 40, line 4, by striking the words "state board of public instruction" and inserting the words "board of education".

44. Page 40, line 22, by striking the words "commissioner of public instruction" and inserting the words "~~commissioner of public instruction~~ director of the department of education".

45. Page 40, line 29, by striking the words "state comptroller" and inserting the words "~~state comptroller~~ director of department of revenue and finance".

46. Page 41, line 9, by striking the words "commissioner of public instruction" and inserting the words "~~commissioner of public instruction~~ director of the department of education".

47. Page 41, line 13, by striking the words "commissioner of public instruction" and inserting the words "~~of public instruction~~ director of the department of education".

48. Page 41, line 16, by striking the words "state comptroller" and inserting the words "~~state~~ director of the department of revenue and finance".

49. Page 42, line 3, by striking the words "commissioner of public instruction" and inserting the words "director of the department of education".

50. Page 42, lines 4 and 5, by striking the words "commissioner of public instruction" and inserting the words "director of the department of education".

51. Page 42, lines 6 and 7, by striking the words "state comptroller" and inserting the words "department of revenue and finance".

52. Page 42, lines 7 and 8, by striking the words

"state comptroller" and inserting the words "department of revenue and finance".

53. Page 43, line 18, by striking the words "commissioner of public instruction" and inserting the words "~~commissioner of public instruction~~ director of the department of education".

54. Page 43, lines 20 and 21, by striking the words "commissioner of public instruction" and inserting the words "~~of public instruction~~ director of the department of education".

55. Page 43, line 23, by striking the words "state comptroller" and inserting the words "state department of revenue and finance".

56. Page 44, line 11, by striking the words "public instruction" and inserting the words "~~public instruction~~ education".

57. Page 45, line 15, by striking the words "state comptroller" and inserting the words "~~state comptroller~~ department of revenue and finance".

58. Page 45, line 16, by striking the words "state comptroller" and inserting the words "~~state comptroller~~ department of revenue and finance".

59. Page 46, line 12, by striking the words "public instruction" and inserting the word "education".

60. Page 47, line 32, by striking the words "state comptroller" and inserting the words "department of revenue and finance".

61. Page 49, line 14, by striking the words "state comptroller" and inserting the words "department of revenue and finance".

62. Page 49, line 16, by striking the words "state comptroller" and inserting the words "department of revenue and finance".

63. Page 49, line 22, by striking the words "state comptroller" and inserting the words "department of management".

64. Page 50, line 2, by striking the words "state comptroller" and inserting the words "department of revenue and finance".

65. Page 50, line 29, by striking the words "public instruction" and inserting the word "education".

66. Page 50, line 32, by striking the words "state comptroller" and inserting the words "department of revenue and finance".

67. Page 51, line 23, by striking the words "public instruction" and inserting the word "education".

68. Page 51, line 26, by striking the words

"state comptroller" and inserting the words "department of revenue and finance".

69. Page 51, line 31, by striking the words "public instruction" and inserting the word "education".

70. Page 52, lines 2 and 3, by striking the words "state comptroller" and inserting the words "department of management".

71. Page 53, lines 14 and 15, by striking the words "public instruction" and inserting the word "education".

72. Page 53, line 18, by striking the words "state comptroller" and inserting the words "department of management".

73. Page 54, lines 8 and 9, by striking the words "public instruction" and inserting the word "education".

74. Page 54, line 12, by striking the words "state comptroller" and inserting the words "department of management".

75. Page 55, line 1, by striking the words "public instruction" and inserting the word "education".

76. Page 55, lines 6 and 7, by striking the words "state comptroller" and inserting the words "department of management".

77. Page 55, line 24, by striking the words "public instruction" and inserting the word "education".

78. Page 55, lines 29 and 30, by striking the words "state comptroller" and inserting the words "department of management".

79. Page 56, line 3, by striking the words "public instruction" and inserting the word "education".

80. Page 56, line 10, by striking the words "state comptroller" and inserting the words "department of management".

81. Page 56, line 20, by striking the words "public instruction" and inserting the word "education".

82. Page 56, line 23, by striking the words "state comptroller" and inserting the words "department of management".

83. Page 57, lines 6 and 7, by striking the words "public instruction" and inserting the word "education".

84. Page 57, line 7, by striking the words "state comptroller" and inserting the words "department of management".

85. Page 57, line 28, by striking the words "state comptroller" and inserting the words "department of revenue and finance".

86. Page 57, line 32, by striking the words "state comptroller" and inserting the words "department of revenue and finance".

87. Page 58, line 11, by striking the words "state board of public instruction" and inserting the words "department of education".

88. Page 59, line 3, by striking the words "state comptroller" and inserting the words "department of management".

89. Page 59, line 10, by striking the words "state comptroller" and inserting the words "department of revenue and finance".

90. Page 59, line 15, by striking the words "state comptroller" and inserting the words "department of management".

91. Page 59, line 16, by striking the words "public instruction" and inserting the word "education".

92. Page 59, lines 20 and 21, by striking the words "state comptroller" and inserting the words "department of management".

93. Page 59, line 23, by striking the words "state board of public instruction" and inserting the words "department of education".

94. Page 60, line 16, by striking the word "twenty-one" and inserting the word "twenty-four".

95. Page 60, line 19, by striking the figure "664,122" and inserting the figure "762,129".

96. By striking page 61, line 32 through page 62, line 33 and inserting the following:

"Sec. ___. There is appropriated from the general fund of the state to the department of elder affairs for the fiscal year beginning July 1, 1986 and ending June 30, 1987, the following amounts, or so much thereof as is necessary, to be used for the purposes designated:

	1986-1987 Fiscal Year
1. For salaries and support of not more than twenty-nine and five-tenths full-time equivalent positions annually, maintenance, and miscellaneous purposes	$ 245,601
2. For the administration of area agencies on aging	$ 114,248
3. For the retired Iowan's community employment program	$ 104,865

4. For the older Iowans legislature ..... $ 12,953

5. For the retired seniors volunteer program ..... $ 14,278

All of the funds appropriated under subsection 5 shall be divided equally among the programs in existence as of July 1, 1986 and shall not be used by the division for administrative purposes.

6. For the Alzheimer's disease support program ..... $ 70,000

All funds appropriated under subsection 6 shall be used for training and education programs for families serving as caregivers for Alzheimer's disease victims and shall not be used for administrative purposes.

7. For elderly services programs ..... $ 777,195

All funds appropriated under this subsection shall be received and disbursed by the director of elder affairs for the elderly services program, shall not be used for administrative purposes, and shall be used for citizens of Iowa over sixty-five years of age for chore, telephone reassurance, adult day care, and home repair services, including the winterizing of homes, and for the construction of entrance ramps which meet the requirements of section 104A.4 and make residences accessible to the physically handicapped. Funds appropriated under this subsection may be used to supplement federal funds under federal regulations. Funds appropriated under this subsection may be used for elderly services not specifically enumerated in this subsection only if approved by an area agency for provision of the service within the area."

97. Page 63, line 29, by striking the word "fourteen" and inserting the word "thirteen".

98. Page 63, line 32, by striking the figure "499,609" and inserting the figure "479,884".

99. Page 64, line 7, by striking the word "eight" and inserting the word "fourteen".

100. Page 64, line 10, by striking the figure "376,167" and inserting the figure "587,035".

101. Page 64, lines 14 and 15, by striking the words "thirteen and two-tenths" and inserting the word "sixteen".

102. Page 64, line 17, by striking the figure "442,467" and inserting the figure "517,947".

103. Page 64, line 21, by striking the word "four" and inserting the word "ten".

104. Page 64, line 23, by striking the figure "122,609" and inserting the figure "330,248".

105. Page 68, line 7, by striking the words "year

of the biennium" and inserting the words "fiscal year".

106. Page 68, lines 15 and 16, by striking the words "of the biennium".

107. Page 73, line 13, by striking the words "state comptroller" and inserting the words "department of management".

108. Page 73, line 17, by striking the words "state comptroller" and inserting the words "department of management".

109. Page 76, line 14, by striking the word "health" and inserting the words "public health".

110. Page 76, line 16, by striking the word "health" and inserting the words "public health".

111. Page 81, by striking lines 12 through 14.

112. Page 81, by inserting after line 22 the following:

"11. To establish and maintain the registry for the brain injured ..... $ 17,000"

113. Page 94, line 6, by striking the figure "50,021,543" and inserting the figure "50,107,085".

114. Page 94, line 27, by striking the figure "1,395,402" and inserting the figure "1,396,910".

115. Page 95, line 1, by striking the figure "932,238" and inserting the figure "933,245".

116. Page 95, line 32, by striking the words "department of substance abuse" and inserting the words "division of substance abuse of the department of public health".

117. Page 96, lines 14 and 15, by striking the words "Iowa department of substance abuse or its successor agency" and inserting the words "division of substance abuse of the department of public health".

118. Page 96, line 17, by striking the figure "63,476" and inserting the figure "63,545".

119. Page 96, line 23, by striking the figure "68,242" and inserting the figure "68,316".

120. Page 96, line 26, by striking the figure "355,427" and inserting the figure "355,811".

121. Page 96, line 33, by striking the figure "248,368" and inserting the figure "308,636".

122. Page 97, lines 6 and 7, by striking the words and figure "sixteen million four hundred eighty-two thousand three hundred thirty-two (16,482,332)" and inserting the words and figure "sixteen million five hundred thousand one hundred forty-four (16,500,144)".

123. Page 97, lines 13 through 15, by striking the words and figure "three hundred ninety-four thousand one hundred seventy-three (394,173)" and

inserting the words and figure "four hundred forty-three thousand eight hundred forty-five (443,845)".

124. Page 102, lines 24 and 25, by striking the words "state conservation commission" and inserting the words "department of natural resources".

125. Page 103, by striking lines 13 through 30.

126. Page 104, by inserting after line 28 the following:

"Sec. ___. There is appropriated from the general fund of the state to the Iowa law enforcement academy for the fiscal year beginning July 1, 1986 and ending June 30, 1987 the sum of six hundred seventy-two thousand two hundred forty-two (672,242) dollars, or so much thereof as is necessary, for salaries, support, maintenance, and miscellaneous purposes.

Notwithstanding section 80B.11, subsection 5, during the fiscal year beginning July 1, 1986, one-half of the cost of providing cognitive and psychological examinations of law enforcement officer candidates shall be charged to the hiring entity on behalf of which the examination is being conducted. However, no charge shall be made to hiring entities that are state agencies.

The Iowa law enforcement academy shall charge the hiring entity one-half of the cost of providing the ten-week course, designed to meet the minimum basic training requirements, to each law enforcement officer. However, a charge shall not be made to hiring entities that are state agencies. The hiring entity may require the officer candidate who is enrolled in the course to reimburse the hiring entity for the charge."

127. Page 105, line 14, by inserting after the word "AGRICULTURE" the words "AND LAND STEWARDSHIP".

128. Page 105, line 16, by inserting after the word "agriculture" the words "and land stewardship".

129. Page 108, line 2, by inserting after the word "agriculture" the words "and land stewardship".

130. Page 108, line 7, by inserting after the word "agriculture" the words "and land stewardship".

131. Page 108, line 12, by striking the figure "3,369,262" and inserting the figure "3,391,635".

132. Page 108, by inserting after line 23 the following:

"___. FARM COMMODITY DIVISION

From the general fund for salaries, support, maintenance and miscellaneous purposes ..... $ 229,628"

133. Page 108, line 26, by inserting after the word "agriculture" the words "and land stewardship".

134. Page 109, line 32, by striking the words "state comptroller" and inserting the words "director of revenue and finance".

135. Page 110, line 1, by inserting after the word "agriculture" the words "and land stewardship".

136. Page 110, line 9, by striking the figure "3,395,935" and inserting the figure "3,385,315".

137. Page 111, line 19, by striking the words "state conservation commission" and inserting the words "department of natural resources".

138. Page 111, line 25, by striking the words "STATE CONSERVATION COMMISSION" and inserting the words "DEPARTMENT OF NATURAL RESOURCES".

139. Page 111, line 27, by striking the words "state conservation commission" and inserting the words "department of natural resources".

140. Page 111, by striking lines 33 through 35 and inserting the following:

"For salaries, support, maintenance, equipment, and miscellaneous purposes ..... $ 9,122,655"

141. Page 112, by striking lines 1 through 12.

142. Page 112, line 13, by inserting after the word "The" the words "natural resource".

143. Page 112, line 20, by striking the words "state conservation" and inserting the words "natural resource".

144. Page 112, line 23, by striking the words "DIVISION OF FISH AND GAME" and inserting the words "FISH AND WILDLIFE".

145. By striking page 112, line 34 through page 113, line 1 and inserting the following:

"administration and coordination relating to fish and wildlife activities ..... $ 13,106,897"

146. Page 114, by striking lines 1 through 5 and inserting the following:

"4. The natural resource commission shall establish a priority list of watersheds above publicly-owned lakes and areas within those watersheds which are of highest importance based on soil loss to be used for the allocation of funds set aside in subsection 3 of section 503 of this Act for permanent soil conservation practices on watersheds above publicly-owned lakes.

5. For reimbursement to federal agencies for cooperative contracts ..... $ 185,558

6. Notwithstanding section 8.33 funds appropriated for the state's contribution to the AIDEX SUPERFUND by 1984 Iowa Acts, chapter 1303, section 18, subsection

3, and by 1985 Iowa Acts, chapter 260, section 12, subsection 3, which are unexpended or unencumbered shall carry forward into the 1986-1987 fiscal year for the same purpose as originally appropriated.

7. During the fiscal year for which funds are appropriated by this section, the department of natural resources shall not require the installation or use of equipment to control the emission of dust or other particulate matter on facilities for the storage of grain which are located within the ambient air quality attainment areas for suspended particulates.

8. For payments to the governing bodies responsible for publicly-owned sewage treatment facilities which are eligible for grants under section 202 of the federal Water Pollution Control Act, 33 U.S.C. 466 et seq., as amended by the federal Clean Water Act of 1977, Pub. L. 95-217, in an amount equal to five percent of the amount approved as the eligible cost of the project by the environmental protection commission ..... $ 1,865,695

Notwithstanding the provisions of unnumbered paragraph 1, of this subsection, not more than ten thousand (10,000) dollars of the funds appropriated by this subsection may be used for payments to governing bodies of local governments to reimburse up to fifty percent of expenses incurred since January 1, 1985 for alternative solid waste disposal projects.

The department is authorized to utilize from funds appropriated for payments to governing bodies responsible for publicly-owned sewage treatment facilities but which are unexpended an amount not to exceed four hundred ninety-three thousand (493,000) dollars for the state share of the AIDEX superfund cleanup. Any funds remaining in the AIDEX superfund account once the final site cleanup work, excluding the ongoing monitoring of the site, has been completed shall revert to the general fund of the state.

The provisions of section 8.33 shall not apply to the funds appropriated by this subsection. Unencumbered or unobligated funds remaining on June 30, 1990 from funds appropriated for the fiscal year beginning July 1, 1986, shall revert to the general fund on September 30, 1990."

147. Page 114, lines 7 and 8, by striking the words "state conservation commission" and inserting the words "department of natural resources".

148. Page 114, lines 14 and 15, by striking the

words "deposit in the state conservation fund for".

149. By striking page 114, line 29 through page 117, line 8.

150. Page 117, line 31, by striking the words "and industry".

151. Page 118, line 8, by striking the figure "42,000" and inserting the figure "17,500".

152. Page 118, line 35, by striking the words "state comptroller" and inserting the words "department of management".

153. Page 119, line 1, by striking the words "state comptroller" and inserting the words "department of management".

154. Page 119, line 5, by striking the words "state comptroller" and inserting the words "department of management".

155. Page 119, line 26, by striking the figure "1,650,000" and inserting the figure "1,615,161".

156. Page 120, line 3, by striking the words "COMMERCE COMMISSION" and inserting the words "UTILITIES DIVISION".

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157. Page 120, line 23, by striking the word "AUDITS" and inserting the word "INSPECTIONS".

158. Page 120, line 27, by striking the figure "3,088,158" and inserting the figure "3,937,030".

159. Page 120, by inserting after line 27 the following:

"The department may charge state departments, agencies, and commissions for services rendered and the payments received shall be considered repayment receipts as defined in section 8.2, subsection 5."

160. Page 120, by striking lines 28 through 31.

161. Page 121, by striking lines 6 through 13.

162. Page 121, by inserting after line 30 the following:

"Sec. ___. There is appropriated from the general fund of the state to the department of employment services for the fiscal year beginning July 1, 1986 and ending June 30, 1987, the following sums, or so much thereof as is necessary, to be used for the purposes designated:

1. DIVISION OF LABOR SERVICES

For salaries, support, maintenance, and other operational purposes ..... $ 1,563,000

2. DIVISION OF INDUSTRIAL SERVICES

For salaries, support, maintenance, and other operational purposes ..... $ 946,199

Sec. ___. There is appropriated from the road use tax fund to the state department of transportation for the fiscal year beginning July 1, 1986 and ending June 30, 1987 the sum of three hundred twenty-six thousand (326,000) dollars, or so much thereof as is necessary, to reimburse the department of inspections and appeals for inspection and appeals services provided to the state department of transportation."

163. Page 121, lines 32 and 33, by striking the words "and industry".

164. Page 122, line 12, by striking the words "and industry".

165. Page 122, line 26, by striking the words "and industry".

166. Page 123, line 6, by striking the words "and industry".

167. Page 123, line 14, by striking the word "department" and inserting the words "division of the department of commerce".

168. Page 123, line 16, by striking the word "department" and inserting the word "division".

169. Page 123, line 18, by striking the word "department of banking" and inserting the words "banking division of the department of commerce".

170. Page 123, lines 19 and 20, by striking the words "department of banking" and inserting the words "banking division".

171. Page 123, line 24, by striking the word "department" and inserting the words "division of the department of commerce".

172. Page 123, lines 25 and 26, by striking the words "department of banking" and inserting the words "banking division of the department of commerce".

173. Page 123, line 32, by striking the word "insurance" and inserting the words "the insurance division of the department of commerce".

174. Page 123, line 33, by inserting after the word "revenue" the words "and finance".

175. Page 124, line 9, by inserting after the word "revenue" the words "and finance".

176. Page 124, line 13, by striking the word "department" and inserting the word "division".

177. Page 124, line 33, by striking the words "DEPARTMENT OF BANKING" and inserting the words "~~DEPARTMENT OF~~ BANKING DIVISION".

178. Page 124, line 35, by striking the word "department of banking" and inserting the words "~~department of~~ banking division of the department of commerce".

179. Page 125, line 12, by inserting after the

word "revenue" the words "and finance".

180. Page 125, lines 15 and 16, by striking the words "department of banking" and inserting the words "department of banking division of the department of commerce".

181. Page 126, line 18, by striking the word "DEPARTMENT" and inserting the word "DIVISION".

182. Page 126, line 20, by striking the word "department" and inserting the word "division".

183. Page 126, line 32, by inserting after the word "revenue" the words "and finance".

184. Page 127, line 5, by striking the word "department" and inserting the word "division".

185. Page 127, line 11, by striking the word "department" and inserting the word "division".

186. Page 130, line 33, by striking the words "state comptroller" and inserting the words "state comptroller director of revenue and finance".

187. Page 134, line 12, by striking the word "office" and inserting the word "department".

188. Page 134, line 17, by striking the word "OFFICE" and inserting the word "DEPARTMENT".

189. Page 134, by inserting after line 25 the following:

"3. For the payment of per diems ..... $ 299,915"

190. Page 135, line 28, by striking the figure "-0-" and inserting the figure "44,420,400".

191. Page 136, lines 19 and 20, by striking the words and figure "eighteen million eighty-five thousand eight hundred fifteen (18,085,815)" and inserting the words and figure "sixteen million six hundred sixty-seven thousand nine hundred forty (16,667,940)".

192. Page 140, line 11, by striking the word "department" and inserting the words "department division".

193. Page 140, line 16, by striking the words "Iowa beer and liquor control department" and inserting the words "Iowa beer and liquor control department alcoholic beverages control division of the department of commerce".

194. Page 140, line 29, by striking the word "department" and inserting the words "department division".

195. Page 141, line 10, by striking the word "department" and inserting the word "division".

196. Page 141, line 17, by striking the word "department" and inserting the words "department division".

197. Page 141, line 32, by striking the word

"department" and inserting the words "department division".

198. Page 142, line 9, by striking the word "department" and inserting the words "department division".

199. Page 142, line 15, by striking the word "department" and inserting the word "division".

200. Page 142, line 21, by striking the word "DEPARTMENT" and inserting the word "DIVISION".

201. Page 142, line 28, by striking the word "department" and inserting the word "division".

202. Page 142, line 29, by striking the word "department" and inserting the word "division".

203. Page 142, line 31, by striking the word "department" and inserting the word "division".

204. Page 142, line 34, by striking the word "department" and inserting the word "division".

205. Page 143, line 4, by striking the word "department" and inserting the word "division".

206. Page 143, line 25, by striking the word "department" and inserting the words "department division".

207. Page 143, line 35, by striking the word "department" and inserting the word "division".

208. Page 144, line 2, by striking the word "department" and inserting the word "division".

209. Page 144, line 4, by striking the words "department; however, the department" and inserting the words "division; however, the division".

210. Page 144, line 6, by striking the word "department if the average return to the department" and inserting the words "division if the average return to the division".

211. Page 144, line 8, by striking the word "department" and inserting the word "division".

212. Page 144, line 20, by striking the word "department" and inserting the words "department division".

213. Page 145, line 10, by striking the word "department" and inserting the words "department division".

214. Page 145, line 11, by striking the word "department" and inserting the words "department division".

215. Page 145, line 13, by striking the word "department" and inserting the word "division".

216. Page 145, line 19, by striking the word "department" and inserting the words "department division".

217. Page 146, line 15, by striking the word

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"department" and inserting the word "division".
218. Page 148, line 1, by striking the word "department" and inserting the word "division".
219. Page 148, line 17, by striking the word "department" and inserting the word "division".
220. Page 149, line 30, by striking the word "department" and inserting the word "division".
221. Page 150, line 8, by striking the words "state comptroller" and inserting the words "state comptroller director of revenue and finance".
222. Page 150, line 26, by striking the word "department" and inserting the word "division".
223. Page 151, line 2, by striking the word "department" and inserting the word "division".
224. Page 151, lines 4 and 5, by striking the words "department of substance abuse" and inserting the words "department of substance abuse division of the department of public health".
225. Page 151, line 8, by striking the words "department of substance abuse" and inserting the words "department of substance abuse division of the department of public health".
226. Page 151, line 19, by striking the word "department" and inserting the word "division".
227. Page 152, line 4, by striking the word "department" and inserting the words "department division".
228. Page 152, line 13, by striking the word "department" and inserting the words "department division".
229. Page 152, line 24, by striking the word "department" and inserting the words "department division".
230. Page 153, line 33, by striking the word "department" and inserting the word "division".
231. Page 154, line 1, by striking the word "department" and inserting the word "division".
232. Page 154, line 2, by striking the word "department" and inserting the word "division".
233. Page 154, line 3, by striking the word "department" and inserting the word "division".
234. Page 154, line 5, by striking the word "department" and inserting the word "division".
235. By renumbering as necessary.

H-5903 FILED APRIL 22, 1986 BY JOCHUM of Dubuque
A - Amended by 5945 & 6005 and Adopted 4/24 (p. 1724)
B - Ruled o/o (p. 1724) Lines 20, 21, page 2 passed o/o (p. 1725)
C - Adopted 4/24 (p. 1750) Lines 17 & 18, page 13 " " (p. 1738)
Lines 39 thru 42 on page 14 (correction 4/28 p. 1860)
Lines 37 thru 41, page 15 "

HOUSE FILE 2484

H-5907

Amend House File 2484 as follows:

1. Page 25, by striking lines 31 through 34 and inserting the following: "would qualify for medical assistance or the medically-needy program without the spend-down provision under chapter 249A. If the applicant qualifies, then the patient shall be certified for medical".

2. Page 56, lines 1 and 2, by striking the words and figures "the base year commencing July 1, 1985" and inserting the following: "a base year".

3. Page 56, lines 12 and 13, by striking the words and figures "the base year beginning July 1, 1985" and inserting the following: "a base year".

4. Page 56, line 15, by inserting after the word "and" the following: "each".

5. Page 56, line 16, by striking the word "years" and inserting the word "year".

H-5907 FILED APRIL 22, 1986 BY PONCY of Wapello
ADOPTED (p. 1614)

HOUSE FILE 2484

H-5909

Amend House File 2484 as follows:

1. Page 16, line 30, by striking the figure "4,148,910" and inserting the following: "4,113,864".

2. Page 19, line 10, by striking the figure "150,000" and inserting the following: "185,046".

H-5909 FILED APRIL 22, 1986 BY CARPENTER of Polk
W/D 4/24 (p. 1732)

HOUSE FILE 2484

H-5910

Amend House File 2484 as follows:

1. Page 40, line 31, by inserting after the figure "442.26." the following: "However, the amount paid to an area education agency under this section for a fiscal year shall not exceed the amount paid to that area education agency for the fiscal year beginning July 1, 1985."

2. Page 41, line 20, by inserting after the figure "442.26." the following: "However, the amount paid to a school district under this section for a fiscal year shall not exceed the amount paid to that school district for the fiscal year beginning July 1, 1985."

3. Page 42, line 9, by inserting after the figure "442.26." the following: "However, the amount paid to a school district under this section for a fiscal year shall not exceed the amount paid to that school district for the fiscal year beginning July 1, 1985."

4. Page 43, line 28, by inserting after the figure "442.26." the following: "However, the amount paid to a school district under this section for a fiscal year shall not exceed the amount paid to that school district for the fiscal year beginning July 1, 1985."

H-5910 FILED APRIL 22, 1986 BY VARN of Johnson
W/D 4/23 (p. 1641)

H-5904

HOUSE FILE 2484

Amend House File 2484 as follows:
1. Page 28, line 17, by striking the word "five" and inserting the following: "up to seven".

H-5904 FILED APRIL 22, 1986 BY PONCY of Wapello
ADOPTED (p. 1618)

H-5905

HOUSE FILE 2484

Amend House File 2484 as follows:
1. Page 33, line 22, by striking the words "department of public instruction" and inserting the following: "legislative fiscal bureau".
2. Page 33, lines 31 and 32, by striking the words "department of public instruction" and inserting the following: "legislative fiscal bureau".
3. Page 33, line 32, by striking the word "department" and inserting the following: "legislative fiscal bureau".

H-5905 FILED APRIL 22, 1986 BY PONCY of Wapello
Adopted 4/23 (p. 1635)

H-5908

HOUSE FILE 2484

Amend House File 2484 as follows:
1. Page 34, by inserting after line 6 the following:
"Sec. ___. The legislative council is requested to include as an area for study and review by an interim study committee established to study education matters the costs and means of funding sections 273.11, 281.12, 282.19, and 282.27."

H-5908 FILED APRIL 22, 1986 BY VARN of Johnson
W/D 4/23 (p. 1635)

H-5906

HOUSE FILE 2484

Amend House File 2484 as follows:
1. Page 2, by inserting after line 14 the following:
"___. For advertising for the National Cattle Congress ..... $ 10,000".
2. Page 28, line 21, by striking the figure "40,000" and inserting the figure "30,000".
3. Renumber sections and correct internal references as necessary in accordance with this amendment.

BY McINTEE of Black Hawk
LAGESCHULTE of Bremer
DIEMER of Black Hawk
SHOULTZ of Black Hawk
TEAFORD of Black Hawk
KREMER of Buchanan

H-5906 FILED APRIL 22, 1986
Adopted 4/24 (p. 1725)

HOUSE FILE 2484

H-5915

Amend House File 2484 as follows:
1. Page 28, by striking lines 20 and 21.
2. Page 94, by striking lines 7 through 12.
3. Page 98, by inserting after line 34 the following:
"6. For payment of grants to dispute resolution programs under the prosecuting attorney training program .....$ 49,976".

BY SHOULTZ of Black Hawk
PETERSON of Carroll

H-5915 FILED APRIL 22, 1986
LOST (p. 1619)

HOUSE FILE 2484

H-5917

Amend House File 2484 as follows:
1. Page 58, by striking lines 11 through 14 and inserting the following: "for the school budget review committee created in section 442.12. The school budget review committee, in addition to its duties under chapter 442, shall meet and hold hearings each year under this chapter to review unusual circumstances of area schools, either upon the committee's motion or upon the request of an area school. The committee".
2. Page 58, line 35, by striking the words "state board" and inserting the following: "school budget review committee".
3. Page 59, line 4, by striking the words "state board" and inserting the following: "school budget review committee".
4. Page 59, line 8, by striking the words "state board" and inserting the following: "school budget review committee".
5. Page 59, line 10, by striking the words "state board" and inserting the following: "committee".
6. Page 59, line 12, by striking the words "state board's" and inserting the following: "committee's".
7. Page 59, line 25, by inserting after the word "chapter." the following: "The school budget review committee shall adopt rules under chapter 17A to carry out section 286A.14."
8. Page 59, by inserting after line 25 the following:
"Sec. ___. Section 442.13, Code Supplement 1985, is amended by adding the following new subsection:
NEW SUBSECTION. 16. The committee shall perform the duties assigned to it under chapter 286A."
9. By numbering and renumbering sections as necessary.

H-5917 FILED APRIL 22, 1986 BY STROMER of Hancock
Adopted 4/23 (p. 1648)

HOUSE FILE 2484

H-5911

Amend House File 2484 as follows:

1. Page 26, by striking lines 1 through 4 and inserting the following:

"It is the policy of this state that the expenditure of public funds to perform experimental medical procedures on poor Iowans has a valuable public purpose. Consistent with this policy, moneys appropriated for the medical and surgical treatment of indigent patients as provided in chapter 255 may be expended for purposes of human organ transplant research, including procedures which are deemed experimental by federal Medicare designation, in order that the university of Iowa hospitals and clinics may attain recognized status as a transplant center for those procedures and qualify for reimbursement for those procedures by major medical insurance carriers. As a condition of the appropriation made in paragraph "b", subparagraph (1), poor Iowans participating in experimental human organ transplant procedures must give informed consent and must meet the recipient criteria".

H-5911 FILED APRIL 22, 1986 BY MULLINS of Kossuth
LOST (p. 1616)

HOUSE FILE 2484

H-5912

Amend House File 2484 as follows:

1. Page 48, line 18, by striking the word "eighty-one" and inserting the following: "eighty".

H-5912 FILED APRIL 22, 1986 BY DAGGETT of Taylor
W/D 4/22 (p. 1642)

HOUSE FILE 2484

H-5913

Amend House File 2484 as follows:

1. Page 48, by striking lines 12 through 25.

H-5913 FILED APRIL 22, 1986 BY DAGGETT of Taylor
Lost 4/23 (p. 1645)

HOUSE FILE 2484

H-5914

Amend House File 2484 as follows:

1. Page 49, line 16, by inserting after the figure "282.27," the following: "not to exceed the total amounts paid under those sections for the school year beginning July 1, 1985,".

2. Page 49, line 18, by inserting after the figure "1." the following: "If the amount appropriated under this subsection is less than the total of the amounts due, the state comptroller shall prorate the amounts paid to each area education agency and school district under sections 273.11, 281.12, 282.19, and 282.27."

H-5914 FILED APRIL 22, 1986 BY VARN of Johnson
Adopted 4/23 (p. 1646)

HOUSE FILE 2484

H-5921

Amend House File 2484 as follows:

1. Page 79, lines 11 and 12, by striking the words and figure "five hundred sixty thousand (560,000)" and inserting the following: "sixty thousand (60,000)".

BY RENSINK of Sioux
VAN MAANEN of Mahaska

H-5921 FILED APRIL 22, 1986

W/D 4/23/86 (p. 1652)

HOUSE FILE 2484

H-5922

Amend House File 2484 as follows:

1. Page 76, line 3, by striking the figure "126,500,000" and inserting the figure "127,200,000".

2. Page 87, by striking lines 7 through 9 and inserting the following:

"c. For the fiscal year beginning July 1, 1986, the incentive and inflation factors shall be reinstated as in place on July 1, 1985. Beginning January 1,".

BY VAN MAANEN of Mahaska
HESTER of Pottawattamie
KREMER of Buchanan
CLARK of Cerro Gordo
HERMANN of Scott
McKEAN of Jones
HANDORF of Marshall
MAULSBY of Calhoun
BENNETT of Ida
STROMER of Hancock
HALVORSON of Clayton
HANSON of Delaware
DAGGETT of Taylor
PAULIN of Plymouth
MULLINS of Kossuth
SHONING of Woodbury
BRANSTAD of Winnebago
PELLETT of Cass
VAN CAMP of Scott
PETERSEN of Muscatine
SIEGRIST of Pottawattamie
McINTEE of Black Hawk
PLATT of Muscatine
RENSINK of Sioux
GRANDIA of Marion
ROYER of Page
MILLER of Cherokee
STUELAND of Clinton
SCHNEKLOTH of Scott
DE GROOT of Lyon
RENKEN of Grundy
SWEARINGEN of Keokuk

H-5922 FILED APRIL 22, 1986

W/D 4/23 (p. 1650)

HOUSE FILE 2484

H-5923

Amend House File 2484 as follows:

1. Page 148, lines 4 and 5, by striking the words "at which gasoline is sold" and inserting the following: "used in a business which consists of the sale of food, food products, or beverages for consumption off the premises, or the sale of gasoline".

BY HOLVECK of Polk
CLARK of Cerro Gordo
HAMMOND of Story
McKEAN of Jones
HALVORSON of Webster

H-5923 FILED APRIL 22, 1986

Lost 4/23 (p. 1671)

HOUSE FILE 2484

H-5916

Amend House File 2484 as follows:
1. Page 48, by inserting after line 11 the following:
"Sec. ___. Section 304A.6, subsection 6, Code 1985, is amended to read as follows:
6. Accept gifts, contributions, endowments, or bequests for all or any of the purposes of this chapter. Interest earned on the gifts, contributions, endowments, or bequests accepted under this subsection shall be credited to the fund or funds to which the gifts, contributions, endowments, or bequests have been deposited and are available for all or any of the purposes of this chapter."

H-5916 FILED APRIL 22, 1986 BY PONCY of Wapello
Adopted 4/23/86 (p. 1642)

HOUSE FILE 2484

H-5918

Amend House File 2484 as follows:
1. Page 62, by inserting after line 14 the following:
"___. For the elderlaw education program ..... 95,000".
2. Page 62, line 22, by striking the figure "777,195" and inserting the following: "682,195".

H-5918 FILED APRIL 22, 1986 BY HERMANN of Scott
Lost 4/23 (p. 1650)

HOUSE FILE 2484

H-5919

Amend House File 2484 as follows:
1. Page 71, line 16, by striking the words "year of the biennium" and inserting the following: "fiscal year".
2. Page 71, lines 21 and 22, by striking the words "of the biennium".
3. Page 71, line 28, by striking the words "of the biennium".

H-5919 FILED APRIL 22, 1986 BY LONERGAN of Boone
Adopted 4/23 (p. 1650)

HOUSE FILE 2484

H-5920

Amend House File 2484 as follows:
1. Page 50, by striking line 13 and inserting the following: "base year and the fiscal year preceding the base year."

BY HAVERLAND of Polk
WOODS of Polk
BUHR of Polk
BLANSHAN of Greene
PETERSON of Carroll
LONERGAN of Boone
RENAUD of Polk
HAMMOND of Story
BEATTY of Warren
ROSENBERG of Story
CARPENTER of Polk
METCALF of Polk
HOLVECK of Polk

H-5920 FILED APRIL 22, 1986
Lost 4/23 (p. 1646)

HOUSE FILE 2484

H-5926

Amend House File 2484 as follows:

1. Page 148, by inserting after line 12 the following:

"Sec. 737. Section 123.36, subsection 6, Code Supplement 1985, is amended to read as follows:

6. Any club, hotel, motel, or commercial establishment holding a liquor control license for whom the sale of goods and services other than alcoholic liquor, wine, or beer constitutes fifty percent or more of the gross receipts from the licensed premises, subject to section 123.49, subsection 2, paragraph "b", may sell and dispense alcoholic liquor and wine to patrons on Sunday for consumption on the premises only, and beer for consumption on or off the premises between the hours ~~of ten a.m. and twelve midnight on Sunday~~ established under section 123.49, subsection 2, paragraph "b". For the privilege of selling beer, wine, and alcoholic liquor on the premises on Sunday the liquor control license fee of the applicant shall be increased by twenty percent of the regular fee prescribed for the license pursuant to this section, and the privilege shall be noted on the liquor control license. The department shall prescribe the nature and the character of the evidence required of the applicant under this subsection."

2. Page 148, by inserting after line 30 the following:

"Sec. 739. Section 123.49, subsection 2, paragraph b, Code Supplement 1985, is amended to read as follows:

b. Sell or dispense any alcoholic beverage liquor, wine, or beer on the premises covered by the license or permit, or permit its consumption thereon between the hours of two a.m. and six a.m. on a weekday, and between the hours of two a.m. on Sunday and six a.m. on the following Monday, however, a holder of a liquor control license or retail wine or beer permit granted the privilege of selling alcoholic liquor, wine, or beer on Sunday may sell or dispense alcoholic liquor, wine, or beer between the hours of ten a.m. and twelve midnight on Sunday. However, alcoholic liquor, wine, or beer shall not be sold for consumption off the licensed premises between the hours of ten p.m. on any day and six a.m. on the following day.

Sec. 740. Section 123.49, subsection 2, paragraph k, Code Supplement 1985, is amended by striking the paragraph."

3. Page 153, by inserting after line 9 the following:

"Sec. 747. Section 123.134, subsection 5, Code 1985, is amended to read as follows:

5. Any club, hotel, motel, or commercial establishment holding a class "B" beer permit for whom the sale of goods and services other than beer constitutes fifty percent or more of the gross receipts from the licensed premises, subject to the provisions of section 123.49, subsection 2, paragraph "b", may sell and dispense beer to patrons on Sunday for consumption on the premises and for consumption of beer off the premises between the hours ~~of ten a.m. and twelve midnight on Sunday~~ established under section 123.49, subsection 2, paragraph "b". Any class "C" beer permittee may sell beer for consumption off the premises between the hours ~~of ten a.m. and twelve midnight on Sunday~~ established under section 123.49, subsection 2, paragraph "b". For the privilege of selling beer on Sunday the beer permit fees of the applicant shall be increased by twenty percent of the regular fees prescribed for the permit pursuant to this section and the privilege shall be noted on the beer permit. The department shall prescribe the nature and character of the evidence which shall be required of the applicant under this subsection."

BY HALVORSON of Webster
OSTERBERG of Linn
DE GROOT of Lyon
CLARK of Cerro Gordo
HOLVECK of Polk
BRANSTAD of Winnebago
HANSON of Delaware
HAVERLAND of Polk

H-5926 FILED APRIL 22, 1986

Ruled not germane 4/23 (p. 1675)

HOUSE FILE 2484

H-5924

Amend House File 2484 as follows:

1. Page 40, by inserting after line 31 the following:

"Sec. ___. Section 280A.23, Code 1985, is amended by adding the following new subsection:

NEW SUBSECTION. 12. During the second week of August of each year, publish by one insertion in at least one newspaper published in the merged area a summarized statement verified by affidavit of the secretary of the board showing the receipts and disbursements of all funds of the area school for the preceding fiscal year. The statement of disbursements shall show the names of the persons, firms, or corporations, and the total amount paid to each during the fiscal year. The board is not required to make the publications and notices required under sections 279.34, 279.35, and 279.36."

H-5924 FILED APRIL 22, 1986 BY RENSINK of Sioux

Adopted 4/23 (p. 1642)

HOUSE FILE 2484

H-5925

Amend House File 2484 as follows:

1. By striking page 95, line 4 through page 96, line 9 and inserting the following: "conditions specified in this paragraph. The director of the department of corrections shall solicit proposals for the operation of residential facilities designed to house inmates. The proposals may be submitted by cities, judicial district departments of correctional services, other interested parties, or a combination of these entities. The facilities may be sited in one or more locations and may be operated by the department of corrections, one or more judicial district departments of correctional services, or another entity. Contract proposals shall include, but are not limited to, provisions for treatment and work arrangements, housing, health care, and security. The director of the department of corrections, with approval of the board of corrections, may accept any of the proposals, parts of several proposals, or reject all of the proposals. Before a contract is finalized, the department of corrections shall submit a report to the members of the justice system appropriations subcommittees, the legislative council, and the legislative fiscal bureau describing the provisions of the contract. If no proposals are accepted, the appropriation shall revert to the general fund of the state as provided in section 8.33."

H-5925 FILED APRIL 22, 1986 BY O'KANE of Woodbury
Adopted 4/23/86 (p. 1657) Motion to reconsider (p. 1694)
Lost (p. 1724)

HOUSE FILE 2484

H-5927

Amend the amendment, H-5903, to House File 2484 as follows:

1. Page 10, line 17, by inserting after the figure "1986," the following: "not to exceed".
2. Page 10, line 20, by striking the word "shall" and inserting the following: "may".

H-5927 FILED APRIL 22, 1986 BY SPEAR of Lee
W/D 4/24 (p. 1721)

HOUSE FILE 2484

H-5928

Amend House File 2484 as follows:

1. Page 78, line 33, by striking the figure "26,900,000" and inserting the following: "26,805,000".
2. Page 79, lines 11 and 12, by striking the words and figure "five hundred sixty thousand (560,000)" and inserting the following: "four hundred sixty-five thousand (465,000)".

H-5928 FILED APRIL 22, 1986 BY DAGGETT of Taylor
Lost 4/23 (p. 1652)

HOUSE FILE 2484

H-5931

Amend House File 2484 as follows:

1. Page 34, by striking lines 24 through 31 and inserting the following:

"Sec. ___. Section 8.6, subsection 9, Code Supplement 1985, as amended by House File 2225 enacted by the Seventy-first General Assembly, 1986 Session, is amended to read as follows:

9. APPORTIONMENT OF INTEREST. To apportion the interest of the permanent school fund on the first Monday of March of each year, among the area education agencies of this state in proportion to the number of persons between five and twenty-one years of age in each, as shown by the last report filed with the state comptroller by the commissioner of public instruction as provided in section 302.13, except for the appropriation to the first in the nation in education, an education foundation."

2. Page 35, by inserting after line 32 the following:

"Sec. ___. NEW SECTION. 257A.8 APPROPRIATION.

Commencing with the fiscal year beginning July 1, 1986, from the annual apportionment of interest of the permanent school fund, there is appropriated annually to the first in the nation in education, an education foundation, the sum of one hundred thousand (100,000) dollars for salaries, support, education research, and miscellaneous purposes."

3. Page 47, by inserting after line 8 the following:

"Sec. ___. Section 292.1, Code 1985, is amended to read as follows:

292.1 LIBRARY FUND.

~~The~~ Except as provided in section 257A.8, the state comptroller annually shall transmit the money received from the annual apportionment of the interest of the permanent school fund to the area education agencies in the manner specified in section 302.13. The area education agencies shall use the money only for the purchase of books and materials for the area media centers. The area education agency administrator shall keep a record of the books and materials in the area media center."

4. By striking page 47, line 15, through page 48, line 11, and inserting the following:

"Sec. ___. Section 302.13, Code Supplement 1985, as amended by House File 2225, enacted by the Seventy-first General Assembly, 1986 Session, is amended to read as follows:

302.13 APPORTIONMENT OF INTEREST.

~~On~~ Except as provided in section 257A.8, on the

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first Monday of March annually, the state comptroller shall apportion the interest of the permanent school fund among the area education agencies in this state, in proportion to the number of resident pupils who were enrolled in local school districts and approved nonpublic schools in each area education agency, on the second Friday of September of the budget year as provided in sections 442.4 and 442.27."

5. Page 49, by striking lines 19 through 27.

6. Page 59, by striking line 27 and inserting the following: "1985, are repealed."

BY RENSINK of Sioux
MAULSBY of Calhoun

H-5931 FILED APRIL 22, 1986

Lost 4/23 (p. 1638)

HOUSE FILE 2484

H-5930

Amend the amendment, H-5903, to House File 2484 as follows:

1. Page 10, by striking lines 16 through 32 and inserting the following:

"Notwithstanding section 80B.11, subsection 5, during the fiscal year beginning July 1, 1986, not more than one-half of the cost of providing cognitive and psychological examinations of law enforcement officer candidates may be charged to the candidates taking the examinations by the Iowa law enforcement academy. However, no charge shall be made to hiring entities that are state agencies.

The Iowa law enforcement academy may also charge each law enforcement officer candidate not more than one-half of the cost of providing the ten-week course which is designed to meet the minimum basic training requirements for a law enforcement officer. However, a charge shall not be made to hiring entities that are state agencies."

BY O'KANE of Woodbury
PLATT of Muscatine

H-5930 FILED APRIL 22, 1986

Adopted 4/24 (p. 1723)

HOUSE FILE 2484

H-5929

Amend House File 2484 as follows:

1. Page 110, line 9, by striking the figure "3,395,935" and inserting the figure "3,325,305".

2. Page 110, by inserting after line 9 the following:

"The department shall not authorize any funds appropriated by this section for expenditure under chapter 467D."

BY DAGGETT of Taylor
BLACK of Jasper
PELLETT of Cass

H-5929 FILED APRIL 22, 1986

Lost 4/23 (p. 1660)

HOUSE FILE 2484

H-5932

Amend House File 2484 as follows:

1. Page 24, by striking lines 25 and 26.

2. Page 25, by inserting after line 8 the following:

"The university hospitals shall reduce its public relations expenditures by forty thousand dollars."

3. By striking page 29, line 2 through page 33, line 4 and inserting the following:

"Sec. 111. INDIGENT OBSTETRICAL PATIENT QUOTAS.

1. The statewide indigent patient care program shall continue the nonquota system for indigent obstetrical and orthopedic patients and shall maintain the current county quota system for other indigent patients. In addition, commencing October 1, 1986, under the statewide indigent patient care program each county shall be allocated an indigent obstetrical patient quota equal to the lesser of sixty patients or a total number equal to four percent of the average number of live births per year in the county, calculated for the 1983, 1984, and 1985 calendar years, minus the number of obstetrical patients from the county who delivered at the university of Iowa hospitals and clinics under the statewide indigent patient care program in the fiscal year beginning July 1, 1985. However, each county shall be allocated a minimum indigent obstetrical patient quota of four, and each county, for which the department of human services may contract with the university hospitals for obstetric and newborn care under the authority of 1984 Iowa Acts, chapter 1310, section 3, subsection 2, unnumbered paragraph 2, provided the county is not located more than seventy interstate highway miles from the university of Iowa hospitals and clinics, has a population of more than 75,000, and is contained in a federal metropolitan statistical area, shall be allocated a maximum indigent obstetrical patient quota of four. The department of public health shall provide for the reassignment of an unused county obstetrical quota allotment to other counties on April 1, 1986. The reassignment shall only be taken from a county which has an unused obstetrical patient quota for the portion of the fiscal period ending March 31, 1986, and the reassignment shall not affect the county's portion of the quota for the calendar quarter ending June 30, 1986. The reassignments shall be made to other counties on a first-come, first-served basis. A newborn infant who is born locally to an indigent woman under a county's indigent obstetrical patient quota may be transferred to the university of Iowa hospitals and clinics and receive care as a nonquota

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indigent patient. A county may use its obstetrical quota to provide services to indigent obstetrical patients and their newborns under the county's general relief program to hospitals licensed in this state and to physicians licensed and practicing in this state if the providers of the services agree to accept as full payment the reimbursements allowable under the medical assistance program established pursuant to chapter 249A, adjusted for intensity of care. However, the total reimbursement from the obstetrical patient care fund to providers for residents of a county is limited to that county's indigent obstetrical patient quota multiplied by one thousand four hundred dollars. The university of Iowa hospitals and clinics and other hospitals shall submit their billings on the UB 82, uniform hospital billing form, and physicians shall submit their billings on the HCFA 1500. University hospital billings shall be submitted directly to the department of public health and other billings shall be submitted through the county general relief directors to the department of public health.

2. The department of public health, in collaboration with the department of human services and in consultation with the Iowa state association of counties, shall adopt rules, pursuant to chapter 17A, establishing minimum standards for eligibility for obstetrical and newborn care, including physician examination, medical testing, and inpatient transportation costs, for indigent obstetrical and newborn care provided at the university of Iowa hospitals and clinics and by other hospitals licensed in this state and physicians licensing and practicing in this state. The minimum standards for eligibility shall provide eligibility for persons with incomes at or below one hundred fifty percent of the annual revision of the poverty income guidelines published by the United States department of health and human services, and shall provide, but shall not be limited to providing, eligibility for uninsured and underinsured persons financially unable to pay for necessary obstetrical and newborn care. The minimum standards may include a spend-down provision. The resource standards shall be set at or above the resource standards under the federal supplemental security income program. The resource exclusions allowed under the federal supplemental security income program shall be allowed and shall include resources necessary for self-employment. The department of public health shall adopt administrative rules to implement the statewide indigent obstetrical patient

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quota system under section 17A.4, subsection 2, and section 17A.5, subsection 2, paragraph "b" and the rules shall become effective no later than October 1, 1986.

3. The department of public health shall establish procedures for payment to other hospitals licensed in this state, and physicians licensed and practicing in this state.

4. A county shall not be held responsible for the costs of providing obstetrical and newborn care, including physician examination, medical testing, and transportation costs, to pregnant women and their newborn infants who meet the eligibility requirements adopted by the department of public health.

5. A person desiring obstetrical and newborn care, the cost of which is payable under the obstetrical patient care program, or the parent or guardian of a minor desiring or in need of such care, may apply to the general relief director of the person's county of residence to have the cost of such care paid from the obstetrical patient care fund. The applicant shall attest to the accuracy of the information contained on the application. The county general relief director shall first ascertain from the local office of the department of human services if the applicant would be eligible for medical assistance or for assistance under the medically needy program without any spend-down requirement, pursuant to chapter 249A. The county general relief director shall also assure that any local obligations under the federal Hill-Burton program for free care, as well as any other nonpublic programs for care, are fully utilized. If the applicant is eligible for assistance pursuant to chapter 249A, if the applicant is eligible for maternal and child health care services covered by a maternal and child health program, or if the applicant is eligible for Hill-Burton care or other nonpublic programs, the obstetrical patient care program shall not provide such assistance, care, or covered services provided under other programs.

6. The legislative fiscal bureau and the state health data commission shall study the operation of the obstetrical patient care program for the fiscal period beginning July 1, 1986, and ending June 30, 1988, shall identify the levels of medical care provided and the location of the care provided under the program, and the costs of the care provided by all hospitals under this section, and shall report its preliminary findings to the governor and the general assembly convening in 1987 and its final

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determinations to the governor and the general assembly convening in 1988.

7. There is appropriated from the general fund of the state to a special account in the state treasury to be known as the obstetrical patient care fund, for the fiscal year beginning July 1, 1986, and ending June 30, 1987, one million one hundred thousand (1,100,000) dollars, or so much thereof as is necessary, for the development and operation, commencing October 1, 1986, of a statewide obstetrical patient care program as provided in this section. The department of public health shall be the administrator of the fund.

If moneys appropriated to the obstetrical patient care fund by this section remain unobligated and unencumbered on June 30, 1987, the moneys shall not revert to the general fund of the state but shall be transferred to the indigent patient care fund established pursuant to chapter 255.

8. It is the intent of the general assembly that commencing July 1, 1987 under the statewide indigent patient care program established pursuant to chapter 255, each county shall be allocated an indigent obstetrical and newborn patient quota equal to the lesser of seventy patients or a total number equal to six percent of the average number of live births per year in the county, calculated for the 1984, 1985, and 1986 calendar years, minus the number of obstetrical patients from the county who delivered at the university of Iowa hospitals and clinics under the statewide indigent patient care program in the fiscal year beginning July 1, 1986, with each county being allocated a minimum quota of four.

It is the intent of the general assembly that the portion of the indigent patient care program established pursuant to chapter 255 serving indigent obstetrical and newborn patients be completely decentralized to all counties by July 1, 1988 so as to allow reimbursement for care locally as well as at the university of Iowa hospitals and clinics. It is the intent of the general assembly that persons certified for obstetrical and newborn care under the decentralized program be entitled to reimbursement only to the extent of moneys appropriated to the program. It is further the intent of the general assembly that adequate support be provided to the university of Iowa hospitals and clinics for the maintenance of a tertiary health care facility and a teaching hospital."

H-5932 FILED APRIL 22, 1986 BY VARN of Johnson

W/D 4/24 (p. 1733)

HOUSE FILE 2484

H-5934

Amend House File 2484 as follows:
1. Page 88, by inserting after line 29 the following:
"4. It is the intent of the general assembly that any reduction in payments to any intermediate care facility or foster care facility because of the across-the-board budget reductions made by the governor for the fiscal year ending June 30, 1986 shall be reinstated in their reimbursable bases December 30, 1986."

BY WELDEN of Hardin
VAN MAANEN of Mahaska
HERMANN of Scott
KREMER of Buchanan
HESTER of Pottawattamie
HANDORF of Marshall

H-5934 FILED APRIL 22, 1986
Lost 4/23 (J. 1654)

HOUSE FILE 2484

H-5933

Amend House File 2484 as follows:
1. Page 104, line 17, by striking the figure "17,154,415" and inserting the figure "17,500,265".

H-5933 FILED APRIL 22, 1986 BY MAULSBY of Calhoun
Lost 4/23 (J. 1658)

HOUSE FILE 2484

H-5937

Amend the amendment, H-5903, to House File 2484 as follows:
1. Page 10, line 30, by striking the words "officer candidate" and inserting the following: "person".

H-5937 FILED APRIL 22, 1986 BY SPEAR of Lee
Adopted 4/24 (J. 1722)
Lacon c/o (J. 1723)

HOUSE FILE 2484

H-5936

Amend the amendment, H-5903, to House File 2484 as follows:

1. Page 9, line 21, by striking the figure "50,107,085" and inserting the following: "50,094,227".

2. Page 9, by inserting after line 21 the following:

"___. Page 94, line 12, by striking the figure "9,976" and inserting the following: "9,973"."

3. Page 9, line 23, by striking the figure "1,396,910" and inserting the following: "1,396,552".

4. Page 9, line 25, by striking the figure "933,245" and inserting the following: "933,006".

5. Page 9, line 35, by striking the figure "63,545" and inserting the following: "63,529".

6. Page 9, line 37, by striking the figure "68,316" and inserting the following: "68,298".

7. Page 9, line 39, by striking the figure "355,811" and inserting the following: "355,720".

8. Page 9, line 41, by striking the figure "308,636" and inserting the following: "308,557".

9. Page 9, by inserting after line 41 the following:

"___. Page 97, line 2, by striking the figure "75,223" and inserting the following: "75,204"."

10. Page 9, by striking lines 46 and 47 and inserting the following: "four hundred seventy-eight thousand one hundred three (16,478,103)".

11. Page 10, by striking lines 1 and 2 and inserting the following: "inserting the words and figure "four hundred sixty-one thousand seven hundred fifty-nine (461,759)"."

H-5936 FILED APRIL 22, 1986 BY SHERZAN of Polk

Adopted 4/24 (p. 1721)

HOUSE FILE 2484

H-5935

Amend House File 2484 as follows:

1. By striking page 9, line 28 through page 10, line 15.

2. By striking page 10, line 32 through page 11, line 19.

3. Page 11, by striking lines 20 through 28.

4. Renumber sections and correct internal references as necessary in accordance with this amendment.

BY KOENIGS of Mitchell
SWEARINGEN of Keokuk
PONCY of Wapello
DAGGETT of Taylor

H-5935 FILED APRIL 22, 1986

A- Adopted 4/24 (p. 1728)
B- Lost (p. 1728)
C- Adopted (p. 1728)

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8. Identification and listing of all existing federal, state, local, and private funding sources available for implementation of 911 service. The report shall discuss the merits of alternative methods of collecting the necessary revenues including an increase in taxes, an imposition of a surcharge on the amounts paid by every person in the state for intrastate telephone service, and combinations of these methods.

9. How public agency costs for the planning, installation, and continued operation of the 911 system should be met and from which sources.

10. Legislation needed to implement statewide 911 services.

Sec. ___. NEW SECTION. 477A.6 REPEAL.

Sections 477A.3 through 477A.6 are repealed effective six years from the effective date of this Act.

Sec. ___. There is appropriated to the office of disaster services from the general fund the sum of five thousand (5,000) dollars for the purposes of sections 477A.1 to 477A.5."

H-5938 FILED APRIL 22, 1986 BY JOCHUM of Dubuque
Adopted 4/23 (p. 1691)

HOUSE FILE 2484

H-5939

Amend House File 2484 as follows:

1. Page 34, by inserting after line 6, the following:

"Sec. ___. Notwithstanding section 442.2, for the school year beginning July 1, 1987, each school district shall cause to be levied, for the school general fund, a foundation property tax of five dollars and twenty-five cents per thousand dollars of assessed valuation on all taxable property.

Notwithstanding section 442.3, for the school year beginning July 1, 1987, the state foundation base is eighty and seventy-five hundredths percent of the state cost per pupil."

2. Page 48, by striking lines 12 through 25.

BY DAGGETT of Taylor
FOGARTY of Palo Alto

H-5939 FILED APRIL 22, 1986
Lost 4/23 (p. 1636)

association of counties.

4. One person appointed by the legislative communications review committee.

5. One person from the Iowa commerce commission.

6. Twelve persons appointed by the governor as follows:

a. Two persons representing fire departments, one representing a paid fire department and the other representing a volunteer fire department.

b. Two persons representing city police departments, one representing a city with a population of fifty thousand or more, and the other from a smaller city.

c. Two persons representing county sheriff departments, one representing a county with a population of twenty-five thousand or more, and the other representing a smaller county.

d. Two persons representing emergency ambulance and medical service departments, one representing a public ambulance and medical service, and the other representing a private ambulance and medical service.

e. Two persons representing exchange carriers providing public telephone service in Iowa, one representing a telephone company subject to rate regulation under section 476.1 and one representing a telephone company that is not subject to rate regulation under section 476.1.

f. Two persons who are qualified by education or employment experience to evaluate alternative financing methods.

Vacancies shall be filled in the same manner as the original appointments are made. Terms shall commence upon appointment and shall run until the commission is abolished by repeal.

Sec. ___. NEW SECTION. 477A.4 MEETINGS.

1. The chairperson shall call the first meeting of the commission within thirty days of the appointment of the members. A majority of the members of the commission constitute a quorum and the concurrence of a quorum is required on any question relating to the commission's official duties. Commission members shall serve without compensation. Members who are not government employees shall be reimbursed from funds appropriated in section 7 of this Act for actual expenses incurred in the performance of duties. The commission shall meet as necessary, but at least once each month until the report required by section 477A.5 is completed.

2. Public agencies and exchange carriers providing public telephone service in Iowa shall cooperate,

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within time, personnel, and budgetary limitations, in providing information, data, surveys, and studies as requested by the commission.

3. The commission may apply for, receive, and expend any private or public funds to implement this chapter.

4. The commission shall hold public hearings, prior to making its recommendations to the general assembly, and shall provide Iowans with information on 911 service to stimulate public interest and comment.

Sec. ___. NEW SECTION. 477A.5 RECOMMENDATIONS TO GENERAL ASSEMBLY.

The commission shall submit a written report and recommendations for an overall plan to implement 911 service to the general assembly not later than January 10, 1987. The recommendations shall include, but are not limited to:

1. The responsibilities that should be assumed by state and local public agencies and public safety agencies and by exchange carriers providing public telephone service in implementing statewide 911 service.

2. The size of 911 service areas necessary to operate effectively and to achieve economies of scale and the local government coordination necessary to establish 911 service.

3. Whether it is necessary or desirable for an existing or new state agency to be given the responsibility for monitoring, reviewing, supervising, or coordinating the implementation of statewide 911 service.

4. The equipment, capability and operational standards that should be established for 911 service, including procedures for transmitting calls, that will result in the shortest response time in emergencies and the best service to the public.

5. An estimate of the cost to state and local public agencies to plan, implement, and operate 911 systems throughout the state. The cost reported should indicate the current costs of telephone and related services as well as the incremental costs of 911 implementation.

6. Whether it is necessary or desirable for the general assembly to establish a deadline by which every public agency and public or private safety agency must establish or participate in 911 service.

7. Whether it is necessary or desirable for the general assembly to allow a public agency or utility to seek a waiver of all or some of the time limits for implementing 911 service.

HOUSE FILE 2484

H-5938

Amend House File 2484 as follows:

1. By striking page 154, line 30 through page 156, line 5, and inserting the following:

"Sec. ___. NEW SECTION. 477A.1 DEFINITIONS.

As used in this chapter unless the context otherwise requires:

1. "911 service" means a service which provides the user of a public telephone system the ability to reach a public safety answering point by dialing the digits 9-1-1.

2. "Public agency" means the state government and any unit of local government or special purpose district located in whole or in part within the state that provides or has authority to provide fire fighting, law enforcement, ambulance, medical, or other emergency services.

3. "Public safety agency" means a functional unit of a public agency that provides fire fighting, law enforcement, ambulance, medical, or other emergency services.

4. "Private safety entity" means a private entity which provides emergency fire, ambulance, or medical services whether by full or part-time employees or on a volunteer basis.

5. "Public safety answering point" means a communications facility operated on a twenty-four hour basis and serving participating jurisdictions, that initially receives 911 calls and either directly dispatches emergency response services, or relays the calls to the appropriate public safety agency.

6. "Commission" means the state emergency telephone number commission established by section 477A.3.

Sec. ___. NEW SECTION. 477A.2 911 SERVICE.

1. After the effective date of this Act, when 911 service is established in a service area each public agency, public safety agency, and private safety entity serving territory within the service area shall participate in providing the 911 service. The 911 service shall be established according to a written plan which has the written approval of the governing bodies of each public agency, public safety agency, and private safety entity serving territory within the 911 service area.

2. This chapter does not prohibit or discourage participation in or the provision of 911 service covering the territory of more than one public agency, public safety agency, or private safety entity. A system established pursuant to this section may serve the territory of more than one public agency, public

safety agency, or private safety entity or may include a part of their respective territories. Public agencies, public safety agencies, and private safety entities may enter into agreements under chapter 28E to provide 911 service.

3. The digits "911" shall be the primary emergency telephone number within the 911 service areas established under this section. A public safety agency or a private safety entity whose services are available through a 911 system may maintain a separate secondary backup number for emergencies, and shall maintain a separate number for nonemergency telephone calls.

4. A 911 system shall be capable of transmitting requests for law enforcement, fire fighting, and emergency medical and ambulance services to a public safety agency or agencies that provide the requested service at the place where the call originates. A 911 system may also provide for transmitting requests for disaster services, poison control, suicide prevention, and other emergency services. The public safety answering point shall be capable of receiving calls from hearing impaired persons through a telecommunications device for the deaf. Conferencing capability with counseling, aid to handicapped, and other services as deemed necessary for identifying appropriate emergency response services may be provided by the 911 service.

A public safety answering point may transmit emergency response requests to private safety entities.

Sec. ___. NEW SECTION. 477A.3 STATE EMERGENCY TELEPHONE NUMBER COMMISSION CREATED.

The state emergency telephone number commission is created in the office of disaster services of the department of public defense. The director of the office of disaster services shall serve as chairperson of the commission. The office of disaster services shall provide the meeting facilities for the commission. The division of communications, department of general services, shall provide administrative and technical support for the commission with the support of the staff of the respective members of the commission. The members of the commission are as follows:

1. One person appointed by the commissioner of public safety.

2. One person appointed by the league of Iowa municipalities.

3. One person appointed by the Iowa state

HOUSE FILE 2484

H-5942

Amend House File 2484 as follows:

1. Page 123, by inserting after line 26 the following:

"Sec. ___. NEW SECTION. 117.54 EXPENSES OF THE COMMISSION -- FEES.

All expenses required in the discharge of the duties and responsibilities imposed upon the Iowa real estate commission, the administrator, and the professional licensing and regulation division of the department of commerce and industry with respect to the commission by the laws of this state shall be paid from fees provided by the laws of this state and appropriated by the general assembly from the fund established in this section. All of these fees are payable to the administrator. The administrator shall pay all the fees and other money received by the administrator to the treasurer of state within the time required by section 12.10. The treasurer of state shall hold these funds in an account that shall be established in the name of the administrator for the payment of the expenses of the commission. This fund is subject at all times to the warrant of the department of revenue and finance, drawn upon written requisition of the administrator or the administrator's designated representative, for the payment of all salaries and other expenses necessary to carry out the duties of the commission. The administrator may keep on hand with the treasurer of state funds in excess of the current needs of the commission to the extent approved by the professional licensing and regulation division. No transfers shall be made from the general fund of the state or any other fund for the payment of the expenses of the commission. No part of the funds held by the treasurer of state for the account of the administrator shall be transferred to the general fund of the state or any other fund. The funds held by the treasurer of state for the account of the administrator shall be invested by the treasurer of state and the income derived from these investments shall be credited to the general fund of the state.

The administrator shall account for receipts and disbursements according to the separate duties imposed upon the administrator by the laws of this state and each separate duty shall be fiscally self-sustaining."

H-5942 FILED APRIL 22, 1986 BY GROTH of Buena Vista

W/D 4/24 (p. 1749)

HOUSE FILE 2484

H-5945

Amend the amendment, H-5903, to House File 2484 as follows:

1. Page 13, by inserting after line 21 the following:

"___. Page 120, line 6, by striking the figure "3,963,503" and inserting the following: "3,937,030"."

2. Page 13, line 25, by striking the figure "3,937,030" and inserting the figure "2,561,948".

H-5945 FILED APRIL 22, 1986 BY JOCHUM of Dubuque

Adopted 4/24 (p. 1723)
Lines 3 thru 7 o/o 4/24 (p. 1741)

HOUSE FILE 2484

H-5943

Amend House File 2484 as follows:

1. Page 149, by inserting after line 23 the following:

"2. A person shall not advertise the price or selection of alcoholic liquor for sale at retail other than within premises operated under a liquor control license."

2. By renumbering as necessary.

BY OSTERBERG of Linn
CARL of Poweshiek
DE GROOT of Lyon

H-5943 FILED APRIL 22, 1986

Adopted 4/23/86 (p. 1677)

HOUSE FILE 2484

H-5944

Amend House File 2484 as follows:

1. Page 24, by striking lines 2 through 9 and inserting the following: "appropriated in this paragraph so that each institution receives a portion of the appropriation equal to the percent the budget for eligible full-time equivalent faculty, professional, and scientific employees at the institution bears to the total budget for full-time equivalent faculty, professional, and scientific employees at all institutions. The funds distributed by the university of northern Iowa for organized faculty shall be distributed either through the collective bargaining agreement in force for the fiscal year beginning July 1, 1986, or according to a different procedure that is acceptable to the collective bargaining representatives for the faculty at the university of northern Iowa and for the university of northern Iowa."

BY STROMER of Hancock
LLOYD-JONES of Johnson
ROSENBERG of Story
DODERER of Johnson

H-5944 FILED APRIL 22, 1986

W/D 4/24 (p. 1733)

HOUSE FILE 2484

H-5941

Amend House File 2484 as follows:

1. Page 37, by inserting after line 6 the following:

"Sec. ___. NEW SECTION. 262.64A REPORTS TO GENERAL ASSEMBLY.

The state board of regents shall determine, in consultation with the legislative fiscal bureau, the financial information to be included in line item budget information for projects funded by the issuance of bonds or notes under this chapter and shall submit the line item budget information to the general assembly as requested. The state board of regents shall submit quarterly reports to the general assembly concerning the projects funded by the issuance of bonds or notes under this chapter as follows:

1. Identification of both undercharges and overcharges for line items of projects.

2. Identification of contracts in which any line item for a project exceeds the adopted budget for that line item by ten percent or more.

3. Identification of complaints received by an institution regarding the construction of a project.

If the state board of regents approves a change in the amount of the line item of a budget for a project, the change shall be transmitted to the appropriations committees of the house of representatives and senate, while the general assembly is in session, and to the legislative council, when the general assembly is not in session, for review."

2. Page 38, by inserting after line 32 the following:

"Sec. ___. NEW SECTION. 262A.12A REPORTS TO GENERAL ASSEMBLY.

The state board of regents shall determine, in consultation with the legislative fiscal bureau, the financial information to be included in line item budget information for projects funded by the issuance of bonds or notes under this chapter and shall submit the line item budget information to the general assembly as requested. The state board of regents shall submit quarterly reports to the general assembly concerning the projects funded by the issuance of bonds or notes under this chapter as follows:

1. Identification of both undercharges and overcharges for line items of projects.

2. Identification of contracts in which any line item for a project exceeds the adopted budget for that line item by ten percent or more.

3. Identification of complaints received by an institution regarding the construction of a project.

If the state board of regents approves a change in the amount of the line item of a budget for a project, the change shall be transmitted to the appropriations committees of the house of representatives and senate, while the general assembly is in session, and to the legislative council, when the general assembly is not in session, for review."

3. Page 38, by inserting before line 33 the following:

"Sec. ___. NEW SECTION. 263A.10A REPORTS TO GENERAL ASSEMBLY.

The state board of regents shall determine, in consultation with the legislative fiscal bureau, the financial information to be included in line item budget information for projects funded by the issuance of bonds or notes under this chapter and shall submit the line item budget information to the general assembly as requested. The state board of regents shall submit quarterly reports to the general assembly concerning the projects funded by the issuance of bonds or notes under this chapter as follows:

1. Identification of both undercharges and overcharges for line items of projects.

2. Identification of contracts in which any line item for a project exceeds the adopted budget for that line item by ten percent or more.

3. Identification of complaints received by an institution regarding the construction of a project.

If the state board of regents approves a change in the amount of the line item of a budget for a project, the change shall be transmitted to the appropriations committees of the house of representatives and senate, while the general assembly is in session, and to the legislative council, when the general assembly is not in session, for review."

4. By numbering and renumbering sections as necessary.

BY HATCH of Polk
VARN of Johnson
HANSON of Delaware
WELDEN of Hardin

H-5941 FILED APRIL 22, 1986
Adopted 4/23 (p. 1641)

HOUSE FILE 2484

H-5940

Amend House File 2484 as follows:

1. Page 16, line 30, by striking the figure "4,148,910" and inserting the following: "4,113,864".

2. Page 16, by striking lines 33 and 34 and inserting the following: "appropriated in this paragraph, at least four hundred sixty-four thousand nine hundred fifty-four (464,954) dollars to be used by the department to provide".

3. Page 19, line 10, by striking the figure "150,000" and inserting the following: "185,046".

H-5940 FILED APRIL 22, 1986 BY CARPENTER of Polk
Lost 4/24 (p. 1733)

HOUSE FILE 2484

H-5946

Amend House File 2484 as follows:

1. Page 128, by inserting after line 26 the following:

"Sec. ___. There is appropriated out of the funds made available to this state pursuant to section 903 of the federal Social Security Act, as amended, one million sixty-eight thousand nine hundred forty-two (1,068,942) dollars, to the department of job service for the prepayment of the principal balance of a lease-purchase agreement for data processing equipment used by the department in the performance of departmental functions under chapter 96.

The moneys appropriated in this section shall not be obligated after June 30, 1988. The amount obligated pursuant to this section during any twelve-month period beginning on July 1 and ending on the following June 30 shall not exceed the amount available for obligation pursuant to section 903 of the federal Social Security Act, as amended, and as reflected in the accounts of the department of job service and the United States department of labor.

Sec. ___. Section 96.9, subsection 4, paragraphs a and b, Code 1985, are amended to read as follows:

a. Money credited to the account of this state in the unemployment trust fund by the secretary of the treasury of the United States pursuant to section 903 of the Social Security Act may not be requisitioned from this state's account or used except for the payment of benefits and for the payment of expenses incurred for the administration of this chapter. Such money may be requisitioned pursuant to subsection 3 of this section for the payment of benefits. Such money may also be requisitioned and used for the payment of expenses incurred for the administration of this chapter but only pursuant to a specific appropriation by the legislature and only if the expenses are incurred and the money is requisitioned after the enactment of an appropriation law which (1) specifies the purposes for which such money is appropriated and the amounts appropriated therefor, (2) limits the period within which such money may be obligated to a period ending not more than two years after the date of the enactment of the appropriation law, and (3) limits the amount which may be obligated during a twelve-month period beginning on July 1 and ending on the next June 30 to an amount which does not exceed the amount by which (i) the aggregate of the amounts credited to the account of this state pursuant to section 903 of the Social Security Act during the same twelve-month period and the ~~twenty-four~~ thirty-four

preceding twelve-month periods, exceeds (ii) the aggregate of the amounts obligated for administration and paid out for benefits and charged against the amounts credited to the account of this state during such ~~twenty-five~~ thirty-five twelve-month periods.

b. Amounts credited to this state's account in the unemployment trust fund under section 903 of the Social Security Act which are obligated for administration or paid out for benefits shall be charged against equivalent amounts which were first credited and which are not already so charged; except that no amount obligated for administration during a twelve-month period specified herein may be charged against any amount credited during such a twelve-month period earlier than the ~~twenty-fourth~~ thirty-fourth preceding such period."

2. By renumbering as necessary.

H-5946 FILED APRIL 22, 1986 BY OLLIE of Clinton
Adopted 4/23/86 (p. 1668)

HOUSE FILE 2484

H-5950

Amend House File 2484 as follows:

1. Page 103, line 18, by inserting after the figure "1986," the following: "not to exceed".

2. Page 103, line 20, by striking the word "shall" and inserting the following: "may".

H-5950 FILED APRIL 22, 1986 BY SPEAR of Lee
W/D 4/24 (p. 1736)

HOUSE FILE 2484

H-5952

Amend House File 2484 as follows:

1. Page 154, by striking lines 19 and 20 and inserting the following:

"poses ..... $ 3,067,210".

H-5952 FILED APRIL 22, 1986 BY WELDEN of Hardin
Adopted 4/24 (p. 1747)

HOUSE FILE 2484

H-5951

Amend House File 2484 as follows:

1. Page 103, line 29, by striking the words "officer candidate" and inserting the following: "person".

H-5951 FILED APRIL 22, 1986 BY SPEAR of Lee
W/D 4/24 (p. 1736)

HOUSE FILE 2484

H-5956

Amend House File 2484 as follows:

1. Page 76, line 3, by striking the figure "126,500,000" and inserting the figure "127,200,000".

2. Page 87, by striking lines 7 through 9 and inserting the following:

"c. For the fiscal period beginning January 1, 1987, the incentive and inflation factors shall be reinstated as in place on July 1, 1985. Beginning January 1,".

BY VAN MAANEN of Mahaska
HESTER of Pottawattamie
KREMER of Buchanan
CLARK of Cerro Gordo
HERMANN of Scott
McKEAN of Jones
HANDORF of Marshall
MAULSBY of Calhoun
BENNETT of Ida
STROMER of Hancock
HALVORSON of Clayton
HANSON of Delaware
DAGGETT of Taylor
PAULIN of Plymouth
MULLINS of Kossuth
SHONING of Woodbury
BRANSTAD of Winnebago
PELLETT of Cass
PETERSEN of Muscatine
SIEGRIST of Pottawattamie
McINTEE of Black Hawk
PLATT of Muscatine
RENSINK of Sioux
GRANDIA of Marion
ROYER of Page
MILLER of Cherokee
SCHNEKLOTH of Scott
DE GROOT of Lyon
RENKEN of Grundy
SWEARINGEN of Keokuk

H-5956 FILED APRIL 23, 1986

LOST (p. 1651)

HOUSE FILE 2484

H-5958

Amend House File 2484 as follows:

1. Page 152, line 26, by striking the words "unnumbered paragraph 1,".

2. Page 152, by inserting after line 27 the following:

"123.92 CIVIL LIABILITY FOR SALE OR GIFT OF BEER, WINE, OR INTOXICATING LIQUOR (DRAMSHOP ACT)."

3. Page 153, by striking lines 7 through 9 and inserting the following: "contribute to the injurious action of the person.

Every liquor control licensee, class "B" wine permittee, and class "B" beer permittee shall furnish proof of financial responsibility either by the existence of a liability insurance policy or by posting bond in such amount as determined by the department."

BY HALVORSON of Webster
WOODS of Polk
RUNNING of Linn
JAY of Appanoose
OSTERBERG of Linn
McKEAN of Jones
MULLINS of Kossuth
VAN CAMP of Scott
CLARK of Cerro Gordo

H-5958 FILED APRIL 23, 1986

ADOPTED (p. 1678)

HOUSE FILE 2484

H-5955

Amend House File 2484 as follows:

1. Page 115, by inserting after line 11 the following:

"Sec. 507. Section 111.85, subsection 2, Code Supplement 1985, is amended by adding the following new lettered paragraph:

NEW LETTERED PARAGRAPH. f. A new car, used car, motorcycle, pickup, motor home, or multipurpose vehicle as defined in section 321.1 registered in this state.

Sec. 508. Section 111.85, Code Supplement 1985, is amended by adding the following new subsection:

NEW SUBSECTION. 11. The owner of a new car, used car, motorcycle, pickup, motor home, or multipurpose vehicle as defined in section 321.1 shall be assessed a park user fee of one dollar, to be paid at the same time as the normal vehicle registration fee each time such a vehicle's registration fee is paid under chapter 321, to be credited to the state park, forest and recreation area facilities improvement trust fund. The county treasurer of each county shall collect the park user fee and quarterly remit moneys collected to the treasurer of state for deposit in the fund.

Sec. 509. Sections 507 and 508 of this Act become effective January 1, 1987."

BY VARN of Johnson
DIEMER of Black Hawk
SULLIVAN of Van Buren
BLACK of Jasper
PELLETT of Cass
STUELAND of Clinton
HANDORF of Marshall
RENSINK of Sioux
O'KANE of Woodbury
GRONINGA of Cerro Gordo
BAXTER of Des Moines
ARNOULD of Scott

H-5955 FILED APRIL 22, 1986

Ruled not germane 4/23 (p. 1663)
Ruling suspended, lost (p. 1664)

HOUSE FILE 2484

H-5954

Amend House File 2484 as follows:

1. Page 140, by inserting after line 1 the following:

"Sec. 723. Section 123.3, subsection 33, Code Supplement 1985, is amended to read as follows:

33. "Legal age" means ~~nineteen~~ twenty-one years of age or more.

Sec. 724. Section 723 of this Act does not apply to persons who were born on or before June 30, 1967."

BY HALVORSON of Clayton
HARBOR of Mills
SHERZAN of Polk
HAVERLAND of Polk
PETERSEN of Muscatine

H-5954 FILED APRIL 22, 1986

Ruled not germane 4/23 (p. 1670)

HOUSE FILE 2484

H-5961

Amend House File 2484 as follows:

1. Page 137, by striking lines 18 through 21.

2. Page 137, by inserting after line 27 the following:

"Sec. ___. There is appropriated from the general fund of the state, to the public employment relations board for the fiscal year beginning July 1, 1986, and ending June 30, 1987, the sum of four hundred ninety-seven thousand six hundred eighty-seven (497,687) dollars, or so much thereof as necessary, for salaries, support, maintenance, and miscellaneous purposes related to the operation of the public employment relations board."

3. By numbering sections to conform to this amendment.

H-5961 FILED APRIL 23, 1986 BY JOCHUM of Dubuque
ADOPTED (p. 1669)

HOUSE FILE 2484

H-5963

Amend House File 2484 as follows:

1. Page 121, lines 34 and 35, by striking the words and figure "three million three hundred fifty thousand (3,350,000)" and inserting the words and figure "three million six hundred fifty thousand (3,650,000)".

2. Page 122, lines 13 and 14, by striking the words and figure "four hundred ninety-one thousand (491,000)" and inserting the words and figure "five hundred forty-one thousand (541,000)".

BY RENAUD of Polk
VAN CAMP of Scott

H-5963 FILED APRIL 23, 1986
ADOPTED (p. 1666)

HOUSE FILE 2484

H-5959

Amend House File 2484 as follows:

A 1. Page 61, line 16, by striking the figure "68,222" and inserting the figure "93,937".

2. Page 128, by inserting after line 26 the following:

"Sec. ___. Notwithstanding the provisions of 1986 Iowa Acts, House File 2181, sections 11 and 13, health

B insurance coverage provided under House File 2181 need not be effective until July 1, 1987, and notices required by section 11 need not be given until January 1, 1987.

Sec. ___. 1986 Iowa Acts, House File 2181, section 12, is repealed."

3. Renumber as necessary.

BY BRAMMER of Linn
DODERER of Johnson
HUMMEL of Benton
SWARTZ of Marshall

H-5959 FILED APRIL 23, 1986

DIVISION A - LOST, DIVISION B - p. 1649 amended & adopted 4/24 (p. 1749)
B - Ruled not germane (4/21) 1743)

HOUSE FILE 2484

H-5960

Amend House File 2484 as follows:

1. Page 153, line 18, by striking the words "seven and thirty-four forty-four" and inserting the following: "five and thirty-four eighty-nine".

2. Page 153, by inserting after line 28 the following:

"Sec. 746. Section 123.183, Code Supplement 1985, is amended to read as follows:

123.183 WINE GALLONAGE TAX.

In addition to the annual permit fee to be paid by each class "A" wine permittee, there shall be levied and collected from each class "A" wine permittee on all wine manufactured for sale and sold in this state at wholesale and on all wine imported into this state for sale at wholesale and sold in this state at wholesale, a tax of one dollar and fifty seventy-five cents for every wine gallon and a like rate for the fractional parts of a wine gallon. A tax shall not be levied or collected on wine sold by one class "A" wine permittee to another class "A" wine permittee. Revenue derived from the wine tax collected on wine manufactured for sale and sold in this state shall be deposited in the gallonage tax fund hereby created in the office of the treasurer of state. All other revenue derived from the wine tax shall be deposited in the liquor control fund established by section 123.53 and shall be transferred by the state comptroller to the general fund of the state. The price of wine sold or offered for sale in state liquor stores which was not purchased by the department from a class "A" wine permittee shall include a markup over the wholesale price at least equal to the tax levied under this section."

3. By renumbering as necessary.

H-5960 FILED APRIL 23, 1986 TABOR of Jackson

lost, then reconsidered and ADOPTED (p. 1681)
as amended by 5974 (p. 1679)

HOUSE FILE 2484

H-5962

Amend House File 2484 as follows:

1. Page 156, by inserting after line 5 the following:

"Sec. ___. Section 18.117, Code 1985, is amended to read as follows:

18.117 PRIVATE USE -- RATE FOR STATE BUSINESS.

A state officer or employee shall not use a state-owned motor vehicle for personal private use, nor shall the officer or employee be compensated for driving a privately owned motor vehicle unless it is done on state business with the approval of the state vehicle dispatcher, and in that case the officer or employee shall receive ~~twenty-two-cents-per-mile effective-July-1,-1981,-and-twenty-four~~ twenty-one cents per mile ~~effective-July-1,-1982~~. A statutory provision stipulating necessary mileage, travel, or actual expenses reimbursement to a state officer falls under the mileage reimbursement limitation provided in this section unless specifically provided otherwise. Any peace officer employed by the state as defined in section 801.4 who is required to use a private vehicle in the performance of official duties shall receive reimbursement for mileage expense at the rate specified in this section. However, the state vehicle dispatcher may delegate authority to officials of the state, and department heads, for the use of private vehicles on state business up to a yearly mileage figure established by the director of general services and approved by the executive council. If a state motor vehicle has been assigned to a state officer or employee, the officer or employee shall not collect mileage for the use of a privately owned vehicle unless the state vehicle assigned is not usable.

This section does not apply to officials and employees of the state whose mileage is paid by other than state agencies and this section does not apply to elected officers of the state, judicial officers, or court employees.

Sec. ___. Section 79.9, Code 1985, is amended to read as follows:

79.9 CHARGE FOR USE OF AUTOMOBILE BY OTHER THAN STATE OFFICER OR EMPLOYEE.

When a public officer or employee, other than a state officer or employee, is entitled to be paid for expenses in performing a public duty, a charge shall be made, allowed and paid for the use of an automobile, as determined by the local governing body, in an amount not exceeding ~~twenty-two-cents-per-mile for-actual-and-necessary-travel-effective-July-1, 1981,-and-in-an-amount-not-exceeding-twenty-four~~

H-5962
Page Two

twenty-one cents per mile ~~effective July 1, 1982~~. A statutory provision stipulating necessary mileage, travel, or actual reimbursement to a local public officer or employee falls within the mileage reimbursement limitation specified in this section unless specifically provided otherwise. A political subdivision may authorize the use of private vehicles for the conduct of official business of the political subdivision at an annual amount in lieu of actual and necessary travel expense reimbursement provided in this section. A peace officer, other than a state officer or employee, as defined in section 801.4 who is required to use a private vehicle in the performance of official duties shall receive reimbursement for mileage expense at the rate specified in this section."

2. Renumber sections and correct internal references as necessary in accordance with this amendment.

BY LAGESCHULTE of Bremer
McINTEE of Black Hawk
HALVORSON of Clayton
DE GROOT of Lyon

H-5962 FILED APRIL 23, 1986
ADOPTED #7-1[illegible]

HOUSE FILE 2484

H-5970

Amend House File 2484 as follows:

1. Page 9, by inserting after line 27 the following:

"Sec. ___. Section 99E.10, subsection 1, unnumbered paragraph 3, Code Supplement 1985, is amended to read as follows:

The Iowa plan fund for economic development, also to be known as the Iowa plan fund, is created in the office of the treasurer of state. Lottery revenue remaining after expenses are determined shall be transferred to the Iowa plan fund on a quarterly basis. However, upon the request of the commissioner and subject to approval by the treasurer of state, an amount sufficient to cover the foreseeable administrative expenses of the lottery for a period of twenty-one days may be retained from the lottery revenue. Prior to the quarterly transfer to the Iowa plan fund, the commissioner may direct that lottery revenue shall be deposited in the lottery fund and in interest bearing accounts designated by the treasurer of state in the financial institutions of this state or invested in the manner provided in section 452.10. Interest or earnings paid on the deposits or investments is considered lottery revenue and shall be transferred to the Iowa plan fund in the same manner as other lottery revenue. Money in the Iowa plan fund shall be deposited in interest bearing accounts in financial institutions in this state or invested in the manner provided in section 452.10. The interest or earnings on the deposits or investments shall be considered part of the Iowa plan fund and shall be retained in the fund unless appropriated by the general assembly. However, twenty-five percent of the moneys deposited in the Iowa plan fund that are from the revenue of video lottery games shall be appropriated annually to the commission on aging for the prescription drug program operated pursuant to section 249B.9. As used in this section, "video lottery games" means lottery games involving a machine designed similar to a video amusement game except that prizes are awarded at random by the lottery agency at the conclusion of the game.

Sec. ___. NEW SECTION. 249B.9 PRESCRIPTION DRUG PROGRAM.

The commission shall initiate a prescription drug program from funds appropriated to the commission for the program including funds appropriated pursuant to chapter 99E.10 to pay a portion of the prescription drug costs of individuals age sixty and older who have no other source of payment for these costs. The

commission may enter into agreements with providers, provider associations, or other state agencies to administer all or part of the program or to provide services and may use up to five percent of the funds appropriated to the commission to pay the administrative costs of the commission. The commission shall establish a client cost sharing schedule which reflects the ability of the individual to pay the individual's own prescription drug costs. The commission shall establish administrative rules pursuant to chapter 17A to govern the operation of the program."

2. Renumber as necessary.

H-5970 FILED APRIL 23, 1986 BY VAN CAMP of Scott
Ruled not germane 4/24 (p. 1727)

HOUSE FILE 2484

H-5969

Amend House File 2484 as follows:

1. Page 11, line 15, by striking the word "form" and inserting the word "from".

2. Page 34, line 18, by striking the word "assmbly" and inserting the word "assembly".

3. Page 126, line 26, by striking the word "superintendent" and inserting the word "administrator".

4. Page 126, line 35, by striking the word "administration" and inserting the word "administrator".

H-5969 FILED APRIL 23, 1986 BY JOCHUM of Dubuque
Adopted 4/24 (p. 1729)

HOUSE FILE 2484

H-5968

Amend House File 2484 as follows:

1. Page 123, by inserting after line 26 the following:

"Sec. ___. Section 476.10, Code 1985, is amended by adding the following new unnumbered paragraph:

NEW UNNUMBERED PARAGRAPH. In computing expenses chargeable to the public utilities under this section, the commission shall also include as a part of the expenses an amount equal to the loss in interest income as a result of not investing the commission's appropriations allocation at a rate of interest equal to the prime rate as defined in section 421.7, subsection 5. That amount shall be assessed by the commission to the public utilities in proportion to their respective gross operating revenues during the last calendar year derived from intrastate public utility operations. The amount collected shall be deposited by the commission with the treasurer of state. The treasurer of state shall credit the moneys to a special fund to be used to finance the administration of programs funded out of section 93.15 and to supplement other energy conservation projects."

BY HATCH of Polk
ROSENBERG of Story
OSTERBERG of Linn

H-5968 FILED APRIL 23, 1986
W/D 4/24 (p. 1743)

HOUSE FILE 2484

H-5972

Amend the amendment, H-5903, to House File 2484 as follows:

1. Page 2, by inserting after line 47 the following:

"___. Page 16, line 9, by striking the words "Iowa commission for the blind" and inserting the words "division for the blind of the department of human rights"."

2. Page 3, by inserting after line 44 the following:

"___. Page 33, line 12, by striking the words "Iowa department of public broadcasting" and inserting the words "public broadcasting division of the department of cultural affairs"."

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

"___. Page 33, lines 31 and 32, by striking the words "public instruction" and inserting the word "education"."

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

"___. Page 34, line 23, by striking the words "public instruction" and inserting the word "education"."

5. Page 5, by inserting after line 10 the following:

"___. Page 43, line 22, by striking the words "state comptroller" and inserting the words "~~state comptroller~~ department of revenue and finance"."

6. Page 5, by inserting after line 16 the following:

"___. Page 44, line 25, by striking the words "public instruction" and inserting the words "~~public instruction~~ education".

___. Page 44, line 34, by striking the words "public instruction" and inserting the words "~~public instruction~~ education"."

7. Page 5, by inserting after line 25 the following:

"___. Page 46, line 28, by striking the words "public instruction" and inserting the word "education"."

8. Page 5, by inserting after line 28 the following:

"___. Page 49, line 1, by striking the words "state comptroller" and inserting the words "~~state comptroller~~ department of revenue and finance"."

9. Page 9, by inserting after line 14 the following:

"___. Page 80, line 5, by striking the word

"serve" and inserting the word "served".

10. Page 10, line 27, by striking the word "to" and inserting the word "for".

11. Page 15, line 1, by striking the words "and finance" and inserting the words "and finance".

12. Page 15, by striking lines 4 and 5, and inserting the words "banking division of the department of commerce".

13. Page 15, by inserting after line 15 the following:

"___. Page 128, lines 20 through 22, by striking the words ", however, the identification need not be conspicuous on posters and yard signs including hand letterd signs" and inserting the following: ", however, the identification need not be conspicuous on posters and yard signs including hand lettered signs"."

14. Page 16, line 21 by striking the word "department" and inserting the word "department".

15. Page 17, by inserting after line 22 the following:

"___. Page 151, line 9, by inserting after the word "balance." the words "~~This subsection is repealed June 30, 1987.~~""

H-5972 FILED APRIL 23, 1986 BY JOCHUM of Dubuque

A- Adopted 4/24 (p. 1720) Placed o/c (p. 1723)
B- o/c (p. 1720)

HOUSE FILE 2484

H-5967

Amend the amendment, H-5903, to House File 2484 as follows:

1. Page 9, by striking lines 26 through 29 and inserting the following:

"116. By striking page 95, line 4 through page 96, line 9 and inserting the following: "conditions specified in this paragraph. The director of the department of corrections shall solicit proposals for the operation of residential facilities designed to house inmates. The proposals may be submitted by cities, judicial district departments of correctional services, other interested parties, or a combination of these entities. The facilities may be sited in one or more locations and may be operated by the department of corrections, one or more judicial district departments of correctional services, or another entity. Contract proposals shall include, but are not limited to, provisions for treatment and work arrangements, housing, health care, and security. The director of the department of corrections, with approval of the board of corrections, may accept any of the proposals, parts of several proposals, or reject all of the proposals. Before a contract is finalized, the department of corrections shall submit a report to the members of the justice system appropriations subcommittees, the legislative council, and the legislative fiscal bureau describing the provisions of the contract. If no proposals are accepted, the appropriation shall revert to the general fund of the state as provided in section 8.33.""

H-5967 FILED APRIL 23, 1986 BY O'KANE of Woodbury

A/P ~~Adopted~~ 4/24 (p. ~~1667~~) (1724)

HOUSE FILE 2484

H-5977

Amend House File 2484 as follows:

1. Page 148, by inserting after line 12 the following:

"Sec. 737. Section 123.36, subsection 6, Code Supplement 1985, is amended to read as follows:

6. Any club, hotel, motel, or commercial establishment holding a liquor control license ~~for whom the sale of goods and services other than alcoholic liquor, wine, or beer constitutes fifty percent or more of the gross receipts from the licensed premises~~, subject to section 123.49, subsection 2, paragraph "b", may sell and dispense alcoholic liquor and wine to patrons on Sunday for consumption on the premises only, and beer for consumption on or off the premises between the hours of ten a.m. and twelve midnight on Sunday. For the privilege of selling beer, wine, and alcoholic liquor on the premises on Sunday the liquor control license fee of the applicant shall be increased by twenty percent of the regular fee prescribed for the license pursuant to this section, and the privilege shall be noted on the liquor control license. ~~The department shall prescribe the nature and the character of the evidence required of the applicant under this subsection.~~"

2. Page 153, by inserting after line 9 the following:

"Sec. 746. Section 123.134, subsection 5, Code 1985, is amended to read as follows:

5. Any club, hotel, motel, or commercial establishment holding a class "B" beer permit ~~for whom the sale of goods and services other than beer constitutes fifty percent or more of the gross receipts from the licensed premises~~, subject to ~~the provisions of~~ section 123.49, subsection 2, paragraph "b", may sell and dispense beer to patrons on Sunday for consumption on the premises and for consumption of beer off the premises between the hours of ten a.m. and twelve midnight on Sunday. Any class "C" beer permittee may sell beer for consumption off the premises between the hours of ten a.m. and twelve midnight on Sunday. For the privilege of selling beer on Sunday the beer permit fees of the applicant shall be increased by twenty percent of the regular fees prescribed for the permit pursuant to this section and the privilege shall be noted on the beer permit. ~~The department shall prescribe the nature and character of the evidence which shall be required of the applicant under this subsection.~~"

3. By renumbering as necessary.

H-5977 FILED APRIL 23, 1986 BY WOODS of Polk

NOT GERMANE (p. 1676)

H-5973

Amend House File 2484 as follows:

1. Page 124, line 24, by inserting after the word "state." the following:

A "The authority to modify allotments provided in section 8.31 shall not apply to funds appropriated from the special trust fund created in this section."

2. Page 125, line 31, by inserting after the word

B "state." the following:

"The authority to modify allotments provided in section 8.31 shall not apply to funds appropriated from the fund created in this section and held for the superintendent."

3. Page 127, line 15, by inserting after the word "state." the following:

"The authority to modify allotments provided in section 8.31 shall not apply to funds appropriated from the fund created in this section and held for the administrator."

4. Page 127, line 33, by inserting after the word "fund." the following:

"The authority to modify allotments provided in section 8.31 shall not apply to funds appropriated from the savings and loan fund."

BY RENAUD of Polk
VAN CAMP of Scott

H-5973 FILED APRIL 23, 1986
B - Adopted, A w/d 4/24 (p. 1744)

HOUSE FILE 2484

H-5975

Amend House File 2484 as follows:

1. Page 104, by inserting after line 28 the following:

"Sec. ___. There is appropriated from the road use tax fund to the department of public safety for the fiscal year beginning July 1, 1986 and ending June 30, 1987, the sum of one million one hundred three thousand seven hundred (1,103,700) dollars, or so much thereof as is necessary, to be distributed to supplement other funds appropriated by the general assembly to the division of highway safety and uniformed force to fund the annual pay adjustments, expense reimbursement and benefits not in conflict with the Code for public officials and employees as authorized by 1985 Iowa Acts, chapter 253."

2. Page 105, by inserting after line 7 the following:

"Sec. ___. 1985 Iowa Acts, chapter 254, section 1, subsection 2, paragraph b, is amended to read as follows:

b. For the fiscal year beginning July 1, 1986 ..... $ ~~807,300~~ 1,187,188

Sec. ___. 1985 Iowa Acts, chapter 254, section 1, subsection 3, paragraph b, is amended by striking paragraph b."

3. Page 135, by striking lines 29 through 33.

4. Renumber sections and correct internal references as necessary in accordance with this amendment.

H-5975 FILED APRIL 23, 1986 BY JOCHUM of Dubuque
ADOPTED (p. 1658)

HOUSE FILE 2484

H-5980

Amend House File 2484 as follows:

1. Page 117, line 3, by inserting after the word "state." the following: "The moneys used for the state share of the AIDEX superfund cleanup shall be repaid not later than June 30, 1989. It is the intent of the general assembly that the withdrawal of funds from moneys available for publicly-owned sewage treatment facilities shall not be used for any other purpose in future years and the department of natural resources shall report to the general assembly not later than January 1, 1987 on methods to increase funds for the state superfund to meet future needs in this state."

H-5980 FILED APRIL 23, 1986 BY ROSENBERG of Story
ADOPTED (p. 1662) Vote: o/o 4/24 p. [illegible]

HOUSE FILE 2484

H-5981

Amend House File 2484 as follows:

1. Page 129, line 9, by striking the figure "643,650" and inserting the following: "675,712".
2. Page 129, line 11, by striking the figure "5,439" and inserting the following: "5,607".
3. Page 129, line 15, by striking the figure "56,728" and inserting the following: "58,482".
4. Page 129, line 30, by striking the figure "15,706" and inserting the following: "17,134".
5. Page 129, line 34, by striking the figure "58,053" and inserting the following: "60,187".

H-5981 FILED APRIL 23, 1986 BY JOCHUM of Dubuque
ADOPTED (p. 1664)

HOUSE FILE 2484

H-5983

Amend House File 2484 as follows:

1. Page 148, lines 4 and 5, by striking the words "at which gasoline is sold" and inserting the following: "used in a business which consists of the sale of food, food products, or beverages for consumption off the premises, or the sale of gasoline. However, a class "E" license may be issued to premises which are used in a business which consists of the sale of food, food products, or beverages for consumption off the premises if the premises are located in a city of less than two thousand population."

BY HOLVECK of Polk
OSTERBERG of Linn
BRANSTAD of Winnebago
HANSON of Delaware
HUGHES of Union

H-5983 FILED APRIL 23, 1986
LOST (p. 1672)

HOUSE FILE 2484

H-5974

Amend House amendment, H-5960, to House File 2484 as follows:

1. Page 1, by striking lines 28 through 33 and inserting the following: "comptroller to the general fund of the state. ~~The price of wine sold or offered for sale in state liquor stores which was not purchased by the department from a class "A" wine permittee shall include a markup over the wholesale price at least equal to the tax levied under this section.~~"

H-5974 FILED APRIL 23, 1986 BY TABOR of Jackson
ADOPTED (p. 1679)

HOUSE FILE 2484

H-5976

Amend House File 2484 as follows:

1. By striking page 152, line 26, through page 153, line 9.
2. By renumbering as necessary.

H-5976 FILED APRIL 23, 1986 BY JOCHUM of Dubuque
LOST (p. 1678)

HOUSE FILE 2484

H-5978

Amend the amendment, H-5903, to House File 2484 as follows:

1. Page 10, line 17, by inserting after the figure "1986," the following: "not to exceed".
2. Page 10, line 20, by striking the word "shall" and inserting the following: "may".
3. Page 10, by striking lines 24 and 25 and inserting the following:

"If no charge is made for providing the cognitive and psychological examination of a law enforcement officer candidate, the Iowa law enforcement academy may charge the hiring entity not to exceed one-half of the cost of providing the".

H-5978 FILED APRIL 23, 1986 BY SPEAR of Lee
adopted 4/24 (p. 1722)
placed o/c (p. 1723)

HOUSE FILE 2484

H-5979

Amend the amendment, H-5959, to House File 2484 as follows:

1. Page 1, by inserting before line 4 the following:

"___. Page 98, by inserting after line 34 the following:

"6. For payment of grants to dispute resolution programs under the prosecuting attorney training program .....$ 25,000"."

2. Renumber as necessary.

H-5979 FILED APRIL 23, 1986 BY BRAMMER of Linn
w/d 4/24 (p. 1742)

HOUSE FILE 2484

H-5989

Amend House File 2484 as follows:

1. Page 121, by inserting after line 30 the following:

"Sec. ___. Notwithstanding section 123.53, the alcoholic beverages control division of the department of commerce may expend from the beer and liquor control fund for the fiscal year beginning July 1, 1986 and ending June 30, 1987 an amount not to exceed five million (5,000,000) dollars for salaries, support, maintenance, and other operational purposes of the division. Notwithstanding section 123.53, the alcoholic beverages control division of the department of commerce may expend for the fiscal year beginning July 1, 1986 and ending June 30, 1987 an amount not to exceed two million one hundred thousand (2,100,000) dollars for leasing costs incurred in the fiscal year beginning July 1, 1986 and ending June 30, 1987. Notwithstanding section 123.53, the alcohol beverages control division of the department of commerce may expend from the beer and liquor control fund for the fiscal year beginning July 1, 1986 and ending June 30, 1987 an amount not to exceed one million (1,000,000) dollars exclusively for vacation, sick leave and early retirement benefit payments authorized by law.

The state liquor inventory shall be placed on a bailment system."

2. Page 154, line 5, by adding after the word "department." the following: "If after exhausting the requirements of collective bargaining agreements a vacancy still exists in any other state department, the other state department shall give preference to qualified persons previously employed by the alcoholic beverage control division whose jobs were terminated as a result of this Act."

3. Page 154, line 9, by adding after the word "Act." the following: "The division may continue to operate one or more state liquor stores after June 30, 1986 only for the purpose of ensuring the availability of alcoholic beverages during the transition to a system of private retailers. However, the division shall not operate a state liquor store after December 31, 1986."

BY JOCHUM of Dubuque
PARKER of Jasper
TABOR of Jackson

H-5989 FILED APRIL 23, 1986
DIVISIONS A AND B ADOPTED
(p. 1665) (p. 1685)

HOUSE FILE 2484

H-5982

Amend House File 2484 as follows:

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

"Sec. ___. Section 324.65, unnumbered paragraph 1, Code 1985, is amended to read as follows:

If a licensee or other person fails to remit at least ninety percent of the tax due with the filing of the return on or before the due date or pays less than ninety percent of any tax required to be shown on the return, there shall be added to the tax a penalty of five percent of the amount of the tax due. The penalty imposed under this section is not subject to waiver. The taxpayer shall also pay interest on the tax or additional tax at the rate in effect under section 421.7 counting each fraction of a month as an entire month, computed from the date the return was required to be filed. If the amount of the tax as determined by the appropriate state agency is less than the amount paid, the excess shall be refunded with interest, the interest to begin to accrue on the first day of the third calendar month following the date of payment or the date the return was due to be filed or was filed, whichever is the latest, at the rate in effect under section 421.7 counting each fraction of a month as an entire month under the rules prescribed by the appropriate state agency."

2. Renumber sections and correct internal references as necessary in accordance with the amendment.

BY KOENIGS of Mitchell
SKOW of Guthrie

H-5982 FILED APRIL 23, 1986
W/D 4/24 (p. 1731)

HOUSE FILE 2484

H-5985

Amend the amendment, H-5903, to House File 2484 as follows:

1. By striking page 3, line 49 through page 4, line 1.

H-5985 FILED APRIL 23, 1986 BY JOCHUM of Dubuque
Placed o/c 4/24 (p. 1720)

HOUSE FILE 2484

H-5988

Amend House File 2484 as follows:

1. Page 125, line 24, by striking the words "Seventy-five" and inserting the words "One hundred".

H-5988 FILED APRIL 23, 1986 BY HALVORSON of Webster
ADOPTED (p. 1666)

H-5992

Amend House File 2484 as follows:
1. Page 98, by inserting after line 34 the following:
"6. For payment of grants to dispute resolution programs under the prosecuting attorney training program ..... $ 50,000".

H-5992 FILED APRIL 23, 1986 BY HAMMOND of Story
Adopted 4/24 (p. 1735)

HOUSE FILE 2484

H-5993

Amend House File 2484 as follows:
1. Page 120, by inserting after line 6 the following:
"If the governor determines that the estimated budget resources during the fiscal year are insufficient to pay all appropriations in full, and that finding is concurred in by the executive council, and the governor orders reductions in the appropriations under section 8.31, an additional amount equal to the reduction shall be transferred to the general fund of the state. If the utilities division determines that additional funds are necessary, the utilities division shall adjust the assessments authorized under section 476.10."

H-5993 FILED APRIL 23, 1986 BY OSTERBERG of Linn
W/D 4/24 (p. 1749)

HOUSE FILE 2484

H-5994

Amend House File 2484 as follows:
1. Page 9, by inserting after line 27 the following:
"Sec. ___. The treasurer of state shall transfer to the general fund of the state eleven million (11,000,000) dollars from the long-term disability reserve account maintained by the treasurer of state. The transfer shall be during the period from July 1, 1986 and ending June 30, 1987."
2. Renumber sections and correct internal references as necessary in accordance with this amendment.

H-5994 FILED APRIL 23, 1986 BY JOCHUM of Dubuque
Adopted 4/24 (p. 1727)

HOUSE FILE 2484

H-5995

Amend House File 2484 as follows:
1. Page 108, line 28, by striking the words and figure "forty thousand (40,000)" and inserting the following: "sixty thousand (60,000)".

H-5995 FILED APRIL 23, 1986 BY HALVORSON of Clayton
JOCHUM of Dubuque
Adopted 4/24 (p. 1736)

HOUSE FILE 2484

H-5990

Amend House File 2484 as follows:

1. Page 119, line 26, by striking the figure "1,650,000" and inserting the figure "350,000".

2. Page 122, line 28, by striking the words and figure "one million one hundred fifty thousand (1,150,000)" and inserting the following: "two million four hundred fifty thousand (2,450,000)".

3. Page 124, by striking lines 1 through 29 and inserting the following: The fees paid by an insurer or other entity subject to regulation by the department shall be deposited in a special trust fund. The treasurer of state shall hold these funds in an account that shall be established in the name of the commissioner for the payment of the expenses of the department upon appropriation by the general assembly. This fund is subject at all times to the warrant of the department of revenue, drawn upon written requisition of the commissioner or the commissioner's designated representative, for the payment of all salaries and other expenses of the insurance department. The commissioner may keep on hand with the treasurer of state funds in excess of the current needs of the department. Transfers shall not be made from the general fund of the state or any other fund for the payment of the expenses of the department. No part of the funds held by the treasurer of state for the account of the commissioner shall be transferred to the general fund of the state or any other fund, except as follows: two million dollars shall be transferred to the general fund of the state in each fiscal year. That amount shall be considered as one of the costs of the department. The funds held by the treasurer of state for the account of the commissioner shall be invested by the treasurer of state and the income derived from these investments shall be credited to the general fund of the state.

The commissioner shall account for receipts and disbursements according to the separate duties imposed upon the commissioner by the laws of this state and each separate duty shall be fiscally self-sustaining."

BY VAN CAMP of Scott
RENAUD of Polk

H-5990 FILED APRIL 23, 1986
Adopted as amended by 5999 4/24 (p. 1738)

HOUSE FILE 2484

H-5991

Amend House File 2484 as follows:

1. Page 154, line 20, by striking the figure "3,097,210" and inserting the figure "3,191,828".

BY DAGGETT of Taylor
HARBOR of Mills
PLATT of Muscatine
VARN of Johnson

H-5991 FILED APRIL 23, 1986
ADOPTED (p. 1686)
Placed o/b 4/24 (p. 1747)

HOUSE FILE 2484

H-6001

Amend House File 2484 as follows:

1. Page 2, by inserting after line 10 the following:

"The funds appropriated by this subsection shall be matched on a dollar for dollar basis with capital provided by private sources and be expanded to attract private capital and to develop a comprehensive national and international marketing program. These funds shall be utilized to implement a statewide initiative that includes, but is not limited to, the development of a trade network, national and international marketing research, business recruitment, utilization of national advertising features, a toll-free number, billboards, displays in key business locations, a direct marketing program, a "trade and marketing institute," and an "invest in Iowa" program."

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

"The funds appropriated by this subsection shall be expended to establish an Iowa investment and trade office in Japan to promote Iowa as a location offering advantages to Japanese firms for investment, to promote Iowa commodities, goods, and services to the Japanese market, and to encourage Japanese tour companies to bring group tours to this state."

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

"The funds appropriated by this subsection shall be expended to develop a program to assist, promote and enhance economic prosperity by fostering expansion of exports through an interest buy-down program for exported sales targeted to assist small businesses which are entering the export market."

H-6001 FILED APRIL 23, 1986 BY GRONINGA of Cerro Gordo

Adopted 4/24 (p. 1725)

HOUSE FILE 2484

H-6000

Amend the amendment, H-5959, to page 61 to House File 2484 as follows:

1. Page 1, by inserting before line 4 the following:

"___. Page 9, by inserting after line 27 the following:

"6. To provide loan guarantees under the targeted small business loan guarantee program if such a program is created by the general assembly ..... $ 25,000"."

2. Renumber as necessary.

H-6000 FILED APRIL 23, 1986 BY BRAMMER of Linn

Adopted 4/24 (p. 1742)

HOUSE FILE 2484

H-5996

Amend amendment H-5925 to page 95 of House File 2484 as follows:

1. Page 1, by striking lines 20 through 25 and inserting the following: "reject all of the proposals. Before a contract proposal is finally accepted, the department of corrections shall submit the contract proposal for the approval of a five-member committee appointed by the legislative council. If no proposals are".

H-5996 FILED APRIL 23, 1986 BY SHERZAN of Polk

W/D 4/24 (J. 1749)

HOUSE FILE 2484

H-5999

Amend amendment H-5990 to page 119 of House File 2484 as follows:

1. Page 1, line 36, by inserting after the word "state." the following: "The authority to modify allotments provided in section 8.31 shall not apply to funds appropriated from the fund created in this section."

BY VAN CAMP of Scott
RENAUD of Polk

H-5999 FILED APRIL 23, 1986

Adopted 4/24 (J. 1738)

HOUSE FILE 2484

H-5997

Amend House File 2484 as follows:

1. Page 14, lines 28 and 29, by striking the words ", for tours".
2. Page 14, line 31, by striking the word "repairs" and inserting the word "development".

H-5997 FILED APRIL 23, 1986 BY SWARTZ of Marshall

Adopted 4/24 (J. 1732)

HOUSE FILE 2484

H-5998

Amend the amendment, H-5903, to House File 2484 as follows:

1. Page 15, line 27, by striking the figure "44,420,400" and inserting the figure "44,099,400".

BY JOCHUM of Dubuque
HALVORSON of Clayton

H-5998 FILED APRIL 23, 1986

Adopted 4/24 (J. 1724)

H-6004

Amend House File 2484 as follows:

1. Page 120, line 6, by inserting after the word "purposes" the words "including the consumer advocate".

2. Page 120, line 6, by striking the figure "3,963,503" and inserting the figure "725,000".

3. Page 123, by inserting after line 10 the following:

"Sec. ___. There is appropriated from the utilities trust fund to the utilities division of the department of commerce for the fiscal year beginning July 1, 1986 and ending June 30, 1987 the sum of three million six hundred twenty-five thousand (3,625,000) dollars, or so much thereof as is necessary, for salaries, support, maintenance, and other operational purposes of the utilities division. There is appropriated from the utilities trust fund to the consumer advocate office of the department of justice for the fiscal year beginning July 1, 1986 and ending June 30, 1987 the sum of eight hundred sixty-six thousand (866,000) dollars, or so much thereof as may be necessary, for salaries, support, maintenance, and operational purposes of the office."

4. Page 123, by inserting after line 26 the following:

"Sec. ___. Section 476.10, unnumbered paragraph 2, Code 1985, is amended to read as follows:

The commission shall ascertain the total of its expenditures during each year which are reasonably attributable to the performance of its duties under this chapter. The commission shall add to this total the certified expenses of the consumer advocate as provided under section 475A.6 and shall deduct all amounts chargeable directly to any specific utility under any law. The remainder shall be assessed by the commission to the public utilities in proportion to their respective gross operating revenues during the last calendar year derived from intrastate public utility operations and ~~shall be assessed within ninety days of the close of the calendar year based upon an estimate of the commission expenditures for the first half of the commission's fiscal year and again within ninety days of the close of the fiscal year as necessary to conform the amount of the assessment to the requirements of this section~~ may be assessed by the commission on a quarterly basis. Public utilities exempt from rate regulation under this chapter shall not be assessed for remainder expenses incurred during review of rate-regulated public utilities under section 476.31 or 476.32, but such remainder expenses

shall be assessed proportionally as provided in this section among only the rate-regulated public utilities. The total amount which may be assessed to the public utilities under authority of this paragraph shall not exceed two-tenths of one percent of the total gross operating revenues of the public utilities during the calendar year derived from intrastate public utility operations. However, the total amount which may be assessed in any one calendar year to a public utility under this section shall not exceed three-tenths of one percent of the utility's total gross operating revenues derived from intrastate public utility operation in the last preceding year. For public utilities exempted from rate regulation under this chapter, the assessments under this paragraph shall be computed at one-half the rate used in computing the assessment for other utilities.

Sec. ___. Section 476.10, Code 1985, is amended by adding the following new unlettered paragraph:

NEW UNLETTERED PARAGRAPH. Fees paid to the utilities division shall be deposited in a utilities trust fund. The treasurer of state shall hold these funds in an account that shall be established in the names of the administrator of the utilities division and the consumer advocate for the payment, upon appropriation by the general assembly, of the expenses of the utility division and the consumer advocate division of the department of justice. This fund is subject at all times to the warrant of the department of revenue and finance, drawn upon written requisition of the administrator of the utilities division, the administrator's designated representative, the consumer advocate, or the consumer advocate's designated representative for the payment of all salaries and other expenses necessary to carry out the duties of the utilities division or the consumer advocate division. The utilities division or the consumer advocate division may keep on hand with the treasurer of state funds in excess of the current needs of the utilities division or the consumer advocate division. Transfers shall not be made from the general fund of the state or any other fund for the payment of the expenses of the divisions. No part of the funds held by the treasurer of state for the account shall be transferred to the general fund of the state or any other fund, except an amount of one hundred thousand dollars each year shall be transferred to the state general fund as a cost of the divisions. The funds held by the treasurer of state for the account shall be invested by the treasurer of

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state and the income derived from these investments shall be credited to the general fund of the state. The authority to modify allotments provided in section 8.31 shall not apply to funds appropriated from the fund created in this section.

The administrator and consumer advocate shall account for receipts and disbursements according to the separate duties imposed upon the utilities and consumer advocate divisions by the laws of this state and each separate duty shall be fiscally self-sustaining."

BY HATCH of Polk
RENAUD of Polk

H-6004 FILED APRIL 23, 1986
Adopted as amended by 6008 4/24 (J. 1741)

HOUSE FILE 2484

H-6002

Amend House amendment H-5989 to page 121 of House File 2484 as follows:

1. Page 1, line 36, by striking the word "may" and inserting the word "shall".

2. Page 1, by striking lines 38 and 39 and inserting the following: "1986 for the purpose of ensuring an efficient and orderly transition to a".

BY PARKER of Jasper
TABOR of Jackson

H-6002 FILED APRIL 23, 1986
ADOPTED (J. 1684)

HOUSE FILE 2484

H-6003

Amend House File 2484 as follows:

1. Page 95, line 9, by inserting after the word "corrections." the following: "Prior to establishing any facilities, the department shall solicit bids from all interested parties."

H-6003 FILED APRIL 23, 1986 BY MILLER of Cherokee
Adopted 4/24 (J. 1750)

HOUSE FILE 2484

H-6014

Amend House File 2484 as follows:

1. Page 140, line 5, by inserting after the word "liquor" the words "and wine sold by the department".

2. Page 140, line 15, by inserting after the word "liquors" the words "and wine".

3. Page 140, line 19, by inserting after the word "licensees" the words "and to offer such wine for sale to qualified licensees and permittees".

4. Page 140, line 20, by inserting after the word "liquors" the words "or wine".

5. Page 140, line 21, by inserting after the word "liquors" the words "or wine".

6. Page 140, line 33, by inserting after the word "liquors" the words "and wine".

7. Page 141, line 5, by inserting after the word "liquors" the words "and wine".

8. Page 141, lines 8 and 9, by striking the words "~~purchasers~~ class "E" liquor control licensees" and inserting the following: "purchasers".

9. Page 141, line 10, by inserting after the word "liquor" the words "and wine".

10. Page 141, line 29, by inserting after the word "liquors" the words "and wine".

11. Page 142, by striking lines 12 through 15 and inserting the following: "wine, and except as otherwise provided in this chapter. The department may continue to purchase wine from persons holding a vintner's certificate of compliance or a class "A" wine permit for resale in state liquor stores. The department".

12. By striking page 142, line 20 through page 144, line 8 and inserting the following:

"123.24 ~~VENDORS----CASH-SALES~~ ALCOHOLIC LIQUOR AND WINE SALES BY THE DEPARTMENT -- DISHONORED CHECKS -- LIQUOR PRICES.

1. ~~In-the-conduct-and-management-of-state-liquor stores,-the-director-is-empowered-to-employ-a-person who-shall-be-known-as-a-"vendor"-who-shall,-subject-to the-directions-of-the-director,-observe-all-provisions of-this-chapter-and-the-rules-and-regulations-of-the department.--No-vendor-of-any-state-liquor-store-shall sell-alcoholic-liquor-to-any-person-except-for-cash-or traveler's-check.~~ The department shall sell alcoholic liquor and wine at wholesale only. The department shall sell alcoholic liquor to class "E" liquor control licensees only. The department shall offer the same price on alcoholic liquor and wine to all purchasers.

2. a. ~~Notwithstanding-the-preceding-paragraph,-a vendor-may-accept-from-a-class-"A",-"B",-"C"-or-"D"~~

The department may accept from a liquor control licensee~~,~~ or wine permittee a cashier's check which shows the licensee or permittee is the remitter or a check issued by the licensee~~,~~ or permittee in payment of alcoholic liquor or wine ~~purchased for resale. In the event~~ If a check is subsequently dishonored, the ~~vendor~~ department shall cause a notice of nonpayment and penalty to be served upon the licensee or permittee or upon any person in charge of the licensed premises. The notice shall state that if payment or satisfaction for the dishonored check is not made within ten days of the service of notice, the licensee's liquor control license or the permittee's wine permit shall be suspended ~~by the procedures of~~ under section 123.39. The notice of nonpayment and penalty shall be in a form prescribed by the director, and shall be served by a peace officer.

b. If upon notice and hearing under ~~the procedures specified in~~ section 123.39 and pursuant to the provisions of chapter 17A concerning a contested case hearing, the director determines that the licensee or permittee failed to satisfy the obligation for which the check was issued within ten days after the notice of nonpayment and penalty was served on the licensee or permittee as provided in paragraph "a" of this subsection, the director shall suspend the licensee's liquor control license or the permittee's wine permit for not less than three days but not more than thirty days.

c. Paragraphs "a" and "b" do not apply if a licensee or permittee tenders the department three or more checks during a twelve-month period which are dishonored. Following notification to the department of dishonor of ~~any~~ a check after the second check so dishonored from the same licensee or permittee, the director shall suspend a licensee's liquor control license or wine permit for not less than three nor more than thirty days, after notice and an opportunity for hearing. Payment of ~~any~~ a check whose dishonor subjects the licensee or permittee to suspension does not affect the liability of the licensee or permittee to suspension.

3. The price of alcoholic liquor and wine sold by the department shall include a markup at least equal to sixty percent of the wholesale price paid by the department for the alcoholic liquor or wine. The markup shall apply to all alcoholic liquor and wine sold by the department; however, the department may reduce the markup on selected kinds of alcoholic liquor and wine sold by the department if the average

return to the department on all sales of alcoholic liquor and wine equals or exceeds the wholesale price paid by the department and the sixty percent markup."

13. Page 146, line 33, by striking the words "the department-or" and inserting the words "the department or".

14. Page 147, line 6, by striking the words "the department-or" and inserting the words "the department or".

15. Page 147, line 18, by striking the words "the department-or" and inserting the words "the department or".

16. Page 147, lines 24 and 25, by striking the words "the-department-or" and inserting the words "the department or".

H-6014 FILED APRIL 23, 1986 BY HALVORSON of Webster
W/D 4/24 (p. 1749)

HOUSE FILE 2484

H-6010

Amend House File 2484 as follows:

1. Page 137, by inserting after line 27 the following:

"Sec. ___. There is appropriated from the Iowa public employees' retirement system fund to the department of personnel for the fiscal year beginning July 1, 1986 and ending June 30, 1987, the following amounts, or so much thereof as is necessary, to be used for the following purposes:

	1986-1987 Fiscal Year
For salaries, support, maintenance, and other operational purposes to pay the costs of administration of the Iowa public employees' retirement system	$ 1,664,685".

2. Renumber as necessary in accordance with this amendment.

H-6010 FILED APRIL 23, 1986 BY JOCHUM of Dubuque
W/D 4/24 (p. 1744)

HOUSE FILE 2484

H-6011

Amend House File 2484 as follows:

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

"Sec. 34. As a condition of this appropriation, the state department of transportation shall do everything under its present authority to qualify for highway safety funds offered by the federal government under the alcohol traffic safety program."

H-6011 FILED APRIL 23, 1986 BY McINTEE of Black Hawk
Lost 4/24 (p. 1732)

HOUSE FILE 2484

H-6005

Amend amendment H-5903 to House File 2484 as follows:

1. Page 12, line 40, by inserting after the word "state." the following: "The moneys used for the state share of the AIDEX superfund cleanup shall be repaid not later than June 30, 1989. It is the intent of the general assembly that the withdrawal of funds from moneys available for publicly-owned sewage treatment facilities shall not be used for any other purpose in future years and the department of natural resources shall report to the general assembly not later than January 1, 1987 on methods to increase funds for the state superfund to meet future needs in this state."

H-6005 FILED APRIL 23, 1986 BY ROSENBERG of Story
Adopted 4/24 (p. 1723)

HOUSE FILE 2484

H-6006

Amend the amendment, H-5989 to page 121 of House File 2484 as follows:

1. Page 1, line 42, by inserting after the figure "1986." the following: "The division shall maintain the existing warehouse distribution personnel for the transition period of July 1, 1986 through June 30, 1987."

H-6006 FILED APRIL 23, 1986 BY JOCHUM of Dubuque
ADOPTED (p. 1684)

HOUSE FILE 2484

H-6007

Amend House File 2484 as follows:

1. Page 101, line 1, by inserting after the word "paid" the words "and until not less than thirty days have passed in the period of the revocation of the person's license or operating privilege".

H-6007 FILED APRIL 23, 1986 BY McINTEE of Black Hawk
Lost 4/24 (p. 1736)

HOUSE FILE 2484

H-6008

Amend amendment H-6004 to page 120 of House File 2484 as follows:

1. Page 2, lines 46 and 47, by striking the words "one hundred" and inserting the word "fifty".

H-6008 FILED APRIL 23, 1986 BY PAULIN of Plymouth
Adopted 4/24 (p. 1740)

HOUSE FILE 2484

H-6009

Amend the amendment, H-6004, to page 120 of House File 2484 as follows:

1. Page 2, lines 46 through 49 by striking the words ", except an amount of one hundred thousand dollars each year shall be transferred to the state general fund as a cost of the divisions".

H-6009 FILED APRIL 23, 1986 BY VAN CAMP of Scott
Lost 4/24 (p. 1741)

HOUSE FILE 2484

H-6015

Amend House File 2484 as follows:

1. Page 12, by inserting after line 14 the following:

"Sec. ___. Section 321.191, unnumbered paragraph 1, Code 1985, is amended to read as follows:

The fee for an operator's license shall be ~~seven~~ ten dollars if issued for a period of two years, and twenty dollars if issued for a period of ~~six~~ four years. The fee for a chauffeur's license shall be ~~fourteen~~ twenty dollars if issued for a period of two years, and forty dollars if issued for a period of ~~six~~ four years. The fee for an instruction permit shall be six dollars, for a chauffeur's instruction permit, twelve dollars, for a temporary driver's permit, ten dollars and for a motorized bicycle license, ten dollars.

Sec. ___. Section 321.196, unnumbered paragraph 1, Code 1985, is amended to read as follows:

An operator's license shall expire, at the option of the applicant, two or four years from the licensee's birthday anniversary occurring in the year of issuance if the licensee is between the ages of eighteen and seventy years on the date of issuance of the license, otherwise the license shall be effective for a period of two years. The license shall be renewable without written examination or penalty within a period of thirty days after its expiration date. A person shall not be considered to be driving with an invalid license during a period of thirty days following the license expiration date. However, for any license renewed within ~~such~~ the thirty-day period, the date of issuance shall be considered to be the previous birthday anniversary on which it expired. Applicants whose licenses are restricted due to vision or other physical deficiencies may be required to renew their licenses every two years. For the purposes of this section the birthday anniversary of a person born on February 29 shall be deemed to occur on March 1. All applications for renewal of operators' licenses shall be made under the direct supervision of a uniformed member of the department and shall be approved by the uniformed member. The department in its discretion may authorize the renewal of a valid license upon application without an examination provided that the applicant satisfactorily passes a vision test as prescribed by the department.

Sec. ___. Section 321.197, Code 1985, is amended to read as follows:

321.197 EXPIRATION OF CHAUFFEUR'S LICENSE.

Every chauffeur's license shall expire ~~every-six~~ ,

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at the option of the applicant, two or four years on from the licensee's birthday anniversary occurring in the year of issuance. A chauffeur's license may be renewed within thirty days after the applicant's license expiration date without written examination or penalty. A person shall not be considered to be driving with an invalid license during a period of thirty days following the license expiration date. For any license renewed within the thirty-day period, the date of issuance shall be considered to be the previous birthday anniversary on which it expired. However, if the licensee is seventy years of age or older on the date of issuance of the license, the license shall be issued to be valid for two years. For the purposes of this section the birthday anniversary of a person born on February 29 shall be deemed to occur on March 1. The department in its discretion may waive the examination of any applicant previously licensed as a chauffeur under this chapter, provided that the person satisfactorily passes a vision test as prescribed by the department. An application for the renewal of a chauffeur's license shall be made under the direct supervision of a uniformed member of the department and shall be approved by the uniformed member.

Sec. ___. Section 321.445, subsection 2, Code 1985, as enacted by Senate File 499, is amended by striking the subsection."

2. Renumber as necessary.

H-6015 FILED APRIL 23, 1986 BY VAN CAMP of Scott

Ruled not germane 4/24 (J. 1731)

HOUSE FILE 2484

S.20

Amend House File 2484 as follows:

1. Page 140, by striking lines 2 through 5 and inserting the following:

"Sec. 723. Section 123.16, subsection 2, paragraphs a and c, Code Supplement 1985, as amended by 1986 Iowa Acts, House File 2372, section 5, are amended to read as follows:

a. Purchases of alcoholic liquor ~~and wine~~ for resale by the department.

c. The establishment of ~~retail~~ wholesale prices of alcoholic liquor ~~and wine sold by the department~~.

Sec. 724. Section 123.16, subsection 2, paragraph d, Code Supplement 1985, is amended by striking the paragraph."

2. Page 140, by striking lines 6 and 7, and inserting the following:

"Sec. 725. Section 123.20, subsection 5, Code Supplement 1985, is amended to read as follows."

3. Page 140, by striking lines 15 through 23 and inserting the following:

"Sec. 726. Section 123.20, subsection 8, Code Supplement 1985, as amended by 1986 Iowa Acts, House File 2372, section 6, is amended to read as follows:

8. To accept intoxicating liquors ordered delivered to the Iowa alcoholic beverage control department pursuant to section 127.8, subsection 1, and offer such intoxicating liquors ~~and wine~~ for sale ~~through the state liquor stores~~ to class "E" liquor control licensees, unless the director determines that such intoxicating liquors ~~and wine~~ may be adulterated or contaminated. If the director determines that such intoxicating liquors ~~and wine~~ may be adulterated or contaminated the director shall order their destruction."

4. Page 140, line 26, by striking the figures "1, 2, 3, 6 and 8" and inserting the following: "1 and 6".

5. By striking page 140, line 31 through page 141, line 6.

6. Page 141, by striking lines 26 through 29 and inserting the following:

"Sec. 729. Section 123.21, subsections 2, 3, and 8, Code Supplement 1985, as amended by 1986 Iowa Acts, House File 2372, section 7, are amended to read as follows:

2. Regulating the management, equipment, and merchandise of state ~~liquor stores and~~ warehouses in and from which alcoholic liquors ~~and wine~~ are transported, kept, or sold and prescribing the books and records to be kept therein.

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3. Regulating the purchase of alcoholic liquor generally and the furnishing of the liquor ~~and wine~~ to ~~state liquor stores established~~ class "E" liquor control licensees under this chapter, and determining the classes, varieties, and brands of alcoholic liquors ~~and wine~~ to be kept in state warehouses ~~or for sale at any state liquor store~~.

8. Prescribing, subject to this chapter, the days and hours during which state ~~liquor stores~~ warehouses shall be kept open for the purpose of the sale and delivery of alcoholic liquors ~~and wine~~."

7. Page 142, line 20, by striking the words "AND WINE".

8. Page 142, line 32, by striking the words "exclusive retailers" and inserting the words "class "E" liquor control licensees".

9. Page 144, by striking lines 9 through 16 and inserting the following:

"Sec. 732. Section 123.25, Code 1985, as amended by 1986 Iowa Acts, House File 2372, section 8, is amended to read as follows:

123.25 CONSUMPTION ON PREMISES.

~~A vendor,~~ An officer, clerk, agent, or employee of the department employed in ~~any state liquor store or~~ a state-owned warehouse shall not allow any alcoholic liquor ~~or wine~~ to be consumed on the premises, nor shall ~~any~~ a person consume any liquor on the premises except for testing or sampling purposes only."

10. Page 144, by striking lines 30 through 35 and inserting the following:

"Sec. 734. Section 123.27, unnumbered paragraph 1, Code Supplement 1985, as amended by 1986 Iowa Acts, House File 2372, section 9, is amended to read as follows:

It is unlawful to transact the sale or delivery of alcoholic liquor ~~or wine~~ in, on, or from the premises of a state ~~liquor store or~~ warehouse:".

11. Page 148, by inserting after line 30 the following:

"Sec. 741. Section 123.50, subsection 5, Code Supplement 1985, is amended by striking the subsection."

H-6020 FILED APRIL 24, 1986 BY TABOR of Jackson
ADOPTED as amended by 6022 4/24 (p. 1747)

HOUSE FILE 2484

H-6022

Amend the House amendment, H-6020, to House File 2484 as follows:

1. Page 2, line 31, by striking the following: "unnumbered paragraph 1,".

H-6022 FILED APRIL 24, 1986 BY TABOR of Jackson
ADOPTED (p. 1747)

HOUSE FILE 2484

H-6023

Amend House File 2484 as follows:

1. Page 123, by inserting after line 20 the following:

"NEW SUBSECTION. 27. The superintendent of savings and loan associations and all employees of the savings and loan division of the department of commerce."

2. Page 123, by inserting after line 26 the following:

"NEW SUBSECTION. 13. Persons employed by the savings and loan division of the department of commerce."

H-6023 FILED APRIL 24, 1986 BY RENAUD of Polk
ADOPTED (p. 1742)

H-6021

Amend House File 2484 as follows:

1. Page 19, by striking lines 15 through 17 and inserting the following:

"amount of forty-one million seven hundred eighty-six thousand four hundred sixteen (41,786,416)".

2. Page 19, by striking lines 20 through 34 and inserting the following:

"(1) Merged area I ..... $ 1,970,381
(2) Merged area II ..... $ 2,607,572
(3) Merged area III ..... $ 2,306,711
(4) Merged area IV ..... $ 884,353
(5) Merged area V ..... $ 2,953,129
(6) Merged area VI ..... $ 2,527,442
(7) Merged area VII ..... $ 2,951,909
(8) Merged area IX ..... $ 3,516,523
(9) Merged area X ..... $ 5,287,125
(10) Merged area XI ..... $ 6,152,704
(11) Merged area XII ..... $ 2,027,843
(12) Merged area XIII ..... $ 2,943,089
(13) Merged area XIV ..... $ 996,196
(14) Merged area XV ..... $ 2,733,997
(15) Merged area XVI ..... $ 1,927,442".

3. Page 20, line 9, by striking the figure "8,049,520" and inserting the figure "8,839,690".

4. Page 20, by striking lines 15 and 16 and inserting the following: "thirteen million eight hundred sixty-six thousand one hundred ninety-five (13,866,195) dollars, to be accrued as income and".

5. Page 20, by striking lines 20 through 34 and inserting the following:

"a. Merged area I ..... $ 658,260
b. Merged area II ..... $ 863,660
c. Merged area III ..... $ 777,840
d. Merged area IV ..... $ 296,488
e. Merged area V ..... $ 1,034,684
f. Merged area VI ..... $ 850,695
g. Merged area VII ..... $ 989,868
h. Merged area IX ..... $ 1,114,498
i. Merged area X ..... $ 1,683,267
j. Merged area XI ..... $ 2,059,840
k. Merged area XII ..... $ 718,834
l. Merged area XIII ..... $ 1,025,435
m. Merged area XIV ..... $ 335,025
n. Merged area XV ..... $ 813,544
o. Merged area XVI ..... $ 644,257".

6. By striking page 33, line 35 through page 34, line 6, and inserting the following:

"Sec. ___. It is the intent of the general

assembly that funds not be appropriated for allocation to the area schools under chapter 286A until such time as the state board of public instruction has established auditable standards and uniform numbers of reimbursable contact hours for each program offered by one or more of the area schools."

H-6021 FILED APRIL 24, 1986 BY CARPENTER of Polk
LOST (p. 1749)

HOUSE FILE 2484

H-6018

Amend House File 2484 as follows:

1. Page 137, by inserting after line 27 the following:

"Sec. ___. There is appropriated from the Iowa public employees' retirement system fund to the department of personnel for the fiscal year beginning July 1, 1986 and ending June 30, 1987, the following amounts, or so much thereof as is necessary, to be used for the following purposes:

	1986-1987 Fiscal Year
For salaries, support, maintenance, and other operational purposes to pay the costs of administration of the Iowa public employees' retirement system	$ 1,773,465".

2. Renumber as necessary in accordance with this amendment.

H-6018 FILED APRIL 24, 1986 BY JOCHUM of Dubuque
ADOPTED (p. 1744)

HOUSE FILE 2484

H-6019

Amend House File 2484 as follows:

1. Page 48, by inserting after line 25 the following:

"Sec. ___. Section 442.9, subsection 1, paragraph c, Code Supplement 1985, is amended to read as follows:

c. The amount to be raised by the additional school district property tax levy is equal to the district cost for the budget year, less the product of the state or district foundation base and the weighted enrollment, except that for the budget year beginning July 1, 1987 and each succeeding budget year, the state comptroller shall adjust the rate of the additional school district property tax levy in each school district so that the revenues received do not exceed the revenues received for the school year beginning July 1, 1986."

H-6019 FILED APRIL 24, 1986 BY MAULSBY of Calhoun
LOST (p. 1734)

Appropriations 4/25 Amend (5191) + Do Pass 4/29 (J.1449)

HOUSE FILE 2484
BY COMMITTEE ON APPROPRIATIONS

(As Amended and Passed by the House April 24, 1986)

Re Passed House, Date 5-2-86 (J.2112) Passed Senate, Date 5-1-86 (J.1510)
Vote: Ayes 77 Nays 15 Vote: Ayes 28 Nays 18
Approved Item Veto 5/31 Refiled with copy
Repassed Senate 5-2-86 (J.1591)
27-19

A BILL FOR

An Act relating to and making appropriations to agencies, boards, commissions, departments, and programs of state government and making certain provisions retroactive.

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

House Amendments _____

Deleted Language *

TLSB 8407HF 71
bk/rr/8

S.F. _____ H.F. 2484

DIVISION I

BUSINESS/TRADE/TRANSPORTATION

Section 1. There is appropriated from the general fund of the state to the department of economic development for the fiscal year beginning July 1, 1986 and ending June 30, 1987 the following amounts, or so much thereof as is necessary, to be used for the purposes designated:

	1986-1987 Fiscal Year
1. For salaries, support, maintenance, and other operational purposes	$ 2,789,691

It is the intent of the general assembly that the funds appropriated by this subsection shall not be expended for a volunteer coordinator.

2. For tourism and promotion programs	$ 1,429,560

Of the funds appropriated by this subsection, one hundred thousand (100,000) dollars, or so much thereof as is necessary, shall be expended to develop a state tourism marketing plan. The plan shall be provided to the legislative council upon completion. Of the funds appropriated by this subsection, one million (1,000,000) dollars shall not be expended prior to the completion of the state tourism marketing plan and presentation of the plan to the legislative council.

There is created a tourism marketing plan task force. The director of the department of economic development or the director's designee shall serve as chairperson of the tourism marketing plan task force. The task force shall consist of five members. The director shall appoint a representative of the state conservation commission, a representative of the recreation, tourism, and leisure study committee, a representative of the department of cultural affairs, and a representative of the tourism industry from the private

sector.

The task force shall develop guidelines for the preparation of a comprehensive statewide tourism marketing plan and tourism information delivery system plan, recommendations from which shall be submitted by the task force to the legislative council for the release of withheld funds.

3. For advertising and marketing ..... $ 92,333

4. For establishment and maintenance of an ambassador's program ..... $ 1,000,000

The funds appropriated by this subsection shall be matched on a dollar for dollar basis with capital provided by private sources and be expanded to attract private capital and to develop a comprehensive national and international marketing program. These funds shall be utilized to implement a statewide initiative that includes, but is not limited to, the development of a trade network, national and international marketing research, business recruitment, utilization of national advertising features, a toll-free number, billboards, displays in key business locations, a direct marketing program, a "trade and marketing institute," and an "invest in Iowa" program.

5. For establishment and maintenance of a Japan trade office ..... $ 300,000

The funds appropriated by this subsection shall be expended to establish an Iowa investment and trade office in Japan to promote Iowa as a location offering advantages to Japanese firms for investment, to promote Iowa commodities, goods, and services to the Japanese market, and to encourage Japanese tour companies to bring group tours to this state.

6. For establishment and maintenance of an export finance program ..... $ 1,000,000

The funds appropriated by this subsection shall be expended to develop a program to assist, promote and enhance economic prosperity by fostering expansion of exports through an

interest buy-down program for exported sales targeted to assist small businesses which are entering the export market.

7. For advertising for the National Cattle Congress ..... $ 10,000

8. Community development block grant administration and related federal housing and urban development community development grant administration

For salaries, support, maintenance, and miscellaneous purposes ..... $ 53,800

9. Job training partnership Act: dislocated workers

For salaries, support, maintenance, and miscellaneous purposes to develop and administer the job training partnership Act ..... $ 958,936

10. Mississippi river parkway commission

For support, maintenance, and miscellaneous purposes ..... $ 11,700

11. Youth services administration

For salaries, support, maintenance, and miscellaneous purposes to develop and administer employment opportunities for the youth ..... $ 71,391

12. Iowa youth corps

For salaries, support, maintenance, and miscellaneous purposes ..... $ 832,709

Sec. 2. There is appropriated from the general fund of the state to the department of cultural affairs for the historical division for the fiscal period beginning July 1, 1986 and ending June 30, 1988 the sum of one hundred twenty-five

thousand (125,000) dollars, or so much thereof as is necessary, to acquire by negotiated sale part of the land encompassing the Blood Run national historic landmark in Lyon county, Iowa. This appropriation shall be matched by revenue from other sources.

Ten thousand (10,000) dollars of the appropriation in this section shall be allocated to the state archaeologist for the fiscal year beginning July 1, 1986 and ending June 30, 1987, or so much thereof as is necessary, for the development planning and the next phase of archaeological field study at the Blood Run national historic landmark in Lyon county, Iowa. The state archaeologist shall consult with the historical division of the department of cultural affairs in conducting the developmental planning and archaeological field study.

Sec. 3. There is appropriated from the general fund of the state to the department of revenue and finance for the fiscal year beginning July 1, 1986 and ending June 30, 1987, 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:

	1986-1987 Fiscal Year
For salaries, support, maintenance, and miscellaneous purposes	$ 15,605,770

Sec. 4. There is appropriated from the general fund of the state to the college aid commission for the fiscal year beginning July 1, 1986 and ending June 30, 1987, the following amounts, or so much thereof as is necessary, to be used for the purposes designated:

	1986-1987 Fiscal Year
For salaries, support, maintenance, and miscellaneous purposes	$ 127,230

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 ..... $ 926,184

Sec. 5.

1. There is appropriated from the general fund of the state to the department of revenue and finance for the fiscal year beginning July 1, 1986 and ending June 30, 1987, the sum of eight hundred twenty-five thousand four hundred ten (825,410) dollars, or so much thereof as may be necessary, to be paid to the college of osteopathic medicine and surgery for the subvention program created pursuant to sections 261.18 and 261.19. Notwithstanding section 261.19, for the fiscal year beginning July 1, 1986, the subvention shall be used for the admission and education of students enrolled in each of the four years of classes in the college of osteopathic medicine and surgery.

2. In addition to the requirements of sections 261.18 and 261.19, the availability of funds appropriated by this section is subject to the condition that one half of the funds appropriated for fiscal year 1986-1987 shall not be released until delivery to the legislative fiscal bureau of the June 30, 1986, financial audits, conducted by an independent third party, of the college of osteopathic medicine and surgery.

Sec. 6. There is appropriated from the motor vehicle fuel tax fund to the department of revenue and finance for the fiscal year beginning July 1, 1986 and ending June 30, 1987 the following amount, or so much thereof as may be necessary, for salaries, support, maintenance, and other operational purposes for administration and enforcement of the provisions

of chapter 324 and the motor vehicle use tax program:

	1986-1987 Fiscal Year
	$ 827,788

Sec. 7. There is appropriated from the general fund of the state to the office of treasurer of state for the fiscal year beginning July 1, 1986 and ending June 30, 1987 the following amount, or so much thereof as is necessary, to be used for the purposes designated:

	1986-1987 Fiscal Year
For salaries, support, maintenance, and other operational purposes	$ 487,646

Sec. 8. There is appropriated from the general fund of the state to the moneys and credits replacement fund established in section 422.100 for the fiscal year beginning July 1, 1986 and ending June 30, 1987 the sum of two million four hundred seventy-five thousand (2,475,000) dollars, or so much thereof as may be necessary, to be used for payments to counties as provided in section 422.100.

5791 Sec. 9. There is appropriated from the general fund of the state to the state department of transportation for the fiscal year beginning July 1, 1986 and ending June 30, 1987 the following amounts, or so much thereof as may be necessary, to be used for the following purposes:

	1986-1987 Fiscal Year
STATE DEPARTMENT OF TRANSPORTATION	
1. For salaries, support, maintenance, and miscellaneous purposes	$ 1,000,000
2. For deposit in the public transit assistance fund	$ 1,765,366

Sec. 10. There is appropriated from the road use tax fund to the state department of transportation for the fiscal year beginning July 1, 1986 and ending June 30, 1987 the following amounts, or so much thereof as may be necessary, to be used for the following purposes:

	1986-1987 Fiscal Year
STATE DEPARTMENT OF TRANSPORTATION	
1. For salaries, support, maintenance, and miscellaneous purposes	$ 14,623,482
2. For the purpose of making payments to the department of personnel for expenses incurred in administering the merit system on behalf of the state department of transportation, as required by chapter 19A	$ 16,000
3. Unemployment compensation	$ 12,250

Sec. 11. There is appropriated from the road use tax fund to the department of personnel for the fiscal year beginning July 1, 1986 and ending June 30, 1987 the sum of thirty-two thousand seven hundred fifty (32,750) dollars, or so much thereof as is necessary, to be used for the purpose of paying workers' compensation claims under chapter 85 on behalf of employees of the state department of transportation.

Sec. 12. There is appropriated from the primary road fund to the state department of transportation for the fiscal year beginning July 1, 1986 and ending June 30, 1987 the following amounts, or so much thereof as may be necessary, to be used for the following purposes:

	1986-1987 Fiscal Year
STATE DEPARTMENT OF TRANSPOR-	

TATION

1. For salaries, support, maintenance, and miscellaneous purposes $128,532,126

2. To be deposited in the state department of transportation materials and equipment revolving fund established by section 307A.7 for funding the increased replacement cost of vehicles ..... $ 2,000,000

3. For the purpose of making payments to the department of personnel for expenses incurred in administering the merit system on behalf of the state department of transportation, as required by chapter 19A ..... $ 304,000

4. Unemployment compensation .....$ 232,750

5791 5. For Sac City, Odebolt area garage ..... $ 611,000

6. For Belle Plaine, Tama, Blairstown area garage ..... $ 733,000

Sec. 13. There is appropriated from the primary road fund to the department of personnel for the fiscal year beginning July 1, 1986 and ending June 30, 1987 the sum of six hundred twenty-two thousand two hundred fifty (622,250) dollars, or so much thereof as is necessary, for the purpose of paying workers' compensation claims under chapter 85 on behalf of the employees of the state department of transportation.

Sec. 14. There is appropriated from the state aviation fund to the state department of transportation for the fiscal year beginning July 1, 1986 and ending June 30, 1987, the following amount, or so much thereof as may be necessary, to be used for the following purposes:

1986-1987

	Fiscal Year
For salaries, support, maintenance, and miscellaneous purposes	$ 261,318

Sec. 15. Notwithstanding the appropriation amounts in section 261.25, there is appropriated from the general fund of the state to the college aid commission for the fiscal year beginning July 1, 1986 and ending June 30, 1987 the following amounts for the purposes listed:

1. Nineteen million eight hundred six thousand nine hundred (19,806,900) dollars for tuition grants.

2. Three hundred thirty-six thousand five hundred twenty-five (336,525) dollars for scholarships.

3. Six hundred forty-six thousand five hundred eighty-two (646,582) dollars for vocational-technical tuition grants.

Sec. 16. Notwithstanding the appropriation amount listed in section 261.45, there is appropriated from the general fund of the state to the college aid commission for the fiscal year beginning July 1, 1986 and ending June 30, 1987 the sum of fifty-seven thousand six hundred ninety (57,690) dollars, or as much thereof as is necessary, to make the reimbursement payments for the guaranteed student loan payment program.

Sec. 17. Notwithstanding the appropriation amount listed in section 261.53, there is appropriated from the general fund of the state to the Iowa college aid commission for the fiscal year beginning July 1, 1986 and ending June 30, 1987, the sum of sixty-seven thousand three hundred five (67,305) dollars, or as much thereof as is necessary, for science and mathematics loans.

Sec. 18. Notwithstanding the appropriation amount listed in section 261.63, there is appropriated from the general fund of the state to the Iowa college aid commission for the fiscal year beginning July 1, 1986 and ending June 30, 1987, the sum of nine hundred thousand (900,000) dollars, or as much thereof as is necessary, for supplemental grants.

Sec. 19. Notwithstanding section 321.145, there is transferred from the road use tax fund to the general fund of the state for the fiscal year beginning July 1, 1986 and ending June 30, 1987 the sum of twenty-eight thousand seven hundred thirty-five (28,735) dollars to fund salary adjustments required pursuant to 1984 Iowa Acts, chapter 1314.

* Sec. 20. There is appropriated from the road use tax fund to the state department of transportation for the fiscal year beginning July 1, 1986 and ending June 30, 1987 the sum of five hundred fifty-two thousand two hundred nine (552,209) dollars, or so much thereof as is necessary, to provide salary adjustments required by implementation action taken under 1984 Iowa Acts, chapter 1314.

Sec. 21. There is appropriated from the primary road fund to the state department of transportation for the fiscal year beginning July 1, 1986 and ending June 30, 1987 the sum of two million eighty-one thousand one hundred seventeen (2,081,117) dollars, or so much thereof as is necessary, to provide salary adjustments required by implementation action taken under 1984 Iowa Acts, chapter 1314.

Sec. 22. A supplemental authorization is authorized for each departmental revolving, trust, or special fund for the fiscal year beginning July 1, 1986 and ending June 30, 1987 for which the general assembly has established an operating budget in an amount necessary to provide salary adjustments required by implementation action taken under 1984 Iowa Acts, chapter 1314. The supplemental authorization allowed under this section is not applicable to the road use tax fund or the primary road fund.

5853 > Sec. 23. The treasurer of state shall transfer to the general fund of the state eleven million (11,000,000) dollars from the long-term disability reserve account maintained by the treasurer of state. The transfer shall be during the period from July 1, 1986 and ending June 30, 1987.

5791 Sec. 24. Section 7.15, Code 1985, is amended to read as

follows:

7.15 FEDERAL FUNDS FOR HIGHWAY SAFETY.

The governor, in addition to other duties and responsibilities conferred by the Constitution and laws of this state, is hereby empowered to contract for the benefits available to this state under any Act of Congress for highway safety, law enforcement, or other related programs, and in so doing, to co-operate with federal and state agencies, private and public organizations, and with individuals, to effectuate the purposes of these enactments. The governor shall be responsible for and is hereby empowered to administer, either through the governor's office or through ~~one-or-more-state departments-or-agencies-designated-by-the-governor~~ the state department of transportation which, for purposes of federal law, is designated as the state highway safety agency or any combination of the foregoing the highway safety, law enforcement and related programs of this state and those of its political subdivisions, all in accordance with said Acts and the Constitution of the state of Iowa, in implementation thereof.

6. To provide loan guarantees under the targeted small business loan guarantee program if such a program is created by the general assembly .....$ 25,000

* Sec. 29. Section 261.35, subsection 5, Code 1985, is amended to read as follows:

5. "Eligible borrower" means a person, or the parent of a person, who is a resident of this state and is enrolled or will be enrolled at an eligible institution within or without the state or who is a nonresident of this state and is enrolled or will be enrolled at an eligible institution within the state ~~and-who-meets~~, or who is a resident of a contiguous state and is borrowing from an Iowa-based eligible lender and is enrolled or will be enrolled at an eligible institution within or without the state. All eligible borrowers must meet

the eligibility requirements established by the commission. The commission shall establish the qualifications for being a resident of this state~~.~~; however, the qualifications shall not be more stringent than those established by the state board of regents.

Sec. 30. Section 261.38, subsection 1, Code 1985, is amended to read as follows:

1. The commission shall establish a loan reserve account from which any default on a guaranteed student loan shall be paid. The commission shall credit to this account all moneys designated exclusively for the reserve fund by the United States, the state of Iowa or any of their agencies, departments or instrumentalities, as well as any funds accruing to the program which are not required for current administrative expenses. The department of management shall determine the actuarially sound reserve requirement for the amount of guaranteed loans outstanding.

5784 Sec. 31. Section 261.38, subsection 2, Code 1985, is amended by striking the subsection and inserting in lieu thereof the following:

2. The general assembly shall appropriate moneys from the loan reserve account of the commission to the college aid commission for operating costs of the guaranteed student loan program. Moneys appropriated from the loan reserve account for operating costs of the guaranteed student loan program that are unencumbered or unobligated on June 30 of a fiscal year shall revert to the loan reserve account of the commission.

5833 * Sec. 34. Section 308.4, subsection 3, Code Supplement 1985, is amended to read as follows:

3. There is appropriated from the general fund of the state to the state department of transportation the sum of ~~one hundred~~ ninety-six thousand one hundred fifty (96,150) dollars for each fiscal year beginning July 1, 1983, and ending June 30, 1988. The money is to be utilized for the acquisition and

construction of highway-associated project components for any portion of the great river road, regardless of jurisdiction.

Each annual appropriation shall first be used to reimburse the great river road fund established in section 312.2, with remaining funds being available for a period of one fiscal year following the year of appropriation. The state department of transportation, in ~~co-operation~~ cooperation with the ~~state conservation~~ natural resource commission and the Mississippi river parkway commission, shall administer this subsection and shall issue rules for administration in accordance with chapter 17A. A report shall be submitted listing the expenditures for the previous year and cumulative expenditures of all funds appropriated by this section and the report shall be incorporated in the annual report required by section 17.9.

Sec. 35. Section 321.211, unnumbered paragraph 1, Code 1985, is amended to read as follows:

Upon suspending the license of any person as authorized the department shall immediately notify the licensee in writing and upon the licensee's request shall afford the licensee an opportunity for a hearing before the director or the director's authorized agent as early as practical within not to exceed thirty days after receipt of the request in the county in which the licensee resides unless the department and the licensee agree that such hearing may be held in some other county. Upon such hearing the director or the director's authorized agent may administer oaths and may issue subpoenas for the attendance of witnesses and the production of relevant books and papers and may require a re-examination of the licensee. Upon such hearing the department shall either rescind its order of suspension or for good cause may extend the suspension of such license or revoke such license. There is appropriated each year from the general fund of the state to the department ~~ninety~~ eighty-six thousand five hundred thirty-five (86,535) dollars or so much thereof as may be necessary to be used to pay the cost of notice and personal delivery of service, if necessary to meet the notice

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requirement of this section. The department shall promulgate rules governing the payment of the cost of personal delivery of service. The reinstatement fees collected under section 321.191 shall be deposited in the general fund of the state in a manner provided in section 321.192, as reimbursement for the costs of notice under this section.

Sec. 36. All federal grants to and the federal receipts of the agencies appropriated funds under this division of this Act are appropriated for the purposes set forth in such federal grants and receipts unless otherwise provided by the general assembly.

DIVISION II

EDUCATION

Sec. 101. There is appropriated from the general fund of the state for the fiscal year beginning July 1, 1986 and ending June 30, 1987, to the following named agencies the following amounts, or so much thereof as necessary, to be used for the purposes designated:

	1986-1987 Fiscal Year
1. ARTS DIVISION OF CULTURAL AFFAIRS	
For salaries, support, maintenance, and miscellaneous purposes including funds to match federal grants	$ 450,000
2. HISTORICAL DIVISION OF CULTURAL AFFAIRS	
For salaries, support, maintenance, and miscellaneous purposes	$ 1,286,045
3. LIBRARY DIVISION OF CULTURAL AFFAIRS	
a. For the state library for salaries, support, maintenance, and miscellaneous purposes	$ 997,576

b. For the regional library system for state aid ..... $ 1,430,730

4. PUBLIC BROADCASTING DIVISION OF CULTURAL AFFAIRS

For salaries, support, maintenance, and miscellaneous purposes ..... $ 5,586,848

5. STATE FAIR BOARD

For maintenance of state fair buildings and grounds ..... $ 69,038

6. TERRACE HILL AUTHORITY

For salaries, support, maintenance, and miscellaneous purposes for the operation of Terrace Hill and for conducting tours ..... $ 127,792

7. HERBERT HOOVER BIRTHPLACE FOUNDATION

For capital improvements .....$ 1,246

Sec. 102. There is appropriated from the general fund of the state to the arts division of the department of cultural affairs for the fiscal period beginning July 1, 1986 and ending June 30, 1988 the following amounts, or so much thereof as is necessary, to be used for the following purposes:

	1986-1988 Fiscal Year
1. For the Herbert Hoover memorial in West Branch, Iowa .....$	35,000
2. For the Cedar Rapids science station for development..... $	30,000
3. For the Ottumwa arts council .....$	30,000
4. For the Dubuque great rivers hall of fame for capital improvements ..... $	40,000
5. For the Amana art guild-folk art show for the folk art show case ..... $	20,000
6. For the Clinton riverboat	

theater for rehabilitation ..... $ 20,000

7. For the Davenport river development project for capital improvements ..... $ 35,000

8. For general promotion of the arts ..... $ 40,000

Notwithstanding section 8.33, unencumbered and unobligated funds appropriated in this section shall not revert to the general fund.

Sec. 103. There is appropriated from the general fund of the state to the historical division of the department of cultural affairs for the fiscal period beginning July 1, 1986 and ending June 30, 1988 the following amounts, or so much thereof as is necessary, to be used for the following purposes:

	1986-1988 Fiscal Year
1. For the purchase and development of property adjacent to the gravesite at Gardner cabin	$ 41,700
2. For capital improvements and operational contract services for the Matthew Edel blacksmith shop in Haverhill	$ 30,000
3. For Montauk at Clermont for repairs	$ 20,700
4. For the Bow-String Bridge restoration project for restoration	$ 20,000
5. For the centennial building in Iowa City for repairs	$ 40,000
6. For old Fort Madison for reconstruction	$ 25,000
7. For the Rock Island depot in Council Bluffs for reconstruction	$ 20,000
8. For the old territorial capitol	

in Burlington for restoration ..... $ 22,000

9. For promotion of historical sites in this state ..... $ 30,000

Notwithstanding section 8.33, unencumbered and unobligated funds appropriated in this section shall not revert to the general fund.

Sec. 104. There is appropriated from the general fund of the state to the division for the blind of the department of human rights for the fiscal year beginning July 1, 1986 and ending June 30, 1987, the following amount, or so much thereof as may be necessary, to be used by the following agency for the purposes designated:

	1986-1987 Fiscal Year
DIVISION FOR THE BLIND, DEPARTMENT OF HUMAN RIGHTS	
For salaries, support, maintenance, and miscellaneous purposes	$ 1,019,280

Sec. 105. There is appropriated from the general fund of the state for the fiscal year beginning July 1, 1986 and ending June 30, 1987, to the department of education the following amounts, or so much thereof as may be necessary, to be used in the manner designated:

	1986-1987 Fiscal Year
1. GENERAL OFFICE ADMINISTRATION	
a. For salaries, support, maintenance, and miscellaneous purposes	$ 4,148,910

It is the intent of the general assembly that the department of education expend, from funds appropriated in this paragraph, at least five hundred thousand (500,000) dollars to be used by the department to provide technical

assistance and monetary grants to school districts for developing elementary and secondary foreign language programs. The department shall transmit plans for the expenditure of moneys allocated for development of foreign language programs under this paragraph to the joint education appropriations subcommittee not later than January 1, 1987.

It is also the intent of the general assembly that a portion of moneys appropriated in this paragraph to the department of education be expended for the continuation of the meetings of subject matter committees and committees that cross subject matter lines for coordination of curriculum at all education levels.

b. Fire service education ..... $ 140,377

c. As a condition of the appropriation made in paragraph "a", the department of education shall expend at least sixty thousand (60,000) dollars of the moneys appropriated in paragraph "a" to provide funding for the evaluator approval process.

2. VOCATIONAL EDUCATION ADMINISTRATION

For salaries, support, maintenance, and miscellaneous purposes ..... $ 795,655

3. VOCATIONAL EDUCATION AID

For vocational education aid to secondary schools ..... $ 3,723,061

Funds appropriated by this paragraph are to be used for aid to school districts for development and the conduct of both continuing and new vocational programs, services and activities of vocational education through secondary schools, and for aid to existing jointly administered secondary vocational education programs, in accordance with chapter 258 and chapter 280A, and to purchase instructional equipment for vocational and technical courses of instruction in such schools.

It is the intent of the general assembly that the state board of education provide an opportunity for input from representatives from appropriate labor groups for vocational education programs that could lead to apprenticeships.

4. PROFESSIONAL TEACHING PRACTICES COMMISSION

For the use of the professional teaching practices commission to carry out chapter 272A ..... $ 35,128

5. VOCATIONAL YOUTH ORGANIZATION FUND

To carry out section 258.14 .....$ 9,252

6. SCHOOL FOOD SERVICE

For the purpose of providing assistance to students enrolled in public school districts and nonpublic schools of the state for breakfasts, lunches and minimal equipment programs with the funds being used as state matching funds for federal programs and which shall be disbursed according to federal regulations ..... $ 3,173,131

7. TEXTBOOKS OF NONPUBLIC SCHOOL PUPILS

To provide funds for costs of providing textbooks to each resident pupil who attends a nonpublic school or authorized by section 301.1. Such funding is limited to ten dollars per pupil and shall not exceed the compar-

able services offered to resident public school pupils ..... $ 333,160

8. SCHOOL BUDGET REVIEW COMMITTEE ..... $ 10,000

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9. VOCATIONAL REHABILITATION DIVISION

For salaries, support, maintenance, and miscellaneous purposes ..... $ 2,587,715

10. NON-ENGLISH SPEAKING

To provide funding to public schools and for nonpublic school students for special instruction for non-English speaking students as provided in section 280.4 ..... $ 150,000

11. MERGED AREA SCHOOLS

a. For general state financial aid to merged areas as defined in section 280A.2 the amount of forty-two million five hundred seventy-six thousand five hundred eighty-six (42,576,586) dollars to be allocated as follows:

(1) Merged area I ..... $ 1,970,381
(2) Merged area II ..... $ 2,620,675
(3) Merged area III ..... $ 2,328,125
(4) Merged area IV ..... $ 921,853
(5) Merged area V ..... $ 2,953,129
(6) Merged area VI ..... $ 2,594,155
(7) Merged area VII ..... $ 2,951,909
(8) Merged area IX ..... $ 3,572,825
(9) Merged area X ..... $ 5,545,497
(10) Merged area XI ..... $ 6,152,704
(11) Merged area XII ..... $ 2,100,476

(12) Merged area XIII ..... $ 2,943,089
(13) Merged area XIV ..... $ 1,033,696
(14) Merged area XV ..... $ 2,934,428
(15) Merged area XVI ..... $ 1,953,644

b. To provide funds for matching federal reimbursement for continuing and new vocational education programs in merged area schools in accordance with chapter 258 and chapter 280A, and to purchase instructional equipment for vocational and technical courses of instruction in such schools ..... $ 8,049,520

Sec. 106.

1. There is appropriated from the general fund of the state to the department of education for the fiscal year beginning July 1, 1987 and ending June 30, 1988, for general state financial aid to merged areas the amount of fourteen million one hundred twenty-nine thousand five hundred eighty-three (14,129,583) dollars, to be accrued as income and used for expenditures incurred by the area schools during the fiscal year beginning July 1, 1986 and ending June 30, 1987, to be allocated to each area school as follows:

a. Merged area I ..... $ 658,260
b. Merged area II ..... $ 868,028
c. Merged area III ..... $ 784,978
d. Merged area IV ..... $ 308,988
e. Merged area V ..... $ 1,034,684
f. Merged area VI ..... $ 872,933
g. Merged area VII ..... $ 989,868
h. Merged area IX ..... $ 1,133,265
i. Merged area X ..... $ 1,769,391
j. Merged area XI ..... $ 2,059,840
k. Merged area XII ..... $ 743,035

l. Merged area XIII ..... $ 1,025,453
m. Merged area XIV ..... $ 347,525
n. Merged area XV ..... $ 880,354
o. Merged area XVI ..... $ 652,991

2. Funds appropriated by this section shall be allocated pursuant to this section and paid on or about August 15, 1987.

Sec. 107. 1985 Iowa Acts, chapter 263, section 7, subsection 1, is amended by striking the subsection and inserting in lieu thereof the following:

1. There is appropriated from the general fund of the state to the department of education for the fiscal year beginning July 1, 1986 and ending June 30, 1987, for general state financial aid to merged areas the amount of thirteen million seven hundred seventy-six thousand five hundred seven (13,776,507) dollars, to be accrued as income and used for expenditures incurred by the area schools during the fiscal year beginning July 1, 1985 and ending June 30, 1986, to be allocated to each area school as follows:

a. Merged area I ..... $ 658,260
b. Merged area II ..... $ 863,660
c. Merged area III ..... $ 777,840
d. Merged area IV ..... $ 296,488
e. Merged area V ..... $ 1,004,788
f. Merged area VI ..... $ 850,695
g. Merged area VII ..... $ 989,868
h. Merged area IX ..... $ 1,114,498
i. Merged area X ..... $ 1,683,267
j. Merged area XI ..... $ 2,059,840
k. Merged area XII ..... $ 688,938
l. Merged area XIII ..... $ 995,539
m. Merged area XIV ..... $ 335,025
n. Merged area XV ..... $ 813,544
o. Merged area XVI ..... $ 644,257

Sec. 108. General state aid paid to area schools under section 105, subsection 11, paragraph "a" of this Act, for ex-

penditures incurred during the fiscal year beginning July 1, 1986 and ending June 30, 1987, shall be paid by the department of revenue and finance in installments due on or about November 15, February 15, and May 15 of that fiscal year. The payment received by area schools on or about August 15 under section 106 of this Act is an account receivable for the previous fiscal year. The installments shall be as nearly equal as possible as determined by the department of revenue and finance, taking into consideration the relative budget and cash position of the state resources.

Sec. 109. There is appropriated from the general fund of the state to the Iowa academy of science for the fiscal year beginning July 1, 1986 and ending June 30, 1987, the following amount, or so much thereof as may be necessary, to be used by the following agency for the purposes designated:

	1986-1987 Fiscal Year
IOWA ACADEMY OF SCIENCE	
For support and maintenance	$ 57,494

It is the intent of the general assembly that the Iowa academy of science submit a report to the legislative fiscal bureau by December 1, 1986, listing each project funded under this section, describing the anticipated results of each project, and outlining the potential value to or impact upon this state of each project.

Sec. 110. There is appropriated from the general fund of the state to the state board of regents for the fiscal year beginning July 1, 1986 and ending June 30, 1987, the following amounts, or so much thereof as may be necessary, for use for the following designated purposes, however, as a condition for the appropriation of these funds, the state board of regents, for purposes of implementing and administering collective bargaining pursuant to chapter 20, shall act as the exclusive representative of the state of Iowa with respect to its faculty, scientific, and other professional staff:

1986-1987
Fiscal Year

1. OFFICE OF STATE BOARD OF REGENTS

a. For salaries, support, maintenance, equipment, and miscellaneous purposes, including state board of regents members receiving a per diem not to exceed forty dollars per day ..... $ 411,336

The state board of regents shall not assess charges to the three institutions of higher education under the control of the state board, for the fiscal year beginning July 1, 1986, in excess of the charges to the three institutions assessed and approved by the state board as of April 1, 1986 for the fiscal year ending June 30, 1986.

b. For allocation by the state board of regents to the state university of Iowa, the Iowa state university of science and technology, and the university of northern Iowa in amounts as may be necessary to reimburse the institutions for deficiencies in their operating funds resulting from the pledging of tuitions, student fees and charges and institutional income to finance the cost of providing academic and administrative buildings and facilities and utility services at the institutions ..... $ 17,291,054

The state board of regents shall refund and refinance

selected academic revenue bonds under section 262A.5, if substantial savings can be expected, in order to reduce the shortfall in tuition replacement appropriations made in this paragraph. The board shall analyze the conditions prevalent in the tax exempt bond market, the overall potential savings, the possibility of restructuring debt service to lessen future tuition replacement costs, the potential impacts upon the owners of state board of regents' bonds, and the potential impacts upon future sales of state board of regents' bonds.

In determining the amount of the shortfall, the state board of regents shall not include tuition or fee increases approved by the state board of regents after May 1, 1986.

c. For allocation by the state board of regents to the institutions under its control for supplemental salary increases for faculty, professional, and scientific employees ..... $ 2,000,000

5791 The state board of regents shall allocate moneys appropriated in this paragraph so that each institution of higher education receives a portion of the appropriation equal to the percent the eligible full-time equivalent faculty at the institution bears to the total full-time equivalent faculty at the three institutions. The funds allocated to the university of northern Iowa shall be distributed through the collective bargaining in force for the fiscal year beginning July 1, 1986.

5797

2. STATE UNIVERSITY OF IOWA

a. General university, including lakeside laboratory.

For salaries, support, maintenance, equipment, and miscellaneous purposes and for the pediatric de-

partment 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 ..... $ 117,840,274

* It is the intent of the general assembly that funds appropriated in this paragraph not be used to pay for efforts of the prisoner assistance clinic at the university of Iowa law school to solicit participation in the clinic by inmates at state correctional facilities.

It is the intent of the general assembly that three hundred twelve thousand five hundred (312,500) dollars of the funds appropriated in this paragraph be used for the purchase of research and instructional equipment.

b. University hospitals

(1) For salaries, support, maintenance, equipment, and miscellaneous purposes; for medical and surgical treatment of indigent patients as provided in chapter 255 ..... $ 23,070,941

(2) For allocation by the dean of the college of medicine, with approval of the advisory board, to qualified participants, to carry out chapter 148C for the family practice program ..... $ 1,359,609

(3) For specialized child health care services, including childhood cancer diagnostic and treatment network pro-

grams; rural comprehensive care for hemophilia patients; and Iowa high risk infant follow-up program ..... $ 278,758

c. As a condition of the appropriation made in paragraph "b", subparagraph (1), the county quotas for indigent patients for the fiscal year commencing July 1, 1986 shall not be lower than the county quotas for the fiscal year commencing July 1, 1985. Before a patient is eligible for the indigent patient program, the county general relief director shall first ascertain from the local office of human services if the applicant would qualify for medical assistance or the medically-needy program without the spend-down provision under chapter 249A. If the applicant qualifies, then the patient shall be certified for medical assistance and shall not be counted under chapter 255.

574/ Prior to the use of any funds, appropriated for the medical and surgical treatment of indigent patients as provided in chapter 255, for organ transplantations, a study to develop a process for the review and approval of organ transplantations shall be conducted. The legislative council shall establish an eight-member organ transplantation study committee, composed of four senators and four representatives, four of whom are members of the human resources standing committees and four of whom are members of the joint education appropriations subcommittee. The study committee shall investigate the transplantation experience of other states and review the report of the governor's task force on organ transplantations. The study committee shall develop a process for the disbursement of medical assistance funds and chapter 255 indigent patient program funds for organ transplantations, and report its findings to the legislative council by January 1, 1987. Until the general assembly enacts a process for the review and approval of organ transplantations, the costs of which will be paid for, in whole or in part, from chapter 255

indigent patient program funds, chapter 255 indigent patient program funds shall not be used to pay for the cost of organ transplantations. Until the general assembly enacts a process for the review and approval of organ transplantations, the costs of which will be paid for, in whole or in part, from medical assistance funds, medical assistance funds shall only be used to pay for the cost of organ transplantations in accordance with administrative rules adopted by the department of human services and in effect on January 1, 1986.

d. As a condition of the appropriation made in paragraph "b", subparagraph (1), funds appropriated in that subparagraph shall not be allocated to the university hospitals until the superintendent has filed with the state comptroller and the legislative fiscal bureau a quarterly report containing the account required in section 255.24. The report shall include the information required in section 255.24 for patients by the type of service provided.

e. As a condition of the appropriation made in paragraph "b", funds appropriated in this section shall not be used to perform abortions except medically necessary abortions, and shall not be used to operate the early termination of pregnancy clinic except for the performance of medically necessary abortions. For the purpose of this paragraph, an abortion is the purposeful interruption of pregnancy with the intention other than to produce a live-born infant or to remove a dead fetus, and a medically necessary abortion is one performed under one of the following conditions:

(1) The attending physician certifies that continuing the pregnancy would endanger the life of the pregnant woman.

(2) The attending physician certifies that the fetus is physically deformed, mentally deficient, or afflicted with a congenital illness.

(3) The pregnancy is the result of a rape which is reported within forty-five days of the incident to a law enforcement agency or public or private health agency which

may include a family physician.

(4) The pregnancy is the result of incest which is reported within one hundred fifty days of the incident to a law enforcement agency or public or private health agency which may include a family physician.

(5) The abortion is a spontaneous abortion, commonly known as a miscarriage, wherein not all of the products of conception are expelled.

f. Psychiatric hospital

For salaries, support, maintenance, equipment, and miscellaneous purposes and for the care, treatment and maintenance of committed and voluntary public patients ..... $ 5,321,186

g. State hygienic laboratory

For salaries, support, maintenance, equipment, and miscellaneous purposes ..... $ 2,098,376

h. Hospital school

For salaries, support, maintenance, equipment, and miscellaneous purposes ..... $ 3,874,645

i. Oakdale campus

For salaries, support, maintenance, equipment, and miscellaneous purposes ..... $ 2,278,902

3. IOWA STATE UNIVERSITY OF SCIENCE AND TECHNOLOGY

a. General university

For salaries, support, maintenance, equipment, and miscellaneous purposes ..... $ 96,082,703

It is the intent of the general assembly that three hundred twelve thousand five hundred (312,500) dollars of the funds appropriated in this paragraph be used for the purchase of research and instructional equipment.

b. Agricultural experiment station

For salaries, support, maintenance, equipment, and miscellaneous purposes ..... $ 11,002,021

c. Cooperative extension service in agriculture and home economics

(1) For salaries, support, maintenance, and miscellaneous purposes ..... $ 10,224,403

It is the intent of the general assembly that moneys appropriated in this paragraph be expended to fund not more than up to seven area extension directors.

As a condition of the appropriation in this subparagraph, the state comptroller shall withhold three million three hundred sixty thousand twenty-one (3,360,021) dollars until the cooperative extension service in agriculture and home economics certifies to the state comptroller that it has signed an agreement under chapter 28E with the department of economic development that provides a procedure for the department of economic development to approve economic development activities conducted by the cooperative extension service.

(2) For continuation of the rural concern hotline ..... $ 189,000

(3) Winter beef exposition

For a winter beef exposition .....$ 30,000

4. UNIVERSITY OF NORTHERN IOWA

For salaries, support,

maintenance, equipment,
and miscellaneous purposes ..... $ 37,846,399

5. STATE SCHOOL FOR THE DEAF

For salaries, support, maintenance, and miscellaneous purposes ..... $ 4,520,929

6. IOWA BRAILLE AND SIGHT-SAVING SCHOOL

For salaries, support, maintenance, and miscellaneous purposes ..... $ 2,475,290

Sec. 111. INDIGENT OBSTETRICAL PATIENT QUOTAS.

1. The statewide indigent patient care program shall continue the nonquota system for indigent obstetrical and orthopedic patients and shall maintain the current county quota system for other indigent patients. In addition, commencing October 1, 1986, under the statewide indigent patient care program each county shall be allocated an indigent obstetrical patient quota equal to the lesser of sixty patients or a total number equal to four percent of the average number of live births per year in the county, calculated for the 1983, 1984, and 1985 calendar years, minus the number of obstetrical patients from the county who delivered at the university of Iowa hospitals and clinics under the statewide indigent patient care program in the fiscal year beginning July 1, 1985. However, each county shall be allocated a minimum indigent obstetrical patient quota of four. The department of public health shall provide for the reassignment of an unused county obstetrical quota allotment to other counties on April 1, 1986. The reassignment shall only be taken from a county which has an unused obstetrical patient quota for the portion of the fiscal period ending March 31, 1986, and the reassignment shall not affect the county's portion of the quota for the calendar

quarter ending June 30, 1986. The reassignments shall be made to other counties on a first-come, first-served basis. A newborn infant who is born locally to an indigent woman under a county's indigent obstetrical patient quota may be transferred to the university of Iowa hospitals and clinics and receive care as a nonquota indigent patient. A county may use its obstetrical quota to provide services to indigent obstetrical patients and their newborns under the county's general relief program to hospitals licensed in this state and to physicians licensed and practicing in this state. All providers of services to quota and nonquota obstetrical and newborn patients shall agree to accept as full payment the reimbursements allowable under the medical assistance program established pursuant to chapter 249A, adjusted for intensity of care. However, the total reimbursement from the obstetrical patient care fund to providers for residents of a county is limited to that county's indigent obstetrical patient quota multiplied by one thousand four hundred dollars. The university of Iowa hospitals and clinics and other hospitals shall submit their billings on the UB 82, uniform hospital billing form, and physicians shall submit their billings on the HCFA 1500. University hospital billings shall be submitted directly to the department of public health and other billings shall be submitted through the county general relief directors to the department of public health.

2. The department of public health, in collaboration with the department of human services and in consultation with the Iowa state association of counties, shall adopt rules, pursuant to chapter 17A, establishing minimum standards for eligibility for obstetrical and newborn care, including physician examination, medical testing, and inpatient transportation costs, for indigent obstetrical and newborn care provided by the university of Iowa hospitals and clinics and by other hospitals licensed in this state and physicians licensing and practicing in this state. The minimum standards

for eligibility shall provide eligibility for persons with incomes at or below one hundred fifty percent of the annual revision of the poverty income guidelines published by the United States department of health and human services, and shall provide, but shall not be limited to providing, eligibility for uninsured and underinsured persons financially unable to pay for necessary obstetrical and newborn care. The minimum standards may include a spend-down provision. The resource standards shall be set at or above the resource standards under the federal supplemental security income program. The resource exclusions allowed under the federal supplemental security income program shall be allowed and shall include resources necessary for self-employment. The department of public health shall adopt administrative rules to implement the statewide indigent obstetrical patient quota system under section 17A.4, subsection 2, and section 17A.5, subsection 2, paragraph "b" and the rules shall become effective no later than October 1, 1986.

3. The department of public health shall establish procedures for payment to other hospitals licensed in this state, and physicians licensed and practicing in this state.

4. A county shall not be held responsible for the costs of providing obstetrical and newborn care, including physician examination, medical testing, and transportation costs, to pregnant women and their newborn infants who meet the eligibility requirements adopted by the department of public health.

5779 5. A person desiring obstetrical and newborn care, the cost of which is payable under the obstetrical patient care program, or the parent or guardian of a minor desiring or in need of such care, may apply to the general relief director of the person's county of residence to have the cost of such care paid from the obstetrical patient care fund. The applicant shall attest to the accuracy of the information contained on the application. The county general relief director shall

first ascertain from the local office of the department of human services if the applicant would be eligible for medical assistance or for assistance under the medically needy program without any spend-down requirement, pursuant to chapter 249A. The county general relief director shall also assure that any local obligations under the federal Hill-Burton program for free care, as well as any other nonpublic programs for care, are fully utilized. If the applicant is eligible for assistance pursuant to chapter 249A, if the applicant is eligible for maternal and child health care services covered by a maternal and child health program, or if the applicant is eligible for Hill-Burton care or other nonpublic programs, the obstetrical patient care program shall not provide such assistance, care, or covered services provided under other programs.

6. The legislative fiscal bureau and the state health data commission shall study the operation of the obstetrical patient care program for the fiscal period beginning July 1, 1986, and ending June 30, 1988, shall identify the levels of medical care provided and the location of the care provided under the program, and the costs of the care provided by all hospitals under this section, and shall report its preliminary findings to the governor and the general assembly convening in 1987 and its final determinations to the governor and the general assembly convening in 1988.

7. There is appropriated from the general fund of the state to a special account in the state treasury to be known as the obstetrical patient care fund, for the fiscal year beginning July 1, 1986, and ending June 30, 1987, one million one hundred thousand (1,100,000) dollars, or so much thereof as is necessary, for the development and operation, commencing October 1, 1986, of a statewide obstetrical patient care program as provided in this section. The department of public health shall be the administrator of the fund.

If moneys appropriated to the obstetrical patient care fund

by this section remain unobligated and unencumbered on June 30, 1987, the moneys shall not revert to the general fund of the state but shall be transferred to the indigent patient care fund established pursuant to chapter 255.

8. It is the intent of the general assembly that commencing July 1, 1987 under the statewide indigent patient care program established pursuant to chapter 255, each county shall be allocated an indigent obstetrical and newborn patient quota equal to the lesser of seventy patients or a total number equal to six percent of the average number of live births per year in the county, calculated for the 1984, 1985, and 1986 calendar years, minus the number of obstetrical patients from the county who delivered at the university of Iowa hospitals and clinics under the statewide indigent patient care program in the fiscal year beginning July 1, 1986, with each county being allocated a minimum quota of four.

It is the intent of the general asembly that the portion of the indigent patient care program established pursuant to chapter 255 serving indigent obstetrical and newborn patients be completely decentralized to all counties by July 1, 1988 so as to allow reimbursement for care locally as well as at the university of Iowa hospitals and clinics. It is the intent of the general assembly that persons certified for obstetrical and newborn care under the decentralized program be entitled to reimbursement only to the extent of moneys appropriated to the program. It is further the intent of the general assembly that the amount appropriated for obstetrical and newborn care under the decentralized program be equal to the amount that would otherwise have been appropriated for obstetrical and newborn patients under the indigent patient care program established pursuant to chapter 255.

Sec. 112. Upon the request of the public broadcasting division of the department of cultural affairs, the executive council shall sell the property and building located at 2801

Bell avenue in Des Moines, Iowa, and used by the Iowa department of public broadcasting. The proceeds from the sale of the property and building are appropriated to the public broadcasting division of the department of cultural affairs to pay a portion of the costs of construction of a new building for the public broadcasting division of the department of cultural affairs. However, the executive council may direct that the building and property located at 2801 Bell avenue in Des Moines, Iowa, be used for another state purpose. The executive council shall determine by independent appraisal the fair market value of the building and property and, in that case, an appropriation equal to appraised value of the building and property may be considered by the general assembly to pay a portion of the costs of construction of a new building for the public broadcasting division of the department of cultural affairs.

Sec. 113. The legislative fiscal bureau shall conduct an inventory of all publicly supported library and media services in this state, including but not limited to an analysis of similar services such as collection development, acquisitions, technical services, circulation, and reference and information services; personnel needs; and financial information. The Iowa library department, area education agencies, merged area schools, regional library systems, school districts, counties, and cities shall cooperate with and provide requested information to the legislative fiscal bureau. The legislative fiscal bureau shall report the results of its inventory to the joint education appropriations subcommittee not later than January 1, 1987.

Sec. 114. The department of education shall establish auditable standards and a maximum number of reimbursable contact hours for each program offered by one or more of the area schools. The standards shall provide the basis for allocation of state general aid and state vocational aid, on an equitable program basis for the fiscal year beginning July

1 1, 1987 and thereafter.
2 Sec. 115. 1985 Iowa Acts, chapter 254, section 2,
3 subsection 1, is amended by adding the following new
4 unlettered paragraphs after unlettered paragraph 2:
5 NEW UNLETTERED PARAGRAPH. A pay adjustment provided in
6 this subsection for the 1986-1987 fiscal year shall be added
7 to the salary of a full-time nonadministrative certificated
8 employee and shall supplement, not supplant, the results of a
9 collective bargaining agreement negotiated under chapter 20,
10 if any. The amount of a pay adjustment is for the adjustment
11 of base pay only.
12 NEW UNLETTERED PARAGRAPH. It is the intent of the general
13 assembly that moneys appropriated for salary adjustments for
14 each area school under this subsection shall be included in
15 each institution's general aid request for the fiscal year
16 beginning July 1, 1987 and the amounts of the pay adjustments
17 shall be submitted to the general assembly by the department
18 of education.
19 Sec. 116. Section 8.6, subsection 9, Code Supplement 1985,
20 as amended by House File 2225, enacted by the Seventy-first
21 General Assembly, 1986 Session, is amended by striking the
22 subsection and inserting in lieu thereof the following:
23 9. INTEREST OF THE PERMANENT SCHOOL FUND. To transfer the
24 interest of the permanent school fund to the credit of the
25 first in the nation in education foundation as provided in
26 section 302.1A.
27 Sec. 117. Section 257A.1, unnumbered paragraph 1, Code
28 Supplement 1985, is amended to read as follows:
29 There is created a corporate body called "First In the
30 Nation in Education, an education foundation". The foundation
31 is an independent nonprofit quasi-public instrumentality and
32 the exercise of the powers granted to the foundation as a
33 corporation in this chapter is an essential governmental
34 function. As used in this chapter "foundation" means "First
35 In the Nation in Education, an education foundation". The

purposes of the foundation include but are not limited to the following for the common schools of this state:

Sec. 118. Section 257A.7, Code Supplement 1985, is amended by striking the section and inserting in lieu thereof the following:

257A.7 FUND CREATED AND TRANSFER OF MONEYS.

The "First in the Nation in Education Fund" is established in the office of treasurer of state. The fund shall be an endowment for the foundation and moneys deposited in the fund shall not be expended, but shall be invested by the treasurer of state in investments authorized for the Iowa public employees' retirement fund in section 97B.7.

The governing board of the foundation may accept gifts, grants, bequests, and other moneys for deposit in the fund as a part of the endowment or for the use of the foundation.

Gifts, grants, and bequests from public and private sources, federal funds, and other moneys received for the endowment shall be deposited in the fund. Interest earned on the fund shall be transferred by the department of revenue and finance to the credit of the foundation at the request of the governing board and shall be used for the purposes of this chapter.

The governing board may transfer moneys credited for the use of the foundation not encumbered or obligated on June 30 of a fiscal year to the fund and those moneys shall be considered interest earned by the fund and may be transferred back to the credit of the foundation at the request of the governing board at any time.

Sec. 119. Section 260.15, Code Supplement 1985, is amended to read as follows:

260.15 APPLICATIONS -- DISBURSEMENT OF FEES.

Applications for the issuance or renewal of all teachers' certificates shall be made to the ~~commissioner of public instruction~~ director of the department of education. Fees for the issuance or renewal of certificates shall be paid to the

~~commissioner of public instruction~~ director of the department of education who shall deposit each fee received from these sources with the treasurer of state and credit the fee to the general fund of the state. ~~If an application for the issuance or renewal of a certificate is not approved, the commissioner of public instruction shall remit the fee to the applicant by a state comptroller's warrant issued on the general fund of the state upon certification of the commissioner of public instruction that the fee has not been earned.~~ The ~~commissioner~~ director shall keep an accurate and detailed account of money received.

Sec. 120. Section 262.9, Code 1985, is amended by adding the following new subsection:

NEW SUBSECTION. 15. Provide that residents of Yamanashi, Japan; Yucatan, Mexico; and Hebei, China, who enroll in its institutions of higher education are eligible for resident student status and resident student tuition. The named locations are Iowa's sister states.

Sec. 121. Section 262.44, subsection 1, Code 1985, is amended to read as follows:

1. Set aside and use ~~such~~ portions of the respective campuses of the institutions of higher education under its control, namely, the state ~~University~~ university of Iowa, the Iowa ~~State University~~ state university of science and technology, and the ~~University of Northern~~ university of northern Iowa, as the board ~~shall determine to be~~ determines are suitable for the acquisition or construction ~~thereon~~ of the following self-liquidating and revenue producing buildings and facilities~~, which the board deems necessary for the comfort, convenience and welfare of their students and suitable for the purposes for which the institutions were established, including student~~: Student unions, recreational buildings, auditoriums, stadiums, field houses, athletic buildings and areas, parking structures and areas, research equipment if the debt incurred in its acquisition will be

retired by federal, private, or other lawfully available nonappropriated funds, and additions to or alterations of existing buildings or structures ~~now or hereafter used for any or all of the purposes aforesaid~~.

Except as provided for self-liquidating dormitories, the state board of regents, or any bonding authority established by them, shall not issue any notes, bonds or other evidence of indebtedness for construction of other buildings or facilities without prior approval by the general assembly and the governor in the manner provided in section 262A.4 for bonds issued under that chapter.

Sec. 122. NEW SECTION. 262.64A REPORTS TO GENERAL ASSEMBLY.

The state board of regents shall determine, in consultation with the legislative fiscal bureau, the financial information to be included in line item budget information for projects funded by the issuance of bonds or notes under this chapter and shall submit the line item budget information to the general assembly as requested. The state board of regents shall submit quarterly reports to the general assembly concerning the projects funded by the issuance of bonds or notes under this chapter as follows:

1. Identification of both undercharges and overcharges for line items of projects.

2. Identification of contracts in which any line item for a project exceeds the adopted budget for that line item by ten percent or more.

3. Identification of complaints received by an institution regarding the construction of a project.

If the state board of regents approves a change in the amount of the line item of a budget for a project, the change shall be transmitted to the appropriations committees of the house of representatives and senate, while the general assembly is in session, and to the legislative council, when the general assembly is not in session, for review.

Sec. 123. Section 262A.5, unnumbered paragraph 1, Code 1985, is amended to read as follows:

The board is authorized to borrow money under ~~the provisions of~~ this chapter, and the board may issue and sell negotiable bonds to pay all or any part of the cost of carrying out any project at any institution and may refund and refinance bonds issued for any project or for refunding purposes at the same rate or at a higher or lower rate or rates of interest. Bonds issued under the provisions of this chapter shall be sold by said board at public sale on the basis of sealed proposals received pursuant to a notice specifying the time and place of sale and the amount of bonds to be sold which shall be published at least once not less than seven days prior to the date of sale in a newspaper published in the state of Iowa and having a general circulation in said state. The provisions of chapter 75 shall not apply to bonds issued under authority contained in this chapter, but such bonds shall be sold upon terms of not less than par plus accrued interest. Bonds issued to refund other bonds issued under the provisions of this chapter may either be sold in the manner hereinbefore specified and the proceeds thereof applied to the payment of the obligations being refunded, or the refunding bonds may be exchanged for and in payment and discharge of the obligations being refunded. The refunding bonds may be sold or exchanged in installments at different times or an entire issue or series may be sold or exchanged at one time. Any issue or series of refunding bonds may be exchanged in part or sold in parts in installments at different times or at one time. The refunding bonds may be sold or exchanged at any time on, before, or after the maturity of any of the outstanding bonds or other obligations to be refinanced thereby and may be issued for the purpose of refunding a like or greater principal amount of bonds, except that the principal amount of the refunding bonds may exceed the principal amount of the bonds to be refunded to the extent

necessary to pay any premium due on the call of the bonds to be refunded or to fund interest in arrears or ~~about~~ which is to become due.

Sec. 124. NEW SECTION. 262A.12A REPORTS TO GENERAL ASSEMBLY.

The state board of regents shall determine, in consultation with the legislative fiscal bureau, the financial information to be included in line item budget information for projects funded by the issuance of bonds or notes under this chapter and shall submit the line item budget information to the general assembly as requested. The state board of regents shall submit quarterly reports to the general assembly concerning the projects funded by the issuance of bonds or notes under this chapter as follows:

1. Identification of both undercharges and overcharges for line items of projects.

2. Identification of contracts in which any line item for a project exceeds the adopted budget for that line item by ten percent or more.

3. Identification of complaints received by an institution regarding the construction of a project.

If the state board of regents approves a change in the amount of the line item of a budget for a project, the change shall be transmitted to the appropriations committees of the house of representatives and senate, while the general assembly is in session, and to the legislative council, when the general assembly is not in session, for review.

Sec. 125. NEW SECTION. 263A.10A REPORTS TO GENERAL ASSEMBLY.

The state board of regents shall determine, in consultation with the legislative fiscal bureau, the financial information to be included in line item budget information for projects funded by the issuance of bonds or notes under this chapter and shall submit the line item budget information to the general assembly as requested. The state board of regents

shall submit quarterly reports to the general assembly concerning the projects funded by the issuance of bonds or notes under this chapter as follows:

1. Identification of both undercharges and overcharges for line items of projects.

2. Identification of contracts in which any line item for a project exceeds the adopted budget for that line item by ten percent or more.

3. Identification of complaints received by an institution regarding the construction of a project.

If the state board of regents approves a change in the amount of the line item of a budget for a project, the change shall be transmitted to the appropriations committees of the house of representatives and senate, while the general assembly is in session, and to the legislative council, when the general assembly is not in session, for review.

Sec. 126. Section 270.9, subsection 2, Code 1985, is amended to read as follows:

2. Transportation reimbursement at a rate established annually by the state board of regents to the parents or guardians for ~~not-more-than-eleven-trips-per-year~~ transportation from the institution to the residence of the parent or guardian and return to the institution for children who reside in the institution.

Sec. 127. NEW SECTION. 270.10 MERGER REQUIREMENTS.

The state board of regents shall not merge the school for the deaf at Council Bluffs with the Iowa braille and sight-saving school at Vinton or close either of those institutions until all of the following requirements have been met:

1. The department of management has presented to the general assembly a comprehensive plan, program, and fiscal analysis of the existing circumstances and the circumstances which would prevail upon the proposed merger or closing, together with data which would support the contention that the merger or closing will be more efficient and effective than

continuation of the existing facilities. The analysis shall include a detailed study of the educational implications of the merger or closing, the impact on the students, and the opinions and research of nationally recognized experts in the field of the education of visually impaired and deaf students. The comprehensive plan shall further include a study relating to the programming, fiscal consequences, and political implications which would result if either a merger or an agreement under chapter 28E should be implemented between the school for the deaf in Council Bluffs and comparable state programs in the state of Nebraska.

2. The general assembly has studied the plans, programs, and fiscal analysis and has reviewed their impact on the programs.

3. The general assembly has enacted legislation authorizing either the closing or the merger to take effect not sooner than two years after the enactment of the legislation.

Sec. 128. Section 273.3, subsection 10, Code Supplement 1985, is amended to read as follows:

10. In any county operating a juvenile home, upon request of the county board of supervisors, provide suitable curriculum, teaching staff, books, supplies, and other necessary materials for the instruction of children of school age who are maintained in the juvenile home of the county, as provided in section 232.142. An area education agency shall also provide suitable curriculum, teaching staff, books, supplies, and other necessary materials for the instruction of children of school age in juvenile homes other than those operated by a county if the juvenile home meets the criteria adopted by the board of education and if the children have been placed in the juvenile homes by the district court and parental rights have been terminated. The state board of public instruction shall adopt rules under chapter 17A for the instruction provided by area education agencies under this

subsection. Reimbursement for the cost of instruction provided under this section shall be made pursuant to section 273.11.

Sec. 129. Section 273.11, Code Supplement 1985, is amended to read as follows:

273.11 APPROPRIATION FOR REIMBURSEMENT OF INSTRUCTIONAL COSTS OF CHILDREN IN JUVENILE HOMES.

The administrator of each area ~~educational~~ education agency shall determine annually the cost of instruction provided under section 273.3, subsection 10, to a child of school age maintained in a juvenile home located in the area. The administrator shall certify the total yearly audited cost of instruction and the amount due for instruction, to the ~~commissioner-of-public-instruction~~ director of the department of education not later than September 1 of each year for the preceding fiscal year. The ~~state-board~~ commissioner of public instruction shall review the amount due and may modify it and submit a requisition to the state comptroller. The amount due shall be paid by the ~~treasurer-of-state-to-the-area-education-agency-from-any-funds-in-the-general-fund-of-the-state-not-otherwise-appropriated-upon-warrants-drawn-and-signed-by-the-state-comptroller~~ director of department of revenue and finance to the area education agency from moneys appropriated for state school foundation aid under section 442.26.

Sec. 130. Section 280A.23, Code 1985, is amended by adding the following new subsection:

NEW SUBSECTION. 12. During the second week of August of each year, publish by one insertion in at least one newspaper published in the merged area a summarized statement verified by affidavit of the secretary of the board showing the receipts and disbursements of all funds of the area school for the preceding fiscal year. The statement of disbursements shall show the names of the persons, firms, or corporations, and the total amount paid to each during the fiscal year. The board is not required to make the publications and notices

required under sections 279.34, 279.35, and 279.36.

Sec. 131. Section 281.12, Code Supplement 1985, is amended to read as follows:

281.12 CHILDREN PLACED BY DISTRICT COURT.

Notwithstanding ~~the provisions of~~ section 282.27, a child who has been identified as requiring special education who has been placed in a facility or home by the district court, and for whom parental rights have been terminated by the district court, shall receive special education programs and services on the same basis as the programs and services are provided for children requiring special education who are residents of the school district in which the child has been placed. The special education instructional costs shall be certified to the ~~commissioner of public instruction~~ director of the department of education not later than September 1 of each year for the preceding fiscal year by the area education agency director of special education of the district in which the child has been placed. The ~~state board of public instruction~~ director of the department of education shall review the costs and may modify them and submit a requisition to the state comptroller. The amount due shall be paid by the ~~treasurer of state~~ director of the department of revenue and finance to the school district or agency providing the program from ~~any funds in the general fund of the state not otherwise appropriated upon warrants drawn and signed by the state comptroller~~ moneys appropriated for state school foundation aid under section 442.26.

Sec. 132. Section 282.19, Code Supplement 1985, is amended to read as follows:

282.19 CHILD LIVING IN FOSTER CARE FACILITY.

A child who is living in a licensed child foster care facility as defined in section 237.1 in this state which is located in a school district other than the school district in which the child resided before receiving foster care may enroll in and attend an approved school in the school district

in which the child is living. If a child does not require special education ~~and was not counted in the basic enrollment of a school district for a budget year under section 442.4, the tuition and transportation, when required by law, shall be paid by the treasurer of state from funds in the state treasury not otherwise appropriated, and upon warrants drawn by the state comptroller upon requisition of the commissioner of public instruction~~, the superintendent of the school district shall certify the costs of instruction to the director of the department of education not later than September 1 of each year for the preceding fiscal year. The director of the department of education shall review the costs of instruction and may modify them and submit a requisition to the department of revenue and finance. The amount due shall be paid by the department of revenue and finance to the school district from moneys appropriated for state school foundation aid under section 442.26.

For the purpose of this section, "costs of instruction" means the tuition fee of the school district in which the child is enrolled calculated under section 282.24 and multiplied by the portion of the school year in which the child was enrolled.

Sec. 133. Section 282.27, Code Supplement 1985, is amended to read as follows:

282.27 PAYMENT FOR CERTAIN CHILDREN.

When a child requiring special education is living in a state-supported institution, charitable institution, or licensed boarding home as defined in this chapter which does not maintain a school and the residence of the child requiring special education is in a school district other than the school district in which the state-supported institution, charitable institution, or licensed boarding home is located, the child is eligible for special education programs and services provided for children requiring special education who are residents of the school district in which the institution

or boarding home is located. The special education instructional costs shall be computed by means of weighted enrollment for that child under ~~the provisions of~~ chapters 273, 281, and 442 as if that child were a resident of the school district in which the institution or boarding home is located but the child shall be included in the enrollment count in the district of residence in the manner provided in sections 281.9 and 442.4. The costs as computed shall be paid by the district of residence. No child requiring special education shall be denied special education programs and services because of a dispute over determination of residence of that child. If there is a dispute over the residence of the child, the state board of public instruction shall determine the residence of the child. ~~However, if the special education instructional costs incurred on behalf of the child exceed the amount which would be allowed if the child were provided the programs and services in the district of residence, the treasurer of the school district of residence shall make payment at the maximum amount allowed in that district for a child requiring special education who is similarly handicapped.~~ If the child requiring special education is not counted in the weighted enrollment of any district under section 281.9, and payment is not made by any district, the district in which the institution or boarding home is located ~~may~~ shall certify the special education instructional costs to the ~~commissioner of public instruction~~ director of the department of education not later than September 1 of each year for the preceding fiscal year. The ~~state board of public instruction~~ director of the department of education shall review the costs and may modify them and submit a requisition to the ~~state comptroller~~ department of revenue and finance. The amount due shall be paid by the 5884 ~~treasurer of state~~ department of revenue and finance to the district in which the institution or licensed boarding home is located from ~~any funds in the general fund of the state not~~

~~otherwise-appropriated-upon-warrants-drawn-and-signed-by-the state-comptroller~~ moneys appropriated for state school foundation aid under section 442.26. For the purposes of this section, the term "district of residence of the child" means the residence of the parent or legal guardian, or the location of the district court if the district court is the legal guardian, of the child.

Sec. 134. Section 285.1, subsection 3, Code Supplement 1985, is amended to read as follows:

3. In a district where transportation by school bus is impracticable or where school bus service is not available, the board may require parents or guardians to furnish transportation for their children to the schools designated for attendance. ~~The~~ Except as provided in section 285.3, the parent or guardian shall be reimbursed for such transportation service for public and nonpublic school pupils by the board of the resident district in an amount equal to eighty dollars plus ~~the following~~ seventy-five percent of the difference between eighty dollars and the previous school year's statewide average per pupil transportation cost, as determined by the department of ~~public instruction~~ education.

~~a.—For the school year commencing July 1, 1980, twenty-five percent.~~

~~b.—For the school year commencing July 1, 1981, fifty percent.~~

~~c.—For the school year commencing July 1, 1982 and each school year thereafter, seventy-five percent.~~

However, a parent or guardian shall not receive reimbursement for furnishing transportation for more than two family members who attend elementary school and one family member who attends high school.

Sec. 135. Section 285.2, unnumbered paragraph 2, Code 1985, is amended to read as follows:

There is appropriated from the general fund of the state to the department of ~~public instruction~~ education funds

sufficient to pay the approved claims of public school districts for transportation services to nonpublic school pupils as provided in this section. The portion of the amount appropriated for approved claims under section 285.1, subsection 3, shall be determined under section 285.3.

Sec. 136. Section 285.2, unnumbered paragraph 4, Code 1985, is amended to read as follows:

Claims for reimbursement shall be made to the department of ~~public instruction~~ education by the public school district providing transportation or transportation reimbursement during a school year on a form prescribed by the department, and the claim shall state the services provided and the actual costs incurred. A claim shall not exceed the average transportation costs of the district per pupil transported except as otherwise provided. If transportation is provided under section 285.1, subsection 3, the amount of a claim shall be determined ~~under paragraph "c" of that subsection shall be the amount of the claim~~ under section 285.3 regardless of the average transportation costs of the district per pupil transported.

PARAGRAPH DIVIDED. Claims shall be accompanied by an affidavit of an officer of the public school district affirming the accuracy of the claim. By February 1 and by July 15 of each year, the department shall certify to the ~~state comptroller~~ department of revenue and finance the amounts of approved claims to be paid, and the ~~state comptroller~~ department of revenue and finance shall draw warrants payable to school districts which have established claims. Claims shall be allowed where practical, and at the option of the public school district of the pupil's residence, subject to approval by the area education agency of the pupil's residence, under section 285.9, subsection 3, the public school district of the pupil's residence may transport ~~any~~ a pupil to a school located in a contiguous public school district outside the boundary lines of the public school

district of the pupil's residence. The public school district of the pupil's residence may contract with the contiguous public school district or with a private contractor under section 285.5 to transport the pupils to the school of attendance within the boundary lines of the contiguous public school district. The public school district in which the pupil resides may contract with the contiguous public school district or with a private contractor under section 285.5 to transport the pupil from the pupil's residence or from designated school bus collection locations to the school located within the boundary lines of the contiguous public school district, subject to the approval of the area education agency of the pupil's residence. The public school district of the pupil's residence may utilize the reimbursement provisions of section 285.1, subsection 3.

Sec. 137. NEW SECTION. 285.3 PARENTAL REIMBURSEMENT FOR NONPUBLIC TRANSPORTATION.

The portion of the amount appropriated under section 285.2 to pay claims to reimburse parents or guardians of nonpublic school pupils for furnishing transportation for their children is equal to eighty dollars plus seventy-five percent of the difference between eighty dollars and the previous school year's statewide average per pupil transportation cost as determined by the department of education multiplied by the total number of nonpublic school pupils for which the parent or guardian furnishes transportation, except that only two members of a family who attend a nonpublic high school shall be included in the total number.

The amount of an approved claim to a parent or guardian for furnishing transportation shall include a base payment, and may include a supplemental payment, determined under this section. The base payment is equal to the amount of the reimbursement determined under section 285.1, subsection 3.

The difference between the amount appropriated under this section for reimbursement of parents and guardians and the

amount paid to parents and guardians pursuant to section 285.1, subsection 3, shall be used for supplemental payments to the parents and guardians of nonpublic school pupils who transport one or more family members more than four miles to a school of attendance. The department of education shall add together the number of parents and guardians who transport one or more family members more than four and less than eight miles to their schools of attendance and two times the number of parents and guardians who transport one or more family members eight or more miles to their schools of attendance and divide that total number of parents and guardians into the amount available for supplemental payments to determine a supplemental payment amount. Parents and guardians who transport one or more family members more than four but less than eight miles to their schools of attendance shall receive an amount equal to the supplemental payment amount. Parents and guardians who transports one or more family members eight or more miles to their schools of attendance shall receive an amount equal to two times the supplemental payment amount.

Sec. 138. Section 302.1, subsection 1, Code 1985, is amended to read as follows:

1. Five percent of the net proceeds of the public lands of the state~~,-which-shall-be-paid-to-the-state-treasurer-and-be apportioned-by-the-state-comptroller-among-the-area-education agencies-of-this-state~~.

Sec. 139. Section 302.1, Code 1985, is amended by adding the following new subsection:

NEW SUBSECTION. 5. The portion of the interest on the permanent school fund that has not been transferred to the credit of the first in the nation in education foundation.

Annually on January 1, the treasurer of state shall transfer a portion of the permanent school fund to the first in the nation in education fund pursuant to the requirements of this section. Prior to January 1 of each year, the governing board of the first in the nation in education

foundation shall certify to the treasurer of state the amount that the governing board has received under section 257A.7, subsections 2 and 3, during the previous calendar year. The treasurer of state shall deposit in a separate account in the first in the nation in education fund the portion of the permanent school fund equivalent to the amount certified.

Sec. 140. NEW SECTION. 302.1A TRANSFER OF INTEREST.

The department of revenue and finance shall transfer the interest earned on the permanent school fund to the first in the nation in education foundation in the manner provided in this paragraph. Prior to March 1 of each year, the governing board of the first in the nation in education foundation established in section 257A.2 shall certify to the state comptroller the total amount of the endowment in the first in the nation in education fund. The portion of the permanent school fund that is equal to the total amount of the endowment is dedicated to the first in the nation in education foundation for that year. The interest from this dedicated amount shall be transferred to the credit of the first in the nation in education foundation. The remaining portion of the interest earned on the permanent school fund shall become a part of the permanent school fund.

Sec. 141. Section 304A.6, subsection 6, Code 1985, is amended to read as follows:

6. Accept gifts, contributions, endowments, or bequests for all or any of the purposes of this chapter. Interest earned on the gifts, contributions, endowments, or bequests accepted under this subsection shall be credited to the fund or funds to which the gifts, contributions, endowments, or bequests have been deposited and are available for all or any of the purposes of this chapter.

5791 Sec. 142. Section 442.3, Code 1985, is amended by striking the section and inserting the following:

442.3 STATE FOUNDATION BASE.

The state foundation base for the school year beginning

July 1, 1986 is eighty percent of the state cost per pupil. The state foundation base for the school year beginning July 1, 1987 is eighty-one and one-half percent of the state cost per pupil. For each succeeding school year, the state foundation base shall be increased by the amount of one-half percent of the state cost per pupil, up to a maximum of eighty-five percent of the state cost per pupil. The district foundation base is the larger of the state foundation base or the amount per pupil which the district will receive from foundation property tax and state school foundation aid.

Sec. 143. Section 442.26, Code 1985, is amended to read as follows:

442.26 APPROPRIATIONS.

1. There is hereby appropriated each year from the general fund of the state an amount necessary to pay the state school foundation aid.

All state aids paid under this chapter, unless otherwise stated, shall be paid in monthly installments beginning on September 15 of a budget year and ending on June 15 of the budget year and the installments shall be as nearly equal as possible as determined by the ~~state comptroller~~ department of revenue and finance, taking into consideration the relative budget and cash position of the state resources. However, the state aids paid to school districts under section 442.28 shall be paid in monthly installments beginning on December 15 and ending on June 15 of a budget year and state aids paid to school districts under section 442.38 shall be paid in monthly installments beginning on February 15 and ending on June 15 of a budget year.

All moneys received by a school district from the state under the provisions of this chapter shall be deposited in the general fund of the school district, and may be used for any school general fund purpose.

2. From moneys appropriated under subsection 1 as state school foundation aid for a budget year, the department of

revenue and finance shall deduct the total of the amounts due under sections 273.11, 281.12, 282.19, and 282.27, not to exceed the total amounts paid under those sections for the school year beginning July 1, 1985, and the department of revenue and finance shall deduct a proportional amount from the state aids paid to each school district under subsection 1. If the amount appropriated under this subsection is less than the total of the amounts due, the state comptroller shall prorate the amounts paid to each area education agency and school district under sections 273.11, 281.12, 282.19, and 282.27.

Sec. 144. Section 442.27, Code 1985, is amended by adding the following new subsection:

NEW SUBSECTION. 4A. For the school year beginning July 1, 1986, the department of management shall increase the area media services cost per pupil in each area education agency and the state media services cost per pupil determined under subsection 4 by one dollar and one cent for the purchase or replacement of material required in section 273.6, subsection 1, paragraphs "a", "b", and "c".

Sec. 145. NEW SECTION. 286A.1 STATE AREA SCHOOL FUNDING PLAN.

The state area school funding plan is established for the fiscal year beginning July 1, 1986 and succeeding fiscal years. Funds appropriated specifically for distribution under this chapter shall be allocated to the area schools established under chapter 280A in the manner provided in this chapter. If the funds appropriated for distribution under this chapter are insufficient to make the allocations required, the department of revenue and finance shall prorate the allocations.

Sec. 146. NEW SECTION. 286A.2 DEFINITIONS.

As used in this chapter and chapter 280A, unless the context otherwise requires:

1. "Contact hour" means fifty minutes of contact between

an instructor and students in a scheduled course offering for which students are registered.

The total contact hours for an area school in a cost center for a budget year for purposes of determining state general aid under this chapter are the average of the total contact hours offered by the area school in that cost center for the base year and the two fiscal years preceding the base year.

2. "Contact hour eligible for general aid" is a contact hour as provided in subsection 1 except for the contact hours of nonresident students; contact hours of students in avocational or recreational programs; and contact hours of students in courses or programs the direct operational costs of which are entirely paid by federal, state, or other governmental agencies, or private subsidy, or both.

3. "Base year" means base year as defined in section 442.6.

4. "Budget year" means budget year as defined in section 442.6.

5. "State percent of growth" is the state percent of growth calculated under section 442.7.

6. "Area school allowable growth for an instructional cost center" is a dollar amount determined by the department of education by multiplying the state average cost per contact hour for that cost center for a base year times the state percent of growth for the budget year. The department shall notify the department of revenue and finance of the amount.

7. "Instructional cost center" means one of the following areas of course offerings of the area schools:

a. Arts and sciences cost center.

b. Vocational-technical preparatory cost center.

c. Vocational-technical supplementary cost center.

d. Adult basic education and high school completion cost center.

e. Continuing and general education cost center.

8. "Noninstructional function" means all of the following

functions:

a. General institutional function.

b. Student services function.

c. Physical plant, including plant maintenance and utility costs functions.

d. Library services function.

9. "State average cost per contact hour for an instructional cost center" is the actual state average cost per contact hour for that instructional cost center for all area schools for the base year beginning July 1, 1985 adjusted in succeeding years to equal the base year's state average cost per contact hour for the instructional cost center plus the area school allowable growth for the instructional cost center for the budget year. The state average cost per contact hour does not include expenditures for capital outlay.

Sec. 147. NEW SECTION. 286A.3 FOUNDATION SUPPORT LEVEL.

5884 The department of education shall determine for the base year beginning July 1, 1985, the state average cost per contact hour for each instructional cost center and shall notify the department of revenue and finance. The state foundation support level per contact hour for each instructional cost center is sixty-five percent of the state average cost per contact hour for that year.

5884 For the budget year commencing July 1, 1986 and succeeding budget years, the department of education shall determine the area school allowable growth for each instructional cost center and shall add those amounts to the foundation support level per contact hour for each instructional cost center for the base year in order to determine the foundation support level per contact hour for the budget year. The department shall notify the department of management. However, for any budget year for which funds are appropriated by the general assembly for salary improvement for the arts and sciences cost center and for the vocational-technical preparatory cost center, the foundation support level per contact hour for

those cost centers for the budget year shall be increased by a salary improvement cost per contact hour. However, the salary improvement cost per contact hour is not included in the foundation support level per contact hour for those cost centers. Funds appropriated for salary improvement for a budget year shall be divided by the total number of contact hours in the arts and sciences cost center and the vocational-technical preparatory cost center in all area schools for the budget year to determine a salary improvement cost per contact hour. Salary improvement moneys received by an area school shall be added to the base salaries of recipients of the moneys, and shall supplement, not supplant, the results of a collective bargaining agreement negotiated under chapter 20, if any.

Sec. 148. NEW SECTION. 286A.4 SUPPORT PER INSTRUCTIONAL COST CENTER.

Each area school shall multiply the state foundation support level per contact hour for each instructional cost center for a budget year by the number of contact hours eligible for state general aid in the area school in the cost center for the budget year to obtain the support per cost center in that area school. The total support for an area school for instructional cost centers is the sum of the support per cost center for all five instructional cost centers.

Sec. 149. NEW SECTION. 286A.5 GENERAL INSTITUTIONAL FUNCTION.

The general institutional function cost for the base year commencing July 1, 1985 for an area school is determined by multiplying the area school's total expenditures for the fiscal year beginning July 1, 1985 by thirteen and ninety-six hundredths percent, which is the average percent of total expenditures of the area schools for general institutional function costs.

The foundation support level for the general institutional function for an area school for the base year beginning July

1, 1985 is sixty-five percent of the area school's general institutional support function cost for that year.

For the budget year beginning July 1, 1986 and succeeding budget years, the foundation support level for the general institutional support function for an area school is the foundation support level for the base year plus a general institutional function allowable growth amount. The allowable growth amount is determined by the department of education by multiplying the state percent of growth for the budget year by the state average general institutional function cost for the base year. The department shall notify the department of management.

For the base year beginning July 1, 1989, and each four years thereafter, the department shall recalculate the average percent of total expenditures of the area schools for general institutional function costs and shall use that percent for the four next following budget years.

Sec. 150. NEW SECTION. 286A.6 STUDENT SERVICES FUNCTION COST.

The state student services function cost for the base year commencing July 1, 1985 is determined by dividing the total of all area schools' expenditures for the student services function for that year by the total number of contact hours eligible for general aid in the state for that year to achieve a state average student services function cost per contact hour for the base year.

The foundation support level per contact hour for the student services function cost for the base year beginning July 1, 1985 is sixty-five percent of the state average student services function cost per contact hour for that year.

For the budget year beginning July 1, 1986 and succeeding budget years, the foundation support level per contact hour eligible for state general aid for the student services function cost for an area school is the foundation support level per contact hour for the base year plus a student

services support allowable growth amount. The allowable growth amount is determined by the department of education by multiplying the state percent of growth for the budget year by the state average student services function cost per contact hour for the base year. The department shall notify the department of management. The total is then multiplied by the number of contact hours in the area school to determine the foundation support for the student services function cost for a budget year.

Sec. 151. NEW SECTION. 286A.7 PHYSICAL PLANT FUNCTION COST.

The physical plant function cost includes physical plant maintenance cost and the physical plant utility cost.

1. The physical plant function cost for the base year commencing July 1, 1985 for all area schools is determined by dividing the total physical plant maintenance cost of all area schools for that year by the total square feet of buildings of the area schools for that year to achieve a state average cost per square foot.

The foundation support level per square foot for the physical plant maintenance costs for the base year beginning July 1, 1985 is sixty-five percent of the state average cost per square foot for that year.

For the budget year beginning July 1, 1986 and succeeding budget years, the foundation support level per square foot for the physical plant maintenance costs for an area school is the foundation support level per square foot for the base year plus a physical plant maintenance allowable growth amount. The allowable growth amount is determined by the department of education by multiplying the state percent of growth for the budget year by state average cost per square foot for the base year. The total is then multiplied by the number of square feet in buildings of the area school to determine the foundation support for the physical plant maintenance costs for a budget year. The department shall notify the department

of management.

2. The physical plant utility function cost for the base year commencing July 1, 1985 for all area schools is determined by dividing the total physical plant utility costs of all area schools for that year by the total cubic feet of buildings of the area schools for that year to achieve a state average cost per cubic foot.

The foundation support level per cubic foot for the physical plant utility cost for the base year beginning July 1, 1985 is sixty-five percent of the state average cost per cubic foot for the base year for that year.

For the budget year beginning July 1, 1986 and succeeding budget years, the foundation support level per cubic foot for the physical plant utility cost for an area school is the foundation support level per cubic foot for the base year plus a physical plant utility allowable growth amount. The allowable growth amount is determined by the department of education by multiplying the state percent of growth for the budget year by the state average cost per cubic foot for the base year. The total is then multiplied by the number of cubic feet in buildings of the area school to determine the foundation support for the physical plant utility cost for a budget year. The department shall notify the department of management.

3. The foundation support for the physical plant maintenance cost added to the foundation support for the physical plant utility cost for a budget year equals the foundation support for the physical plant function for a budget year.

Sec. 152. NEW SECTION. 286A.8 LIBRARY FUNCTION COST.

The library function cost for a base year for an area school is determined by the department of education by multiplying the total of the area school's support for the five instructional cost centers, for the general institutional support function, for the student services function, and for the physical plant function for that year by three and thirty-

three hundredths percent, which is the average percent of the area schools' support expended for the library function cost. The department shall notify the department of management.

The foundation support level for the library services function for an area school for a base year is sixty-five percent of the area school's library function cost for that year.

For the budget year beginning July 1, 1986 and each succeeding budget year, the foundation support level for the library function for an area school is the foundation support level for the base year plus a library allowable growth amount. The allowable growth amount is determined by the department of education by multiplying the state percent of growth for the budget year by the state average library function cost for the base year for each area school. The department shall notify the department of management.

Sec. 153. NEW SECTION. 286A.9 AREA SCHOOL MONEYS.

The difference between the amount of an area school's budget and the sum of the amount of state general aid plus the amount raised by the tax levy under section 280A.17 may include tuition, student fees, revenues received from property tax levies other than the levy established in section 280A.17, federal moneys, and other moneys received by the area school.

Sec. 154. NEW SECTION. 286A.10 EXPENDITURES FOR BASE YEAR.

When an area school determines its total expenditures, expenditures for the student services function, physical plant maintenance costs, physical plant utility costs, and costs per cost center for the base year beginning July 1, 1985 for purposes of determining state general aid under this chapter, the area school shall use the actual costs and expenditures for the first three quarters of the fiscal year and shall estimate the costs of the fourth quarter. When actual costs and expenditures are known, the department of education shall direct the department of management to adjust the support

levels for the cost centers and noninstructional functions and the amount of state general aid to be paid for that budget year on the basis of the actual figures.

Sec. 155. NEW SECTION. 286A.11 STATE GENERAL AID AMOUNT.

The amount of state general aid to which an area school is entitled for a budget year under this chapter is equal to the sum of the following:

1. An amount equal to the difference between the total of foundation support levels for the five instructional cost centers and the four noninstructional functions, and the amount raised by the tax levy under section 280A.17.

2. An amount for operation of a public radio station if one has been established for the area school and has been funded by the state. The amount is the amount for operation of the radio station for the base year plus an amount equal to the cost of operation for the base year multiplied by the state percent of growth for the budget year.

3. Fifty thousand dollars if the area school has fewer than one million contact hours.

Sec. 156. NEW SECTION. 286A.12 PAYMENT OF APPROPRIATION.

Payment shall be made by the department of revenue and finance in four installments due on or about November 15, February 15, and May 15 of a budget year and on or about August 15 of the next following budget year, and installments shall be as nearly equal as possible, as determined by the department of revenue and finance, taking into consideration the relative budget and cash position of the state resources.

The payment made on or about August 15 of the next following budget year is an account receivable for the budget year.

Sec. 157. NEW SECTION. 286A.13 MISREPRESENTATION OF REQUIRED INFORMATION.

An area school which misrepresents the cost for a cost center or its contact hours shall repay any excess funds received under this chapter.

Sec. 158. NEW SECTION. 286A.14 AREA SCHOOL BUDGET REVIEW.

1. An area school budget review procedure is established for the school budget review committee created in section 442.12. The school budget review committee, in addition to its duties under chapter 442, shall meet and hold hearings each year under this chapter to review unusual circumstances of area schools, either upon the committee's motion or upon the request of an area school. The committee may grant supplemental aid to the area school from funds appropriated to the department of public instruction for area school budget review purposes, or an amount may be added to the area school allowable growth for all cost centers and area school allowable growth for noninstructional functions for the budget year either on a temporary or permanent basis, or both.

Unusual circumstances shall include but not be limited to the following:

a. An unusual increase or decrease in enrollment.

b. Natural disasters.

c. Unusual staffing problems.

d. Unusual necessity for additional funds to permit continuance of a course or program which provides substantial benefit to students.

e. Unusual need for a new course or program which will provide substantial benefit to students, if the area school establishes the need and the amount of necessary increased cost.

f. Unique problems of area schools to include vandalism, civil disobedience, and other costs incurred by area schools.

2. When the school budget review committee makes a decision under subsection 1, it shall provide written notice of its decision, including all changes, to the board of directors of the area school and to the department of management.

3. All decisions by the school budget review committee

under this chapter shall be made in accordance with reasonable and uniform policies which shall be consistent with this chapter.

4. Failure by an area school to provide information or appear before the school budget review committee as requested for the accomplishment of review or hearing constitutes justification for the committee to instruct the department of revenue and finance to withhold state area school aid to that area school until the committee's inquiries are satisfied completely.

Sec. 159. NEW SECTION. 286A.15 INFORMATION FURNISHED BY AREA SCHOOL.

Each area school shall supply to the department of management and the department of education the information required for calculation of the amount of state area school aid due each area school under the state area school funding plan. Forms for reporting information to calculate the state area school aid for a budget year shall be supplied by the department of management to each area school.

Sec. 160. NEW SECTION. 286A.16 RULES.

The department of education shall adopt rules and definitions of terms necessary for the administration of this chapter. The school budget review committee shall adopt rules under chapter 17A to carry out section 286A.14.

Sec. 161. Section 442.13, Code Supplement 1985, is amended by adding the following new subsection:

NEW SUBSECTION. 16. The committee shall perform the duties assigned to it under chapter 286A.

Sec. 162. Sections 257.44 and 442.44, Code Supplement 1985, and sections 292.1 and 302.13, Code 1985, are repealed.

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Sec. 163. All federal grants to and the federal receipts of agencies appropriated funds under this division of this Act are appropriated for the purposes set forth in such federal grants or receipts.

Sec. 164. Moneys appropriated by this division of this

Act, except sections 102 and 103 of this division, shall not be used for capital improvements.

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DIVISION III

HEALTH AND HUMAN RIGHTS

Sec. 201. There is appropriated from the general fund of the state for the fiscal year beginning July 1, 1986, and ending June 30, 1987, the following amount, or so much thereof as is necessary, to be used by the following agency for the purposes designated:

	1986-1987 Fiscal Year
1. IOWA STATE CIVIL RIGHTS COMMISSION	
For salaries and support of not more than twenty-four full-time equivalent positions annually, maintenance, and miscellaneous purposes	$ 762,129

Sec. 202. There is appropriated from the general fund of the state to the department of human rights for the fiscal year beginning July 1, 1986 and ending June 30, 1987, the following amounts, or so much thereof as is necessary, to be used for the purposes designated:

1. CENTRAL ADMINISTRATION DIVISION	
For salaries and support of not more than four full-time equivalent positions annually, maintenance, and miscellaneous purposes	$ 116,171
2. SPANISH-SPEAKING PEOPLE DIVISION	
For salaries and support of not more than one full-time equivalent position annually,	

maintenance, and miscellaneous purposes ..... $ 43,316

3. PERSONS WITH DISABILITIES DIVISION

For salaries and support of not more than three full-time equivalent positions annually, maintenance, and miscellaneous purposes ..... $ 96,531

4. STATUS OF WOMEN DIVISION

For salaries and support of not more than two full-time equivalent positions annually, maintenance, and miscellaneous purposes ..... $ 68,222

5. CHILDREN, YOUTH, AND FAMILIES DIVISION

For salaries and support of not more than two full-time equivalent positions annually, maintenance and miscellaneous purposes ..... $ 68,001

It is the intent of the general assembly that the children, youth, and families division be terminated June 30, 1988.

6. DEAF SERVICES DIVISION

For salaries and support of not more than eight and twenty-six hundreths full-time equivalent positions annually, maintenance, and miscellaneous purposes ..... $ 215,766

Sec. 203. There is appropriated from the general fund of the state to the department of elder affairs for the fiscal year beginning July 1, 1986 and ending June 30, 1987, the following amounts, or so much thereof as is necessary, to be used for the purposes designated:

	1986-1987 Fiscal Year
1. For salaries and support of not more than twenty-nine and five-tenths full-time equivalent positions annually, maintenance, and miscellaneous purposes	$ 245,601
2. For the administration of area agencies on aging	$ 114,248
3. For the retired Iowan's community employment program	$ 104,865
4. For the older Iowans legislature	$ 12,953
5. For the retired seniors volunteer program	$ 14,278

All of the funds appropriated under subsection 5 shall be divided equally among the programs in existence as of July 1, 1986 and shall not be used by the division for administrative purposes.

6. For the Alzheimer's disease support program	$ 70,000

All funds appropriated under subsection 6 shall be used for training and education programs for families serving as caregivers for Alzheimer's disease victims and shall not be used for administrative purposes.

7. For elderly services programs	$ 777,195

All funds appropriated under this subsection shall be received and disbursed by the director of elder affairs for the elderly services program, shall not be used for administrative purposes, and shall be used for citizens of Iowa over sixty-five years of age for chore, telephone reassurance, adult day care, and home repair services, including the winterizing of homes, and for the construction of entrance ramps which meet the requirements of section

104A.4 and make residences accessible to the physically handicapped. Funds appropriated under this subsection may be used to supplement federal funds under federal regulations. Funds appropriated under this subsection may be used for elderly services not specifically enumerated in this subsection only if approved by an area agency for provision of the service within the area.

Sec. 204. There is appropriated from the general fund of the state to the state department of public health for the fiscal year beginning July 1, 1986, and ending June 30, 1987, the following amounts, or so much thereof as is necessary, to be used for the purposes designated:

	1986-1987 Fiscal Year
1. CENTRAL ADMINISTRATION DIVISION For salaries and support of not more than fifty-three and three-tenths full-time equivalent positions annually, maintenance, and miscellaneous purposes	$ 731,771
2. HEALTH PLANNING AND DEVELOPMENT DIVISION For salaries and support of not more than fifteen equivalent positions annually, maintenance, and miscellaneous purposes	$ 179,411
3. DISEASE PREVENTION DIVISION For salaries and support of not more than fifty-four and six-tenths full-time equivalent positions annually, maintenance, and miscellaneous purposes	$ 1,092,967

4. PROFESSIONAL LICENSURE

For salaries and support of not more than thirteen full-time equivalent positions annually, maintenance, and miscellaneous purposes ..... $ 479,884

5. STATE BOARD OF DENTAL EXAMINERS

For salaries and support of not more than two full-time equivalent positions annually, maintenance, and miscellaneous purposes ..... $ 98,393

6. STATE BOARD OF MEDICAL EXAMINERS

For salaries and support of not more than fourteen full-time equivalent positions annually, maintenance, and miscellaneous purposes ..... $ 587,035

7. STATE BOARD OF NURSING EXAMINERS

For salaries and support of not more than sixteen full-time equivalent positions annually, maintenance, and miscellaneous purposes ..... $ 517,947

8. STATE BOARD OF PHARMACY EXAMINERS

For salaries and support of not more than ten full-time equivalent positions annually, maintenance, and miscellaneous purposes ..... $ 330,248

Professional licensure pursuant to subsection 4 and the boards pursuant to subsections 5 through 8 shall prepare

estimates of projected receipts 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 receipts equal projected costs.

9. PERSONAL AND FAMILY HEALTH DIVISION

a. For salaries and support of not more than forty-six full-time equivalent positions annually, maintenance, and miscellaneous purposes ..... $ 1,510,018

The department shall allocate from the funds appropriated under this paragraph at least six hundred thousand nine hundred forty-four (600,944) dollars for the fiscal year beginning July 1, 1986, and ending June 30, 1987, for the birth defects and genetics counseling program and of these funds, thirty-nine thousand six hundred (39,600) dollars shall be allocated for a central birth defects registry program.

Of the funds appropriated in this paragraph, the following amounts shall be allocated to the university of Iowa hospitals and clinics under the control of the state board of regents for the following programs under the Iowa specialized child health care services:

(1) Mobile and regional child health specialty clinics ..... $ 308,411

(2) Muscular dystrophy and related genetic disease programs ..... $ 125,322

(3) Statewide perinatal program ..... $ 41,635

The birth defects and genetic counseling service shall apply a sliding fee scale to determine the amount a person receiving the services is required to pay for the services.

These fees shall be considered repayment receipts and used for the program.

Of the funds allocated to the mobile and regional child health speciality clinics under subparagraph 1 of this paragraph, sixty-eight thousand five hundred thirty-six (68,536) dollars shall be used for a specialized medical home care program providing care planning and coordination of community support services for children who require technical medical care in the home.

The university of Iowa hospitals and clinics shall not receive indirect costs from the funds for each program.

The department of public health shall administer the statewide maternal and child health program and the crippled children's program by conducting mobile and regional child health specialty clinics and conducting other activities to improve the health of low-income women and children and to promote the welfare of children with actual or potential handicapping conditions and chronic illnesses in accordance with the requirements of Title V of the Social Security Act.

b. Sexual abuse investigations.

For medical procedures required by section 709.10 ..... $ 55,014

c. Sudden infant death syndrome autopsies.

For reimbursing counties for expenses resulting from autopsies of suspected victims of sudden infant death syndrome required under section 331.802, subsection 3, paragraph "j" ..... $ 14,278

10. COMMUNITY HEALTH DIVISION

a. For salaries and support of not more than thirty-one and ninety-nine hundredths full-time

equivalent positions annually, maintenance, and miscellaneous purposes ..... $ 1,562,508

The department shall allocate from the funds appropriated under this lettered paragraph eight hundred ninety-five thousand forty-one (895,041) dollars for the fiscal year beginning July 1, 1986, for the chronic renal disease program. The types of assistance to eligible recipients under the program may include hospital and medical expenses, home dialysis supplies, insurance premiums, travel expenses, prescription and nonprescription drugs, and lodging expenses for persons in training. The program expenditures shall not exceed these allocations. If projected expenditures will exceed the allocations, the department shall establish by administrative rule a mechanism to reduce financial assistance under the renal disease program in order to keep expenditures within the allocations.

b. For grants to local boards of health for the public health nursing program ..... $ 2,101,259

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.

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 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. 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 shall subcontract with a nonprofit nurses' association, an independent nonprofit agency, or a suitable local governmental body 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 of each fiscal year, 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. If the unallocated pool is fifty thousand dollars or more it shall be reallocated to the 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 and ending June 30 of each fiscal year. If the unallocated pool is less than fifty thousand dollars, the department may allocate it to counties with demonstrated special needs for public health nursing.

The department shall maintain rules governing the expenditure of funds appropriated by paragraph "b". The rules 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 annually 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 each annual evaluation to the governor and the general assembly.

c. For grants to county boards of supervisors for the homemaker-home health aide program ..... $ 7,033,669

Funds appropriated under this paragraph shall be used to provide homemaker-home health aide services with emphasis on services to elderly and persons below the poverty level 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. It also includes heavy house cleaning which includes cleaning attics or basements to remove fire hazards, moving heavy furniture, extensive wall washing, floor care or painting, and trash removal.

(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, and household management.

(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. 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: sixty percent according to the number of elderly persons living in the county; twenty percent according to the number of persons below the poverty level living in the county; and twenty percent according to the number of substantiated cases of child abuse in the county during the three most recent fiscal years for which data is available.

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 human 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 planning for 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 shall subcontract with a nonprofit nurses' association, an independent nonprofit agency, the department of human services, or a suitable local governmental body 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 of each fiscal year, 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 each fiscal year. 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 15 of each fiscal year, reallocate the funds in the unallocated pool among the counties in which the department has concluded contracts under this paragraph. The department shall also review the first ten months' expenditures for each county in May of each year, to determine if any counties have contracted funds which they do not anticipate spending. If such funds are identified and the county agrees to release the funds, the released funds will be considered a new reallocation pool. The department may, prior to June 1 of each year, reallocate funds from this new reallocation pool to those counties which have experienced a high utilization of protective service hours for children and dependent adults.

The department shall maintain rules governing the expenditure of funds appropriated by this paragraph. The rules 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 maintain rules for standards regarding training, supervision, recordkeeping, appeals, program evaluation, cost analysis, and financial audits, and rules specifying reporting requirements.

The department shall annually 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 annual evaluation to the governor and the general assembly.

d. For the development and maintenance of well-elderly clinics in the state ..... $ 205,957

11. SUBSTANCE ABUSE DIVISION

a. For salaries and support of not more than fifteen full-time equivalent positions annually, maintenance, and miscellaneous purposes ..... $ 503,917

b. For program grants ..... $ 6,772,423

Sec. 205. The licensing boards for which general fund appropriations have been provided for in section 203, subsections 4, 5, 6, 7, and 8 of this Act may expend additional funds, if those additional expenditures are directly the cause of actual examination expenses exceeding funds budgeted for examinations. Before a licensing board included in section 203, subsections 4, 5, 6, 7, and 8 of this Act expends or encumbers an amount in excess of the funds budgeted for examinations, the director of the office of management shall approve the expenditure or encumbrance. Before approval is given, the department of management shall determine that the examination expenses exceed the funds budgeted by the general assembly to the board and the board does not have other funds from which examination expenses can be paid. Upon approval of the department of management the licensing board may expend and encumber funds for excess examination expenses. The amounts necessary to fund the excess examination expenses shall be collected as fees from additional examination applicants and shall be treated as repayment receipts as defined in section 8.2, subsection 5.

Sec. 206. All federal grants to and federal receipts of the agencies appropriated funds under this division of this Act are appropriated for the purposes set forth in the federal

grants or receipts unless otherwise provided by the general assembly. Full-time equivalent positions funded entirely with federal funds are exempt from the limits on the number of full-time equivalent positions provided in this division of this Act, but are approved only for the period of time for which the federal funds are available for the position.

DIVISION IV

HUMAN SERVICES

Sec. 301. GENERAL ADMINISTRATION. There is appropriated from the general fund of the state for the fiscal year beginning July 1, 1986, and ending June 30, 1987, to the department of human services for general administration, including salaries and support, maintenance, and miscellaneous purposes, the following amount, or so much thereof as is necessary:

	1986-1987 Fiscal Year
	$ 5,752,032

The funds appropriated by this section include necessary amounts to continue, for the fiscal year beginning July 1, 1986, the general administration programs relating to staff training, program evaluation, and the purchase-of-local-services allocations to the counties as operated in the fiscal year beginning July 1, 1985.

Sec. 302. FIELD OPERATIONS AND VOLUNTEERS. There is appropriated from the general fund of the state for the fiscal year beginning July 1, 1986, and ending June 30, 1987, to the department of human services, the following amounts, or so much thereof as is necessary, to be used for the purposes designated:

	1986-1987 Fiscal Year
1. For field operations, including salaries and support, maintenance, and mis-	

cellaneous purposes ..... $ 21,055,632

The funds appropriated by this subsection include necessary amounts to continue, for the fiscal year beginning July 1, 1986, the purchase-of-local-services allocations to the counties and the individual education and training plan program as made and operated in the fiscal year beginning July 1, 1985.

2. For development and coordination of volunteer services ..... $ 68,000

3. For the support of protective service workers ..... $ 95,000

Sec. 303. SPECIAL PROGRAMS. There is appropriated from the general fund of the state for the fiscal year beginning July 1, 1986, and ending June 30, 1987, to the department of human services, the following amounts, or so much thereof as is necessary, to be used for the purposes designated:

	1986-1987 Fiscal Year
1. For aid to families with dependent children	$ 59,000,000

The funds appropriated by this subsection include necessary amounts to continue, for the fiscal year beginning July 1, 1986, the individual education and training plan program as operated in the fiscal year beginning July 1, 1985.

2. For medical assistance, 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:

a. The attending physician certifies that continuing the pregnancy would endanger the life of the pregnant woman.

b. The attending physician certifies that the fetus is physically deformed, mentally deficient, or afflicted with a congenital illness.

c. The pregnancy is the result of a rape which is reported within forty-five days of the incident to a law enforcement agency or public or private health agency which may include a family physician.

d. The pregnancy is the result of incest which is reported within one hundred fifty days of the incident to a law enforcement agency or public or private health agency which may include a family physician.

e. Any spontaneous abortion, commonly known as a miscarriage, if not all of the products of conception are expelled $126,500,000

The funds appropriated by this subsection include necessary amounts to continue, for the fiscal year beginning July 1, 1986, the expanded medically needy program for supplemental security income-related groups as operated in the last quarter of the fiscal year beginning July 1, 1985, and to increase provider reimbursements, for the fiscal year beginning July 1, 1986, for intermediate care facilities above the provider reimbursements for the fiscal year beginning July 1, 1985.

Of the funds appropriated by this subsection, not more than two hundred thousand (200,000) dollars may be transferred to the state department of public health for contingency state assistance for the federal women, infants, and children program in order to allow the state department of public health to fully use available federal funds under the program.

The department may expend up to one hundred twenty thousand (120,000) dollars of the funds appropriated in this subsection to continue the development and implementation of one or more health maintenance organization projects in the fiscal year beginning July 1, 1986.

The department shall explore means to make full use of veterans' benefits for those medical assistance recipients in intermediate care facilities whose current eligibility for

veterans' benefits has not been established.

The department shall seek to reduce the utilization of surgical procedures with high coefficients of variation under the medical assistance program. The department may develop special utilization review efforts, physician education programs, or may mandate second opinions for selected surgical procedures in order to reduce utilization rates.

The department may continue to seek a waiver under the authority of 1984 Iowa Acts, chapter 1310, section 3, subsection 2, unnumbered paragraph 2.

If the department receives approval for a program of home and community-based services pursuant to a waiver under Title XIX of the federal Social Security Act, the program shall be funded with the appropriation made by this subsection. A county shall reimburse the department for the cost of services under the program, which is not paid from federal funds, to mentally retarded or mentally ill persons with legal settlement in the county at the same percentage which the county is required to reimburse the state for mentally retarded or mentally ill persons receiving services at state institutions.

The department may seek a grant to study and implement alternative methods to improve financial access to medical care for Iowa's rural underinsured citizens and if approved, may expend up to one hundred fifty thousand (150,000) dollars of the funds appropriated by this subsection to match foundation moneys or private source donations.

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3. For medical contracts ..... $ 2,290,000

The department may expend up to sixty-two thousand nine hundred (62,900) dollars of the funds appropriated in this subsection to contract for staff to further develop and implement recommendations contained in the medical assistance reimbursement study required by 1985 Iowa Acts, chapter 259, section 3, subsection 3.

4. For child support recoveries, including salary

and support, maintenance, and
miscellaneous purposes ..... $ 950,000

The commissioner of human services, within the limitations of the funds appropriated in this subsection or funds transferred from the aid to families with dependent children program for this purpose, may establish new positions and add additional employees to the child support recovery unit when the commissioner determines that both the current and additional employees together can reasonably be expected to recover for the aid to families with dependent children program and the nonpublic assistance support recovery program more than twice the amount of money required to pay the salaries and support for both the current and additional employees. The department shall demonstrate the cost effectiveness of the current and additional employees by reporting to the human services appropriations subcommittee the ratio of the total amount of administrative costs for child support recoveries to the total amount of the child support recoveries.

5. For state supplementary assistance, including state supplementary assistance for the blind ..... $ 9,500,000

6. For aid to Indians under section 252.43 ..... $ 35,000

The tribal council shall not use more than ten percent of the funds for administrative expenses.

7. For home-based services ..... $ 5,119,000

a. Of the funds appropriated by this subsection, six hundred seventy-two thousand six hundred fifty (672,650) dollars, or so much thereof as is necessary, is allocated for subsidized adoptions, including the purchase of services for severely handicapped children and children in large sibling groups.

b. Of the funds appropriated by this subsection, one

hundred ninety-one thousand four hundred fifty (191,450) dollars, or so much thereof as is necessary, is allocated for family planning.

c. Of the funds appropriated by this subsection, four million two hundred fifty-four thousand nine hundred (4,254,900) dollars, or so much thereof as is necessary, is allocated for family centered services.

8. For foster care ..... $ 26,900,000

a. The department may transfer a portion of the funds appropriated by this subsection for use in providing subsidized adoption services, if funds allocated under subsection 7 are insufficient to provide necessary subsidized adoption services.

b. No more than thirty-five percent of all children in foster care funded under Title IV, part E of the federal Social Security Act shall be in foster care for more than twenty-four months.

c. Of the funds appropriated by this subsection, forty-five thousand (45,000) dollars, or so much thereof as is necessary, is allocated for foster parent training.

d. The department may expend up to five hundred sixty thousand (560,000) dollars, or so much thereof as is necessary, of the funds appropriated by this subsection or subsection 2 to contract for appropriate staff to develop a plan for enhancing federal funding in Title XIX, Title IV-E, third party liability and increased supplemental security income and social security disability insurance participation. The department may begin implementation, if appropriate. The director of human services shall identify and appoint an oversight committee that includes interested and affected groups. The director shall provide periodic updates to the legislative council and a progress report, including recommendations, to the general assembly not later than February 1, 1987.

9. For community-based pro-

grams ..... $ 2,883,000

a. Of the funds appropriated by this subsection, one hundred twenty thousand (120,000) dollars, or so much thereof as is necessary, is allocated for displaced homemakers.

b. Of the funds appropriated by this subsection, four hundred thirty thousand (430,000) dollars, or so much thereof as is necessary, is allocated for child care center financial assistance.

Notwithstanding section 237A.13, subsection 4, funds unencumbered as of April 30, 1987, shall not be reallocated unless the unencumbered funds reclaimed exceed two thousand dollars.

Notwithstanding section 237A.18, a day care facility is eligible to receive funds if the facility serves some low-income families, even if low-income families served comprise less than a majority of total families served.

c. Of the funds appropriated by this subsection, three hundred fourteen thousand (314,000) dollars, or so much thereof as is necessary, is allocated for the child abuse prevention grant program.

d. Of the funds appropriated by this subsection, two hundred fifteen thousand (215,000) dollars, or so much thereof as is necessary is allocated for domestic abuse program grants.

e. The commissioner of human services shall pay from funds appropriated by this subsection, as the entitled aid from the state under section 232.142, subsection 4, one-half of one percent of the total cost of the establishment, improvements, operation, and maintenance of approved county or multicounty juvenile homes.

f. Of the funds appropriated by this subsection, one hundred thousand (100,000) dollars, or so much thereof as is necessary, is allocated for community-based juvenile services. These funds shall be used to reduce the need for long-term juvenile institutional and group foster care placements, and

to encourage home-based treatment programs as alternatives to juvenile institutional care and group foster care. The department shall only approve grants for residential community-based services when such projects are designed to directly reduce the state juvenile institutional population or the number of children being placed in group foster care outside the state.

g. Of the funds appropriated by this subsection, five hundred forty-five thousand (545,000) dollars, or so much thereof as is necessary, is allocated for state cases.

h. Of the funds appropriated by this subsection, one million one hundred thousand (1,100,000) dollars, or so much thereof as is necessary, is allocated for protective day care.

i. Of the funds appropriated by this subsection, fifty thousand (50,000) dollars, or so much thereof as is necessary, is allocated to provide grants for the provision of essential services to children who are at risk of running away and to the children's families.

10. For county-based juvenile justice reimbursement under section 232.141, subsection 4 ..... $ 2,100,000

* Of the funds appropriated by this subsection, fifty thousand (50,000) dollars, or so much thereof as is necessary, is allocated to the judicial department for administrative preparations to reimburse counties for witness, transportation, and attorney fees pursuant to section 232.141 and for the development of plans for the legal representation of children before the juvenile court in each of the judicial districts.

11. To establish and maintain the registry for the brain injured ..... $ 17,000

5791

Sec. 304. JUVENILE AND VETERANS INSTITUTIONS. There is appropriated from the general fund of the state for the fiscal year beginning July 1, 1986, and ending June 30, 1987, to the department of human services, the following amounts, or so

much thereof as is necessary, to be used for the purposes designated:

	1986-1987 Fiscal Year
1. For the operation of the state training school and the Iowa juvenile home, including salaries and support, maintenance, and miscellaneous purposes	$ 7,574,308
2. For operation of the Iowa veterans home, including salaries and support, maintenance, and miscellaneous purposes	$ 18,358,486

As a condition of this appropriation, the department shall open and staff twenty beds on February 15, 1987 and seventeen additional beds on April 15, 1987 for the care of residents with Alzheimer's disease.

The department may use the gifts accepted by the commissioner of human services pursuant to section 218.96 and other resources available to the department for use at the Iowa veterans home for purposes identified by the department.

Sec. 305. MENTAL HEALTH INSTITUTES. There is appropriated from the general fund of the state for the fiscal year beginning July 1, 1986, and ending June 30, 1987, to the department of human services, for the state mental health institutes, the following amount, or so much thereof as is necessary:

	1986-1987 Fiscal Year
1. For salaries and support, maintenance, and miscellaneous purposes	$ 30,954,794

2. All funds received from client participation shall be deposited in the general fund of the state.

3. The superintendents of the state mental health institutes at Cherokee and Independence, in discharging the duties imposed by section 230.20, shall not include the costs of the psychiatric residency and chaplain intern programs maintained at those institutes in computing the institutes' respective daily charges to patients.

4. A state mental health institute shall not accept physical custody of a child alleged to be a child in need of assistance, on guest status or otherwise, for more than thirty days. A child found to be a child in need of assistance shall not be placed in a state mental health institute or other appropriate secure facility unless the juvenile court finds that the standard for voluntary admission or involuntary commitment in chapter 229 has been met. The finding may be made by the court under section 232.103 at any time prior to the expiration of a dispositional order.

5. The department shall pursue all reasonable courses of action necessary to expand the recruitment and retention of psychiatrists at the state mental health institutions. The department shall aggressively recruit psychiatrists, when necessary by sending department representatives to events and locations where psychiatrists are likely to be recruited and by taking other similar actions which have the likelihood of contributing to the recruitment of psychiatrists. The department shall continue to explore and implement, if necessary, alternative approaches to retaining psychiatrists in the state hospital system, such as special contractual arrangements, expanded staff privileges, or improved educational opportunities for the medical staff.

Sec. 306. HOSPITAL-SCHOOLS. There is appropriated from the general fund of the state for the fiscal year beginning July 1, 1986, and ending June 30, 1987, to the department of human services, for the state hospital-schools, the following amount, or so much thereof as is necessary:

1986-1987

	Fiscal Year
1. For salaries and support, maintenance, and miscellaneous purposes	$ 46,969,633

2. All funds received from client participation shall be deposited in the general fund of the state.

3. The state hospital-schools' per-patient-per-day cost as determined pursuant to section 222.73 shall be billed at eighty percent for the fiscal year, except as otherwise provided by subsection 4.

4. If more than twenty percent of the cost of a patient's care is initially paid from any source other than state-appropriated funds, the amount so paid shall be subtracted from the per-patient-per-day cost of that patient's care computed pursuant to section 222.73 and the patient's county of legal settlement shall be billed for the full balance of the cost so computed.

5. In the calculation of per diem rates, charges assessed to the county shall be credited with one hundred percent of client participation for eligible medical assistance patients at the state hospital-schools.

Sec. 307. MENTAL HEALTH AND RETARDATION SERVICES FUND. There is appropriated from the general fund of the state for the fiscal year beginning July 1, 1986, and ending June 30, 1987, to the state community mental health and mental retardation services fund established in section 225C.7, the following amount, or so much thereof as is necessary:

	1986-1987 Fiscal Year
	$ 3,333,000

1. Notwithstanding section 225C.10, subsection 2, paragraph "a", subparagraph (1), counties shall indicate in their annual plan that general allocation moneys will be expended in accordance with administrative rules adopted by the mental health and mental retardation commission and will

not be used for major maintenance or capital expenditure projects.

2. Notwithstanding section 225C.10, subsection 3, counties shall submit annual rather than quarterly financial and plan status reports. The annual reports shall include the services funded; the amounts expended by service and by agency; a description of the use of the funds; and the number of persons or units of service provided.

Sec. 308. BLOCK GRANT SUPPLEMENTATION. There is appropriated from the general fund of this state for the fiscal year beginning July 1, 1986, and ending June 30, 1987, to the department of human services for supplementation of federal social services block grant funds and for allocation to the various counties for the purchase of local services and child day care services for eligible individuals, the following amount, or so much thereof as is necessary:

	1986-1987 Fiscal Year
	$ 3,180,000

The funds appropriated by this section shall be allocated to the counties pursuant to the rules of the department in effect on January 1, 1985. The department shall increase the income guidelines for income eligible persons receiving services funded with federal social services block grant funds for the fiscal year beginning July 1, 1986 by the same percentage and at the same time as federal social security benefits are increased due to a recognized increase in the cost of living.

Of the funds appropriated by this section, two million six hundred ninety thousand (2,690,000) dollars shall be earmarked for the purchase of local services and four hundred ninety thousand (490,000) dollars shall be earmarked for child day care services.

A county may use up to four percent of the federal social services block grant funds and the state purchase of local

services funds for the purchase of child day care services without matching the federal and state funds with local funds.

The department shall not require counties to match the state child day care services funds with local funds but shall require that the counties allocate local funds for child day care services in an amount at least equal to the county expenditures for child day care services in the fiscal year ending June 30, 1983. The department shall reallocate state child day care services funds from counties which do not qualify for or do not utilize the funds to counties which do qualify for the funds.

If the department determines that funds earmarked under this section for child day care services will not be fully expended, the department may increase the income guidelines in order to provide for the expenditure of all funds earmarked under this section for child day care services.

The department may develop and implement a pilot project establishing a prospective payment system for purchase of service providers in no more than two departmental districts.

Sec. 309. REIMBURSEMENT RATES.

1. Except as provided in paragraphs "a", "b", "c", "d", and "e", and except for medical assistance services provided to recipients in state mental health institutes and the veterans home, rural health clinic services, intermediate care facilities services for the mentally retarded, and the material costs of products which are reimbursed at the acquisition cost, the reimbursement and per diem rates for medical assistance providers for the fiscal year beginning July 1, 1986, shall be limited to the reimbursement and per diem rates for the providers in effect on June 30, 1985.

a. Medical assistance payments for all mandatory and optional services, except for hospital services, physican services, skilled nursing facility services, intermediate care facility services, intermediate care facility services for the mentally retarded, services provided to recipients in state

mental health institutes, rural health clinic services, medical transportation services other than ambulance services, and the material costs of products which are reimbursed at the acquisition cost, shall be reduced by a factor of two and one-half percent.

b. A continued reduction of three and eighty-five hundredths percent shall be applied to medical assistance payments for all mandatory and optional services, except for skilled nursing facility services, intermediate care facility services, intermediate care facility services for the mentally retarded, services provided to recipients in state mental health institutes and the veterans home, rural health clinic services, medical transportation services other than ambulance services, and the material costs of products which are reimbursed at the acquisition cost.

c. For the fiscal year beginning July 1, 1986, the removal of the incentive factor and the removal of one-half of the inflation factor shall be continued. Beginning January 1, 1987, the basis for establishing the maximum medical assistance rate for intermediate care facilities shall be the fiftieth percentile of all facility per diems as calculated from the December 31, 1986, unaudited compilation of financial and statistical reports.

d. Beginning July 1, 1986, the professional fee for pharmacies shall continue to be reduced by five and twenty-one hundredths percent until the department establishes a new reimbursement system for drug products based on estimates of actual acquisition costs. The department shall establish by October 1, 1986, unless disapproved by the United States department of health and human services, a new reimbursement system for drug products based on estimates of actual acquisition costs derived from data obtained from the department's survey of drug product costs and professional fees. The department shall adjust the maximum allowable professional fee to reflect the change in the reimbursement

system from average wholesale price reimbursement to actual acquisition cost reimbursement. However, the adjustment in the professional fee shall not exceed the professional fee which represents the seventy-fifth percentile of fees charged to the private paying public by pharmacies in this state. Beginning on the date the new reimbursement system is implemented, the professional fees shall be reduced by three and eighty-five hundredths percent rather than by five and twenty-one hundredths percent.

e. For the fiscal year beginning July 1, 1986, skilled nursing facility payment rates shall be increased by four and three-tenths percent and rural health clinic rates shall be increased in accordance with increases under the federal medicare program, pursuant to Title XVIII of the federal Social Security Act.

2. For the fiscal year beginning July 1, 1986, reimbursement limits for residential care facilities shall remain in effect as established for the fiscal year which began July 1, 1985. For the fiscal year beginning July 1, 1986, state supplementary assistance payments for recipients in residential care facilities and recipients receiving in-home health-related care shall be reduced by a factor of three and eighty-five hundredths percent.

3. For the fiscal year beginning July 1, 1986, maximum rates for providers of social services shall remain in effect as established for the fiscal year which began July 1, 1985. For the fiscal year beginning July 1, 1986, the following purchase-of-service providers, at their own option, shall have either their rates or invoices reduced by the following percentages: state cases, three and eighty-five hundredths percent; protective day care, two and thirty-three hundredths percent; family-centered services, three and eighty-five hundredths percent; family planning, two and fifteen hundredths percent; foster group care, two and seventy hundredths percent; subsidized adoption, two and seventy

hundredths percent; foster family care, two and seventy hundredths percent; and local purchase, ninety-three hundredths percent.

Sec. 310. ASSISTANCE TO GAMBLERS. The department shall use funds deposited in the gamblers assistance fund established in section 99E.10 only for programs to assist gamblers. Any unspent funds shall remain in the fund and shall not be transferred or reverted to the general fund.

Sec. 311. EMPLOYEE DAMAGE REIMBURSEMENTS. Notwithstanding the dollar limitation in section 217.23, subsection 2, the department may reimburse an employee under that section an amount up to one hundred fifty dollars for each item damaged or destroyed.

Sec. 312. SLIDING-FEE PAYMENT SCHEDULES FOR CHILDREN'S SERVICES. The department shall study the feasibility of establishing sliding-fee payment schedules for all services provided by the department to children and their families. The payment schedules shall be based on the ability of the children's parents, guardians, or custodians to pay for the services, the nature of the services, and other relevant factors. The department shall report its findings to the general assembly by January 15, 1987. The department may implement by administrative rule during the fiscal year beginning July 1, 1986 one or more sliding-fee payment schedules for services provided to children and their families.

Sec. 313. ADMINISTRATIVE RULES INTERIM STUDY --DEPARTMENT OF HUMAN SERVICES AND DEPARTMENT OF PUBLIC HEALTH. The legislative council shall create an interim study committee to review all the administrative rules of the department of human services and of the department of public health, other than rules relating to substance abuse programs. The committee shall be composed of two senators, one appointed by the majority leader of the senate and one appointed by the minority leader of the senate, two representatives, one

appointed by the speaker of the house of representatives and one appointed by the minority leader of the house of representatives, the administrative rules coordinator, two representatives of the department of human services appointed by the director of the department, two representatives of the department of public health appointed by the director of the department, and representatives of providers and provider groups appointed by the legislative council, which are regulated or reimbursed in some manner by the department of human services or the department of public health. The committee shall identify burdensome and unnecessary administrative rules and shall make recommendations, which would not have a negative impact on departmental clients, concerning the retention, modification, or rescission of the departments' administrative rules.

Sec. 314. TRANSFERS. Except as provided in section 303, subsections 2 and 4 of this Act, funds appropriated under section 303, subsections 1, 2, 8, and 10 of this Act, shall not be transferred or used for any other purposes than specified in those subsections, notwithstanding section 8.39. However, funds appropriated under section 303, subsections 1, 2, 8, and 10 of this Act may be transferred under section 8.39 among those subsections and may be used for the purposes specified in those subsections.

Sec. 315. RULES. The department of human services may adopt administrative rules under section 17A.4, subsection 2, and section 17A.5, subsection 2, paragraph "b", relating to subsidized adoption services in section 303, subsection 7, paragraph "a" of this Act, county-based juvenile justice reimbursements in section 303, subsection 10 of this Act, supplementation of federal social services block grant funds in section 308 of this Act, and reimbursements in section 309 of this Act, and the rules shall become effective immediately upon filing, unless a later effective date is specified in the rules.

Sec. 316. NEW SECTION. 225C.22 CENTRAL REGISTRY FOR BRAIN INJURIES.

1. As used in this section, "brain injury" means clinically evident brain damage resulting directly or indirectly from trauma, infection, anoxia, or vascular lesions not primarily related to degenerative or aging processes, which temporarily or permanently impairs a person's physical or cognitive functions.

2. The director shall establish and maintain a central registry of persons with brain injuries in order to facilitate the provision of appropriate rehabilitative services to the persons by the department and other state agencies. Hospitals and attending physicians shall report a brain injury to the director within seven days after identification of the person sustaining a brain injury. The report shall contain the name, age and residence of the person, the date and cause of the brain injury, and additional information as the director requires.

Sec. 317. FEDERAL RECEIPTS. All federal grants to and the federal receipts of the department of human services are appropriated for the purposes set forth in the federal grants or receipts. The veterans per diem payable for veterans at the veterans home and funds received under Title XIX of the federal Social Security Act by the state mental health institutes and state hospital-schools shall be deposited in the general fund.

Sec. 318. CAPITAL EXPENDITURES EXCLUDED. Funds appropriated by this division of this Act shall not be used for capital acquisitions or improvements.

DIVISION V

JUSTICE SYSTEM

Sec. 401. There is appropriated from the general fund of the state for the fiscal year beginning July 1, 1986 and ending June 30, 1987, to the department of corrections the following amount, or so much thereof as is necessary, to be

used for the purposes designated:

1986-1987
Fiscal Year

1. For operation of adult correctional institutions, including salaries and support, maintenance, and miscellaneous purposes, provided that the director of corrections, in order to keep expenditures from exceeding the amount of funds appropriated by this section, shall declare a prison overcrowding state of emergency in the state's prisons when the population of the prison system exceeds two thousand six hundred forty-five inmates for sixty consecutive days. Upon the declaration of a prison overcrowding state of emergency, the board of parole shall consider all inmates, except for inmates convicted of class "A" felonies, for parole who are within nine months of their tentative discharge date. If the board of parole's actions do not reduce the population of the prison system below two thousand six hundred twenty inmates within ninety days of the date of the declaration of the prison overcrowding state of emergency, the tentative dis-

charge dates of all inmates, whose most serious offenses for which the inmates are currently incarcerated are crimes against property and who are incarcerated in state prisons on the date of the declaration, shall be reduced by ninety days by the director of corrections. However, the tentative discharge date of a prisoner sentenced under section 204.406, 204.413, 902.7, 902.8, or 906.5 shall not be reduced under this section prior to completion of the mandatory minimum sentence required by the section. The director of corrections shall terminate a prison overcrowding state of emergency in the state's prisons when the population of the prison system is reduced below two thousand six hundred twenty inmates. The department shall adopt administrative rules which identify all offenses as either crimes against property or crimes against persons. As used in this section, "prison" means a correctional facility operated by the department of corrections and funded under this section, "prison system" means the prisons of this

state which are the Iowa correctional institution for women, the Iowa state men's reformatory, the Iowa state penitentiary, the Iowa medical and classification facility, the north central correctional facility, the Mount Pleasant correctional facility, the Clarinda correctional treatment facility, the correctional release center, and the rehabilitation camps, excluding the Luster Heights honor camp and facilities established under section 402, subsection 2 of this Act for treatment of OWI offenders; and "tentative discharge date" means the date at which an inmate is scheduled for release including good conduct and work time currently received. However, offenders for whom the board of parole has authorized parole, but for whom the director has determined that inadequate parole plans have been formulated, may remain within the correctional institution for a period of ten days following parole authorization or until adequate parole plans have been developed, whichever date is sooner. During this period of time, the offender shall not be included in the list of names used to determine

the existence of a prison overcrowding emergency. On and after July 1, 1986, the superintendent shall not admit additional inmates to the medium security facility of the men's reformatory at Anamosa if the inmate population of the men's reformatory equals or exceeds eight hundred and fifty inmates ..... $ 50,094,227

2. For the planting and care of fruit trees at correctional institutions, the unobligated or unencumbered balance of which shall not revert as provided in section 8.33 ..... $ 9,973

The department of corrections shall report to the legislative fiscal bureau on a monthly basis the current expenditures of the department's various allocations with a comparison of actual to budgeted expenditures.

Sec. 402. There is appropriated from the general fund of the state for the fiscal year beginning July 1, 1986 and ending June 30, 1987, to the department of corrections the following amounts, or so much thereof as is necessary, for the programs as designated:

	1986-1987 Fiscal Year
1. For general administration, including salaries and support, maintenance, and miscellaneous purposes	$ 1,396,552
2. For salaries, support, and maintenance related to providing additional residential bed space for use in treating substance abuse problems of per-	

sons convicted of violating section 321.281 who are sentenced to the custody of the department of corrections ..... $ 933,006

The funds appropriated under this subsection shall be allocated and expended for the purpose and subject to the conditions specified in paragraphs "a" through "d".

a. The department of corrections, not later than October 1, 1986, shall establish in each judicial district bed space for the confinement and treatment of offenders convicted of violating section 321.281 (OWI) who are sentenced to the custody of the department of corrections. Prior to establishing any facilities, the department shall solicit bids from all interested parties. It is the intent of the general assembly that OWI offenders who are sentenced to the custody of the department of corrections shall first be assigned to the Iowa medical and classification facility at Oakdale for classification. Notwithstanding any contrary provision of law, the OWI offenders after classification may be assigned to a residential facility operated by any judicial district department of correctional services.

b. The department of corrections shall allocate the funds appropriated under this subsection to the judicial district departments of correctional services upon approval of a written agreement by each judicial district department with the department of corrections. The agreement shall specify the number of beds to be operated, the substance abuse treatment programming to be provided, and whether the beds will be sited in a new facility, in a remodeled existing facility, or in a residential correctional facility currently in use. In developing the allocations, the department of corrections shall pattern the budgets of any new residential facility upon the budgets of existing work release facilities.

c. The department of corrections shall adopt rules concerning standards for the residential facilities offering

substance abuse programs for OWI offenders. The department of corrections and the division of substance abuse of the department of public health shall annually review the facilities to ensure compliance with the program standards and licensing standards of the respective state departments. If a facility does not meet these standards, the department of corrections shall follow the process to correct deficiencies or assume administrative control in the same manner as specified in section 905.9.

d. The judicial district departments of correctional services shall offer employment counseling services to OWI offenders who are receiving substance abuse treatment. While in a residential facility operated by a district department, each OWI offender shall be charged a daily fee, but services shall not be denied because of an inability to pay this fee.

3. For salaries, support and maintenance related to the establishment of an alcohol and drug treatment facility, licensed by the division of substance abuse of the department of public health, at a correctional institution chosen by the department of corrections ..... $ 63,529

4. For reimbursement of counties for temporary confinement of work release and parole violators, as provided in sections 247A.10, 901.7, and 906.17 ..... $ 68,298

5. For federal prison reimbursement and miscellaneous contracts ..... $ 355,720

The department of corrections shall use funds appropriated

in this subsection to continue to contract for the services of a Muslim imam.

6. For salaries, support, maintenance, and miscellaneous purposes at the correctional training center at Mount Pleasant ..... $ 308,557

7. For salaries, support, maintenance, and miscellaneous purposes for jail inspectors as provided in section 356.43 ..... $ 75,204

Sec. 403. There is appropriated from the general fund of the state for the fiscal year beginning July 1, 1986 and ending June 30, 1987, to the department of corrections the sum of sixteen million four hundred seventy-eight thousand one hundred three (16,478,103) dollars, or so much thereof as is necessary, for preinstitutional and postconviction community-based corrections, halfway houses, and parole services.

Sec. 404. There is appropriated from the general fund of the state for the fiscal year beginning July 1, 1986 and ending June 30, 1987, to the board of parole, the sum of four hundred sixty-one thousand seven hundred fifty-nine (461,759) dollars, or so much thereof as is necessary, for salaries, support and miscellaneous purposes.

Sec. 405. There is appropriated from the general fund of the state to the following named agency for the fiscal year beginning July 1, 1986 and ending June 30, 1987, the following amounts, or so much thereof as is necessary, to be used for the purposes designated:

	1986-1987 Fiscal Year
DEPARTMENT OF JUSTICE	
1. For the general office of attorney general for salaries, support, maintenance, and miscellaneous purposes ..... $	3,001,847

2. In addition to the funds appropriated under subsection 1, there is appropriated from the general fund of the state to the department of justice for the fiscal year beginning July 1, 1986 and ending June 30, 1987, an amount not exceeding ninety-five thousand (95,000) dollars to be used for the enforcement of the Iowa competition law under chapter 553. The expenditure of the funds appropriated under this subsection is contingent upon receipt by the general fund of the state of an amount at least equal to either the expenditures from damages awarded to the state or a political subdivision of the state by a civil judgment under chapter 553, if the judgment authorizes the use of the award for enforcement purposes or costs or attorney fees awarded the state in state or federal antitrust actions.

3. In addition to the funds appropriated under subsection 1, there is appropriated from the general fund of the state to the department of justice for the fiscal year beginning July 1, 1986 and ending June 30, 1987, an amount not exceeding fifty thousand (50,000) dollars to be used for public education relating to consumer fraud and for enforcement of section 714.16. The expenditure of the funds appropriated under this paragraph is contingent upon receipt by the general fund of the state of an amount at least equal to the expenditures from damages awarded to the state or a political subdivision of the state by a civil consumer fraud judgment, if the judgment authorizes the use of the award for public education on consumer fraud. Funds received in a previous fiscal year which have not been expended shall be credited to this fiscal year.

4. Prosecuting attorney training program for salaries, support, maintenance and miscellaneous purposes which funds shall be used to attract federal and county funding ..... $ 78,742

5. Prosecuting intern program; however, counties participating in the prosecuting intern program shall match funds appropriated by this paragraph ..... $ 48,308

5818 6. For payment of grants to dispute resolution programs under the prosecuting attorney training program..... $ 50,000

Sec. 406. There is appropriated from the general fund of the state for the fiscal year beginning July 1, 1986 and ending June 30, 1987, to the judicial department, the following amount, or so much thereof as is necessary, to be used for the purposes designated:

	1986-1987 Fiscal Year
COURTS AND ADMINISTRATION	
For salaries of supreme court justices, appellate court judges, district court judges, district associate judges, judicial magistrates and staff, court administrator, clerk of the supreme court, district court administrators, board of law examiners and board of examiners of shorthand reporters and judicial qualifications commission, maintenance, equipment and miscellaneous purposes, including implementation of court reorganization according to provisions of 1983 Iowa Acts, chapter 186, section 10301	$ 51,545,266

5768 It is the intent of the general assembly that the counties be aware that the state may delay the schedule of state

assumption of responsibility for the fiscal year beginning July 1, 1987. If the state is unable to fully assume the 1987-1988 fiscal year component of the court system, the chairpersons of the house and senate committees on appropriations shall notify the supreme court and the counties of this possible delay by no later than February 15, 1987.

Sec. 407. 1985 Iowa Acts, chapter 253, section 2, is amended by adding the following new lettered paragraph:

NEW LETTERED PARAGRAPH. j. The collective bargaining agreements negotiated pursuant to chapter 20 for employees in the bargaining units of the judicial department.

Sec. 408. There is appropriated from the general fund of the state to the department of public safety for the fiscal year beginning July 1, 1986 and ending June 30, 1987, the following amounts, or so much thereof as is necessary, to be used for funding the following functions and programs for the purposes designated:

	1986-1987 Fiscal Year
DEPARTMENT OF PUBLIC SAFETY	
1. ADMINISTRATIVE FUNCTION	
a. For salaries, support, maintenance, and miscellaneous purposes of the department and the criminal justice information system	$ 1,697,542
b. For salaries, support, maintenance and miscellaneous purposes relating to radio communication	$ 2,482,592
c. For salaries, support, maintenance, and miscellaneous purposes of the victim compensation program	$ 40,810

When the department of transportation revokes a person's

license or operating privilege under chapter 321B, the department shall assess the person a civil penalty of one hundred dollars. A separate fund is created in the state treasury. The money collected by the department under this paragraph shall be transmitted to the treasurer of state who shall deposit the money in the fund to be used for the purposes of chapter 912. Any balance in this fund on June 30 of any fiscal year exceeding fifty thousand dollars shall revert to the general fund of the state. A temporary restricted license shall not be issued or a license or privilege to drive reinstated until the civil penalty has been paid.

2. INSPECTION FUNCTION

For salaries, support, maintenance, and miscellaneous purposes of fire marshal's inspections, administration of the state building code, 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 ..... $ 1,023,634

3. SECURITY FUNCTION

For salaries, support, maintenance, and miscellaneous purposes of the capitol security division ..... $ 688,452

4. INVESTIGATION FUNCTION

a. For salaries, support, maintenance, and miscellaneous purposes, including lease or lease

purchase of laboratory equipment, of the division of criminal investigation containing the bureaus of identification, drug law enforcement, and beer and liquor law enforcement, 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 ..... $ 4,658,508

b. For undercover purchases by the division of criminal investigation agents and local law enforcement agents ..... $ 189,816

c. For salaries, support, maintenance, and miscellaneous purposes for the employment of pari-mutuel law enforcement agents, 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 ..... $ 220,186

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It is the intent of the general assembly that the division of criminal investigation of the department of public safety shall not purchase more than five motor vehicles of the same make or model based upon specifications submitted by the department.

An employee of the department of public safety or the

department of natural resources or their successor agencies who retires after the effective date of this Act is eligible for payment of life or health insurance premiums as provided for in the collective bargaining agreement covering the public safety bargaining unit at the time of retirement if that employee previously served in a position which would have been covered by that agreement. The employee shall be given credit for the service in that prior position as though it was covered by that agreement. This section shall not operate to reduce any retirement benefits an employee may have earned under other collective bargaining agreements or retirement programs.

5. STATE MEDICAL EXAMINER

For salaries, support, maintenance, and miscellaneous purposes ..... $ 28,473

If the department of public safety uses funds appropriated for one purpose for other purposes within the scope of the department as provided in section 8.39, the department shall notify, at least two weeks prior to the transfer, in addition to those persons provided in section 8.39, each of the members of the justice system appropriations subcommittees of the senate and house of representatives regarding the transfer.

6. JAILER TRAINING

For jailer training and technical assistance ..... $ 23,586

Sec. 409. There is appropriated from the road use tax fund to the department of public safety for the fiscal year beginning July 1, 1986 and ending June 30, 1987, the following amount, or so much thereof as is necessary, to be used as follows:

DIVISION OF HIGHWAY SAFETY AND UNIFORMED FORCE

1. For salaries, support, maintenance, and miscellaneous purposes in-

cluding 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 for funding not to exceed fourteen community service officers, one in each state patrol district, and a statewide coordinator ..... $ 17,154,415

However, the unfunded liability of the peace officers' retirement, accident, and disability system, as of July 1, 1986, shall not be considered a liability of the road use tax fund.

2. In addition to the complement of not to exceed four hundred ten persons, not more than eight additional persons shall be appointed to serve as members of the highway safety patrol for the period beginning July 1, 1986 and ending June 30, 1987, subject to available federal funding. The additional members of the highway safety patrol appointed to serve under this subsection shall be totally funded through the use of federal funds.

Sec. 410. There is appropriated from the road use tax fund to the department of public safety for the fiscal year beginning July 1, 1986 and ending June 30, 1987, the sum of one million one hundred three thousand seven hundred (1,103,700) dollars, or so much thereof as is necessary, to be distributed to supplement other funds appropriated by the general assembly to the division of highway safety and uniformed force to fund the annual pay adjustments, expense reimbursement and benefits not in conflict with the Code for public officials and employees as authorized by 1985 Iowa Acts, chapter 253.

Sec. 411. There is appropriated from the general fund of the state to the Iowa law enforcement academy for the fiscal

year beginning July 1, 1986 and ending June 30, 1987 the sum of six hundred seventy-two thousand two hundred forty-two (672,242) dollars, or so much thereof as is necessary, for salaries, support, maintenance, and miscellaneous purposes.

Notwithstanding section 80B.11, subsection 5, during the fiscal year beginning July 1, 1986, not more than one-half of the cost of providing cognitive and psychological examinations of law enforcement officer candidates may be charged to the candidates taking the examinations by the Iowa law enforcement academy. However, no charge shall be made to hiring entities that are state agencies.

The Iowa law enforcement academy may also charge each law enforcement officer candidate not more than one-half of the cost of providing the ten-week course which is designed to meet the minimum basic training requirements for a law enforcement officer. However, a charge shall not be made to hiring entities that are state agencies.

Sec. 412. There is appropriated from the general fund of the state to the department of justice two hundred fifty thousand (250,000) dollars for the fiscal year beginning July 1, 1986 and ending June 30, 1987, for the legal assistance for farmers program administered by the farm crisis program coordinator. The amounts appropriated under this section are not subject to section 8.33.

Sec. 413. There is appropriated from the general fund of the state to the department of justice the sum of one hundred thousand (100,000) dollars for the fiscal year beginning July 1, 1986 and ending June 30, 1987, for the administrative costs of the farm mediation service administered by the farm crisis program coordinator. The amounts appropriated under this section are not subject to section 8.33.

Sec. 414. 1985 Iowa Acts, chapter 254, section 1, subsection 2, paragraph b, is amended to read as follows:

b. For the fiscal year beginning July 1, 1986 ..... $ ~~807,300~~

1,187,188

Sec. 415. 1985 Iowa Acts, chapter 254, section 1, subsection 3, paragraph b, is amended by striking paragraph b.

Sec. 416. All federal grants to and the federal receipts of agencies appropriated funds under this division of this Act are appropriated for the purposes set forth in such federal grants or receipts.

DIVISION VI

NATURAL RESOURCES

Sec. 501. DEPARTMENT OF AGRICULTURE AND LAND STEWARDSHIP. There is appropriated from the general fund of the state and the trust funds indicated to the department of agriculture and land stewardship for the fiscal year beginning July 1, 1986 and ending June 30, 1987 the following amounts, or so much thereof as is necessary, to be used for the purposes designated:

	1986-1987 Fiscal Year
1. GENERAL ADMINISTRATION	
a. From the general fund for salaries, support, maintenance, and miscellaneous purposes	$ 1,385,409
b. From the fertilizer fund to be transferred to the administration division	$ 43,387
c. From the dairy trade practice fund to be transferred to the administration division	$ 73,614
d. From the commercial feed fund to be transferred to the administration division	$ 43,387

e. Of the amount appropriated from the general fund of the state under paragraph "a" of this subsection, three hundred forty thousand nine hundred sixty-six (340,966) dollars shall be allocated to the horticultural division for the following

purposes:

1986-1987
Fiscal Year

(1) Farmers market development program

For salaries, support, maintenance, and miscellaneous purposes ..... $ 95,490

It is the intent of this appropriation that the position of farmers market manager, who would work on organizing, developing, and operating a full-time metropolitan farmers market in Iowa, and the position of farmers market specialist, who would provide assistance in areas around the state which desire to upgrade or develop a local farmers market, be established, and that support staff be provided for the program. These funds may be utilized to obtain matching federal grants.

(2) Centralized facilities development program

For salaries, support, maintenance, and miscellaneous purposes ..... $ 99,995

It is the intent of this appropriation that two agricultural economic development specialist positions, who would work within the community structure in developing and coordinating the overall local centralized facilities plan, assist in pulling together financing mechanisms for the capital investments necessary for centralized facility development, and work with localized grower groups to establish and expand their markets, be established, and that support staff be provided for the program. These funds may be utilized to obtain matching federal grants.

(3) Electronic marketing program

For salaries, support, main-

tenance, and miscellaneous purposes ..... $ 44,872

It is the intent of this appropriation that the position of horticultural market specialist be retained and the program continued and expanded to develop working relationships with contacts at regional terminal markets, to integrate in-state market trading prices, to develop hook-ups at centralized marketing facilities within Iowa, and to update and expand the existing data base on buyers, growers, and market prices. These funds may be utilized to obtain matching federal grants.

(4) Alternative agricultural products market evaluation program

For salaries, support, maintenance, and miscellaneous purposes ..... $ 50,606

It is the intent of this appropriation that the position of agricultural diversification administrator be maintained and that the administrator shall work with other departments of agriculture, other state departments, universities, and individual entrepreneurs in order to identify market outlets, market demand, and potential areas for future economic growth, and to identify constraints that need to be overcome in order for Iowa producers to participate in the market. These funds may be utilized to obtain matching federal grants.

(5) Marketing promotions program

For salaries, support, maintenance, and miscellaneous purposes ..... $ 50,003

It is the intent of this appropriation that the division work with other state departments, and with businesses and producers on promotional and consumer awareness activities, encouraging the purchase of Iowa grown products encompassed in the agricultural diversification program. These funds may be utilized to obtain matching federal grants.

f. The department of agriculture and land stewardship shall establish annual subscription fees for the regular and

periodic publications of the department. Fees collected from subscribers shall be deposited in the general fund of the state.

It is the intent of the general assembly that the department of agriculture and land stewardship continue the agricultural diversification program.

2. REGULATORY DIVISION

From the general fund for salaries, support, maintenance, and miscellaneous purposes ..... $ 3,391,635

574

3. LABORATORY DIVISION

a. From the general fund for salaries, support, maintenance, and miscellaneous purposes ..... $ 553,674

b. From the commercial feed fund to be transferred to the laboratory division ..... $ 726,814

c. From the pesticide fund to be transferred to the laboratory division ..... $ 440,317

d. From the fertilizer fund to be transferred to the laboratory division ..... $ 774,371

4. FARM COMMODITY DIVISION

From the general fund for salaries, support, maintenance and miscellaneous purposes ..... $ 229,628

5823

Sec. 502. MULTIFLORA ROSE ERADICATION COST REIMBURSEMENT.

1. There is appropriated from the general fund of the state to the state department of agriculture and land stewardship for the fiscal year beginning July 1, 1986 and ending June 30, 1987, the sum of sixty thousand (60,000) dollars, or as much thereof as may be necessary, to be used for the purpose of partially reimbursing agricultural landowners or tenants for the cost of herbicide for controlling or eradicating the multiflora rose which has severely infested their agricultural land. Not more than five

percent of the funds appropriated under this subsection shall be used for administrative expenses.

2. A county board of supervisors desiring a share of the appropriation shall, in conjunction with the county weed commissioner and the county soil conservation district commissioners, develop a plan to combat severe infestations of multiflora rose on privately-owned land within the county. The plan shall be based upon partial reimbursement of individual landowner's costs for the purchase of herbicide from both state and county appropriations; however, the share of costs reimbursed by state funds shall not exceed one-fourth. The plan shall be submitted to the secretary of agriculture for approval or recommendations for modification.

3. A landowner or tenant whose agricultural land is severely infested by multiflora roses may apply to the soil conservation district commissioners of the county for partial reimbursement, according to the approved plan, of the cost of herbicide for controlling or eradicating the multiflora rose on the agricultural land. The county weed commissioner shall assist the soil conservation district commissioners in investigating the application and determining if the infestation is severe. The soil conservation district commissioners shall review and approve each application for partial cost reimbursement if the infestation is severe on the applicant's agricultural land. If the soil conservation district commissioners find the amount of reimbursement claimed to be excessive, the district commissioners may approve a lesser amount. The reasons for disapproval of an application or reduction of the amount of reimbursement shall be sent in writing to the applicant. The amount of reimbursement certified by the secretary shall be paid by warrant issued by the director of revenue and finance.

4. Federal lands and federal land tenants are not eligible for reimbursement under this section.

Sec. 503. SOIL CONSERVATION. There is appropriated from

the general fund of the state to the department of agriculture and land stewardship for the fiscal year beginning July 1, 1986 and ending June 30, 1987, the following amounts, or so much thereof as is necessary, to be used for the purposes designated:

	1986-1987 Fiscal Year
1. For salaries, support, maintenance, assistance to soil conservation districts, and for miscellaneous purposes	$ 3,385,315

It is the intent of the general assembly that if full-time equivalent positions must be reduced, the department shall first consider staff reductions in the central office.

2. For soil conservation grants which shall be allocated by the state soil conservation committee as follows:

a. To conduct soil surveys in conjunction with federal, state, and local agencies in Iowa ..... $ 303,436

b. To provide financial incentives for soil conservation practices in accordance with the provisions of subsection 3 of this section ..... $ 6,546,519

3. The following requirements apply to the funds appropriated by subsection 2, paragraph "b":

a. Not more than five percent may be allocated for cost sharing to abate complaints filed under sections 467A.47 and 467A.48.

b. Not more than ten percent may be allocated for financial incentives not exceeding seventy-five percent of the approved cost of permanent soil conservation practices under chapter 467A on watersheds above publicly-owned lakes in accordance with the priority list required in subsection 3 of section 506 of this Act.

c. The committee may allocate funds to conduct research and demonstration projects to promote conservation tillage

practices and nonpoint source pollution control practices.

d. Not more than thirty percent of a district's allocation may be allocated by the soil conservation district commissioners for the establishment of management practices to control soil erosion on land that is now row cropped.

e. The soil conservation district commissioners may allocate financial incentives not exceeding sixty percent of the cost of permanent soil conservation practices for special watershed practices or summer construction incentives under section 467A.7, subsections 17 and 19.

f. Except for the allocation subject to paragraphs "a", "b", and "e", the financial incentives for voluntary permanent soil conservation practices shall not exceed fifty percent of the approved cost and priority shall be given to family-operated farms.

g. Not more than twenty thousand (20,000) dollars may be used for reimbursement of out-of-pocket expenses of fencing authorized by section 467A.75.

h. The financial incentive payments may be used in combination with department of natural resources funds.

4. The provisions of section 8.33 shall not apply to the funds appropriated by subsection 2. Unencumbered or unobligated funds remaining on June 30, 1990 from funds appropriated for the fiscal year beginning July 1, 1986 shall revert to the general fund on September 30, 1990.

58

Sec. 504. DEPARTMENT OF NATURAL RESOURCES. There is appropriated from the general fund of the state and the funds indicated to the department of natural resources and its divisions for the fiscal year beginning July 1, 1986 and ending June 30, 1987 the following amounts, or so much thereof as may be necessary, to be used for the following purposes:

	1986-1987 Fiscal Year
For salaries, support, maintenance, equipment, and miscellaneous	

purposes ..... $ 9,122,655

The natural resource commission shall give priority to the acquisition of private property along the Cedar Valley nature trail in Black Hawk, Buchanan, Benton, and Linn counties and its extension into Johnson and Cedar counties; the Heritage trail in Dubuque county; the Comet trail in Grundy county; and the trail from Des Moines to Arispe in Polk, Warren, Madison, and Union counties. The department of transportation shall provide technical assistance to the natural resource commission with regard to acquisition proceedings. No state funds will be used unless appropriated by the general assembly.

1. FISH AND WILDLIFE

a. From the state fish and game protection fund for salaries, support, maintenance, equipment, and miscellaneous purposes including not more than one million nine hundred eighty-six thousand three hundred fifty-two (1,986,352) dollars during the fiscal year beginning on July 1, 1986 which shall be available from the state fish and game protection fund for administration and coordination relating to fish and wildlife activities ..... $ 13,106,897

b. From the fees deposited under section 321G.7 to the fish and game protection fund for enforcement of snowmobile laws as part of the state snowmobile program ..... $ 67,000

c. From the fees deposited under section 106.52 to the fish and game protection fund for administration and enforcement of navigation laws and water

safety ..... $ 906,610

d. Funds remaining in the fish and game protection fund during fiscal year 1986-1987 which are not specifically appropriated by section 504 of this Act are appropriated and may be used for capital projects and contingencies arising during the fiscal year beginning July 1, 1986. A contingency shall not include any purpose or project which was presented to the general assembly by way of a bill or a proposed bill and which failed to be enacted into law. For the purpose of this subsection, a necessity of additional operating funds may be construed as a contingency. Before any of the funds authorized to be expended by this subsection are allocated for contingencies, it shall be determined by the executive council that a contingency exists and that the contingency was not existent while the general assembly was in session and that the proposed allocation shall be for the best interests of the state. If a contingency arises or could reasonably be foreseen during the time the general assembly is in session, expenditures for the contingency must be authorized by the general assembly.

2. GREEN THUMB PROGRAM

From the general fund for deposit in the green thumb fund for the employment of persons under the green thumb program established pursuant to chapter 601H ..... $ 138,730

3. The natural resource commission shall establish a priority list of watersheds above publicly-owned lakes and areas within those watersheds which are of highest importance based on soil loss to be used for the allocation of funds set aside in subsection 3 of section 503 of this Act for permanent soil conservation practices on watersheds above publicly-owned lakes.

4. For reimbursement to federal agencies for cooperative contracts ..... $ 185,558

5. Notwithstanding section 8.33 funds appropriated for the state's contribution to the AIDEX SUPERFUND by 1984 Iowa Acts, chapter 1303, section 18, subsection 3, and by 1985 Iowa Acts, chapter 260, section 12, subsection 3, which are unexpended or unencumbered shall carry forward into the 1986-1987 fiscal year for the same purpose as originally appropriated.

6. During the fiscal year for which funds are appropriated by this section, the department of natural resources shall not require the installation or use of equipment to control the emission of dust or other particulate matter on facilities for the storage of grain which are located within the ambient air quality attainment areas for suspended particulates.

7. For payments to the governing bodies responsible for publicly-owned sewage treatment facilities which are eligible for grants under section 202 of the federal Water Pollution Control Act, 33 U.S.C. 466 et seq., as amended by the federal Clean Water Act of 1977, Pub. L. 95-217, in an amount equal to five percent of the amount approved as the eligible cost of the project by the environmental protection commission ..... $ 1,865,695

Notwithstanding the provisions of unnumbered paragraph 1, of this subsection, not more than ten thousand (10,000) dollars of the funds appropriated by this subsection may be used for payments to governing bodies of local governments to reimburse up to fifty percent of expenses incurred since January 1, 1985 for alternative solid waste disposal projects.

The department is authorized to utilize from funds appropriated for payments to governing bodies responsible for publicly-owned sewage treatment facilities but which are unexpended an amount not to exceed four hundred ninety-three thousand (493,000) dollars for the state share of the AIDEX

superfund cleanup. Any funds remaining in the AIDEX superfund account once the final site cleanup work, excluding the ongoing monitoring of the site, has been completed shall revert to the general fund of the state. The moneys used for the state share of the AIDEX superfund cleanup shall be repaid not later than June 30, 1989. It is the intent of the general assembly that the withdrawal of funds from moneys available for publicly-owned sewage treatment facilities shall not be used for any other purpose in future years and the department of natural resources shall report to the general assembly not later than January 1, 1987 on methods to increase funds for the state superfund to meet future needs in this state.

The provisions of section 8.33 shall not apply to the funds appropriated by this subsection. Unencumbered or unobligated funds remaining on June 30, 1990 from funds appropriated for the fiscal year beginning July 1, 1986, shall revert to the general fund on September 30, 1990.

Sec. 505. MARINE FUEL TAX FUND. There is appropriated from the marine fuel tax fund to the department of natural resources and its divisions for the fiscal year beginning July 1, 1986 and ending June 30, 1987 the following amounts, or so much thereof as is necessary, to be used for the following purposes:

	1986-1987 Fiscal Year
1. For maintenance and development of boating facilities and access to public waters	$ 374,100
2. For deposit in the state fish and game protection fund for the administration and enforcement of navigation laws and boat safety	$ 100,000

The balance of the amount computed as provided in section 324.84 for the fiscal year beginning July 1, 1986 and ending June 30, 1987 is appropriated for the purposes provided in

section 324.79, subsections 1, 2, 3 and 5. The unencumbered or unobligated balances of funds specifically allocated for such projects for the fiscal year ending June 30, 1987, shall revert to the fund from which appropriated June 30, 1989.

Sec. 506. There is appropriated from the general fund of the state to the Iowa state water resources research institute for the fiscal year beginning July 1, 1986 and ending June 30, 1987, the sum of one hundred thousand (100,000) dollars, or so much thereof as is necessary, for research approved by the panel created in 1984 Iowa Acts, chapter 1303, section 20.

Sec. 507. If House File 2276 is enacted by the Seventy-first General Assembly, 1986 Session, and becomes law, there is appropriated from the general fund of the state to the interstate agricultural grain marketing commission for the fiscal period beginning July 1, 1986 and ending June 30, 1988, the sum of fifty thousand (50,000) dollars for the state's initial contribution to the commission for expenses incurred by the commission.

Sec. 508. All federal grants to and the federal receipts, not otherwise appropriated, of the agencies appropriated funds under this division of this Act are appropriated for the purposes set forth in the federal grants or receipts, unless otherwise provided by the general assembly.

DIVISION VII

REGULATORY AND LICENSING

Sec. 509. There is appropriated from the general fund of the state to the department of commerce for the fiscal year beginning July 1, 1986 and ending June 30, 1987 the following amounts, or so much thereof as may be necessary, to be used for the following purposes:

	1986-1987 Fiscal Year
1. PROFESSIONAL LICENSING AND REGULATION DIVISION	
a. BOARD OF ARCHITECTURAL	

EXAMINERS

For salaries, support, maintenance, and other operational purposes ..... $ 17,500

b. BOARD OF LANDSCAPE ARCHITECTURAL EXAMINERS

For salaries, support, maintenance, and other operational purposes ..... $ 11,000

c. BOARD OF ACCOUNTANCY

For salaries, support, maintenance, and other operational purposes ..... $ 213,000

d. STATE BOARD OF ENGINEERING AND LAND SURVEYING EXAMINERS

For salaries, support, maintenance, and other operational purposes ..... $ 61,913

e. IOWA REAL ESTATE COMMISSION

For salaries, support, maintenance, and other operational purposes ..... $ 119,056

The licensing boards for which general fund appropriations have been provided for in paragraphs "a", "b", and "d" may expend additional funds, if those additional expenditures are directly the cause of actual examination expenses exceeding funds budgeted for examinations. Before a licensing board included in paragraphs "a", "b", and "d" expends or encumbers an amount in excess of the funds budgeted for examinations, the department of management shall approve the expenditure or encumbrance. Before approval is given, the department of management shall determine that the examination expenses exceed the funds budgeted by the general assembly to the board and the board does not have other funds from which examination

expenses can be paid. Upon approval of the department of management the licensing board may expend and encumber funds for excess examination expenses. The amounts necessary to fund the excess examination expenses shall be collected as fees from additional examination applicants and shall be treated as repayment receipts as defined in section 8.2, subsection 5.

2. BANKING DIVISION

For salaries, support, maintenance, and other operational purposes to be used as startup funding for the banking revolving fund ..... $ 295,000

3. CREDIT UNION DIVISION

For salaries, support, maintenance, and other operational purposes to be used as startup funding for the credit union revolving fund ..... $ 50,000

4. INSURANCE DIVISION

For salaries, support, maintenance, and other operational purposes ..... $ 350,000

Of the amount appropriated in this subsection, three hundred fifty thousand (350,000) dollars is to be used as startup funding for the insurance examination revolving fund.

5. GAMING DIVISION

For salaries, support, maintenance, and other operational purposes ..... $ 49,000

590

6. CONSUMER ADVOCATE

For salaries, support, maintenance, and other operational purposes ..... $ 833,933

7. UTILITIES DIVISION

For salaries, support, maintenance, and other operational purposes including the consumer advocate..... $ 725,000

Sec. 510. There is appropriated from the general fund of the state for the fiscal year beginning July 1, 1986 and ending June 30, 1987 to the following named agencies, the following amounts, or so much thereof as is necessary, to be used for the purposes designated:

	1986-1987 Fiscal Year
1. AUDITOR OF STATE	
For salaries, support, maintenance, and other operational purposes	$ 1,793,877
2. CAMPAIGN FINANCE DISCLOSURE COMMISSION	
For salaries, support, maintenance, and other operational purposes	$ 155,000
3. DEPARTMENT OF INSPECTIONS AND APPEALS	
For salaries, support, maintenance, and other operational purposes	$ 2,561,948

The department may charge state departments, agencies, and commissions for services rendered and the payments received shall be considered repayment receipts as defined in section 8.2, subsection 5.

4. FOSTER CARE REVIEW BOARD	
For salaries, support, maintenance, and other operational purposes	$ 129,000
5. OCCUPATIONAL SAFETY	

AND HEALTH REVIEW COMMISSION

For salaries, support, maintenance, and other operational purposes ..... $ 24,523

* 6. SECRETARY OF STATE

a. For salaries, support, maintenance, and other operational purposes ..... $ 1,007,086

b. For editing and printing the Iowa official register ..... $ 62,000

The secretary of state is responsible for the printing of the Iowa official register and the centralized printing department of the department of general services is responsible for the distribution of the Iowa official register.

The secretary of state shall not collect a fee for providing persons with the Iowa official register. If additional copies of the Iowa official register are required for distribution, the secretary of state shall not reprint the most expensive version of the Iowa official register but shall reprint the version that is less expensive for distribution.

Sec. 511. Notwithstanding section 123.53, the alcoholic beverages control division of the department of commerce may expend from the beer and liquor control fund for the fiscal year beginning July 1, 1986 and ending June 30, 1987 an amount not to exceed five million (5,000,000) dollars for salaries, support, maintenance, and other operational purposes of the division. Notwithstanding section 123.53, the alcoholic beverages control division of the department of commerce may expend for the fiscal year beginning July 1, 1986 and ending June 30, 1987 an amount not to exceed two million one hundred thousand (2,100,000) dollars for leasing costs incurred in the fiscal year beginning July 1, 1986 and ending June 30, 1987. Notwithstanding section 123.53, the alcohol beverages control division of the department of commerce may expend from the

beer and liquor control fund for the fiscal year beginning July 1, 1986 and ending June 30, 1987 an amount not to exceed one million (1,000,000) dollars exclusively for vacation, sick leave and early retirement benefit payments authorized by law.

The state liquor inventory shall be placed on a bailment system.

Sec. 512. There is appropriated from the general fund of the state to the department of employment services for the fiscal year beginning July 1, 1986 and ending June 30, 1987, the following sums, or so much thereof as is necessary, to be used for the purposes designated:

1. DIVISION OF LABOR SERVICES

For salaries, support, maintenance, and other operational purposes ..... $ 1,563,000

2. DIVISION OF INDUSTRIAL SERVICES

For salaries, support, maintenance, and other operational purposes ..... $ 946,199

58727

Sec. 513. There is appropriated from the road use tax fund to the state department of transportation for the fiscal year beginning July 1, 1986 and ending June 30, 1987 the sum of three hundred twenty-six thousand (326,000) dollars, or so much thereof as is necessary, to reimburse the department of inspections and appeals for inspection and appeals services provided to the state department of transportation.

Sec. 514. There is appropriated from the banking revolving fund to the banking division of the department of commerce for the fiscal year beginning July 1, 1986 and ending June 30, 1987 the sum of three million six hundred fifty thousand (3,650,000) dollars, or so much thereof as is necessary, for salaries, support, maintenance, and other operational purposes of the banking division. Of the funds deposited in the banking revolving fund, the treasurer of state shall transfer

from the fund and credit to the general fund of the state for the fiscal year beginning July 1, 1986 and ending June 30, 1987 the sum of two hundred ninety-five thousand (295,000) dollars to reimburse the general fund of the state for startup funding providing for the banking revolving fund from the general fund of the state.

Sec. 515. There is appropriated from the credit union revolving fund to the credit union division of the department of commerce for the fiscal year beginning July 1, 1986 and ending June 30, 1987 the sum of five hundred forty-one thousand (541,000) dollars, or so much thereof as is necessary, for salaries, support, maintenance, and other operational purposes of the credit union division. Of the funds deposited in the credit union revolving fund, the treasurer of state shall transfer from the fund and credit to the general fund of the state for the fiscal year beginning July 1, 1986 and ending June 30, 1987 the sum of fifty thousand (50,000) dollars to reimburse the general fund of the state for startup funding provided for the credit union revolving fund from the general fund of the state.

Sec. 516. There is appropriated from the insurance examination revolving fund to the insurance division of the department of commerce for the fiscal year beginning July 1, 1986 and ending June 30, 1987, the sum of two million four hundred fifty thousand (2,450,000) dollars, or so much thereof as is necessary, for salaries, support, maintenance, and other operational purposes of the insurance division. Of the funds deposited in the insurance examination revolving fund, the treasurer of state shall transfer from the fund and credit to the general fund of the state the sum of three hundred fifty thousand (350,000) dollars for the fiscal year beginning July 1, 1986 and ending June 30, 1987 to reimburse the general fund of the state for startup funding provided for the insurance examination revolving fund from the general fund of the state.

Sec. 517. There is appropriated from the savings and loan

revolving fund to the savings and loan division of the department of commerce for the fiscal year beginning July 1, 1986 and ending June 30, 1987 the sum of three hundred forty-five thousand (345,000) dollars, or so much thereof as is necessary, for salaries, support, maintenance, and other operational purposes of the savings and loan division.

Sec. 518. There is appropriated from the utilities trust fund to the utilities division of the department of commerce for the fiscal year beginning July 1, 1986 and ending June 30, 1987 the sum of three million six hundred twenty-five thousand (3,625,000) dollars, or so much thereof as is necessary, for salaries, support, maintenance, and other operational purposes of the utilities division. There is appropriated from the utilities trust fund to the consumer advocate office of the department of justice for the fiscal year beginning July 1, 1986 and ending June 30, 1987 the sum of eight hundred sixty-six thousand (866,000) dollars, or so much thereof as may be necessary, for salaries, support, maintenance, and operational purposes of the office.

Sec. 519. Section 19A.3, Code Supplement 1985, is amended by adding the following new subsections:

NEW SUBSECTION. 25. The administrator and the deputy administrator of the credit union division of the department of commerce, all members of the credit union review board, and all employees of the credit union division.

NEW SUBSECTION. 26. The superintendent and the deputy superintendent of the banking division of the department of commerce, all members of the state banking board, and all employees of the banking division.

NEW SUBSECTION. 27. The superintendent of savings and loan associations and all employees of the savings and loan division of the department of commerce.

Sec. 520. Section 20.4, Code 1985, is amended by adding the following new subsections:

NEW SUBSECTION. 11. Persons employed by the credit union

division of the department of commerce.

NEW SUBSECTION. 12. Persons employed by the banking division of the department of commerce.

NEW SUBSECTION. 13. Persons employed by the savings and loan division of the department of commerce.

Sec. 521. Section 476.10, unnumbered paragraph 2, Code 1985, is amended to read as follows:

The commission shall ascertain the total of its expenditures during each year which are reasonably attributable to the performance of its duties under this chapter. The commission shall add to this total the certified expenses of the consumer advocate as provided under section 475A.6 and shall deduct all amounts chargeable directly to any specific utility under any law. The remainder shall be assessed by the commission to the public utilities in proportion to their respective gross operating revenues during the last calendar year derived from intrastate public utility operations and ~~shall be assessed within ninety days of the close of the calendar year based upon an estimate of the commission expenditures for the first half of the commission's fiscal year and again within ninety days of the close of the fiscal year as necessary to conform the amount of the assessment to the requirements of this section~~ may be assessed by the commission on a quarterly basis. Public utilities exempt from rate regulation under this chapter shall not be assessed for remainder expenses incurred during review of rate-regulated public utilities under section 476.31 or 476.32, but such remainder expenses shall be assessed proportionally as provided in this section among only the rate-regulated public utilities. The total amount which may be assessed to the public utilities under authority of this paragraph shall not exceed two-tenths of one percent of the total gross operating revenues of the public utilities during the calendar year derived from intrastate public utility operations. However, the total amount which may be assessed

in any one calendar year to a public utility under this section shall not exceed three-tenths of one percent of the utility's total gross operating revenues derived from intrastate public utility operation in the last preceding year. For public utilities exempted from rate regulation under this chapter, the assessments under this paragraph shall be computed at one-half the rate used in computing the assessment for other utilities.

Sec. 522. Section 476.10, Code 1985, is amended by adding the following new unlettered paragraph:

NEW UNLETTERED PARAGRAPH. Fees paid to the utilities division shall be deposited in a utilities trust fund. The treasurer of state shall hold these funds in an account that shall be established in the names of the administrator of the utilities division and the consumer advocate for the payment, upon appropriation by the general assembly, of the expenses of the utility division and the consumer advocate division of the department of justice. This fund is subject at all times to the warrant of the department of revenue and finance, drawn upon written requisition of the administrator of the utilities division, the administrator's designated representative, the consumer advocate, or the consumer advocate's designated representative for the payment of all salaries and other expenses necessary to carry out the duties of the utilities division or the consumer advocate division. The utilities division or the consumer advocate division may keep on hand with the treasurer of state funds in excess of the current needs of the utilities division or the consumer advocate division. Transfers shall not be made from the general fund of the state or any other fund for the payment of the expenses of the divisions. No part of the funds held by the treasurer of state for the account shall be transferred to the general fund of the state or any other fund, except an amount of fifty thousand dollars each year shall be transferred to the state general fund as a cost of the divisions. The funds held by

the treasurer of state for the account shall be invested by the treasurer of state and the income derived from these investments shall be credited to the general fund of the state. The authority to modify allotments provided in section 8.31 shall not apply to funds appropriated from the fund created in this section.

The administrator and consumer advocate shall account for receipts and disbursements according to the separate duties imposed upon the utilities and consumer advocate divisions by the laws of this state and each separate duty shall be fiscally self-sustaining.

Sec. 523. Section 505.7, Code 1985, is amended to read as follows:

505.7 FEES.

All fees and charges ~~of every character whatsoever~~ which are required by law to be paid by insurance companies and associations shall be payable to the commissioner of the insurance division of the department of commerce or department of revenue and finance, as provided by law, whose duty it shall be to account for and pay over the same to the treasurer of state at the time and in the manner provided by law. The fees paid by an insurer or other entity subject to regulation by the department shall be deposited in a special trust fund. The treasurer of state shall hold these funds in an account that shall be established in the name of the commissioner for the payment of the expenses of the department upon appropriation by the general assembly. This fund is subject at all times to the warrant of the department of revenue, drawn upon written requisition of the commissioner or the commissioner's designated representative, for the payment of all salaries and other expenses of the insurance department. The commissioner may keep on hand with the treasurer of state funds in excess of the current needs of the department. Transfers shall not be made from the general fund of the state or any other fund for the payment of the expenses of the

department. No part of the funds held by the treasurer of state for the account of the commissioner shall be transferred to the general fund of the state or any other fund, except as follows: two million dollars shall be transferred to the general fund of the state in each fiscal year. That amount shall be considered as one of the costs of the department. The funds held by the treasurer of state for the account of the commissioner shall be invested by the treasurer of state and the income derived from these investments shall be credited to the general fund of the state. The authority to modify allotments provided in section 8.31 shall not apply to funds appropriated from the fund created in this section.

The commissioner shall account for receipts and disbursements according to the separate duties imposed upon the commissioner by the laws of this state and each separate duty shall be fiscally self-sustaining.

Sec. 524. Section 524.207, Code 1985, is amended by striking the section and inserting in lieu thereof the following:

524.207 EXPENSES OF THE ~~DEPARTMENT OF~~ BANKING DIVISION -- FEES.

All expenses required in the discharge of the duties and responsibilities imposed upon the ~~department of~~ banking division of the department of commerce, the superintendent, and the state banking board by the laws of this state shall be paid from fees provided by the laws of this state and appropriated by the general assembly from the fund established in this section. All of these fees are payable to the superintendent. The superintendent shall pay all the fees and other money received by the superintendent to the treasurer of state within the time required by section 12.10. The treasurer of state shall hold these funds in an account that shall be established in the name of the superintendent for the payment of the expenses of the department. This fund is subject at all times to the warrant of the department of

revenue and finance, drawn upon written requisition of the superintendent or the superintendent's designated representative, for the payment of all salaries and other expenses necessary to carry out the duties of the banking division of the department of commerce. The superintendent may keep on hand with the treasurer of state funds in excess of the current needs of the department to the extent approved by the state banking board. Transfers shall not be made from the general fund of the state or any other fund for the payment of the expenses of the department. No part of the funds held by the treasurer of state for the account of the superintendent shall be transferred to the general fund of the state or any other fund, except as follows: One hundred thousand dollars each fiscal year shall be transferred to the general fund of the state. That amount shall be considered as one of the costs of the department. The funds held by the treasurer of state for the account of the superintendent shall be invested by the treasurer of state and the income derived from these investments shall be credited to the general fund of the state.

The authority to modify allotments provided in section 8.31 shall not apply to funds appropriated from the fund created in this section and held for the superintendent.

The superintendent shall account for receipts and disbursements according to the separate duties imposed upon the superintendent by the laws of this state and each separate duty shall be fiscally self-sustaining.

Sec. 525. Section 524.219, unnumbered paragraph 1, Code 1985, is amended to read as follows:

524.219 FEES FOR EXAMINATIONS.

A state bank~~,-and-any-private-bank~~ subject to examination, supervision, and regulation by the superintendent, shall pay to the superintendent a fee, established by the state banking board, based on the time required for the examination and the administrative costs and expenses incurred in the discharge of

the duties imposed upon the superintendent by this chapter. The fee shall include, but not be limited to costs and expenses for salaries, expenses and travel for employees, office facilities, supplies, and equipment. Such fee shall apply equally to all state banks ~~and private banks subject to examination, and may not be changed more frequently than annually and when changed, shall be effective on January 1 of the year following the year in which the change was approved.~~

Sec. 526. NEW SECTION. 533.67 EXPENSES OF THE CREDIT UNION DIVISION -- FEES.

All expenses required in the discharge of the duties and responsibilities imposed upon the credit union division, the administrator, and the credit union review board by the laws of this state shall be paid from fees provided by the laws of this state and appropriated by the general assembly from the fund established in this section. All of these fees are payable to the administrator. The administrator shall pay all the fees and other money received by the superintendent to the treasurer of state within the time required by section 12.10. The treasurer of state shall hold these funds in an account that shall be established in the name of the administrator for the payment of the expenses of the department. This fund is subject at all times to the warrant of the department of revenue and finance, drawn upon written requisition of the administrator or the administrator's designated representative, for the payment of all salaries and other expenses necessary to carry out the duties of the department. The administration may keep on hand with the treasurer of state funds in excess of the current needs of the department to the extent approved by the credit union review board. No transfers shall be made from the general fund of the state or any other fund for the payment of the expenses of the division. No part of the funds held by the treasurer of state for the account of the administrator shall be transferred to the general fund of the state or any other fund, except as

follows: Forty thousand dollars each fiscal year shall be transferred to the general fund of the state. The amount shall be considered as one of the costs of the division. The funds held by the treasurer of state for the account of the administrator shall be invested by the treasurer of state and the income derived from these investments shall be credited to the general fund of the state.

The authority to modify allotments provided in section 8.31 shall not apply to funds appropriated from the fund created in this section and held for the administrator.

The administrator shall account for receipts and disbursements according to the separate duties imposed upon the administrator by the laws of this state and each separate duty shall be fiscally self-sustaining.

Sec. 527. Section 534.408, subsection 1, Code 1985, is amended to read as follows:

1. PAYABLE TO ~~STATE~~ AUDITOR OF STATE. Associations shall pay fees by delivering to the supervisor a check payable to the ~~state~~ auditor of state. All fees collected under ~~the provisions of~~ this chapter shall be deposited with the treasurer of state in a separate fund to be known as the savings and loan revolving fund, except fifteen thousand dollars each fiscal year shall be transferred to the general fund of the state. The amount shall be considered as one of the costs of the savings and loan division. All expenses necessary to carry out ~~the provisions of~~ this chapter shall be paid from the savings and loan revolving fund and appropriated by the general assembly from the fund.

The authority to modify allotments provided in section 8.31 shall not apply to funds appropriated from the savings and loan fund.

Sec. 528. 1986 Iowa Acts, Senate File 540, section 11, is amended to read as follows:

SEC. 11. NEW SECTION. 56.14 POLITICAL ADVERTISEMENTS.

A person who causes the publication or distribution of

published material after July 1, 1984 designed to promote or defeat the nomination or election of a candidate for public office or the passage of a constitutional amendment or public measure shall include conspicuously on the the published material the identity and address of the person responsible for the material. If the person responsible is an organization, the name of one officer of the organization shall appear on the material. However, if the organization is a committee which has filed a statement of organization under this chapter, only the name of the committee is required to be included on the published material. This section does not apply to the editorials or news articles of a newspaper or magazine which are not political advertisements. For the purpose of this section, "published material" means any newspaper, magazine, shopper, outdoor advertising facility, poster, yard sign including hand lettered signs, direct mailing, brochure, or any other form of printed general public political advertising, however, the identification need not be conspicuous on posters and yard signs including hand lettered signs. This section does not apply to bumper stickers, pins, buttons, pens, matchbooks and similar small items upon which the inclusion of the disclaimer would be impracticable or to published material which is subject to federal regulations regarding a disclaimer requirement.

Sec. 529. There is appropriated out of the funds made available to this state pursuant to section 903 of the federal Social Security Act, as amended, one million sixty-eight thousand nine hundred forty-two (1,068,942) dollars, to the department of job service for the prepayment of the principal balance of a lease-purchase agreement for data processing equipment used by the department in the performance of departmental functions under chapter 96.

The moneys appropriated in this section shall not be obligated after June 30, 1988. The amount obligated pursuant to this section during any twelve-month period beginning on

July 1 and ending on the following June 30 shall not exceed the amount available for obligation pursuant to section 903 of the federal Social Security Act, as amended, and as reflected in the accounts of the department of job service and the United States department of labor.

Sec. 530. Section 96.9, subsection 4, paragraphs a and b, Code 1985, are amended to read as follows:

a. Money credited to the account of this state in the unemployment trust fund by the secretary of the treasury of the United States pursuant to section 903 of the Social Security Act may not be requisitioned from this state's account or used except for the payment of benefits and for the payment of expenses incurred for the administration of this chapter. Such money may be requisitioned pursuant to subsection 3 of this section for the payment of benefits. Such money may also be requisitioned and used for the payment of expenses incurred for the administration of this chapter but only pursuant to a specific appropriation by the legislature and only if the expenses are incurred and the money is requisitioned after the enactment of an appropriation law which (1) specifies the purposes for which such money is appropriated and the amounts appropriated therefor, (2) limits the period within which such money may be obligated to a period ending not more than two years after the date of the enactment of the appropriation law, and (3) limits the amount which may be obligated during a twelve-month period beginning on July 1 and ending on the next June 30 to an amount which does not exceed the amount by which (i) the aggregate of the amounts credited to the account of this state pursuant to section 903 of the Social Security Act during the same twelve-month period and the ~~twenty-four~~ thirty-four preceding twelve-month periods, exceeds (ii) the aggregate of the amounts obligated for administration and paid out for benefits and charged against the amounts credited to the account of this state during such ~~twenty-five~~ thirty-five twelve-month

periods.

b. Amounts credited to this state's account in the unemployment trust fund under section 903 of the Social Security Act which are obligated for administration or paid out for benefits shall be charged against equivalent amounts which were first credited and which are not already so charged; except that no amount obligated for administration during a twelve-month period specified herein may be charged against any amount credited during such a twelve-month period earlier than the ~~twenty-fourth~~ thirty-fourth preceding such period.

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Sec. 531. Notwithstanding the provisions of 1986 Iowa Acts, House File 2181, sections 11 and 13, health insurance coverage provided under House File 2181 needs not be effective until July 1, 1987, and notices required by section 11 need not be given until January 1, 1987.

Sec. 532. 1986 Iowa Acts, House File 2181, section 12, is repealed.

Sec. 533. All federal grants to and the federal receipts of the agencies appropriated funds under this division of this Act are appropriated for the purposes set forth in such federal grants or receipts unless otherwise provided by the general assembly.

DIVISION VIII

STATE GOVERNMENT

Sec. 701. There is appropriated from the general fund of the state to the office of the governor for the fiscal year commencing July 1, 1986 and ending June 30, 1987, the following amounts, or so much thereof as is necessary, to be used for the purposes designated:

	1986-1987 Fiscal Year
1. For salaries, support, maintenance, and miscellaneous purposes of the general office	

of the governor ..... $ 675,712

2. For the governor's expenses connected with office ..... $ 5,607

3. For salaries, support, and miscellaneous purposes of the governor's quarters at Terrace Hill ..... $ 58,482

4. For the payment of expenses of ad hoc committees, councils, and task forces appointed by the governor to research and analyze a particular subject area relevant to the problems and responsibilities of state and local government, including the employment of professional, technical, and administrative staff and the payment of per diem, not exceeding forty dollars, and actual expenses of committee, council, or task force members ..... $ 17,134

5. For salaries, support, maintenance, and miscellaneous purposes of the office of administrative rules coordinator ..... $ 60,187

Sec. 702. There is appropriated from the general fund of the state to the office of the lieutenant governor for the fiscal year beginning July 1, 1986 and ending June 30, 1987, the following amount, or so much thereof as is necessary, to be used for the purposes designated:

	1986-1987 Fiscal Year
For salaries, support, maintenance, and miscellaneous pur-	

poses including the lieutenant governor's compensation and expenses as provided in subsection 2 of section 2.10 including service as a member of the legislative council and for per diem and expenses incurred while performing duties of the lieutenant governor when the general assembly is not in session ..... $ 102,339

Sec. 703. There is appropriated from the general fund of the state to the executive council for the fiscal year beginning July 1, 1986 and ending June 30, 1987 the following amount, or so much thereof as is necessary, to be used for the purposes designated:

	1986-1987 Fiscal Year
For salaries, support, maintenance, and miscellaneous purposes	$ 39,605

Sec. 704. Section 8.20, Code 1985, is amended to read as follows:

8.20 CANCELLATION OF STATE WARRANTS.

The ~~state comptroller~~ director of revenue and finance as of March 31, June 30, September 30, and December 31 of each year shall cancel and request the treasurer of state to stop payment on all state warrants which have been outstanding and unredeemed by the state treasurer for ~~one year~~ six months or longer.

Sec. 705. There is appropriated from the general fund of the state to the department of general services for the fiscal year beginning July 1, 1986 and ending June 30, 1987 the following amounts, or so much thereof as is necessary, to be used for the purposes designated:

	1986-1987 Fiscal Year
1. GENERAL OPERATIONS	
For salaries, support, maintenance, and miscellaneous purposes	$ 4,437,424
2. DIVISION OF DATA PROCESSING	
For salaries, support, maintenance, and miscellaneous purposes of the division of data processing	$ 6,217,905
3. CAPITOL PLANNING COMMISSION	
For expenses of the members in carrying out their duties under chapter 18A	$ 1,255
4. UTILITY COSTS	
For payment of utility costs	$ 1,804,755
5. RENTAL SPACE	
For payment of lease or rental costs of buildings and office space at the seat of government as provided in section 18.12, subsection 9, notwithstanding section 18.16	$ 890,311
6. To implement a risk management program	$ 184,666

Sec. 706. There is appropriated from the revolving funds designated to the department of general services for the fiscal year beginning July 1, 1986 and ending June 30, 1987, the following amounts, or so much thereof as necessary, to be used for the purposes designated:

	1986-1987 Fiscal Year
DEPARTMENT OF GENERAL SERVICES -- REVOLVING FUNDS	

1. From the centralized printing permanent revolving fund established by section 18.57 for salaries, support, maintenance, and miscellaneous purposes ..... $ 717,161

2. The remainder of the centralized printing permanent revolving fund is appropriated for the expense incurred in supplying paper stock, offset printing, copy preparation, binding, distribution costs, original payment of printing and binding claims and contingencies arising during the fiscal year beginning July 1, 1986 which are legally payable from this fund.

3. From the general service revolving fund established by section 18.9 for salaries, support, maintenance, and miscellaneous purposes ..... $ 452,915

4. The remainder of the general service revolving fund is appropriated for the payment of expenses incurred through purchases by various state departments and for contingencies arising during the fiscal year beginning July 1, 1986 which are

legally payable from this fund.

5. From the vehicle dispatcher revolving fund established by section 18.119 for salaries, support, maintenance, and miscellaneous purposes ..... $ 434,540

6. The remainder of the vehicle dispatcher revolving fund is appropriated for the purchase of gasoline, oil, tires, repairs and all other maintenance expenses incurred in the operation of state-owned motor vehicles and for contingencies arising during the fiscal year beginning July 1, 1986 which are legally payable from this fund.

Sec. 707. There is appropriated from the general fund of the state to the following named agencies for the fiscal year commencing July 1, 1986 and ending June 30, 1987, the following amounts, or so much thereof as necessary, to be used for the purposes designated:

	1986-1987 Fiscal Year
1. NATIONAL CONFERENCE OF STATE LEGISLATURES	
For support of the membership assessment ..... $	51,002
2. COMMISSION ON UNIFORM STATE LAWS	
For support of the commission and expenses of the members ..... $	8,538
3. PIONEER LAWMAKERS	

For expenses of the biennial meeting and banquet ..... $ 707

Sec. 708. There is appropriated from the general fund of the state for the fiscal year beginning July 1, 1986 and ending June 30, 1987 to the department of management, the following amounts, or so much thereof as necessary, to be used for the purposes designated:

	1986-1987 Fiscal Year
1. DEPARTMENT OF MANAGEMENT	
a. For salaries, support, maintenance, and miscellaneous purposes	$ 1,344,812
b. Juvenile victim restitution program	$ 115,178
2. COUNCIL OF STATE GOVERNMENTS	
For support of the membership assessment	$ 44,806
3. For the payment of per diems	$ 299,915

Sec. 709. There is appropriated from the general fund of the state to the municipal assistance fund, established in section 405.1, for the fiscal year beginning July 1, 1986 and ending June 30, 1987, the following amount, or so much thereof as necessary, to be used for state assistance to municipalities, with distribution in accordance with section 405.1.

1986-1987 Fiscal Year
$ 14,502,280

Sec. 710. There is appropriated from the general fund of the state to the county government assistance fund, established in section 334A.1, for the fiscal year beginning July 1, 1986 and ending June 30, 1987, the following amount or so much thereof as is necessary, to be used for state assistance to counties, with the distribution in accordance

with section 334A.2.

	1986-1987 Fiscal Year
	$ 5,295,236

574 Sec. 711. Section 331.660, Code 1985, is amended to read as follows:

331.660 APPROPRIATION -- INDIAN SETTLEMENT OFFICER.

There is appropriated annually from the general fund of the state to the county of Tama the sum of three thousand ~~five~~ three hundred sixty-five dollars to be used by the county only for the payment of the salary and expenses of an additional deputy sheriff for the county. The principal duty of the deputy sheriff is to provide law enforcement on the Sac and Fox Indian settlement in the county of Tama. If possible, the deputy sheriff shall reside on the settlement. Additional funds necessary to pay the salary and expenses of the deputy sheriff shall be paid by the county of Tama.

Sec. 712. 1985 Iowa Acts, chapter 254, section 1, subsection 1, paragraph b, is amended to read as follows:

b. For the fiscal year beginning July 1, 1986 ..... $ ~~48,004,900~~ 44,099,400

* Sec. 713. 1985 Iowa Acts, chapter 258, section 9, is amended to read as follows:

SEC. 9. COMPARABLE WORTH PAY ADJUSTMENTS. There is appropriated from the general fund of the state to the salary adjustment fund established in section 8.43 for the fiscal year beginning July 1, 1985 and ending June 30, 1986, the sum of ~~nineteen~~ eighteen million eighty-five thousand eight hundred fifteen (~~19,000,000~~ 18,085,815) dollars, or so much thereof as is necessary, to be distributed to the various departments to supplement other general fund moneys appropriated by the general assembly to provide salary adjustments resulting from implementing actions taken under 1984 Iowa Acts, chapter 1314, including plans developed for

agencies with positions which are exempt or partially exempt from the state merit system pursuant to 1984 Iowa Acts, chapter 1314, section 8.

Sec. 714. COMPARABLE WORTH PAY ADJUSTMENTS. There is appropriated from the general fund of the state to the salary adjustment fund established in section 8.43 for the fiscal year beginning July 1, 1986 and ending June 30, 1987, the sum of sixteen million six hundred sixty-seven thousand nine hundred forty (16,667,940) dollars, or so much thereof as necessary, to be distributed to the various departments to supplement other general fund moneys appropriated by the general assembly to provide salary adjustments resulting from implementing actions taken under 1984 Iowa Acts, chapter 1314, including plans developed for agencies with positions which are exempt or partially exempt from the state merit system pursuant to 1984 Iowa Acts, chapter 1314, section 8.

Sec. 715. There is appropriated from the general fund of the state, to the department of personnel for the fiscal year beginning July 1, 1986 and ending June 30, 1987, the following amounts, or so much thereof as necessary, to be used for the purposes designated:

	1986-1987 Fiscal Year
1. For salaries, support, maintenance, and miscellaneous purposes	$ 2,928,227
2. To be transferred to the department of corrections for salary, support, maintenance, and miscellaneous purposes of the core personnel staff	$ 222,206
3. To be transferred to the department of human services for salary, support, maintenance, and miscellaneous purposes of	

the core personnel staff ..... $ 787,714

4. To be transferred to the department of transportation for salary, support, maintenance, and miscellaneous purposes of the core personnel staff ..... $ 12,074

5. For salaries, support, maintenance, and other operational purposes for the administration of chapter 97 and chapter 97C and section 294.15 ..... $ 145,785

Sec. 716. There is appropriated from the general fund of the state, to the public employment relations board for the fiscal year beginning July 1, 1986, and ending June 30, 1987, the sum of four hundred ninety-seven thousand six hundred eighty-seven (497,687) dollars, or so much thereof as necessary, for salaries, support, maintenance, and miscellaneous purposes related to the operation of the public employment relations board.

A person who desires to be reimbursed for legitimate costs incurred while performing service to the state must submit a receipt documenting such cost prior to receiving remuneration from the state.

Sec. 717. There is appropriated from the Iowa public employees' retirement system fund to the department of personnel for the fiscal year beginning July 1, 1986 and ending June 30, 1987, the following amounts, or so much thereof as is necessary, to be used for the following purposes:

	1986-1987 Fiscal Year
For salaries, support, maintenance, and other	

operational purposes to pay the
costs of administration of
the Iowa public employees'
retirement system ..... $ 1,773,465

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Sec. 718. NEW SECTION. 28.110 IOWA WINE AND BEER PROMOTION BOARD.

An Iowa wine and beer promotion board is created. The board consists of three members appointed by the commission. Each member shall serve a term of two years on the board. One member shall represent the commission, one member shall represent the Iowa wine makers, and one member shall represent the Iowa beer makers. The board shall advise the commission on the best means to promote wine and beer made in Iowa.

Sec. 719. NEW SECTION. 28.111 PROMOTION OF IOWA WINE AND BEER.

The commission shall consult with the Iowa wine and beer promotion board on the best means to promote wine and beer made in Iowa. The commission has the authority to contract with private persons for the promotion of beer and wine made in Iowa. At the direction of the commission, the state comptroller shall issue warrants to the commission on the barrel tax fund created in section 123.143 and the gallonage tax fund created in section 123.183, which moneys may be used by the commission for the purpose of this section, including administrative expenses incurred under this section.

Sec. 720. Section 97B.49, subsection 3, Code Supplement 1985, is amended to read as follows:

3. For each member employed before January 1, 1976, who has qualified for prior service credit in accordance with the first paragraph of section 97B.43, there shall be determined a benefit of eight-tenths of one percent per year of prior service credit multiplied by the monthly rate of the member's total remuneration not in excess of three thousand dollars annually during the twelve consecutive months of the member's prior service for which ~~such~~ that total remuneration was the

highest. An additional three-tenths of one percent of ~~such~~ the remuneration not in excess of three thousand dollars annually shall be payable for prior service during each year in which the accrued liability for benefit payments created by the abolished system is funded by appropriation from the general fund of the state ~~of-Iowa-as-provided-under-section 97B.56~~.

Sec. 721. Section 97B.49, subsection 7, Code Supplement 1985, is amended to read as follows:

7. Notwithstanding other provisions of this chapter, a member who is or has been employed as a conservation peace officer under section 107.13 and who retires between July 1, 1978 and June 30, 1982 and at the time of retirement is at least sixty years of age and has completed at least twenty-five years of membership service as a conservation peace officer, may elect to receive, in lieu of the receipt of any benefits under subsection 5 of this section, a monthly retirement allowance equal to one-twelfth of forty-seven percent of the member's five-year average covered wage as a conservation peace officer, with benefits payable during the member's lifetime. For each conservation peace officer eligible for benefits under this subsection who retires on or after July 1, 1982, the percent used in computing the monthly retirement allowance is fifty. There is appropriated from the ~~general-fund-of-the-state-to-the-Iowa-department-of-job service-from-funds-not-otherwise-appropriated~~ state fish and game protection fund to the department of personnel an amount determined by the Iowa public employees' retirement system sufficient to pay ~~eight-and-forty-three-hundredths-percent~~ for the additional benefits to conservation peace officers provided by this section, as a percentage of the covered wages of each conservation peace officer, in addition to the contribution paid by the employer under section 97B.11~~,-to finance-increased-benefits-to-conservation-peace-officers under-this-subsection~~.

Sec. 722. Section 97B.56, unnumbered paragraph 2, Code 1985, is amended to read as follows:

Commencing July 1, 1967, and each year thereafter, the contributions required to fund the actuarial liabilities from the abolished system shall be determined in accordance with section 97B.54. ~~There is hereby appropriated from the general fund of the state of Iowa the amount of contribution required under said section but not to exceed one million dollars per biennium. The amount of such contribution shall be deposited in the retirement fund in two annual installments not later than June 30 of each fiscal year.~~

Sec. 723. Section 123.3, subsection 21, Code Supplement 1985, is amended by striking the subsection.

Sec. 724. Section 123.3, subsection 27, Code Supplement 1985, is amended to read as follows:

27. "Retailer" means any person who shall sell, barter, exchange, offer for sale, or have in possession with intent to sell any alcoholic liquor ~~for consumption on the premises where sold~~, wine, or beer ~~or wine~~ for consumption either on or off the premises where sold.

Sec. 725. Section 123.16, subsection 2, paragraphs a and c, Code Supplement 1985, as amended by 1986 Iowa Acts, House File 2372, section 5, are amended to read as follows:

a. Purchases of alcoholic liquor ~~and wine~~ for resale by the department.

c. The establishment of ~~retail~~ wholesale prices of alcoholic liquor ~~and wine sold by the department~~.

Sec. 726. Section 123.16, subsection 2, paragraph d, Code Supplement 1985, is amended by striking the paragraph.

Sec. 727. Section 123.20, subsection 5, Code Supplement 1985, is amended to read as follows.

5. To appoint ~~vendors,~~ clerks, agents, or other employees required for carrying out the provisions of this chapter; to dismiss employees for cause; to assign employees to divisions as created by the director within the ~~department~~ division; and

to designate their title, duties, and powers. All employees of the department are subject to chapter 19A unless exempt under section 19A.3.

Sec. 728. Section 123.20, subsection 8, Code Supplement 1985, as amended by 1986 Iowa Acts, House File 2372, section 6, is amended to read as follows:

5783 8. To accept intoxicating liquors ordered delivered to the Iowa alcoholic beverage control department pursuant to section 127.8, subsection 1, and offer such intoxicating liquors ~~and wine~~ for sale ~~through the state liquor stores~~ to class "E" liquor control licensees, unless the director determines that such intoxicating liquors ~~and wine~~ may be adulterated or contaminated. If the director determines that such intoxicating liquors ~~and wine~~ may be adulterated or contaminated the director shall order their destruction.

Sec. 729. Section 123.20, subsections 2 and 9, Code Supplement 1985, are amended by striking the subsections.

Sec. 730. Section 123.21, subsections 1 and 6, Code Supplement 1985, are amended to read as follows:

1. Prescribing the duties of officers, ~~vendors,~~ clerks, agents, or other employees of the ~~department~~ division and regulating their conduct while in the discharge of their duties.

6. Providing for the issuance and distribution of price lists which show the price to be paid by ~~purchasers~~ class "E" liquor control licensees for each brand, class, or variety of liquor kept for sale ~~under this chapter~~ by the division, providing for the filing or posting of prices charged in sales between class "A" beer and class "A" wine permit holders and retailers, as provided in this chapter, and establishing or controlling the prices based on minimum standards of fill, quantity, or alcoholic content for each individual sale of intoxicating liquor or beer as deemed necessary for retail or consumer protection. However, the ~~department~~ division ~~does~~ shall not ~~have the authority to~~ regulate markups, prices,

discounts, allowances, or other terms of sale at which alcoholic liquor may be purchased by the retail public or liquor control licensees from class "E" liquor control licensees or at which wine may be purchased and sold by class "A" and retail wine permittees, or change, nullify, or vary the terms of ~~any~~ an agreement between a holder of a vintner certificate of compliance and a class "A" wine permittee.

Sec. 731. Section 123.21, subsections 2, 3, and 8, Code Supplement 1985, as amended by 1986 Iowa Acts, House File 2372, section 7, are amended to read as follows:

2. Regulating the management, equipment, and merchandise of state ~~liquor stores and~~ warehouses in and from which alcoholic liquors ~~and wine~~ are transported, kept, or sold and prescribing the books and records to be kept therein.

3. Regulating the purchase of alcoholic liquor generally and the furnishing of the liquor ~~and wine~~ to ~~state liquor stores established~~ class "E" liquor control licensees under this chapter, and determining the classes, varieties, and brands of alcoholic liquors ~~and wine~~ to be kept in state warehouses ~~or for sale at any state liquor store~~.

8. Prescribing, subject to this chapter, the days and hours during which state ~~liquor stores~~ warehouses shall be kept open for the purpose of the sale and delivery of alcoholic liquors ~~and wine~~.

Sec. 732. Section 123.22, unnumbered paragraph 1, Code Supplement 1985, is amended to read as follows:

The ~~department~~ division has the exclusive right of importation into the state of all forms of alcoholic liquor, except as otherwise provided in this chapter, and a person shall not import alcoholic liquor, except that an individual of legal age may import and have in the individual's possession an amount of alcoholic liquor not exceeding one quart or, in the case of alcoholic liquor personally obtained outside the United States, one gallon for personal consumption only in a private home or other private accommodation. No

distillery shall sell ~~any~~ alcoholic liquor within the state to any person but only to the department, except as otherwise provided in this chapter. ~~It is the intent of this~~ This section ~~to vest~~ vests in the ~~department~~ division exclusive control within the state ~~both~~ as purchaser ~~and vendor~~ of all alcoholic liquor sold by distilleries within the state or imported, except beer and wine, and except as otherwise provided in this chapter. ~~The department may continue to purchase wine from persons holding a vintner's certificate of compliance or a class "A" wine permit for resale in state liquor stores.~~ The division shall act as the sole wholesaler of alcoholic liquor to class "E" liquor control licensees.

Sec. 733. Section 123.24, Code 1985, is amended to read as follows:

123.24 ~~VENDORS ---- CASH SALES~~ ALCOHOLIC LIQUOR SALES BY THE DIVISION -- DISHONORED CHECKS -- LIQUOR PRICES.

1. ~~In the conduct and management of state liquor stores, the director is empowered to employ a person who shall be known as a "vendor" who shall, subject to the directions of the director, observe all provisions of this chapter and the rules and regulations of the department. No vendor of any state liquor store shall sell alcoholic liquor to any person except for cash or traveler's check.~~ The division shall sell alcoholic liquor at wholesale only. The division shall sell alcoholic liquor to class "E" liquor control licensees only. The division shall offer the same price on alcoholic liquor to all class "E" liquor control licensees.

2. a. ~~Notwithstanding the preceding paragraph, a vendor may accept from a class "A", "B", "C" or "B"~~ The division may accept from a class "E" liquor control licensee, a cashier's check which shows the licensee is the remitter or a check issued by the licensee, in payment of alcoholic liquor ~~purchased for resale.~~ ~~In the event~~ If a check is subsequently dishonored, the ~~vendor~~ division shall cause a notice of nonpayment and penalty to be served upon the class "E" liquor

control licensee or upon any person in charge of the licensed premises. The notice shall state that if payment or satisfaction for the dishonored check is not made within ten days of the service of notice, the licensee's liquor control license shall be suspended ~~by the procedures of~~ under section 123.39. The notice of nonpayment and penalty shall be in a form prescribed by the director, and shall be served by a peace officer.

b. If upon notice and hearing under ~~the procedures specified in~~ section 123.39 and pursuant to the provisions of chapter 17A concerning a contested case hearing, the director determines that the class "E" liquor control licensee failed to satisfy the obligation for which the check was issued within ten days after the notice of nonpayment and penalty was served on the licensee as provided in paragraph "a" of this subsection, the director shall suspend the licensee's class "E" liquor control license for not less than three days but not more than thirty days.

c. Paragraphs "a" and "b" do not apply if a class "E" liquor control licensee tenders the ~~department~~ division three or more checks during a twelve-month period which are dishonored. Following notification to the department of dishonor of ~~any~~ a check after the second check so dishonored from the same licensee, the director shall suspend a licensee's class "E" liquor control license for not less than three nor more than thirty days, after notice and an opportunity for hearing. Payment of ~~any~~ a check whose dishonor subjects the licensee to suspension does not affect the liability of the licensee to suspension.

3. The price of alcoholic liquor sold by the division shall include a markup at least equal to sixty percent of the wholesale price paid by the division for the alcoholic liquor. The markup shall apply to all alcoholic liquor sold by the division; however, the division may reduce the markup on selected kinds of alcoholic liquor sold by the division if the

average return to the division on all sales of alcoholic liquor equals or exceeds the wholesale price paid by the division and the sixty percent markup.

Sec. 734. Section 123.25, Code 1985, as amended by 1986 Iowa Acts, House File 2372, section 8, is amended to read as follows:

123.25 CONSUMPTION ON PREMISES.

~~A vendor,~~ An officer, clerk, agent, or employee of the department employed in ~~any state liquor store or~~ a state-owned warehouse shall not allow any alcoholic liquor ~~or wine~~ to be consumed on the premises, nor shall ~~any~~ a person consume any liquor on the premises except for testing or sampling purposes only.

Sec. 735. Section 123.26, Code 1985, is amended to read as follows:

123.26 RESTRICTIONS ON SALES -- SEALS -- LABELING.

Alcoholic liquor shall not be sold by the ~~department~~ division to ~~a purchaser~~ a class "E" liquor control licensee except in a sealed container with identifying markers as prescribed by the director and affixed on the premises of a state warehouse ~~or store~~ and no such container shall be opened upon the premises of a state warehouse ~~or store~~. Possession of alcoholic liquors which do not carry the prescribed identifying markers is a violation of this chapter except as provided in section 123.22~~, and except as authorized by the council pursuant to section 123.56, subsection 4~~.

Sec. 736. Section 123.27, Code Supplement 1985, as amended by 1986 Iowa Acts, House File 2372, section 9, is amended to read as follows:

It is unlawful to transact the sale or delivery of alcoholic liquor ~~or wine~~ in, on, or from the premises of a state ~~liquor store or~~ warehouse:

1. After the closing hour as established by the director.

2. On any legal holiday except those designated by the director and approved by the executive council.

3. On any Sunday.

4. During other periods or days as designated by the director.

Sec. 737. Section 123.28, unnumbered paragraph 1, Code Supplement 1985, is amended to read as follows:

It is lawful to transport, carry, or convey alcoholic liquors from the place of purchase by the ~~department~~ division to a state warehouse~~,--store,~~ or depot established by the ~~department~~ division or from one such place to another and, when so permitted by this chapter, it is lawful for the division, a common carrier, or other person to transport, carry, or convey alcoholic liquor sold ~~by-a-vendor~~ from a state warehouse, ~~store,~~ depot, or point of purchase by the state to any place to which the liquor may be lawfully delivered under this chapter. Notwithstanding section 321.230, sections 321.225 and 321.226 do not apply to ~~department~~ division employees in the regular course of their employment. A common carrier or other person shall not break or open or allow to be broken or opened a container or package containing alcoholic liquor or use or drink or allow to be used or drunk any alcoholic liquor while it is being transported or conveyed, but this section does not prohibit a private person from transporting individual bottles or containers of alcoholic liquor exempted pursuant to section 123.22 and individual bottles or containers bearing the identifying mark prescribed in section 123.26 which have been opened previous to the commencement of the transportation. This section does not affect the right of a special permit or a class "E" liquor control license holder to purchase, possess, or transport alcoholic liquors subject to ~~the provisions of~~ this chapter.

Sec. 738. Section 123.29, subsections 1 and 2, Code Supplement 1985, are amended to read as follows:

1. To a physician, pharmacist, dentist, or veterinarian, entitling the holder to purchase and import alcohol from

distillers and wholesalers or from the ~~state liquor stores~~ department or a class "E" liquor control licensee for use medicinally and in compounding prescriptions and to sell the ~~same~~ alcohol for use medicinally in the compounded prescription only upon the prescription of a licensed physician or surgeon, or to use ~~such~~ the alcohol in manufacturing or compounding lotions, compounds, and like commodities not susceptible for beverage purposes, and to sell the ~~same~~ commodities for public use.

2. To a veterans home, sanitarium, hospital, college, or home for the aged which will entitle the holder to purchase and import alcohol from distillers and wholesalers or from the ~~state liquor stores~~ division or a class "E" liquor control licensee for use for medicinal, laboratory, and scientific purposes only.

Sec. 739. Section 123.29, unnumbered paragraph 5, Code Supplement 1985, is amended to read as follows:

Every person holding a special liquor permit under this chapter shall fill out in duplicate, on forms furnished by the department, the amount and kinds of liquors purchased, and shall retain one copy in the person's establishment for a period of two years. The ~~vendor of the state liquor store at which~~ class "E" liquor control licensee from whom the purchase was made shall monthly forward the other copy to the department.

Sec. 740. Section 123.30, subsection 3, paragraphs a, b, and c, Code Supplement 1985, are amended to read as follows:

a. CLASS "A". A class "A" liquor control license may be issued to a club and shall authorize the holder to purchase alcoholic liquors from class "E" liquor control licensees only ~~the department~~, wine from ~~the department or~~ class "A" wine permittees only, and native wines from native wine manufacturers, and to sell liquors, wine, and beer, to bona fide members and their guests by the individual drink for consumption on the premises only.

b. CLASS "B". A class "B" liquor control license may be issued to a hotel or motel and shall authorize the holder to purchase alcoholic liquors from class "E" liquor control licensees only ~~the department~~, wine from ~~the department or~~ class "A" wine permittees only, and native wines from native wine manufacturers, and to sell liquors, wine, and beer, to patrons by the individual drink for consumption on the premises only~~, however~~. However, beer may also be sold for consumption off the premises. Each license shall be effective throughout the premises described in the application.

c. CLASS "C". A class "C" liquor control license may be issued to a commercial establishment but must be issued in the name of the individuals who actually own the entire business and shall authorize the holder to purchase alcoholic liquors from class "E" liquor control licensees only ~~the department~~, wine from ~~the department or~~ class "A" wine permittees only, and native wines from native wine manufacturers, and to sell liquors, wine, and beer, to patrons by the individual drink for consumption on the premises only~~, however~~. However, beer may also be sold for consumption off the premises.

A special class "C" liquor control license may be issued and shall authorize the holder to purchase wine from ~~the department or~~ class "A" wine permittees only, and to sell wine and beer to patrons by the individual drink for consumption on the premises only~~, however~~. However, beer may also be sold for consumption off the premises. The license issued to holders of a special class "C" license shall clearly state on its face that the license is limited.

Sec. 741. Section 123.30, subsection 3, Code Supplement 1985, is amended by adding the following new lettered paragraph:

NEW LETTERED PARAGRAPH. e. CLASS "E". A class "E" liquor control license may be issued and shall authorize the holder to purchase alcoholic liquor from the division only and to sell the alcoholic liquor to patrons for consumption off the

licensed premise and to other liquor control licensees. A class "E" license shall not be issued to premises at which gasoline is sold. A holder of a class "E" liquor control license may hold other liquor control licenses or wine or beer permits, but the premises licensed under a class "E" liquor control license shall be separate from other licensed premises. However, the holder of a class "E" liquor control license may also hold a class "B" wine or class "C" beer permit or both for the premises licensed under a class "E" liquor control license.

Sec. 742. Section 123.32, subsection 1, Code Supplement 1985, is amended to read as follows:

1. Filing of application. An application for a class "A", class "B", ~~or~~ class "C", or class "E" liquor control license, for a retail beer permit as provided in sections 123.128 and 123.129, or for a class "B" retail wine permit as provided in section 123.176, accompanied by the required fee and bond, shall be filed with the appropriate city council if the premises for which the license or permit is sought are located within the corporate limits of a city, or with the board of supervisors if the premises for which the license or permit is sought are located outside the corporate limits of a city. An application for a class "D" liquor control license and for a class "A" beer or class "A" wine permit, accompanied by the required fee and bond, shall be filed with the department, which shall proceed in the same manner as in the case of an application approved by local authorities.

Sec. 743. Section 123.36, Code Supplement 1985, is amended by adding the following new subsections:

NEW SUBSECTION. 9. Class "E" liquor control license, a sum determined on a sliding scale as established by the division taking into account the factors of square footage of the licensed premises, the location of the licensed premises, and the population of the area of the location of the licensed premises. Notwithstanding subsection 6, the holder of a class

"E" liquor control license may sell alcoholic liquor for consumption off the licensed premises on Sunday subject to section 123.49, subsection 2, paragraph "b".

NEW SUBSECTION. 10. There is imposed a surcharge on the fee for each class "A", "B", or "C" liquor control license equal to thirty percent of the scheduled license fee. The surcharges collected under this section shall be deposited in the beer and liquor control fund, and notwithstanding subsection 8, no portion of the surcharges collected under this section shall be remitted to the local authority.

Sec. 744. Section 123.50, subsection 5, Code Supplement 1985, is amended by striking the subsection.

Sec. 745. Section 123.51, Code Supplement 1985, is amended to read as follows:

123.51 ADVERTISEMENTS FOR ALCOHOLIC LIQUOR, WINE, OR BEER.

~~1.--Except as permitted by federal statute and regulations, there shall be no public advertisement or advertising of alcoholic liquors in any manner or form within the state.~~

~~2.--No person shall publish, exhibit, or display or permit to be displayed any other advertisement or form of advertisement, or announcement, publication, or price list of, or concerning any alcoholic liquors, or where, or from whom the same may be purchased or obtained, unless permitted so to do by the regulations adopted by the department and then only in strict accordance with such regulations.--This subsection shall not apply, however:~~

~~a.--To the department.~~

~~b.--To the correspondence, or telegrams, or general communications of the department, or its agents, servants, and employees.~~

~~c.--To the receipt or transmission of a telegram or telegraphic copy in the ordinary course of the business of agents, servants, or employees of any telegraph company.~~

~~3~~ 1. No signs or other matter advertising any brand of alcoholic liquor, beer, or wine shall be erected or placed

upon the outside of any premises occupied by a licensee or permittee authorized to sell alcoholic liquor, beer, or wine at retail. This subsection does not prohibit the use of signs or other matter inside a fence or similar enclosure which wholly or partially surrounds the licensed premises.

2. A person shall not advertise the price or selection of alcoholic liquor for sale at retail other than within premises operated under a liquor control license.

~~4~~ 3. Violation of this section ~~shall be~~ is a simple misdemeanor.

Sec. 746. Section 123.53, subsections 3, 7, and 8, Code Supplement 1985, are amended to read as follows:

3. The treasurer of state shall semiannually distribute a sum of money equal to at least ten percent of the gross sales made by the ~~state liquor stores~~ division but not less than six million four hundred thousand dollars to the cities of the state. ~~Such~~ The amount shall be distributed to the cities of the state in proportion to the population that each incorporated city bears to the total population of all incorporated cities of the state as computed by the latest federal census. A city may have one special federal census taken each decade, and the population figure thus obtained shall be used in apportioning amounts under this subsection beginning the calendar year following the year in which the special census is certified by the secretary of state. ~~Such~~ The apportionment shall be made semiannually as of July 1 and January 1 of each year. Warrants for the ~~same~~ apportionment shall be issued by the ~~state comptroller~~ director of revenue and finance upon certification of the treasurer of state and mailed to the city clerk of each incorporated city of the state and shall be made payable to ~~such~~ the incorporated city and ~~shall be~~ are subject to expenditure under the direction of the city council or other governing bodies of ~~such~~ the incorporated city for any lawful municipal purpose. It ~~shall~~ be is a lawful municipal purpose for cities to allocate a

portion of the ~~above-funds~~ moneys received for the purpose of financing the activities of a city commission or committee on alcoholism, ~~such-commission-or-committee~~ to be appointed by the mayor or by the council or both. The commission or committee may use any funds so allocated for the treatment, rehabilitation, and education of alcoholics in Iowa.

7. The treasurer of state shall credit to the military service tax fund described in chapter 426A, a sum of money equal to at least five percent of the gross amount of sales made by the ~~state-liquor-stores-in-the-cities-of-the-state~~ division but not less than six million four hundred thousand dollars. Any amount thus credited shall be allocated to the various taxing districts of the state as reimbursement for losses of revenue due to exemption or remission of property taxes which would be imposed upon property upon which soldiers' exemptions or soldiers' tax credits are provided under ~~such~~ terms ~~as~~ the general assembly ~~may-provide~~ provides.

8. The treasurer of state shall transfer into a special revenue account in the general fund of the state, a sum of money at least equal to seven percent of the gross amount of sales made by the ~~state-liquor-stores-in-the-cities-of-the-state~~ division from the beer and liquor control fund on a monthly basis but not less than nine million dollars annually, and any amounts so transferred shall be used by the ~~department of~~ substance abuse division of the department of public health for substance abuse treatment and prevention programs in an amount determined by the general assembly and any amounts received in excess of the amounts appropriated to the ~~department-of~~ substance abuse division of the department of public health shall be considered part of the general fund balance. ~~This-subsection-is-repealed-June-30,-1987.~~

Sec. 747. Section 123.55, Code Supplement 1985, is amended to read as follows:

123.55 ANNUAL REPORT.

The council shall cause to be prepared an annual report to

the governor of the state, ending with June 30 of each year, showing fully the results of the operations of the department covering the period since the last previous report. Such report shall show:

1. Amount of profit or loss from ~~state liquor store~~ division operations.

~~2. Number of state liquor stores opened, the number closed, and the number operating on last day included in report.~~

~~3. Amount of fees received from such stores, separately and in gross.~~

~~4~~ 2. The current balance of the beer and liquor control fund, and the amount transferred from ~~such~~ the fund to the treasurer of state during the period covered by the report.

~~5~~ 3. All other funds on hand and the source from which derived.

~~6~~ 4. The total quantity and particular kind of alcoholic liquor sold.

~~7~~ 5. The increase or decrease of liquor sales from the previous reporting period.

~~8~~ 6. The number of liquor control licenses, wine permits, and beer permits issued, by class, the number in effect on the last day included in the report, and the number which have been suspended or revoked during the period covered by the report.

~~9~~ 7. Amount of fees paid to the ~~department~~ division from liquor control licenses, wine permits, and beer permits, in gross, and the amount of liquor control license fees returned to local subdivisions of government as provided under this chapter.

Sec. 748. Section 123.57, Code 1985, is amended to read as follows:

123.57 EXAMINATION OF ACCOUNTS.

The financial condition and transactions of all offices, departments, ~~stores,~~ warehouses, and depots of the department

division shall be examined at least once each year by the state auditor and at shorter periods if requested by the director, governor, or executive council.

Sec. 749. Section 123.58, Code 1985, is amended to read as follows:

123.58 AUDITING.

All provisions of sections 11.6, 11.7, 11.10, 11.11, 11.14, 11.18, 11.21, and 11.23, relating to auditing of financial records of governmental subdivisions which are not inconsistent ~~herewith~~ with this chapter are ~~hereby made~~ applicable to the ~~department~~ division and its offices, ~~stores,~~ warehouses, and depots.

Sec. 750. Section 123.92, Code Supplement 1985, is amended to read as follows:

123.92 CIVIL LIABILITY FOR SALE OR GIFT OF BEER, WINE, OR INTOXICATING LIQUOR (DRAMSHOP ACT).

Every husband, wife, child, parent, guardian, employer or other person who is injured in person or property or means of support by any intoxicated person or resulting from the intoxication of any person, has a right of action for all damages actually sustained, severally or jointly, against any licensee or permittee, who ~~sells or gives~~ sold and served any beer, wine, or intoxicating liquor to ~~a~~ the intoxicated person ~~while the person is~~ when the licensee or permittee knew or should have known the person was intoxicated, or ~~serves a~~ who sold to and served the person to a point where the ~~person is~~ licensee or permittee knew or should have known the person would become intoxicated. If the injury was caused by an intoxicated person, a permittee or licensee may establish as an affirmative defense that the intoxication did not contribute to the injurious action of the person.

Every liquor control licensee, class "B" wine permittee, and class "B" beer permittee shall furnish proof of financial responsibility either by the existence of a liability insurance policy or by posting bond in such amount as

determined by the department.

5910 Sec. 751. Section 123.136, unnumbered paragraph 1, Code 1985, is amended to read as follows:

In addition to the annual permit fee to be paid by all class "A" permittees under the provisions of this chapter there shall be levied and collected from such permittees on all beer manufactured for sale or sold in this state at wholesale and on all beer imported into this state for sale at wholesale and sold in this state at wholesale, a tax of ~~four~~ five and ~~thirty-four~~ eighty-nine hundredths dollars for every barrel containing thirty-one gallons, and at a like rate for any other quantity or for the fractional part of a barrel. However, no tax shall be levied or collected on beer shipped outside this state by a class "A" permittee or sold by one class "A" permittee to another class "A" permittee.

Sec. 752. Section 123.178, subsection 3, Code Supplement 1985, is amended to read as follows:

3. A person holding a class "B" wine permit may purchase wine for resale only ~~from the department or~~ from a person holding a class "A" wine permit.

Sec. 753. Section 123.183, Code Supplement 1985, is amended to read as follows:

123.183 WINE GALLONAGE TAX.

In addition to the annual permit fee to be paid by each class "A" wine permittee, there shall be levied and collected from each class "A" wine permittee on all wine manufactured for sale and sold in this state at wholesale and on all wine imported into this state for sale at wholesale and sold in this state at wholesale, a tax of one dollar and ~~fifty~~ seventy-five cents for every wine gallon and a like rate for the fractional parts of a wine gallon. A tax shall not be levied or collected on wine sold by one class "A" wine permittee to another class "A" wine permittee. Revenue derived from the wine tax collected on wine manufactured for sale and sold in this state shall be deposited in the

gallonage tax fund hereby created in the office of the treasurer of state. All other revenue derived from the wine tax shall be deposited in the liquor control fund established by section 123.53 and shall be transferred by the state comptroller to the general fund of the state. ~~The price of wine sold or offered for sale in state liquor stores which was not purchased by the department from a class "A" wine permittee shall include a markup over the wholesale price at least equal to the tax levied under this section.~~

Sec. 754. Section 123.48, Code 1985, and sections 123.23 and 123.96, Code Supplement 1985, are repealed.

Sec. 755. The alcoholic beverages control division of the department of commerce shall establish a program for employees of the division whose positions are terminated as a result of this Act and who do not qualify for or who choose not to accept early retirement. The program shall provide retraining for other positions within the division or otherwise within state government. The division shall give a preference to qualified persons previously employed by the division whose jobs were terminated as a result of this Act when hiring to fill vacant positions within the division. If after exhausting the requirements of collective bargaining agreements a vacancy still exists in any other state department, the other state department shall give preference to qualified persons previously employed by the alcoholic beverage control division whose jobs were terminated as a result of this Act.

Sec. 756. The alcoholic beverages control division of the department of commerce shall adopt reasonable procedures to expedite the release of lease obligations and to otherwise minimize expenses incurred as a result of this Act. The division shall continue to operate one or more state liquor stores after June 30, 1986 for the purpose of ensuring an efficient and orderly transition to a system of private retailers. However, the division shall not operate a state

liquor store after December 31, 1986. The division shall maintain the existing warehouse distribution personnel for the transition period of July 1, 1986 through June 30, 1987.

Sec. 757. There is appropriated from the general fund of the state for the fiscal year beginning July 1, 1986 and ending June 30, 1987 to the department of public defense, the following amounts, or so much thereof as necessary, to be used for the purposes designated:

	1986-1987 Fiscal Year
1. For salaries, support, maintenance, and miscellaneous purposes	$ 3,067,210

Notwithstanding section 29A.33, the per capita annual allowance to units will be five dollars per capita to be paid on a semiannual basis in installments of two dollars fifty cents per capita for the fiscal year beginning July 1, 1986 and ending June 30, 1987. The per capita allowance shall be used for morale purposes and be for the welfare of the troops and in no circumstances expended for support and maintenance.

2. For the war orphans educational aid fund	$ 14,278

Sec. 758. NEW SECTION. 477A.1 DEFINITIONS.

As used in this chapter unless the context otherwise requires:

1. "911 service" means a service which provides the user of a public telephone system the ability to reach a public safety answering point by dialing the digits 9-1-1.

2. "Public agency" means the state government and any unit of local government or special purpose district located in whole or in part within the state that provides or has authority to provide fire fighting, law enforcement, ambulance, medical, or other emergency services.

3. "Public safety agency" means a functional unit of a public agency that provides fire fighting, law enforcement,

ambulance, medical, or other emergency services.

4. "Private safety entity" means a private entity which provides emergency fire, ambulance, or medical services whether by full or part-time employees or on a volunteer basis.

5. "Public safety answering point" means a communications facility operated on a twenty-four hour basis and serving participating jurisdictions, that initially receives 911 calls and either directly dispatches emergency response services, or relays the calls to the appropriate public safety agency.

6. "Commission" means the state emergency telephone number commission established by section 477A.3.

Sec. 759. NEW SECTION. 477A.2 911 SERVICE.

1. After the effective date of this Act, when 911 service is established in a service area each public agency, public safety agency, and private safety entity serving territory within the service area shall participate in providing the 911 service. The 911 service shall be established according to a written plan which has the written approval of the governing bodies of each public agency, public safety agency, and private safety entity serving territory within the 911 service area.

2. This chapter does not prohibit or discourage participation in or the provision of 911 service covering the territory of more than one public agency, public safety agency, or private safety entity. A system established pursuant to this section may serve the territory of more than one public agency, public safety agency, or private safety entity or may include a part of their respective territories. Public agencies, public safety agencies, and private safety entities may enter into agreements under chapter 28E to provide 911 service.

3. The digits "911" shall be the primary emergency telephone number within the 911 service areas established under this section. A public safety agency or a private

safety entity whose services are available through a 911 system may maintain a separate secondary backup number for emergencies, and shall maintain a separate number for nonemergency telephone calls.

4. A 911 system shall be capable of transmitting requests for law enforcement, fire fighting, and emergency medical and ambulance services to a public safety agency or agencies that provide the requested service at the place where the call originates. A 911 system may also provide for transmitting requests for disaster services, poison control, suicide prevention, and other emergency services. The public safety answering point shall be capable of receiving calls from hearing impaired persons through a telecommunications device for the deaf. Conferencing capability with counseling, aid to handicapped, and other services as deemed necessary for identifying appropriate emergency response services may be provided by the 911 service.

A public safety answering point may transmit emergency response requests to private safety entities.

579/ Sec. 760. NEW SECTION. 477A.3 STATE EMERGENCY TELEPHONE NUMBER COMMISSION CREATED.

The state emergency telephone number commission is created in the office of disaster services of the department of public defense. The director of the office of disaster services shall serve as chairperson of the commission. The office of disaster services shall provide the meeting facilities for the commission. The division of communications, department of general services, shall provide administrative and technical support for the commission with the support of the staff of the respective members of the commission. The members of the commission are as follows:

1. One person appointed by the commissioner of public safety.

2. One person appointed by the league of Iowa municipalities.

3. One person appointed by the Iowa state association of counties.

4. One person appointed by the legislative communications review committee.

5. One person from the Iowa commerce commission.

6. Twelve persons appointed by the governor as follows:

a. Two persons representing fire departments, one representing a paid fire department and the other representing a volunteer fire department.

b. Two persons representing city police departments, one representing a city with a population of fifty thousand or more, and the other from a smaller city.

c. Two persons representing county sheriff departments, one representing a county with a population of twenty-five thousand or more, and the other representing a smaller county.

d. Two persons representing emergency ambulance and medical service departments, one representing a public ambulance and medical service, and the other representing a private ambulance and medical service.

e. Two persons representing exchange carriers providing public telephone service in Iowa, one representing a telephone company subject to rate regulation under section 476.1 and one representing a telephone company that is not subject to rate regulation under section 476.1.

f. Two persons who are qualified by education or employment experience to evaluate alternative financing methods.

Vacancies shall be filled in the same manner as the original appointments are made. Terms shall commence upon appointment and shall run until the commission is abolished by repeal.

570 Sec. 761. NEW SECTION. 477A.4 MEETINGS.

1. The chairperson shall call the first meeting of the commission within thirty days of the appointment of the members. A majority of the members of the commission

constitute a quorum and the concurrence of a quorum is required on any question relating to the commission's official duties. Commission members shall serve without compensation. Members who are not government employees shall be reimbursed from funds appropriated in section 7 of this Act for actual expenses incurred in the performance of duties. The commission shall meet as necessary, but at least once each month until the report required by section 477A.5 is completed.

2. Public agencies and exchange carriers providing public telephone service in Iowa shall cooperate, within time, personnel, and budgetary limitations, in providing information, data, surveys, and studies as requested by the commission.

3. The commission may apply for, receive, and expend any private or public funds to implement this chapter.

4. The commission shall hold public hearings, prior to making its recommendations to the general assembly, and shall provide Iowans with information on 911 service to stimulate public interest and comment.

5-791 Sec. 762. NEW SECTION. 477A.5 RECOMMENDATIONS TO GENERAL ASSEMBLY.

The commission shall submit a written report and recommendations for an overall plan to implement 911 service to the general assembly not later than January 10, 1987. The recommendations shall include, but are not limited to:

1. The responsibilities that should be assumed by state and local public agencies and public safety agencies and by exchange carriers providing public telephone service in implementing statewide 911 service.

2. The size of 911 service areas necessary to operate effectively and to achieve economies of scale and the local government coordination necessary to establish 911 service.

3. Whether it is necessary or desirable for an existing or new state agency to be given the responsibility for

monitoring, reviewing, supervising, or coordinating the implementation of statewide 911 service.

4. The equipment, capability and operational standards that should be established for 911 service, including procedures for transmitting calls, that will result in the shortest response time in emergencies and the best service to the public.

5. An estimate of the cost to state and local public agencies to plan, implement, and operate 911 systems throughout the state. The cost reported should indicate the current costs of telephone and related services as well as the incremental costs of 911 implementation.

6. Whether it is necessary or desirable for the general assembly to establish a deadline by which every public agency and public or private safety agency must establish or participate in 911 service.

7. Whether it is necessary or desirable for the general assembly to allow a public agency or utility to seek a waiver of all or some of the time limits for implementing 911 service.

8. Identification and listing of all existing federal, state, local, and private funding sources available for implementation of 911 service. The report shall discuss the merits of alternative methods of collecting the necessary revenues including an increase in taxes, an imposition of a surcharge on the amounts paid by every person in the state for intrastate telephone service, and combinations of these methods.

9. How public agency costs for the planning, installation, and continued operation of the 911 system should be met and from which sources.

10. Legislation needed to implement statewide 911 services.

Sec. 763. NEW SECTION. 477A.6 REPEAL.

Sections 477A.3 through 477A.6 are repealed effective six

years from the effective date of this Act.

Sec. 764. There is appropriated to the office of disaster services from the general fund the sum of five thousand (5,000) dollars for the purposes of sections 477A.1 to 477A.5.

5177

Sec. 765. Section 18.117, Code 1985, is amended to read as follows:

18.117 PRIVATE USE -- RATE FOR STATE BUSINESS.

A state officer or employee shall not use a state-owned motor vehicle for personal private use, nor shall the officer or employee be compensated for driving a privately owned motor vehicle unless it is done on state business with the approval of the state vehicle dispatcher, and in that case the officer or employee shall receive ~~twenty-two-cents-per-mile-effective-July-1,-1981,-and-twenty-four~~ twenty-one cents per mile ~~effective-July-1,-1982~~. A statutory provision stipulating necessary mileage, travel, or actual expenses reimbursement to a state officer falls under the mileage reimbursement limitation provided in this section unless specifically provided otherwise. Any peace officer employed by the state as defined in section 801.4 who is required to use a private vehicle in the performance of official duties shall receive reimbursement for mileage expense at the rate specified in this section. However, the state vehicle dispatcher may delegate authority to officials of the state, and department heads, for the use of private vehicles on state business up to a yearly mileage figure established by the director of general services and approved by the executive council. If a state motor vehicle has been assigned to a state officer or employee, the officer or employee shall not collect mileage for the use of a privately owned vehicle unless the state vehicle assigned is not usable.

This section does not apply to officials and employees of the state whose mileage is paid by other than state agencies and this section does not apply to elected officers of the state, judicial officers, or court employees.

Sec. 766. Section 79.9, Code 1985, is amended to read as follows:

79.9 CHARGE FOR USE OF AUTOMOBILE BY OTHER THAN STATE OFFICER OR EMPLOYEE.

When a public officer or employee, other than a state officer or employee, is entitled to be paid for expenses in performing a public duty, a charge shall be made, allowed and paid for the use of an automobile, as determined by the local governing body, in an amount not exceeding ~~twenty-two-cents per-mile-for-actual-and-necessary-travel-effective-July-1, 1981, and in an amount not exceeding twenty-four~~ twenty-one cents per mile ~~effective-July-1, 1982~~. A statutory provision stipulating necessary mileage, travel, or actual reimbursement to a local public officer or employee falls within the mileage reimbursement limitation specified in this section unless specifically provided otherwise. A political subdivision may authorize the use of private vehicles for the conduct of official business of the political subdivision at an annual amount in lieu of actual and necessary travel expense reimbursement provided in this section. A peace officer, other than a state officer or employee, as defined in section 801.4 who is required to use a private vehicle in the performance of official duties shall receive reimbursement for mileage expense at the rate specified in this section.

5848,579

Sec. 767. All federal grants to and the federal receipts of the agencies appropriated funds under this division of this Act, not otherwise appropriated, are appropriated for the purposes set forth in the federal grants or receipts unless otherwise provided by the general assembly.

Sec. 768. Section 139 of this Act takes effect retroactive to April 30, 1986.

HOUSE FILE 2484

S-5764

Amend House File 2484 as amended, passed and reprinted by the House as follows:

1. Page 142, by inserting after line 11,the following:

"Sec. ___. SPECIAL EMPLOYMENT SECURITY CONTINGENCY FUND EXPENDITURES.

1. Notwithstanding the provisions of section 96.13, subsection 3, which restrict the use of moneys in the special employment security contingency fund, moneys in the fund on June 30, 1986, shall not be transferred by the treasurer of state to either the temporary emergency surcharge fund or to the unemployment compensation fund, but shall be available to the department of job service, for the fiscal year beginning July 1, 1986, and ending June 30, 1987, for expenditure under subsection 2.

2. The department of job service shall only expend moneys, which are credited to the special employment security contingency fund during the fiscal year beginning July 1, 1986, and ending June 30, 1987, including moneys which are available to the department of job service under subsection 1, in accordance with the following restrictions:

a. The department may expend up to fifty thousand (50,000) dollars from the fund for the purchase and installation of an electrical transformer for its state administrative office building.

b. The department may expend up to two hundred thousand (200,000) dollars from the fund for the support of county labor survey economic development teams.

c. Any balance of moneys in the special employment security contingency fund shall be deposited in a separate account in the state treasury to be known as the department approved training fund. Notwithstanding section 453.7, interest and earnings from moneys deposited in the department approved training fund shall be credited to the fund. The department shall use moneys from the fund only to pay the instructional costs of training, relating to tuition and course fees, approved by the department pursuant to section 96.4 and 370 I.A.C. §4.39, §4.40, for individuals who demonstrate, to the department's satisfaction, that they are financially incapable of paying the instructional costs of the approved training. However, the department may expend up to thirty thousand (30,000) dollars from the fund for administrative costs related to payments for department approved training.

The payments shall not be made to the individual

receiving approved training but shall be made directly to the institution or person providing the approved training. Payments shall not exceed one thousand dollars per individual trainee in any two-year period.

The department shall distribute information on the qualification requirements for and availability of payment for department approved training to individuals filing claims for benefits or receiving benefits under chapter 96."

S-5764 Filed April 28, 1986
BY MANN
adopted 5-1 (p. 1509)

HOUSE FILE 2484

S-5768

Amend House File 2484 as amended, passed and reprinted by the House as follows:

1. Page 107, by inserting after line 33 the following:

"Pursuant to section 602.1304, the amount appropriated by this section includes all interest income collected from lawyers' trust accounts."

S-5768 Filed April 28, 1986
BY TAYLOR
w/d 5-1

S-5775

Amend House File 2484 as amended, passed, and reprinted by the House, as follows:

1. Page 88, by striking lines 30 and 31.
2. Page 98, line 1, by striking the figure "225C.22" and inserting the following: "145.7".
3. Page 98, line 9, by striking the word "director" and inserting the following: "health data commission".
4. Page 98, line 12, by inserting after the word "department" the following: "of human services".
5. Page 98, line 14, by striking the word "director" and inserting the following: "health data commission".
6. Page 98, line 17, by striking the word "director" and inserting the following: "health data commission".

S-5775 Filed April 29, 1986
BY VANDE HOEF

w/d 5-1

HOUSE FILE 2484

S-5778

Amend House File 2484 as amended, passed and reprinted by the House, as follows:

1. Page 68, line 12, by inserting after the word "two" the following: "and eight-tenths".
2. Page 68, line 15, by striking the figure "68,222" and inserting the figure "93,937".

S-5778 Filed April 29, 1986
BY COLTON, READINGER

Adopted 5-1 (p. 1509)

HOUSE FILE 2484

S-5779

Amend House File 2484, as amended, passed, and reprinted by the House, as follows:

1. Page 35, by striking lines 5 through 8 and inserting the following: "If the applicant is eligible for".
2. Page 35, by striking lines 11 and 12 and inserting the following: "by a maternal and child health program, the".

S-5779 Filed April 29, 1986
BY COLTON

Adopted 4-30 (p. 1489)

HOUSE FILE 2484

S-5770

Amend House File 2484 as amended, passed and reprinted by the House as follows:

1. Page 125, line 11, by striking the figure "2276" and inserting in lieu thereof the figure "2488".

S-5770 Filed April 29, 1986
BY BOSWELL
w/d 5-1.

HOUSE FILE 2484

S-5771

Amend House File 2484 as amended, passed, and reprinted by the House as follows:

1. Page 37, by striking line 30 through page 38, line 1.

S-5771 Filed April 29, 1986
BY JENSEN
Lost 4-30 (J. 1489)

HOUSE FILE 2484

S-5772

Amend House File 2484 as amended, passed, and reprinted by the House as follows:

1. Page 3, by striking lines 3 and 4.
2. Page 31, line 15, by striking the figure "$10,224,403" and inserting in lieu thereof the figure "$10,453,403".
3. Page 31, by striking lines 29 through 32.

S-5772 Filed April 29, 1986
BY JENSEN, PETERSON, HESTER, CORNING
w/d 4-30 (J. 1486)

HOUSE FILE 2484

S-5774

Amend House File 2484, as amended, passed, and reprinted by the House, as follows:

1. Page 67, line 15, by striking the word "twenty-four" and inserting the word "twenty-seven".
2. Page 67, line 18, by striking the figure "762,129" and inserting the figure "841,883".

S-5774 Filed April 29, 1986
BY MANN
w/d 5-1

HOUSE FILE 2484

S-5780

Amend House File 2484 as amended, passed, and reprinted by the House as follows:

1. Page 5, lines 14 and 15, by striking the words and figure "eight hundred twenty-five thousand four hundred ten (825,410) dollars" and inserting in lieu thereof the following: "seven hundred forty-five thousand six hundred fifty-six (745,656) dollars".

2. Page 67, line 15, by striking the word "twenty-four" and inserting the word "twenty-seven".

3. Page 67, line 18, by striking the figure "762,129" and inserting the figure "841,883".

S-5780 Filed April 29, 1986
BY MANN
A - o/o (p. 1486)

HOUSE FILE 2484

S-5784

Amend House File 2484 as amended, passed and reprinted by the House as follows:

1. Page 12, by striking lines 18 through 28.

S-5784 Filed April 29, 1986
BY GRATIAS
Adopted 4-30 (p. 1487)

HOUSE FILE 2484

S-5785

Amend House File 2484 as amended, passed, and reprinted by the House as follows:

1. Page 121, line 12, by inserting after the word "assembly." the following: "Of the amount appropriated under this paragraph, fifty thousand (50,000) dollars shall be used as matching funds to make emergency repairs on the dam on the Little Sioux river located at Linn Grove.".

S-5785 Filed April 29, 1986
BY WALDSTEIN
w/d 5-1

HOUSE FILE 2484

S-5783

Amend House File 2484 as amended, passed and reprinted by the House as follows:

1. Page 155, by striking lines 9 and 10 and inserting the following: "127.8, subsection 1, and offer for sale and deliver such intoxicating liquors ~~and wine for sale through the state liquor stores~~ to class "E"".

2. Page 157, line 27, by inserting after the word "licensees" the following: "without regard for the quantity of purchase or the distance for delivery".

3. Page 158, line 31, by striking the words "at least equal" and inserting the words "of up".

4. Page 158, line 34, by striking the word "reduce" and inserting the word "increase".

5. Page 159, line 2, by striking the words "equals or exceeds" and inserting the words "does not exceed".

6. Page 160, line 15, by inserting after the word "chapter." the following: "The department shall deliver alcoholic liquor purchased by class "E" liquor control licensees. Class "E" liquor control licensees may deliver alcoholic liquor purchased by class "A", "B", or "C" liquor control licensees, and class "A", "B", or "C" liquor control licensees may transport alcoholic liquor purchased from class "E" liquor control licensees."

7. Page 160, line 29, by striking the words "a class "E"".

8. Page 161, line 31, by inserting after the word ""A"" the following: "or "B"".

9. Page 162, line 5, by inserting after the word ""A"" the following: "or "B"".

10. Page 162, line 16, by inserting after the word ""A"" the following: "or "B"".

11. Page 162, line 23, by inserting after the word ""A"" the following: "or "B"".

12. Page 163, line 31, by inserting after the word "sum" the following: "of not less than seven hundred and fifty dollars, and not more than seven thousand five hundred dollars as".

13. Page 168, line 33, by inserting before the word "beer" the following: "or "C"".

14. Page 171, line 3, by inserting after the figure "1987." the following: "The provisions of the Code concerning the operation of state liquor stores shall remain in effect to the extent applicable in the form as they existed prior to the effective date of this Act and they shall so remain in effect until the division ceases operation of any liquor stores."

S-5783 Filed April 29, 1986
BY GRONSTAL

w/d 5-1

THERE ARE 25 PAGES TO THIS AMENDMENT

HOUSE FILE 2484

S-5791

Amend House File 2484, as amended, passed, and reprinted by the House, as follows:

1. Page 1, line 12, by striking the figure "2,789,691" and inserting the figure "3,300,000".

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

"The department shall actively pursue the acquisition of the Grant Wood Gothic House in Eldon, Iowa. The department shall cooperate with the historical division of the department of cultural affairs to acquire and maintain the Grant Wood Gothic House and to promote the property as a tourist attraction."

3. Page 2, line 10, by striking the figure "1,000,000" and inserting the figure "500,000".

4. Page 2, line 13, by striking the words "and to" and inserting the words "to be used by the department to".

5. Page 2, line 22, by inserting after the word "program." the words "The department shall secure the necessary private participation from groups and organizations most appropriate for any particular function. In-kind expenditures from the private sector may be considered as a portion of the dollar for dollar match. The department shall give attention to using a portion of these funds to contract and coordinate with international programs at Iowa colleges and universities to develop a network of trade contacts overseas through the use of alumni from Iowa colleges and universities."

6. Page 2, by inserting after line 22 the following:

"The department shall establish this program on or after January 1, 1987."

7. Page 2, line 24, by striking the word "Japan" and inserting the word "Asian".

8. Page 2, line 26, by striking the word "Japan" and inserting the word "Asia".

9. Page 2, line 27, by striking the word "Japanese" and inserting the word "Asian".

10. Page 2, line 29, by striking the words "Japanese market" and inserting the words "Asian market".

11. Page 2, line 29, by striking the words "encourage Japanese" and inserting the words "encourage Asian".

12. Page 2, line 32, by striking the figure "1,000,000" and inserting the figure "500,000".

13. Page 3, by striking lines 3 and 4.

14. Page 3, line 22, by striking the figure

"11,700" and inserting the figure "15,000".

15. Page 3, line 31, by striking the figure "832,709" and inserting the figure "330,000".

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

"13. For additional and supplemental funding for the child care services program and the displaced homemakers program in connection and coordination with the federal Job Training Partnership Act of 1982 and funding for a child care grants program to provide grants of up to ten thousand dollars for start-up funding for before and after school programs using school facilities, infant care programs, child care information and referral centers, and on-site employer day care. An application for a grant under the child care grants program shall include a study documenting a need for the service or program for which the grant is sought and a plan for implementation of the service or program which plan includes a listing of other sources of income, the staff to be employed, and the method to make the service or program self-supporting within three years ..... $ 1,000,000"

17. Page 4, line 25, by striking the figure "15,605,770" and inserting the figure "16,770,770".

18. Page 4, line 34, by striking the figure "127,230" and inserting the figure "270,230".

19. Page 5, by inserting after line 9 the following:

"For salaries, support, and maintenance of the elder law education program ..... $ 95,000"

20. Page 5, line 12, by striking the words "department of revenue and finance" and inserting the words "college aid commission".

21. Page 5, lines 14 and 15, by striking the words and figure "eight hundred twenty-five thousand four hundred ten (825,410)" and inserting the words and figure "four hundred twenty-five thousand four hundred ten (425,410)".

22. Page 5, by striking lines 16 through 29 and inserting the following: "be paid for Iowa resident students at the college of osteopathic medicine and surgery. These funds shall be used to reduce Iowa resident student tuition. These funds are only to be used for students enrolled in each of the final three years of classes in the college of osteopathic

or steam for processing or for generating electric current, or (c) chemicals, solvents, sorbents, or reagents, which are directly used and are consumed, dissipated, or depleted in processing personal property, which is intended to be sold ultimately at retail, and which may not become a component or integral part of the finished product. The distribution to the public of free newspapers or shoppers guides shall be deemed a retail sale for purposes of the processing exemption."

34. Page 15, by inserting after line 25 the following:

"Notwithstanding 1985 Iowa Acts, chapter 33, section 301, subsection 3, paragraph "e", the lottery moneys allocated to the office for planning and programming shall be reallocated to the arts division of the department of cultural affairs for the fiscal year beginning July 1, 1986 and ending June 30, 1987 for any of the following arts projects: For the Herbert Hoover memorial in West Branch, for the Cedar Rapids science station for development, for the Ottumwa arts council, for the Dubuque great rivers hall of fame for capital improvements, for the Amana art guild-folk art show for the folk art showcase, for the Clinton riverboat theater for rehabilitation, for the Davenport river development project for capital improvements, and for general promotion of the arts."

35. Page 15, line 35, by striking the figure "997,576" and inserting the figure "1,088,693".

36. Page 16, line 15, by striking the figure "127,792" and inserting the figure "137,792".

37. By striking page 16, line 19 through page 17, line 9.

38. Page 17, line 20, by striking the figure "41,700" and inserting the figure "30,000".

39. Page 17, line 24, by striking the figure "30,000" and inserting the figure "20,000".

40. By striking page 17, line 25 through page 18, line 6.

41. Page 18, line 31, by striking the figure "4,148,910" and inserting the figure "4,238,910".

42. Page 19, by inserting after line 12 the following:

"It is further the intent of the general assembly to consider any supplemental requests which may occur in the department of education due to a reduction in federal funds."

43. Page 19, line 13, by striking the figure "140,377" and inserting the figure "190,377".

44. Page 19, lines 15 and 16, by striking the

medicine and surgery."

23. Page 6, by striking lines 22 through 35.

24. Page 7, line 12, by striking the figure "14,623,482" and inserting the figure "15,581,482

25. Page 8, line 4, by striking the figure "128,532,126" and inserting the figure "128,247,126

26. Page 8, by striking lines 19 through 22 and inserting the following:

"___. For area garages for the Tama-Toledo area, Dubuque and Centerville ..... $ 1,344,000"

27. Page 9, by inserting after line 4 the following:

"Sec. ___. The state department of transportation shall operate a commercial vehicle permit issuing center utilizing existing field facilities near the location of the intersection of Iowa highways 151, 61 and 52."

28. By striking page 10, line 35 through page 11, line 24.

29. By striking page 12, line 29 through page 14, line 13.

30. Page 14, line 31, by striking the words "general fund of the state" and inserting the words "~~general fund of the state~~ road use tax fund".

31. Page 14, lines 32 and 33, by striking the words and figure "eighty-six thousand five hundred thirty-five (86,535)" and inserting the words and figure "one hundred seven thousand (107,000)".

32. Page 15, line 4, by striking the words "general fund of the state" and inserting the words "~~general fund of the state~~ road use tax fund".

33. Page 15, by inserting after line 6 the following:

"Sec. ___. Section 423.1, subsection 1, Code Supplement 1985, is amended to read as follows:

1. "Use" means and includes the exercise by any person of any right or power over tangible personal property incident to the ownership of that property, except that it shall not include processing, or the sale of that property in the regular course of business. Property used in "processing" within the meaning of this subsection shall mean and include (a) any tangible personal property including containers which it is intended shall, by means of fabrication, compounding, manufacturing, or germination, become an integral part of other tangible personal property intended to be sold ultimately at retail, and containers used in the collection, recovery or return of empty beverage containers subject to chapter 455C, or (b) fuel which is consumed in creating power, heat,

heart, lung and blood institute's special advisory group for heart recipients, or the 1983 national institute of health's concensus conference on liver transplants for liver recipients. The total amount of state funds expended for heart, liver, artificial heart, or heart/lung transplantations shall not exceed nine-tenths of one percent of the total state funds received by the university hospitals for the fiscal year beginning July 1, 1986 and ending June 30, 1987."

51. Page 29, line 13, by striking the words "state comptroller" and inserting the words "department of management".

52. Page 31, line 15, by striking the figure "10,224,403" and inserting the figure "10,453,403".

53. Page 31, by striking lines 16 through 28.

54. Page 31, line 30, by striking the figure "189,000" and inserting the figure "90,000".

55. Page 31, by inserting after line 30 the following:

"These funds shall be matched by private contributions."

56. Page 31, by striking lines 31 and 32 and inserting the following:

"d. Center for industrial research and services

(1) For hazardous waste and cleanup project ..... $ 50,000"

57. Page 37, by striking lines 17 through 29.

58. Page 38, line 1, by striking the figure "1987" and inserting the figure "1988".

59. By striking page 38, line 19 through page 39, line 28.

60. Page 40, by striking lines 12 through 18.

61. By striking page 40, line 19 through page 41, line 11.

62. Page 45, line 26, by striking the word "An" and inserting the words "Commencing July 1, 1987, an".

63. Page 45, lines 33 and 34, by striking the words "state board of public instruction" and inserting the words "department of education".

64. Page 46, line 18, by striking the words "state comptroller" and inserting the words "~~state comptroller~~ department of revenue and finance".

65. Page 47, line 21, by striking the words "state comptroller" and inserting the words "~~state comptroller~~ department of revenue and finance".

66. Page 49, line 13, by striking the words "state board of public instruction" and inserting the words "~~state~~ board of ~~public instruction~~ education".

67. By striking page 53, line 20 through page 54,

words and figure "sixty thousand (60,000)" and inserting the words and figure "one hundred fifty thousand (150,000)".

45. Page 19, line 18, by inserting after the word "process" the words "and to provide increased compensation to individuals employed by the department in consultant positions in order to bring their compensation up to a level that is more competitive with compensation received by individuals employed in other professional positions that have similar education requirements".

46. Page 21, line 4, by striking the figure " 10,000" and inserting the figure "210,000".

47. Page 21, by inserting after line 4 the following:

"Of the funds appropriated by this subsection, two hundred thousand (200,000) dollars may be expended as supplemental aid pursuant to section 286A.14."

48. Page 24, by inserting after line 25 the following:

"Sec. ___. There is appropriated from the general fund of the state to the first in the nation in education, an education foundation, for the fiscal year beginning July 1, 1986 and ending June 30, 1987, the sum of one hundred thousand (100,000) dollars, or so much thereof as is necessary, to be used for support and maintenance."

49. Page 26, by striking lines 20 through 27 and inserting the following: "appropriated in this paragraph so that each institution receives a portion of the appropriation equal to the percent that eligible full-time equivalent faculty, professional, and scientific employees at the institution bears to the total full-time equivalent faculty, professional, and scientific employees at all institutions. The funds distributed by the university of northern Iowa for organized faculty shall be distributed either through the collective bargaining agreement in force for the fiscal year beginning July 1, 1986, or according to a different procedure that is acceptable to the collective bargaining representatives for the faculty at the university of northern Iowa and for the university of northern Iowa."

50. By striking page 28, line 17 through page 29, line 9 and inserting the following:

"It is the intent of the general assembly that university hospitals shall not perform heart, liver, artificial heart, or heart/lung transplantations on indigent patients referred under chapter 255 unless the patient meets criteria developed by the national

line 22.

68. By striking page 54, line 32 through page 55, line 10.

69. Page 56, lines 3 and 4, by striking the words "the total amounts paid under those sections for the school year beginning July 1, 1985" and inserting the words and figure "one million (1,000,000) dollars".

70. Page 56, line 8, by striking the words "state comptroller" and inserting the words "department of revenue and finance".

71. Page 56, by striking lines 12 through 20.

72. Page 56, line 31, by inserting after the word "allocations." the words "However, an area school shall be allocated an amount at least equal to the state general aid allocated for the base year unless the formula is fully funded under this chapter."

73. Page 64, line 19, by inserting after the word "hours." the words "The department of education shall calculate the difference between the amount of state general aid each area school that has fewer than one million contact hours would receive if a foundation support level of seventy percent were used in lieu of the sixty-five percent specified in this chapter and the amount the area school would receive under this chapter. The area school shall receive that difference in lieu of the fifty thousand dollars granted under this subsection if the difference is greater than fifty thousand dollars."

74. Page 65, line 11, by striking the words "public instruction" and inserting the word "education".

75. Page 66, by striking line 30 and inserting the words and figure "1985, are repealed."

76. Page 69, line 18, by striking the word "division" and inserting the word "department".

77. Page 71, line 3, by striking the word "thirteen" and inserting the word "twelve".

78. Page 71, line 6, by striking the figure "479,884" and inserting the figure "412,745".

79. Page 71, line 12, by striking the figure "98,393" and inserting the figure "96,093".

80. Page 71, line 19, by striking the figure "587,035" and inserting the figure "574,876".

81. Page 71, line 27, by striking the figure "517,947" and inserting the figure "506,774".

82. Page 71, line 33, by striking the figure "330,248" and inserting the figure "323,019".

83. Page 80, by inserting after line 32, the following:

"Sec. ___. It is the intent of the general

assembly that the department of public health initiate a demonstration waiver project to encourage the development of residential care facilities which have five or fewer residents for persons specified in section 225C.26. The project shall be exempt from section 135.63 through June 30, 1988.

A provider may apply for a demonstration waiver from the department. Before the waiver is granted, the provider shall meet all of the requirements:

1. Compliance with program requirements pursuant to chapter 135C and administrative rules relating to residential care facilities adopted by the state board of health or standards adopted by the accreditation council for services for persons with mental retardation and other developmental disabilities. The program shall emphasize age appropriate and least restrictive programs.

2. The proposed facility shall be housing located in areas zoned for single or multiple-family housing, shall have been constructed after 1950, shall meet local housing codes and fire safety requirements in accordance with minimum procedures and subsequent rules promulgated by the state fire marshal that are in accordance with the concepts of least restriction and the applicable sections of the appendix of chapter 21 of the national fire protection association, fire safety code of 1985.

3. The proposed facility shall have appropriate accessibility for the disabilities of the proposed residents.

4. Written plans shall demonstrate that the proposed facility meets the needs of the proposed residents pursuant to individual program plans meeting age appropriate and least restrictive program requirements.

5. Written plans shall demonstrate that proposed residents will have reasonable access to employment or job-related training, education, generic community resources, and integrated opportunities to promote community interaction.

The director of the department of public health shall appoint a temporary waiver committee not to exceed nine members, to provide monitoring of program progress and initial project approval recommendations which are subject to final approval by the director. The committee shall include but not be limited to representatives from the following interested organizations, designated by the respective organizations and appointed by the director: the association for retarded citizens of Iowa, the Iowa

association of rehabilitation and residential facilities, the developmental disabilities council, the mental health and mental retardation commission of the department of human services, the mental health association of Iowa, and the Iowa state association of counties. The state fire marshal or the fire marshal's designee shall also be a member of the committee.

The housing developed under the demonstration waiver project pursuant to this section shall be eligible for funding utilized by licensed residential care facilities for the mentally retarded, including but not limited to, the social services block grant funds, state supplementary assistance funds, state community mental health and mental retardation services funds, and county funds.

The allocation of waiver sites shall be based upon equitable distribution within the districts of the department of human services. The total number of waivers approved shall not exceed a capacity for more than two hundred twenty-five residents before July 1, 1987, unless otherwise changed by rules adopted by the state board of health to no more than four hundred by July 1, 1987. Total waiver approval for housing shall not exceed approval for more than a total of eight hundred residents before July 1, 1988.

Prior to July 1, 1988 the waiver committee shall be responsible for recommending the appropriate licensure standards to the state board of health for continuation of the project on and after July 1, 1988.

The waiver committee may recommend to the general assembly the number of full-time equivalent employees needed within the office of the state fire marshal to conduct the health and fire safety inspections of housing developed under the demonstration waiver project pursuant to this section during the fiscal year ending June 30, 1987.

Sec. ___. There is appropriated from the general fund of the state to the department of public health for each year of the fiscal biennium beginning July 1, 1986 and ending June 30, 1988, one hundred ten thousand (110,000) dollars, or so much thereof as is necessary, for three full-time equivalent positions specifically designated to provide staff support for the demonstration waiver project."

84. Page 82, by inserting after line 25 the following:

"If the state of Minnesota receives approval of its federal waiver request involving self-employed individuals, the department shall analyze the impact

of such a waiver request for Iowa's program and report the impact to the general assembly by January 15, 1987. The department shall work with other states in seeking to develop a federal waiver request for self-employed individuals."

85. Page 83, line 13, by striking the figure "126,500,000" and inserting the following: "128,000,000".

86. Page 84, by inserting after line 26 the following:

"The department may expend up to forty thousand (40,000) dollars of the appropriation made under this subsection to expand the state's drug utilization review program.

The department shall seek a federal waiver to eliminate the co-payment requirements for generic drugs."

87. Page 85, line 28, by striking the figure "5,119,000" and inserting the following: "5,219,000".

88. Page 85, line 35, by striking the word "one" and inserting the following: "two".

89. Page 86, line 1, by striking the figure "191,450" and inserting the following: "291,450".

90. Page 86, line 8, by striking the figure "26,900,000" and inserting the following: "24,200,000".

91. Page 86, by striking lines 29 through 34 and inserting the following: "director of human resources shall consult with the bill of rights advisory committee, the bill of rights interim study committee and other oversight personnel in the establishment of the contract. The director shall appoint an oversight committee to provide ongoing assistance in the monitoring and oversight of the contract regarding fiscal and programatic decisions. The oversight committee shall include but not be limited to representatives of the developmental disabilities council, the association for retarded citizens of Iowa, the Iowa association of rehabilitation and residential facilities, the mental health association of Iowa, and the Iowa state association of counties, all of whom shall be selected from names submitted by their respective organizations.

e. The department shall review the contract at least quarterly relating to the expenditure of funds appropriated by this subsection. If the department determines that a surplus exists in funds appropriated by this subsection, the department shall use the surplus funds to restore, in whole or in part, the reductions in reimbursement rates made by section 309,

changes. The across-the-board budget reductions shall be applied to the appropriations, and the estimate of revenues needed to balance the state's budget shall be made so as to operate the July 1, 1986 programs, as modified by mandated changes for the entire fiscal year.

d. Notwithstanding section 8.31, for deficit appropriations, the department shall apply the across-the-board budget reductions to the aid to families with dependent children, medical assistance, state supplementary assistance, and foster care appropriations, and to additional anticipated needs according to the July 1, 1986 guidelines and mandated subsequent changes. For surplus appropriations, the across-the-board budget reductions shall be applied first to the surplus appropriations and then to amounts needed to maintain the July 1, 1986 programs and any mandated subsequent changes."

94. Page 94, by striking lines 16 through 19 and inserting the following:

"c. For the fiscal year beginning July 1, 1986, the incentive and inflation factors shall be reinstated as in place on July 1, 1985. Beginning July 1, 1986, the basis for establishing the maximum medical".

95. Page 94, line 21, by striking the word "fiftieth" and inserting the following: "fifty-fifth".

96. Page 94, line 22, by striking the word and figure "December 31" and inserting the following: "June 30".

97. By striking page 96, line 27 through page 97, line 15 and inserting the following:

"Sec. ___. ADMINISTRATIVE RULES INTERIM STUDY -- DEPARTMENT OF HUMAN SERVICES, DEPARTMENT OF PUBLIC HEALTH, AND DIVISION OF VOCATIONAL REHABILITATION OF THE DEPARTMENT OF EDUCATION. It is the intent of the general assembly that the legislative council create an interim study committee, or charge an interim study committee, to review the administrative rules of the department of human services, the department of public health, and the division of vocational rehabilitation of the department of education relating to the purchase of service methodologies and licensure, certification, and accreditation, and other program rules under the state supplementary assistance program, the foster care program, the purchase of local services program funded with federal social services block grant funds, and the vocational rehabilitation program. The review shall also include

subsections 2 and 3, and the department may transfer funds appropriated by this subsection to accomplish the reimbursement rate restorations."

92. Page 86, by inserting before line 35 the following:

"f. Of the funds appropriated by this subsection, the department may expend up to thirty thousand (30,000) dollars to contract with universities to provide ongoing research assistance into programs operated or supervised by the department involving foster care. Such contracts shall make maximum use of any matching resources from the universities with which the department contracts."

93. Page 88, by inserting after line 31 the following:

"12. As a condition of the appropriations made for aid to families with dependent children, medical assistance, state supplementary assistance, and foster care under subsections 1, 2, 5, and 8, the following shall apply:

a. Notwithstanding section 8.39, and except as provided in subsection 2 for the women, infants, and children program, in subsection 4 for child support recoveries, and in subsection 8, paragraph "e" for foster care, funds appropriated for aid to families with dependent children, medical assistance, state supplementary assistance, and foster care shall not be subject to transfer. Department of human services' programs shall not be modified for the purpose of transferring other funds appropriated to the department of human services into the aid to families with dependent children, medical assistance, state supplementary assistance, and foster care accounts.

b. Except as provided in paragraph "c", the director of human services shall not modify programs funded under the aid to families with dependent children, medical assistance, state supplementary assistance, and foster care appropriations in order to meet any projected budget shortfalls, but shall request supplemental appropriations from the general assembly to meet those shortfalls.

c. Notwithstanding the concept of allotments in section 8.31, for the purpose of any across-the-board budget reductions ordered by the governor, the appropriations for the aid to families with dependent children, medical assistance, state supplementary assistance, and foster care shall be deemed to include amounts needed to operate the programs for the entire fiscal year beginning July 1, 1986, under the July 1986 program guidelines and mandated subsequent

services, members of county boards of supervisors, state and district level representatives of affected governmental agencies, and others whose perspective would benefit the comprehensive evaluation of the system.

The study shall include all of the following:

1. Review and evaluation of funding, service coordination, and models which effectively respond to the needs of clients eligible under the bill of rights.

2. An assessment of the impact of coordinating inter-and intragovernmental resources.

3. The identification of targeted constituencies whose involvement in planning, services delivery, and support may enhance systemic coordination and service provision.

4. An assessment of a regionalized system and its effectiveness in maximizing revenue sources directed to, or available for, the appropriate implementation of the intent embodied within the bill of rights."

100. Page 98, by inserting before line 19 the following:

"Sec. ___. Chapter 252B, Code 1985, is amended by adding the following new sections:

NEW SECTION. 252B.13 COLLECTION SERVICES CENTER.

The department shall establish within the unit a collection services center for the receipt and disbursement of all support payments as defined in section 598.1. The judicial department and the department of human services shall cooperate in the establishment of the center which will receive and disburse support payments.

NEW SECTION. 252B.14 SUPPORT PAYMENTS -- CLERK OF COURT -- COLLECTION SERVICES CENTER -- DEFAULTS -- SECURITY.

Sections 252B.13 through 252B.17 apply to all initial or modified orders for support entered under this chapter, chapter 234, 252A, 252C, 675, or any other chapter of the Code. All orders or judgments for support entered on or before March 31, 1987, shall direct the payment of such sums to the clerk of the district court for the use of the person for whom the payments have been awarded. All orders or judgments for support entered on or after April 1, 1987, shall direct the payment of such sums to the collection services center established pursuant to section 252B.13. Payments to persons other than the clerk of the district court and the collection services center do not satisfy the support obligations created by such orders or judgments, except as provided for trusts in

the federal and Iowa licensure rules for intermediate care facilities for the mentally retarded. The committee shall be composed of two senators, one appointed by the majority leader of the senate and one appointed by the minority leader of the senate, two representatives, one appointed by the speaker of the house of representatives and one appointed by the minority leader of the house of representatives, the administrative rules coordinator, two representatives of the department of human services appointed by the director of the department, two representatives of the department of public health appointed by the director of the department, two representatives of the division of vocational rehabilitation of the department of education appointed by the director of the department, and representatives of the Iowa association of rehabilitation and residential facilities, the coalition for family and children's services in Iowa, the provider advisory committee to the department of human services, and other provider representatives appointed by the legislative council, which are regulated or reimbursed in some manner by the department of human services, the department of public health, or the division of vocational rehabilitation. The committee shall identify administrative rules which are alleged to be burdensome, duplicative, or cost-inefficient. After weighing the impact of the rules on the delivery of services to clients and the impact of the rules on the providers of the services, the committee shall make recommendations concerning the retention, modification, or rescission of the departments' or division's administrative rules."

98. Page 97, by striking lines 16 through 24.

99. Page 98, by inserting after line 18, the following:

"Sec. ___. BILL OF RIGHTS INTERIM STUDY. It is the intent of the general assembly that the legislative interim study committee on the bill of rights for the mentally retarded, developmentally disabled and chronically mentally ill coordinate a study to assess the existing framework of service delivery, planning, coordination, and funding in order to determine the appropriateness of the framework and the modifications necessary to create an efficient and quality system for implementation of section 225C.28.

The study shall include an opportunity for participation and recommendations by targeted constituencies, including eligible consumers, advocates of persons with disabilities eligible under the bill of rights, providers of community-based

section 252D.1, 598.22, 598.23 or for tax refunds or rebates in section 602.8102, subsection 47.

NEW SECTION. 252B.15 TRANSFER OF INFORMATION AND SUPPORT ORDERS.

The clerks of the district court shall transmit information regarding any order of support which is entered or modified on or after April 1, 1987 and a copy of the support order, if appropriate, to the collection services center no later than ten days after the order is entered. Where possible the transmission of data between the courts and the center shall be accomplished by electronic data transmission. Otherwise the transmission shall be accomplished by the transfer of notices, abstracts of orders and other documents. The form and content of the transmissions shall be prescribed by the department of human services after consultation with the judicial department.

NEW SECTION. 252B.16 CONVERSION -- PROCESSING OF SUPPORT PAYMENTS.

For existing orders of support entered before April 1, 1987, which direct the payments of support to the clerk of the district court, the following procedure shall be implemented to convert the processing of those payments to the collection services center on or before April 1, 1988:

1. The department of human services and the judicial department shall establish a mutually agreed effective date, between April 1, 1987 and April 1, 1988, to effectuate the transfer of these functions from each clerk of the district court to the collection services center. The department shall cause to be published in the administrative bulletin a cumulative list of effective dates by county, once agreed upon and determined, which list shall be final and inclusive of all counties on the next date of publication subsequent to April 1, 1988.

2. In addition, for orders of support entered before April 1, 1987, the judicial department or the child support recovery unit shall notify the payee and the obligor that the obligor will be directed to pay future support payments to the collection services center as of the date provided in the notice. The notice to the obligor shall be equivalent of a court order directing the payment of the sums to the collection services center.

3. The notice of the change in the direction of payments shall be sent by ordinary mail to the payee's and the obligor's last known addresses or the persons shall be personally served with the notice in the

manner provided for service of an original notice at least fifteen days prior to the date provided in the notice for the redirection of the payments. The notice shall include the following:

a. The name of the payee and, if different in whole or part, the names of the persons to whom the obligation of support is owed by the obligor.

b. The name of the obligor.

c. The amount of the periodic support payment, the due dates of the payments and any arrearages, and

d. The beginning date for sending payments to the collection services center.

4. Sixty days prior to the mutually agreed effective date in subsection 1, the clerk of the district court shall transfer to the collection services center information regarding all existing orders of support which direct the payment of support to the clerk of the district court. The form and content of the transfer shall be prescribed by the department after consultation with the judicial department but at a minimum shall include the data elements required for the notice in subsection 3.

5. On or after the mutually agreed effective date in subsection 1, but in any event not later than April 1, 1988, any payments received by the clerk of the district court for support or for the satisfaction of arrearages shall be sent by the clerk to the address specified by the collection services center within 10 days of receipt of the payments.

NEW SECTION. 252B.17 ADMISSIBILITY AND IDENTIFICATION OF SUPPORT PAYMENT RECORDS.

Copies of support payment records maintained by the collection services center, when certified over the signature of a designated employee of the center, shall be considered to be satisfactorily identified and shall be admitted in any proceeding as prima facie evidence of the transactions. Additional proof of the official character of the person certifying the record or the authenticity of the person's signature shall not be required. Whenever an employee of the collection services center is served with a summons, subpoena, subpoena duces tecum, or order directing that person to produce such records, the employee may comply by transmitting a copy of the payment records certified as described above to the clerk of the district court.

Sec. 316A. Section 252D.1, subsection 2, Code Supplement 1985, is amended by striking the subsection.

Sec. ___. NEW SECTION. 252D.6 ADMINISTRATION OF

WAGE WITHHOLDING PROCEDURES.

The collection services center, established pursuant to section 252B.13, is designated as the public agency of the state to administer wage withholding in accordance with procedure specified for keeping adequate records to document, track and monitor support payments in accordance with Title IV-D of the United States Social Security Act.

Sec. ___. Section 598.22, unnumbered paragraph 1, Code Supplement 1985, is amended by striking the paragraph and inserting the following:

This section applies to all initial or modified orders for support entered under this chapter, chapter 234, 252A, 252C, 675, or any other chapter of the Code. All orders or judgments for support entered on or before March 31, 1987, shall direct the payment of those sums to the clerk of the district court for the use of the person for whom the payments have been awarded. All orders or judgments for support entered on or after April 1, 1987, shall direct the payment of those sums to the collection services center established pursuant to section 252B.13. Payments to persons other than the clerk of the district court and the collection services center do not satisfy the support obligations created by the orders or judgments, except as provided for trusts in section 252D.1, 598.23, or this section or for tax refunds or rebates in section 602.8102, subsection 47.

Sec. ___. Section 598.22, unnumbered paragraphs 2, 3, and 4, Code Supplement 1985, are amended to read as follows:

Upon a finding of previous failure to pay child support, the court may order the person obligated for permanent child support to make an assignment of periodic earnings or trust income to the clerk of court or the collection services center established pursuant to section 252B.13 for the use of the person for whom the assignment is ordered. The assignment of earnings ordered by the court shall not exceed the amounts set forth in 15 U.S.C. §1673(b)(1982). The assignment is binding on the employer, trustee, or other payor of the funds two weeks after service upon that person of notice that the assignment has been made. The payor shall withhold from the earnings or trust income payable to the person obligated the amount specified in the assignment and shall transmit the payments to the clerk or the collection services center, as appropriate. However, for trusts governed by the federal Retirement Equity Act of 1984, Pub. L. No. 98-397, the payor shall transmit the payments to

the alternate payee in accordance with the federal Act. The payor may deduct from each payment a sum not exceeding two dollars as a reimbursement for costs. An employer who dismisses an employee due to the entry of an assignment order commits a simple misdemeanor.

An order or judgment entered by the court for temporary or permanent support or for an assignment shall be filed with the clerk. The orders have the same force and effect as judgments when entered in the judgment docket and lien index and are records open to the public. The clerk or the collection services center, as appropriate, shall disburse the payments received pursuant to the orders or judgments within ten working days of the receipt of the payments. All moneys received or disbursed under this section shall be entered in a record book kept by the clerk, or the collection services center, as appropriate, which shall be open to the public. The clerk or the collection services center shall not enter any moneys paid in the record book if not paid directly to the clerk or the center, as appropriate, except as provided for trusts in section 252D.1, 598.23 or this section or for tax refunds or rebates in section 602.8102, subsection 47.

If the sums ordered to be paid in a support payment order are not paid to the clerk or the collection services center, as appropriate, at the time provided in the order or judgment, the clerk or the collection services center, as appropriate, shall certify a default to the court which may, on its own motion, proceed as provided in section 598.23."

101. Page 98, by inserting after line 29 the following:

"Sec. ___. Section 316A of this Act is effective April 1, 1988."

102. Page 103, line 4, by striking the figure "933,006" and inserting the figure "833,006".

103. Page 105, lines 14 and 15, by striking the words and figure "four hundred seventy-eight thousand one hundred three (16,478,103)" and inserting the words and figure "four hundred ninety-five thousand nine hundred ten (16,495,910)".

104. Page 107, line 33, by striking the figure "51,545,266" and inserting the figure "51,445,266".

105. Page 110, by inserting after line 29 the following:

"The division of criminal investigation of the department of public safety shall be the state agency that is responsible for conducting all criminal investigations involving the operations of the Iowa

lottery agency, including but not limited to investigations of stolen lottery tickets. The security staff employed by the Iowa lottery agency shall not exceed a director of security."

106. Page 111, by striking lines 24 through 26.

107. Page 112, by striking line 10 and inserting the following:

"coordinator, provided that an amount not to exceed twenty thousand dollars shall be spent upon expenses related to administering federal funds for highway safety, and provided that the governor authorizes the commissioner of public safety, pursuant to section 7.15, to accept and expend funds provided by any Act of Congress for highway safety, and designates the department of public safety to administer these funds ..... $ 17,174,415"

108. Page 113, line 13, by striking the word "candidate".

109. Page 113, by inserting after line 17 the following:

"Sec. ___. There is appropriated from the general fund of the state to the Iowa law enforcement academy for the fiscal year beginning July 1, 1986 and ending June 30, 1987 the sum of twenty-three thousand five hundred eighty-six (23,586) dollars, or so much thereof as is necessary, for jailer training and technical assistance."

110. Page 117, line 10, by striking the figure "3,391,635" and inserting the figure "3,440,635".

111. Page 117, by inserting after line 10 the following:

"___. INDEMNITY FUND AND ESCROW.

From the general fund of the state as an advance for administration of the indemnity fund and escrow provision created by the 1986 Iowa Acts, Senate File 2116, for not more than five full-time equivalent positions ..... $ 100,000

It is a condition of the funds appropriated by this subsection that the general fund be reimbursed from the interest accruing to the indemnity fund, no later than June 30, 1987, for the advance made by this subsection. Not withstanding 1986 Iowa Acts, Senate File 2116, section 33, only interest accruing to the indemnity fund may be used for administration costs of the indemnity fund. In addition, interest accruing to the indemnity fund may be used for the expenses of administration of the escrow provision, subject to the

approval of the Iowa grain indemnity fund board, not withstanding 1986 Iowa Acts, Senate File 2116, section 33."

112. Page 117, line 30, by striking the words and figure "sixty thousand (60,000)" and inserting the words and figure "seventy-four thousand two hundred fifty (74,250)".

113. Page 118, by inserting after line 34 the following:

"Sec. ___. There is appropriated to the department of agriculture and land stewardship for the fiscal year beginning July 1, 1986 and ending June 30, 1987 from the funds available under section 99D.13 the sum of seventy-eight thousand one hundred seventy-five (78,175) dollars, or as much thereof as necessary, for volunteer assistance and not more than two full-time equivalent positions for the administration of section 99D.22."

114. Page 119, by inserting after line 10 the following: "The department shall not authorize any funds appropriated by this subsection for expenditures under chapter 467D. Of the funds appropriated under this subsection, seventy thousand six hundred thirty (70,630) dollars that would have been used for conservancy district purposes shall be redirected to soil conservation district office operations."

115. Page 120, by inserting after line 20 the following:

"i. It is the intent of the general assembly to encourage greater use of no-till, strip cropping, contour, and other management practices rather than permanent structures thereby increasing participation in soil conservation."

116. Page 122, by striking lines 24 and 25 and inserting the following:

"of the elderly in conservation and outdoor recreation related fields to be known as the green thumb program in coordination with other agencies as provided by law ..... $ 138,730"

117. Page 125, line 11, by striking the figure "2276" and inserting the figure "2488".

118. Page 125, by inserting after line 18 the following:

"Sec. ___. Section 99D.13, subsection 2, Code 1985, is amended to read as follows:

2. Winnings forfeited under subsection 1 shall escheat to the state and be paid over to the director of revenue and finance and to the extent appropriated by the general assembly shall be used for the benefit

of the department of agriculture and land stewardship to the extent necessary to administer section 99D.22 and the remainder shall be deposited as per provided in chapter 556."

119. Page 126, line 4, by striking the figure "17,500" and inserting the figure "42,000".

120. Page 126, line 18, by striking the figure "61,913" and inserting the figure "138,000".

121. Page 126, line 23, by striking the figure "119,056" and inserting the figure "146,000".

122. Page 127, line 23, by striking the figure "350,000" and inserting the figure "1,650,000".

123. Page 127, by striking lines 31 through 34.

124. Page 128, line 5, by inserting after the word "advocate" the words "to be used as startup funding for the utilities division revolving fund".

125. Page 128, by inserting after line 5 the following:

"___. ALCOHOL BEVERAGE CONTROL DIVISION

For salaries, support, maintenance, and other operational purposes ..... $ 10,000,000

The state liquor inventory shall be placed on a bailment system."

126. Page 128, line 16, by striking the figure "1,793,877" and inserting the figure "1,943,000".

127. Page 128, line 26, by striking the figure "2,561,948" and inserting the figure "2,664,790".

128. Page 129, line 4, by striking the figure "24,523" and inserting the figure "47,000".

129. Page 129, line 8, by striking the figure "1,007,086" and inserting the figure "1,079,000".

130. By striking page 129, line 22 through page 130, line 6.

131. Page 130, lines 31 and 32, by striking the words and figure "three million six hundred fifty thousand (3,650,000)" and inserting the words and figure "three million nine hundred five thousand (3,905,000)".

132. Page 131, lines 24 and 25, by striking the words and figure "two million four hundred fifty thousand (2,450,000)" and inserting the words and figure "one million one hundred fifty thousand (1,150,000)".

133. Page 132, lines 10 and 11, by striking the words and figure "three million six hundred twenty-five thousand (3,625,000)" and inserting the words and figure "three million seven hundred eighty-nine thousand four hundred (3,789,400)".

134. Page 132, lines 16 and 17, by striking the

words and figure "eight hundred sixty-six thousand (866,000)" and inserting the words and figure "eight hundred ninety-two thousand (892,000)".

135. Page 132, line 19, by inserting after the word "office." the words "Of the funds deposited in the utilities trust fund, the treasurer of state shall transfer from the fund and credit to the general fund of the state the sum of seven hundred twenty-five thousand (725,000) dollars for the fiscal year beginning July 1, 1986 and ending June 30, 1987 to reimburse the general fund of the state for startup funding provided for the utilities trust fund from the general fund of the state."

136. Page 133, line 24, by inserting after the word "basis." the words "Assessments may be made quarterly based upon estimates of the utility division's and the consumer advocate's expenditures for the fiscal year. Beginning with the fiscal year beginning July 1, 1987, the first assessment for any fiscal year may be made by the utility division by May 15 of the preceding fiscal year and shall be paid by the utility on or before the following July 1. Within ninety days of the close of the fiscal year, the utilities division shall conform the amount of the prior year's assessments to the requirements of this section."

137. Page 134, line 25, by striking the words "The utilities" and inserting the words "Subject to section 476.10, the utilities".

138. Page 134, by striking lines 29 through 31 and inserting the words "division. No part of the funds held by the treasurer".

139. Page 134, by striking lines 33 through 35 and inserting the words "fund of the state or any other fund. The funds held by".

140. Page 135, line 21, by striking the word "The".

141. By striking page 135, line 22 through page 136, line 16 and inserting the following: "However, fees paid for the inspection or examination of an insurer or other entity subject to regulation by the department shall be deposited in a special trust fund. The treasurer of state shall hold these funds in an account that shall be established in the name of the commissioner for the payment of the inspection and examination expenses of the department upon appropriation by the general assembly. This fund is subject at all times to the warrant of the department of revenue, drawn upon written requisition of the commissioner or the commissioner's designated

banquet".

151. Page 149, line 4, by striking the figure "5,295,236" and inserting the figure "3,195,236".

152. Page 149, by inserting after line 4 the following:

"Sec. ___. The treasurer of state shall apportion all moneys in the county indemnification fund to the county treasurers of the respective counties. The moneys in the fund, including interest income received by the fund, shall be allocated to each county in the same proportion that the county contributed to the fund. The treasurer of state shall apportion and remit the funds on or before July 15, 1986."

153. Page 149, line 22, by striking the figure "44,099,400" and inserting the figure "44,597,000".

Sec. ___.

1. All salary ranges currently in effect for public officials or their successors shall be applicable to all fiscal year 1987 positions except the department directors' salary ranges in section 759 of this Act.

2. 1985 Iowa Acts, chapter 253, section 1, is repealed.

Sec. ___.

1. The following department directors' salary ranges are effective for the fiscal year beginning July 1, 1986 and shall remain in effect until otherwise provided by law.

a. Department director's salary range 1 - $33,000-$44,000

b. Department director's salary range 2 - $42,400-$56,600

c. Department director's salary range 3 - $48,700-$63,900

2. The following are department director salary range 1 positions: department of elder affairs, department of inspections and appeals, department of human rights, full-time board of parole members, civil rights commission, law enforcement academy, and chairperson and members of the public employment relations board.

3. The following are department director range 2 positions: department of cultural affairs, department of general services, department of public safety, department of public health, department of personnel, department of corrections, department of commerce, and department of employment services.

4. The following are department director range 3 positions: department of education, department of revenue and finance, department of economic

representative, for the payment of all salaries and other expenses necessary to carry out the inspection or examination duties of the insurance department. The commissioner may keep on hand with the treasurer of state funds in excess of the current needs of the department. Transfers shall not be made from the general fund of the state or any other fund for the payment of the inspection and examination expenses of the department. No part of the funds held by the treasurer of state for the account of the commissioner shall be transferred to the general fund of the state or any other fund. The funds held by the treasurer of state for the account of the commissioner shall be invested by the treasurer of state and the income derived from these investments shall be credited to the general fund of the state.

The commissioner shall account for receipts and disbursements according to the separate inspection and examination duties imposed upon the commissioner by the laws of this state and each separate inspection and examination duty shall be fiscally self-sustaining."

142. Page 140, line 29, by striking the words "department of job service" and inserting the words "job services division of the department of employment services".

143. Page 143, line 1, by striking the figure "675,712" and inserting the figure "643,650".

144. Page 143, line 3, by striking the figure "5,607" and inserting the figure "5,439".

145. Page 143, line 7, by striking the figure "58,482" and inserting the figure "56,728".

146. Page 143, line 22, by striking the figure "17,134" and inserting the figure "15,706".

147. Page 143, line 26, by striking the figure "60,187" and inserting the figure "58,053".

148. Page 145, line 6, by striking the figure "4,437,424" and inserting the figure "4,590,964".

149. Page 145, by inserting after line 6 the following:

"It is the intent of the general assembly that the department of general services insure that each state agency and department obtains the lowest cost possible in procuring computer equipment and computer equipment maintenance services. All contracts for computer equipment, whether new or used, and all contracts for computer maintenance, whether with the original manufacturer or a third party vendor, should be let in accordance with competitive bidding practices."

150. Page 148, line 2, by striking the words "and

development, department of human services, department of transportation, department of management, department of natural resources, and the executive secretary of the state board of regents.

5. All statutory salaries established by the governor or as otherwise provided shall be paid from the appropriations made to the departments."

154. Page 150, lines 8 and 9, by striking the words and figure "sixteen million six hundred sixty-seven thousand nine hundred forty (16,667,940)" and inserting the words and figure "seventeen million six hundred sixty-seven thousand nine hundred forty (17,667,940)".

155. Page 150, line 26, by striking the figure "2,928,227" and inserting the figure "2,977,981".

156. Page 170, line 33, by striking the figure "1986" and inserting the figure "1987".

157. Page 170, line 35, by striking the words "However, the division shall not operate a state".

158. Page 171, line 1, by striking the words "liquor store after December 31, 1986."

159. Page 171, line 13, by striking the figure "3,067,210" and inserting the figure "3,191,828".

160. By striking page 171, line 23 through page 177, line 4.

161. Page 177, by inserting before line 5 the following:

"Sec. ___. Section 29A.9, unnumbered paragraph 2, Code 1985, is amended to read as follows:

The governor shall also provide for the participation of the national guard, or any part of it, in training at such times and places as ~~designated by the secretary of defense~~ necessary to insure readiness for public defense or federal service.

162. Page 178, by inserting after line 24 the following:

"Sec. ___. Section 331.404, Code 1985, is repealed.

Sec. ___. Sections 723 through 742, 744 through 749, 752, 754, 755, and 756 of this Act take effect March 1, 1987."

163. Renumber sections and correct internal references as necessary in accordance with this amendment.

-5791 Filed April 29, 1986 BY COMM. ON APP., WELSH, CHAIR

Adopted as amended by 5801, 5811, 5825, 5828, 5830, 5832, 5838, 5835, 5839, 5849, 5850B, 5857, 5864, 5866, 5875, 5879, 5891, 5894, 5904, 5819

HF 2484.505 71

bk/jw/5

HOUSE FILE 2484

S-5787

Amend House File 2484 as amended, passed, and reprinted by the House, as follows:

1. By striking page 168, line 13 through page 169, line 1.

S-5787 Filed April 29, 1986
BY GRONSTAL
w/d 5-1

HOUSE FILE 2484

S-5788

Amend House File 2484 as amended, passed and reprinted by the House as follows:

1. Page 171, by inserting after line 3 the following:

"Sec. ___. Notwithstanding section 741 of this Act which creates a new lettered paragraph "e" to section 123.30, subsection 3, Code Supplement 1985, a person operating an agency store may obtain a class "E" liquor control license for the premises designated as an agency store despite the fact that gasoline is also sold on the premises."

S-5788 Filed April 29, 1986
BY GRONSTAL
w/d 5-1

HOUSE FILE 2484

S-5789

Amend House File 2484 as amended, passed, and reprinted by the House, as follows:

1. Page 170, lines 10 and 11, by striking the following: "sections 123.23 and 123.96" and inserting the following: "section 123.23".

2. Page 170, by inserting after line 11 the following:

"Sec. ___. Section 123.96, Code Supplement 1985, is repealed."

3. Page 171, by inserting after line 3 the following:

"Sec. ___. Effective July 1, 1986 the division shall cease offering for sale and selling wine at wholesale to liquor control licensees and class "B" wine permittees. The state may continue to sell wine at retail to purchasers at state liquor stores as provided by this Act."

S-5789 Filed April 29, 1986
BY GRONSTAL
w/d 5-1

May 1, 1986

HOUSE FILE 2484

S-5798

Amend House File 2484, as amended, passed, and reprinted by the House, as follows:

1. Page 40, line 18, by inserting after the word "states." the words "The board shall adopt rules requiring proper evidence of residency in Iowa's sister states." A

2. Page 69, by striking lines 12 and 13. B

3. By striking page 117, line 26 through page 118, line 34. C

4. Page 120, by inserting after line 25 the following:

"___. Public funds expended for voluntary permanent soil conservation practices shall become a lien upon the property upon which the funds are expended for a period of ten years. If the person who owns the property and received the public funds sells the property within ten years, the owner shall repay the amount of public funds received. If the owner does not sell the property within ten years, the lien is canceled by operation of law." D

5. Page 145, by inserting after line 26 the following:

"___. To provide a public employee salary list report for public distribution as provided by section 18.75 ..... $ 4,000".

6. Page 152, by inserting after line 4 the following:

"Sec. ___. Section 18.75, Code 1985, is amended by inserting the following new subsection after subsection 7:

NEW SUBSECTION. By September 1 of each year supply an inexpensively bound report which contains the name, residence, official title, salary received during the previous fiscal year, base salary as computed on July 1 of the current fiscal year, and traveling and subsistence expense of the personnel of each of the departments, boards, and commissions of the state government except personnel who receive an annual salary of less than one thousand dollars. The number of the personnel and the total amount received by them shall be shown for each department in the report. All employees who have drawn salaries, fees, or expense allowances from more than one department or subdivision shall be listed separately under the proper departmental heading. On the request of the superintendent, the head of each department, board, or commission shall furnish the data covering that agency. The report shall be paid for out of moneys in E

the general fund not otherwise appropriated. The report shall be distributed upon request without charge to each member of the general assembly, elected state officer, and department head. Other persons may purchase a copy for a fee not less than the amount required to print the copy. All funds from the sale of the report shall be deposited in the general fund."

E

S-5798 Filed April 30, 1986 A o/o, B Lost, C o/o, D lost E adopted
BY HOLDEN

A - o/o (p. 1489)
B - Lost (p. 1490)
C o/o (p. 1489)
D Lost (p. 1491)

E-adopted as amended Cf 5811, 5846 (p. 1491)

HOUSE FILE 2484

S-5792

Amend House File 2484, as amended, passed, and reprinted by the House, as follows:

1. Page 32, line 31, by striking the figure "1986" and inserting the following: "1987".
2. Page 32, line 34, by striking the figure "1986" and inserting the following: "1987".
3. Page 33, line 1, by striking the figure "1986" and inserting the following: "1987".

S-5792 Filed April 29, 1986
BY HORN
Adopted 4-30 (p. 1489)

HOUSE FILE 2484

S-5797

Amend House File 2484 as amended, passed, and reprinted by the House as follows:

1. Page 26, by inserting after line 27 the following:

"d. It is the intent of the general assembly that the state board of regents require each college of education within the institutions of higher education under the control of the state board of regents to modify the existing program to develop an instructionally engaged program for teacher and administrator training. The program shall provide teacher and administrator training for university students to enable those students as teachers and administrators to make the maximum use of instructional time, to be aware of classroom management strategies, and to utilize research on effective teaching and administrating. The program shall also emphasize the need to reduce the use by entry-level students of remedial classes at the post secondary level by striving for more efficient use of academic learning time at the secondary level of education."

S-5797 Filed April 29, 1986
BY TAYLOR, MURPHY, GRATIAS, BROWN
Lost 4-30 (p. 1488)

HOUSE FILE 2484

S-5801

Amend amendment S-5791 to House File 2484 as amended, passed, and reprinted by the House as follows:

1. Page 4, line 46, by inserting after the word "education" the words ", or in any other department or division of state government,".

S-5801 Filed and adopted April 30, 1986 BY RITSEMA
(p. 1457)

HOUSE FILE 2484

S-5802

Amend House File 2484 as amended, passed, and reprinted by the House as follows:

1. Page 69, by inserting after line 7 the following: "The department may expend up to $13,000 of the funds appropriated by this subsection for an older Iowans legislature."
2. Page 69, by striking lines 12 through 13.
3. Page 69, line 21, by striking the figure "70,000" and inserting in lieu thereof the figure "82,953".

S-5802 Filed April 30, 1986
BY RITSEMA
w/d 5-1

HOUSE FILE 2484

S-5803

Amend House File 2484 as amended, passed, and reprinted by the House, as follows:

1. Page 36, by striking line 21 and inserting the following: "be decentralized by July 1, 1988, to the fullest extent consistent with maintaining the health education programs of the university of Iowa and the economic viability of the university of Iowa hospitals and clinics, so".
2. Page 36, line 23, by inserting after the word "clinics." the following: "The decentralized program may provide for special arrangements for those counties served by existing prenatal clinics of the university hospitals."
3. Page 36, line 30, by inserting after the word "for" the following: "the care of those".

S-5803 Filed April 30, 1986 W/drawn
BY HORN
W/D (p. 1489)

May 1, 1986

HOUSE FILE 2484

S-5799

Amend House File 2484 as amended, passed and reprinted by the House as follows:

1. Page 15, by inserting after line 6 the following:

"Sec. ___. Section 324.65, unnumbered paragraph 1, Code 1985, is amended to read as follows:

If a licensee or other person fails to remit at least ninety percent of the tax due with the filing of the return on or before the due date or pays less than ninety percent of any tax required to be shown on the return, there shall be added to the tax a penalty of five percent of the amount of the tax due. The penalty imposed under this section is not subject to waiver. The taxpayer shall also pay interest on the tax or additional tax at the rate in effect under section 421.7 counting each fraction of a month as an entire month, computed from the date the return was required to be filed. If the amount of the tax as determined by the appropriate state agency is less than the amount paid, the excess shall be refunded with interest, the interest to begin to accrue on the first day of the third calendar month following the date of payment or the date the return was due to be filed or was filed, whichever is the latest, at the rate in effect under section 421.7 counting each fraction of a month as an entire month under the rules prescribed by the appropriate state agency. In lieu of a refund allowed under this section, the licensee may request that the department allow the refund to be held as a credit for the licensee."

2. Renumber sections and correct internal references as necessary in accordance with this amendment.

S-5799 Filed April 30, 1986
BY HOLDEN

Lost (p. 1487)
Reconsidered + Adopted (p. 1488)

ADOPTED

HOUSE FILE 2484

S-5800

Amend House File 2484 as amended, passed and reprinted by the House, as follows:

1. Page 148, by inserting after line 2 the following:

"Sec. ___. The legislative oversight committee established to monitor the implementation of governmental reorganization shall be the legislative fiscal committee of the legislative council."

S-5800 Filed April 30, 1986
BY WELSH

w/d 5-1

HOUSE FILE 2484

S-5808

Amend the amendment, S-5791, to House File 2484 as amended, passed and reprinted by the House, as follows:

1. Page 3, by striking lines 20 and 21 and inserting the following:

"___. By striking page 12, line 29 through page 14, line 13 and inserting the following:

"Sec. ___. NEW SECTION. 307.39 CONSTRUCTION PROGRAM.

The department shall prepare and submit to the general assembly a proposed ten-year highway division building program including a current estimate of the cost to complete each building project included within the program. The program and cost estimates will be submitted no later than seven days after the convening of each regular annual session of the general assembly. The building program shall contain a list of the buildings and facilities which the department deems necessary. This list shall be revised annually, but a project shall not be eliminated from the list when funds have been previously obligated by the department to pay the cost of the project. The general assembly shall have the authority to reject or revise the ten-year highway division building program as submitted by the department.

Subject to and in accordance with this section, the department may undertake and carry out any project identified within the first year of the ten-year highway division building program as submitted to the general assembly. The costs of the projects shall be paid from the primary road fund and shall not exceed one million five hundred thousand dollars annually. All contracts for the construction, reconstruction, completion, equipment, improvement, repair, or remodeling of any building, additions, or facilities shall be let through competitive bidding. The title of all real estate acquired under this section and the improvements erected on the property shall be taken and held in the name of the state.

Highway division building needs in excess of the funds authorized in the preceding paragraph and other departmental building needs and appropriations shall be approved by the general assembly.""

S-5808 Filed and lost April 30, 1986 BY HOLDEN

(p. 1456)

S-5807

Amend House File 2484, as amended, passed, and reprinted by the House as follows:

1. Page 1, by striking lines 13 through 15.

S-5807 Filed April 30, 1986
BY TIEDEN

ADOPTED

Adopted (p. 1485)

HOUSE FILE 2484

S-5809

Amend amendment S-5791 to House File 2484 as amended, passed, and reprinted by the House as follows:

1. Page 1, by striking lines 14 and 15.
2. Page 1, by striking lines 31 through 34.
3. Page 1, by striking lines 47 and 48.

S-5809 Filed and lost April 30, 1986 BY TIEDEN
(p. 1456)

HOUSE FILE 2484

S-5810

Amend amendment S-5791 to House File 2484 as amended, passed and reprinted by the House as follows:

1. Page 18, by inserting after line 44, the following:

"___. Page 108, by striking line 26 and inserting the following:

"tem, provided that an amount not to exceed twenty thousand dollars shall be spent upon expenses related to administering federal funds for highway safety, and provided that the governor authorizes the commissioner of public safety, pursuant to section 7.15, to accept and expend funds provided by any Act of Congress for highway safety, and designates the department of public safety to administer these funds ..... $ 1,717,542""

2. Page 19, by striking lines 6 through 18.

S-5810 Filed and lost April 30, 1986 BY JENSEN, LIND
(p. 1471)

HOUSE FILE 2484

S-5811

Amend the amendment, S-5791, to House File 2484, as amended, passed, and reprinted by the House as follows:

1. Page 22, line 22, by striking the word "Within" and inserting the words "Not more than".
2. Page 22, line 23, by striking the words "of the close" and inserting the words "following the close".
3. Page 22, line 25, by inserting after the word "prior" the word "fiscal".

S-5811 Filed and adopted April 30, 1986 BY GRONSTAL
(p. 1458)

HOUSE FILE 2484

S-5812

Amend House File 2484 as amended, passed, and reprinted by the House as follows:

1. Page 165, by striking lines 6 through 8.

S-5812 Filed April 30, 1986
BY CARR, TIEDEN, GETTINGS, SOORHOLTZ, GRONSTAL, HULTMAN
w/d 5-1

HOUSE FILE 2484

S-5816

Amend the amendment, S-5791, to House File 2484, as amended, passed, and reprinted by the House as follows:

1. Page 6, line 30 by striking the figure "1988" and inserting the figure "1992".

S-5816 Filed and lost April 30,1986 BY LIND
(p. 1469)

HOUSE FILE 2484

S-5818

Amend House File 2484 as amended, passed, and reprinted by the House as follows:

1. Page 107, by striking lines 7 through 10.

S-5818 Filed April 30, 1986
BY RITSEMA
w/d 5-1

HOUSE FILE 2484

S-5819

Amend the amendment, S-5791, to House File 2484, as amended, passed, and reprinted by the House as follows:

1. Page 3, by striking line 2 and inserting the following:

"___. Page 6, by striking lines 34 and 35."

S-5819 Filed April 30, 1986
BY DRAKE
ADOPTED
Adopted 4-30 (p. 1475)

HOUSE FILE 2484

S-5821

Amend the amendment, S-5791, to House File 2484, as amended, passed, and reprinted by the House as follows:

1. Page 23, line 49, by inserting after the word "practices." the words "Evaluation of bids may consider vendor experience, depth of training, problem determination equipment and parts supply and availability or service."

S-5821 Filed and ruled out of order April 30, 1986 BY DRAKE
(p. 1458)

HOUSE FILE 2484

S-5813

Amend the amendment, S-5791, to House File 2484, as amended, passed, and reprinted by the House as follows:

1. Page 20, by striking lines 4 through 7.

S-5813 Filed and lost April 30, 1986 BY LIND, GENTLEMAN, HOLDEN

(p. 1458)

HOUSE FILE 2484

S-5814

Amend the amendment, S-5791, to House File 2484, as amended, passed, and reprinted by the House as follows:

1. Page 3, line 9, by inserting after the word "garages" the words "with wheels".

S-5814 Filed and withdrawn April 30, 1986 BY LIND

(p. 1454)

HOUSE FILE 2484

S-5815

Amend the amendment, S-5791, to House File 2484, as amended, passed, and reprinted by the House as follows:

1. Page 4, line 21, by striking the word "science" and inserting the word "service".

S-5815 Filed and lost April 30, 1986 BY LIND

(p. 1457)

HOUSE FILE 2484

S-5817

Amend the amendment, S-5791, to House File 2484, as amended, passed, and reprinted by the House as follows:

1. Page 4, by striking lines 48 and 49.

S-5817 Filed and lost April 30, 1986 BY LIND

(p. 1457)

HOUSE FILE 2484

S-5820

Amend the amendment, S-5791, to House File 2484, as amended, passed, and reprinted by the House as follows:

1. Page 23, by striking lines 39 through 49.

S-5820 Filed and ruled out of order April 30, 1986 BY DRAKE

(p. 1458)

HOUSE FILE 2484

S-5825

Amend the amendment, S-5791, to House File 2484, as amended, passed, and reprinted by the House as follows:

1. Page 8, line 3, by inserting after the word "facilities" the following: ", which serve persons with mental retardation, chronic mental illness, and other developmental disabilities,".

2. Page 9, line 9, by inserting after the word "housing" the following: "for persons with mental retardation, chronic mental illness, and other developmental disabilities,".

3. Page 13, line 2, by inserting after the word "retarded" the following: ", residential care facilities, residential facilities for the mentally retarded, and residential care facilities for the mentally ill; the accreditation rules for community mental health centers; and the approval standards for community, supervised apartment living arrangements".

S-5825 Filed and adopted April 30, 1986 BY MURPHY
(p. 1470)

HOUSE FILE 2484

S-5826

Amend the amendment, S-5791, to House File 2484 as amended, passed and reprinted by the House, as follows:

1. By striking page 2, line 39 through page 3, line 1.

S-5826 Filed April 30, 1986 and lost BY PRIEBE, TIEDEN, HOLDEN PETERSON
Lost 5-1 (p. 1459)

HOUSE FILE 2484

S-5828

Amend the amendment, S-5791, to House File 2484 as amended, passed, and reprinted by the House as follows:

1. Page 5, by striking lines 19 through 27.
2. Page 6, by striking lines 31 and 32.
3. By striking page 6, line 50, through page 7, line 1.
4. Page 7, by striking line 11.

S-5828 Filed and adopted April 30, 1986 BY TAYLOR, GRATIAS MURPHY, GENTLEMAN
(p. 1467)

S-5822

Amend House File 2484 as amended, passed and reprinted by the House as follows:

1. Page 15, by inserting after line 6 the following:

"Sec. 35A. 1985 Iowa Acts, chapter 256, section 11, is amended to read as follows:

SEC. 11. There is appropriated from the general fund of the state to the Iowa development commission for the fiscal period beginning on the effective date of this Act and ending June 30, 1985 the sum of two hundred thousand (200,000) dollars, or so much thereof as is necessary, for its advertising and tourism budget. ~~The Iowa development commission shall transfer from any other funds received for its advertising and tourism budget an amount up to or equal to two hundred thousand ($200,000) dollars received during the fiscal year beginning July 1, 1985 and ending June 30, 1986 which funds shall be transferred to the general fund of the state not later than June 30, 1986 to replace those funds received under this section for the fiscal period beginning on the effective date of this Act and ending June 30, 1985.~~"

2. Page 15, by inserting after line 11 the following:

"Sec. ___. Section 35A of this Act is retroactive to June 1, 1986."

S-5822 Filed April 30, 1986
BY GETTINGS
adopted (p. 1487)

ADOPTED

HOUSE FILE 2484

S-5823

Amend the amendment, S-5791, to House File 2484, as amended, passed, and reprinted by the House as follows:

1. Page 2, by striking lines 32 through 35.

S-5823 Filed April 30, 1986
BY LIND, RITSEMA
Lost 4-30 (p. 1475)

LOST

HOUSE FILE 2484

S-5824

Amend House File 2484, as amended, passed, and reprinted by the House as follows:

1. By striking page 117, line 26 through page 118, line 34.

S-5824 Filed April 30, 1986
BY LIND, GENTLEMAN, HOLDEN
w/d 5-1

HOUSE FILE 2484

S-5832

Amend the amendment, S-5791, to House File 2484, as amended, passed, and reprinted by the House as follows:

1. Page 23, line 49, by inserting after the word "practices." the words "Evaluation of bids should also consider vendor experience, depth of training, problem determination equipment, parts supply and the ability of the vendor to meet the requirements of the state. The department of general services shall summarize in report form the bids received and accepted for the procurement of computer equipment and computer equipment maintenance services. The report shall cover the period May 1, 1986 through February 28, 1987 and shall be submitted to the state government appropriations subcommittees of the senate and house on or before March 15, 1987."

S-5832 Filed and adopted April 30, 1986 BY DIELEMAN
(p. 1458)

HOUSE FILE 2484

S-5833

Amend House File 2484, as amended, passed, and reprinted by the House, as follows:

1. Page 12, by inserting after line 28 the following:

"Sec. ___. Section 308.4, subsection 3, Code Supplement 1985, is amended by striking the subsection."

2. Renumber sections and correct internal references as necessary in accordance with the amendment.

S-5833 Filed April 30, 1986
BY GETTINGS
ADOPTED
Adopted (p. 1487)

HOUSE FILE 2484

S-5837

Amend amendment S-5791 to House File 2484 as amended, passed and reprinted by the House as follows:

1. By striking page 7, line 50 through page 9, line 45.

S-5837 Filed and lost April 30, 1986 BY GENTLEMAN
(p. 1470)

HOUSE FILE 2484

S-5827

Amend House File 2484, as amended, passed, and reprinted by the House as follows:

1. Page 124, by inserting after line 17 the following:

"Sec. 506. SCHOOL TAX PAYMENT. There is appropriated from the general fund of the state to the department of natural resources the amount sufficient to pay ninety percent of the school taxes for the fiscal year beginning July 1, 1986 on the lands acquired under the open spaces acquisition program, commenced in Acts of the Sixty-fifth General Assembly, 1973 Session, chapter 74, and under the jobs now account of the Iowa plan fund under 1985 Iowa Acts, chapter 33, which would otherwise be subject to the levy of school taxes. The assessed value of the open spaces land shall be that determined pursuant to section 427.1, subsection 31, and the department may protest the assessed value in the manner provided by law for any property owner to protest an assessment. For the purposes of chapter 442, ninety percent of the assessed value of the open spaces land shall be included in the valuation base of the school district and the payments made pursuant to this section shall be considered as property tax revenues and not as miscellaneous income. The county treasurer shall certify the taxes due to the department."

S-5827 Filed April 30, 1986
BY HESTER, TIEDEN, HUSAK
w/d 5-1

HOUSE FILE 2484

S-5829

Amend amendment S-5791 to House File 2484 as amended, passed, and reprinted by the House as follows:

1. By striking page 5, line 44, through page 6, line 9.

S-5829 Filed and lost April 30,1 986 BY GENTLEMAN
(p.1468)

HOUSE FILE 2484

S-5830

Amend the amendment, S-5791, to House File 2484, as amended, passed, and reprinted by the House as follows:

1. Page 4, by striking lines 38 and 39 and inserting the following:

"___. Page 17, by striking lines 25 through 30.

___. By striking page 17, line 33 through page 18, line 3."

S-5830 Filed and adopted April 30, 1986 BY HORN FRAISE
(p.1466)

HOUSE FILE 2484

S-5836

Amend House File 2484 as amended, passed, and reprinted by the House as follows:

1. Page 1, by striking lines 13 through 15.

S-5836 Filed April 30, 1986
BY PALMER

o/o

o/o (J. 1480)

HOUSE FILE 2484

S-5839

Amend amendment S-5791 to House File 2484 as amended, passed, and reprinted by the House as follows:

1. By striking page 24, line 16 through page 25, line 7.

S-5839 Filed April 30, 1986
BY WELSH

ADOPTED

Adopted 4-3 a (J. 1473)

HOUSE FILE 2484

S-5840

Amend the amendment, S-5798, to House File 2484, as amended, passed, and reprinted by the House, as follows:

1. Page 1, line 34, by inserting after the word "name," the words "county of".

S-5840 Filed April 30, 1986
BY HOLDEN

ADOPTED

Adopted (J. 1491)

HOUSE FILE 2484

S-5841

Amend the amendment, S-5798, to House File 2484, as amended, passed and reprinted by the House, as follows:

1. Page 1, line 27, by striking the figure "4,000" and inserting the figure "6,500".

S-5841 Filed April 30, 1986
BY HOLDEN

ADOPTED

Adopted (J. 1491)

S-5831

Amend House File 2484, as amended, passed, and reprinted by the House as follows:

1. Page 170, by striking lines 21 through 27 and inserting the following: "fill vacant positions within the position."

2. Page 178, by inserting after line 24 the following:

"Sec. ___. If after exhausting the requirements of collective bargaining agreements a vacancy still exists in any other state department or agency, the other state department or agency shall give preference to qualified persons previously employed by the executive branch of state government whose jobs are terminated as a result of reorganization."

3. Renumber sections and correct internal references as necessary in accordance with this amendment.

S-5831 Filed April 30, 1986
BY DIELEMAN, BRUNER

w/d 5-1

HOUSE FILE 2484

S-5834

Amend the amendment, S-5791, to House File 2484, as amended, passed, and reprinted by the House, as follows:

1. Page 6, by striking lines 22 through 27 and inserting the following:

"___. Page 31, line 32, by striking the figure "30,000" and inserting the figure "50,000"."

S-5834 Filed and lost April 30, 1986 BY RIFE

(p. 1469)

HOUSE FILE 2484

S-5835

Amend amendment S-5791 to House File 2484 as amended, passed, and reprinted by the House as follows:

1. Page 6, line 15, by striking the figure "28." and inserting the following: "28 and inserting the following:

"The cooperative extension service in agriculture and home economics and the department of economic development shall enter into an agreement under chapter 28E that provides a procedure for coordinating the economic development activities of the cooperative extension service in agriculture and home economics with the economic development activities of the department of economic development.""

S-5835 Filed and adopted April 30, 1986 BY BRUNER

(p. 1468)

HOUSE FILE 2484

S-5838

Amend the amendment, S-5791, to House File 2484, as amended, passed, and reprinted by the House as follows:

1. Page 6, line 7, by inserting after the word "state" the word "indigent".

S-5838 Filed April 30, 1986 and adopted BY HANNON

(p. 1468)

S-5846

Amend the amendment, S-5791, to House File 2484, as amended, passed, and reprinted by the House as follows:

1. Page 6, line 7, by striking the word "state" and inserting the following: "indigent patient".

S-5846 Filed and ruled out of order April 30, 1986 BY RIORDAN
o/o 4-30 (p 1468)

HOUSE FILE 2484

S-5847

Amend House File 2484, as amended, passed, and reprinted by the House, as follows:

1. Page 38, by inserting after line 1 the following:

"Sec. ___. The Iowa college aid commission shall notify eligible high school seniors in writing that the supplemental grant program established in sections 261.61 through 261.63 has been retained by the general assembly and one million dollars is appropriated in section 261.63 for the payments. The letter shall include notification that it supersedes correspondence previously received by the student stating that the program was abolished."

S-5847 Filed April 30, 1986
BY HORN, BROWN, SMALL, MURPHY, COLTON, HANNON, RIORDAN, WELLS
w/d 5-1

HOUSE FILE 2484

S-5848

Amend House File 2484 as amended, passed and reprinted by the House as follows:

1. Page 178, by inserting after line 24 the following:

"Sec. ___. Notwithstanding section 8.39, the governor may, at the request of the affected departments, transfer funds from one appropriation to another when it has been determined that substantial fiscal difficulties have resulted due to the enactment of reogranization under 1986 Iowa Acts, Senate File 2175.

Any transfers made under this section shall be reported monthly to the oversight committee of the general assembly."

2. Renumber sections and correct internal references as necessary in accordance with this amendment.

S-5848 Filed April 30, 1986
w/d 5-1

SENATE 80
May 1, 1986

HOUSE FILE 2484

S-5843

Amend House File 2484 as amended, passed and reprinted by the House as follows:

1. Page 170, by inserting afater line 27 the following:

"Sec. ___. Section 220.63, Code 1985, is amended by adding the following new subsection:

NEW SUBSECTION. For the one-year period beginning with the date that persons may first apply for a class "E" liquor control license, the authority shall give preference in providing assistance under the small business loan program to individuals who work for or have worked for within the last year the alcoholic beverage control division of the department of commerce in acquiring a class "E" liquor control license and the real and personal property needed for operating a liquor store."

S-5843 Filed april 30, 1986
BY MURPHY

w/d 5-1

HOUSE FILE 2484

S-5844

Amend House File 2484 as amended, pased and reprinted by the House as follows:

1. Page 119, line 10, by striking the figure "3,385,315" and inserting the figure "3,445,315".
2. Page 119, line 18, by striking the figure "303,436" and inserting the figure "243,436".

S-5844 Filed April 30, 1986
BY TIEDEN

w/d 5-1

HOUSE FILE 2484

S-5845

Amend House File 2484, as amended, passed, and reprinted by the House, as follows:

1. Page 113, line 6, by striking the words "not more than" and inserting the word "approximately".
2. Page 113, line 8, by striking the word "may" and inserting the word "shall".
3. Page 113, line 12, by striking the word "may" and inserting the word "shall".

S-5845 Filed April 30, 1986
BY WALDSTEIN

w/d 5-1

S-5850

Amend the amendment, S-5791, to House File 2484, as amended, passed, and reprinted by the House as follows:

1. Page 5, line 47, by inserting after the word "liver," the following: "pancreas,". A

2. Page 10, line 28, by striking the word "resources" and inserting the following: "services".

3. Page 10, line 43, by inserting after the word "organizations." the following: "The director shall provide periodic updates on the contract to the legislative council and the fiscal committee of the legislative council and shall provide a progress report making recommendations regarding the contract to the general assembly not later than February 1, 1987." B

S-5850 Filed April 30, 1986 A withdrawn, B adopted BY BRUNER (p. 1468)

S-5853

Amend House File 2484, as amended, passed, and reprinted by the House as follows:

1. Page 10, by inserting after line 29 the following:

"Sec. ___. There is appropriated to the department of job service from the special employment security contingency fund for the fiscal year beginning July 1, 1986 and ending June 30, 1987 the sum of ten thousand (10,000) dollars, or so much thereof as is necessary, for rent, utility costs, and other office expenses to local self-help employment placement agencies pursuant to an informal grant application process established by the department. The funds appropriated from the special employment security contingency fund under this section shall be in addition to the funds authorized to be expended from this fund under section 96.13, subsection 3, paragraph "a"."

2. Renumber sections and correct internal references as necessary in accordance with this amendment.

S-5853 Filed April 30, 1986
BY MURPHY, HOLDEN LOST
Lost (p. 1487)

S-5854

Amend House File 2484 as amended, passed and reprinted by the House as follows:

1. Page 121, line 1, by striking the figure "9,122,655" and inserting the figure "9,097,655".

2. Page 121, by inserting after line 1 the following:

"It is a condition of the funds appropriated by this section that the department shall not negotiate consent decrees which provide for donations to the hazardous waste remedial fund in lieu of the payment of civil or criminal penalties by a person against whom administrative or legal proceedings have been instituted by the department."

S-5854 Filed April 30, 1986
w/d 5-1 BY WELSH

SENATE 86
May 1, 1986

HOUSE FILE 2484

S-5849

Amend the amendment, S-5791, to House File 2484 as amended, passed and reprinted by the House, as follows:

1. Page 5, line 47, by inserting after the word "liver," the following: "pancreas,".

2. Page 6, line 4, by inserting after the word "recipients" the following: ", or unless the patient meets nationally recognized criteria for pancreas transplantations".

3. Page 6, line 5, by inserting after the word "liver," the following: "pancreas,".

S-5849 Filed April 30, 1986
BY BRUNER

ADOPTED

Adopted 5-1 (p. 1468)

HOUSE FILE 2484

S-5851

Amend House File 2484 as amended, passed and reprinted by the House as follows:

1. Page 170, by inserting afater line 27 the following:

"Sec. ___. Section 220.63, Code 1985, is amended by adding the following new subsection:

NEW SUBSECTION. For the one-year period beginning with the date that persons may first apply for a class "E" liquor control license, the authority shall give preference in providing assistance under the small business loan program to individuals who work for or have worked for within the last year the alcoholic beverage control division of the department of commerce in acquiring a class "E" liquor control license and the real and personal property needed for operating a liquor store."

S-5851 Filed April 30, 1986
BY MURPHY

w/d 5-1

HOUSE FILE 2484

S-5852

Amend the amendment, S-5791, to House File 2484 as amended, passed and reprinted by the House, as follows:

1. Page 21, by striking lines 3 and 4 and inserting the following: "and the remainder shall be deposited ~~as per chapter 556~~ in the general fund of the state."

S-5852 Filed April 30, 1986
BY PRIEBE

Mdrann

W/D (p. 1476)

HOUSE FILE 2484

S-5857

Amend the amendment S-5791 to House File 2484 as amended, passed, and reprinted by the House, as follows:

1. Page 6, by inserting after line 30 the following:

"___. Page 38, by inserting after line 1 the following:

"Sec. 114A. Notwithstanding the procedures and appropriation specified in section 273.11, for the fiscal year beginning July 1, 1986 and ending June 30, 1987, the director of the department of education may modify the amount due from an area education agency under section 273.11 and the director of the department of revenue and finance shall pay the amount due to an area education agency from moneys appropriated for state school foundation aid under section 114E of this Act.

Sec. 114B. Notwithstanding the procedures and appropriation specified in section 281.12, for the fiscal year beginning July 1, 1986 and ending June 30, 1987, the director of the department of education may modify the amount due to a school district or agency providing a special education program under section 281.12 and the director of the department of revenue and finance shall pay the amount due to a school district or agency providing a special education program from moneys appropriated for state school foundation aid under section 114E of this Act.

Sec. 114C. Notwithstanding the procedures and appropriation specified in section 282.19, for the fiscal year beginning July 1, 1986 and ending June 30, 1987, if the child does not require special education, the superintendent of the school district shall certify the costs of instruction under section 282.19 to the director of the department of education not later than September 1 of each year for the preceding fiscal year. The director of the department of education shall review the costs of instruction and may modify them and submit a requisition to the department of revenue and finance. The amount due shall be paid by the department of revenue and finance to the school district from moneys appropriated for state school foundation aid under section 114E of this Act.

For the purpose of this section, "costs of instruction" means the tuition fee of the school district in which the child is enrolled calculated under section 282.24 and multiplied by the portion of the school year in which the child was enrolled.

Sec. 114D. Notwithstanding the procedures and

appropriation specified in section 282.27, for the fiscal year beginning July 1, 1986 and ending June 30, 1987, if a child requiring special education is not counted in the weighted enrollment of any district under section 281.9 and payment is not made by any district, the director of the department of education may modify the special education instructional costs certified to the director of the department of education under section 282.27 by a school district and the director of the department of revenue and finance shall pay the amount due from moneys appropriated for state school foundation aid under section 114E of this Act.

Sec. 114E. Notwithstanding section 442.26, from moneys appropriated pursuant to section 442.26 for the fiscal year beginning July 1, 1986 and ending June 30, 1987, the department of revenue and finance shall deduct the total of the amounts due under sections 114A through 114D, not to exceed the total amounts paid under sections 273.11, 281.12, 282.19, and 282.27, for the fiscal year beginning July 1, 1985. If the total of the amounts due under this section is more than the total of the amounts paid for the fiscal year beginning July 1, 1985, the department of revenue and finance shall allocate an amount to be paid under each of sections 114A through 114D based upon the proportion the amount paid under each of sections 273.11, 281.12, 282.19, and 282.27 for the fiscal year beginning July 1, 1985 bears to the total amount paid for that fiscal year. The payments to area education agencies under section 114A, to school districts or other agencies under section 114B, and to school districts under sections 114C and 114D, shall be prorated based upon the moneys allocated for the respective sections."

2. Page 6, by inserting after line 43 the following:

"___. Page 46, by striking lines 4 through 24."

3. Page 6, by striking lines 44 through 49 and inserting the following:

"___. By striking page 47, line 2 through page 50, line 7."

4. Page 7, by striking lines 4 through 10 and inserting the following:

"___. By striking page 55, line 11 through page 56, line 11."

S-5857 Filed April 30, 1986
BY HORN, WELSH

Adopted

Adopted 4-30 (J. 1476)

S-5855

Amend the amendment, S-5791, to House File 2484 as amended, passed and reprinted by the House, as follows:

1. Page 8, line 1, by striking the words "public health" and inserting the following: "inspections and appeals".

2. Page 8, line 41, by striking the words "public health" and inserting the following: "inspections and appeals".

3. Page 9, line 39, by striking the words "public health" and inserting the following: "inspections and appeals".

S-5855 Filed April 30, 1986
BY WELSH
ADOPTED
Adopted 4-30 (p 1476)

HOUSE FILE 2484

S-5856

Amend House File 2484 as amended, passed and reprinted by the House as follows:

1. Page 9, line 34, by striking the words and figure "nine hundred thousand (900,000)" and inserting the words and figure "nine hundred fifty-seven thousand four hundred ninety-four (957,494)".

2. Page 15, by inserting after line 6 the following:

"Sec. ___. Section 261.61, Code Supplement 1985 and sections 261.62 and 261.63, Code 1985, are repealed effective January 1, 1988."

3. Page 24, by striking lines 11 through 25.

4. Renumber sections and correct internal references as necessary in accordance with this amendment.

S-5856 Filed April 30, 1986
BY RITSEMA
LOST
Lost (p. 1487)

HOUSE FILE 2484

S-5860

Amend House File 2484, as amended, passed, and reprinted by the House as follows:

1. Page 15, by inserting after line 30 the following:

"Notwithstanding section 303.9, subsection 1, all admission fees charged at the Montauk historical site shall be credited to the account of the historical division and are appropriated to the historical division to be invested and used exclusively for maintenance and improvement of the property and grounds of Montauk."

S-5860 Filed April 30, 1986
BY DIELEMAN
ADOPTED
Adopted (p. 1488)

S-5858

Amend House File 2484 as amended, passed, and reprinted by the House as follows:

1. Page 15, by inserting after line 6 the following:

"Sec. ___. Section 573.2, Code 1985, is amended to read as follows:

573.2 PUBLIC IMPROVEMENTS -- BOND AND CONDITIONS.

Contracts for the construction of a public improvement shall, when the contract price equals or exceeds twenty-five thousand dollars, be accompanied by a bond, with surety, conditioned for the faithful performance of the contract, and for the fulfillment of other requirements as provided by law. The bond may also be required when the contract price does not equal that amount. However, if a contractor provides a bond as required by this section and subsequently after July 1, 1985 the surety company becomes insolvent and is no longer able to be a surety on the bond, then the contractor is relieved of the obligation of providing a new bond with surety."

2. Renumber as necessary.

S-5858 Filed April 30, 1986
BY WELSH
w/d (p. 1487)

Withdrawn

HOUSE FILE 2484

S-5859

Amend House File 2484, as amended, passed, and reprinted by the House as follows:

1. Page 15, by inserting after line 30 the following:

"Notwithstanding sections 18.12 and 18.16, the historical division may directly and independently enter into rental and lease agreements with private vendors for the purpose of selling mementos on the premises of property under the control of the division. All fees and income produced from the sales and rental or lease agreements shall be credited to the account of the division. Retail vendors will not be exempt from the sales and use tax under this provision."

S-5859 Filed April 30, 1986
BY DIELEMAN
Adopted 4-30 (p. 1488)

ADOPTED

HOUSE FILE 2484

S-5865

Amend House File 2484, as amended, passed, and reprinted by the House as follows:

1. Page 170, by striking lines 21 through 27 and inserting the following: "fill vacant positions within the division."

2. Page 178, by inserting after line 24 the following:

"Sec. ___. If after exhausting the requirements of collective bargaining agreements a vacancy still exists in any other state department or agency, the other state department or agency shall give preference to qualified persons previously employed by the executive branch of state government whose jobs are terminated as a result of reorganization."

3. Renumber sections and correct internal references as necessary in accordance with this amendment.

S-5865 Filed April 30, 1986
BY DIELEMAN, BRUNER
Adopted 5-1 (p. 1509)

HOUSE FILE 2484

S-5867

Amend House File 2484 as amended, passed and reprinted by the House as follows:

1. Page 2, by striking lines 39 through 43 and inserting in lieu thereof the following:

"___. Page 5, lines 14 and 15, by striking the words and figure "eight hundred twenty-five thousand four hundred ten (825,410) dollars" and inserting in lieu thereof the following: "seven hundred forty-five thousand six hundred fifty-six (745,656) dollars".".

2. Page 7, by inserting after line 33, the following:

"___. Page 67, line 15, by striking the word "twenty-four" and inserting the word "twenty-seven".

"___. Page 67, line 18, by striking the figure "762,129" and inserting the figure "841,883"."

S-5867 Filed April 30, 1986
BY MANN
o/c (p. 1485)

OUT OF ORDER

HOUSE FILE 2484

S-5866

Amend amendment S-5791 to House File 2484 as amended, passed, and reprinted by the House as follows:

1. Page 6, line 20, by striking the word "shall" and inserting in lieu thereof the word "may".

S-5866 Filed and adopted April 30, 1985 BY TIEDEN, WELSH
(p. 1469)

HOUSE FILE 2484

S-5863

Amend House File 2484 as follows:

1. Page 163, by inserting after line 27 the following:

"Sec. ___. Section 123.36, subsection 6, Code Supplement 1985, is amended to read as follows:

6. Any club, hotel, motel, or commercial establishment holding a liquor control license ~~for whom the sale of goods and services other than alcoholic liquor, wine, or beer constitutes fifty percent or more of the gross receipts from the licensed premises~~, subject to section 123.49, subsection 2, paragraph "b", may sell and dispense alcoholic liquor and wine to patrons on Sunday for consumption on the premises only, and beer for consumption on or off the premises between the hours of ten a.m. and twelve midnight on Sunday. For the privilege of selling beer, wine, and alcoholic liquor on the premises on Sunday the liquor control license fee of the applicant shall be increased by twenty percent of the regular fee prescribed for the license pursuant to this section, and the privilege shall be noted on the liquor control license. ~~The department shall prescribe the nature and the character of the evidence required of the applicant under this subsection.~~"

2. Page 169, by inserting after line 1 the following:

"Sec. ___. Section 123.134, subsection 5, Code 1985, is amended to read as follows:

5. Any club, hotel, motel, or commercial establishment holding a class "B" beer permit ~~for whom the sale of goods and services other than beer constitutes fifty percent or more of the gross receipts from the licensed premises~~, subject to the ~~provisions of~~ section 123.49, subsection 2, paragraph "b", may sell and dispense beer to patrons on Sunday for consumption on the premises and for consumption of beer off the premises between the hours of ten a.m. and twelve midnight on Sunday. Any class "C" beer permittee may sell beer for consumption off the premises between the hours of ten a.m. and twelve midnight on Sunday. For the privilege of selling beer on Sunday the beer permit fees of the applicant shall be increased by twenty percent of the regular fees prescribed for the permit pursuant to this section and the privilege shall be noted on the beer permit. ~~The department shall prescribe the nature and character of the evidence which shall be required of the applicant under this subsection.~~"

3. By renumbering as necessary.

S-5863 Filed April 30, 1986
BY GRONSTAL, WELSH

w/d 5-1

HOUSE FILE 2484

S-5868

Amend House File 2484, as amended, passed, and reprinted by the House, as follows:

1. Page 67, by inserting after line 2 the following:

"Sec. ___. Section 422.43, subsections 1, 2, 6, and 10, Code Supplement 1985, are amended to read as follows:

1. There is imposed a tax of ~~four~~ five percent upon the gross receipts from all sales of tangible personal property, consisting of goods, wares, or merchandise, except as otherwise provided in this division, sold at retail in the state to consumers or users; a like rate of tax upon the gross receipts from the sales, furnishing or service of gas, electricity, water, heat, and communication service, including the gross receipts from such sales by any municipal corporation furnishing gas, electricity, water, heat, and communication service to the public in its proprietary capacity, except as otherwise provided in this division, when sold at retail in the state to consumers or users; a like rate of tax upon the gross receipts from all sales of tickets or admissions to places of amusement, fairs, and athletic events except those of elementary and secondary educational institutions; and a like rate of tax upon that part of private club membership fees or charges paid for the privilege of participating in any athletic sports provided club members.

2. There is imposed a ~~tax of four percent~~ like rate of tax upon the gross receipts derived from the operation of all forms of amusement devices and games of skill, games of chance, raffles, and bingo games as defined in chapter 99B, operated or conducted within the state of Iowa, the tax to be collected from the operator in the same manner as is provided for the collection of taxes upon the gross receipts of tickets or admission fees as provided in this section. The tax shall also be imposed upon the gross receipts derived from the sale of lottery tickets or shares pursuant to chapter 99E. The tax on the lottery tickets or shares shall be included in the sales price and distributed to the general fund as provided in section 99E.10.

6. There is imposed a ~~tax of four percent~~ like rate of tax upon the gross receipts from the sales of optional service or warranty contracts which provide for the furnishing of labor and materials and require the furnishing of any taxable service enumerated under this section. The gross receipts are subject to tax even if some of the services furnished are not

enumerated under this section. For the purpose of this division, the sale of an optional service or warranty contract is a sale of tangible personal property. Additional sales, services, or use tax shall not be levied on services, parts, or labor provided under optional service or warranty contracts which are subject to tax under this section.

10. There is imposed a tax of ~~four~~ five percent upon the gross receipts from the rendering, furnishing, or performing of services as defined in section 422.42.

Sec. ___. Section 422.47, Code 1985, is amended by adding the following new subsection:

NEW SUBSECTION. Construction contractors may make application to the department for a refund of the additional one percent tax paid under this division or the additional one percent tax paid under chapter 423 by reason of the increase in the tax from four to five percent for taxes paid on goods, wares, or merchandise under the following conditions:

a. The goods, wares, or merchandise are incorporated into an improvement to real estate in fulfillment of a written contract fully executed prior to July 1, 1986. The refund shall not apply to equipment transferred in fulfillment of a mixed construction contract.

b. The contractor has paid to the department or to a retailer the full five percent tax.

c. The claim is filed on forms provided by the department and is filed within one year of the date the tax is paid.

A contractor who makes an erroneous application for refund is liable for payment of the excess refund paid plus interest at the rate in effect under section 421.7. In addition, a contractor who willfully makes a false application for refund is guilty of a simple misdemeanor and is liable for a penalty equal to seventy-five percent of the excess refund claimed. Excess refunds, penalties, and interest due under this subsection may be enforced and collected in the same manner as the tax imposed by this division.

Sec. ___. Section 423.2, Code 1985, is amended to read as follows:

423.2 IMPOSITION OF TAX.

An excise tax is imposed on the use in this state of tangible personal property purchased for use in this state, at the rate of ~~four~~ five percent of the purchase price of the property. The excise tax is imposed upon every person using the property within this state until the tax has been paid directly to the

county treasurer or the state department of transportation, to a retailer, or to the department. An excise tax is imposed on the use in this state of services enumerated in section 422.43 at the rate of ~~four~~ five percent. This tax is applicable ~~where~~ if services are rendered, furnished, or performed in this state or ~~where~~ if the product or result of the service is used in this state. This tax is imposed on every person using the services or the product of the services in this state until the user has paid the tax either to an Iowa use tax permit holder or to the department of revenue.

DIVISION I
INTRODUCTORY PROVISIONS

Sec. 101. NEW SECTION. 442A.1 INTRODUCTION.

There is established a state school finance plan to provide moneys to school districts and area education agencies for operation of their educational programs and to maximize the opportunities of the children of this state. The plan includes allocating the expenditures of school districts into three categories with provision for payment of state aid and for levying of property taxes to provide funding. It also provides for payment of special education costs and for funding for special education support services, media services, and educational services of area education agencies.

Sec. 102. NEW SECTION. 442A.2 DEFINITIONS.

As used in this chapter unless the context otherwise requires:

1. "School district" means a school district as constituted under chapter 274.
2. "Board" means the board of directors of a school district.
3. "Committee" means the school budget review committee established in section 442A.19.
4. "Base year" means the school year ending during the calendar year in which a budget is certified.
5. "Budget year" means the school year beginning during the calendar year in which a budget is certified.
6. "Department" means the department of public instruction.
7. "State board" means the state board of public instruction.

DIVISION II
SCHOOL DISTRICT INSTRUCTIONAL EXPENDITURES

Sec. 103. NEW SECTION. 442A.3 DUTIES OF BOARD.

For the budget year beginning July 1, 1988 and succeeding budget years, the board shall establish a

budget for instructional expenditures for the budget year. Instructional expenditures include the costs of salaries and benefits of employees of the school district and supplies in the areas of general education, career education, skill development, cocurricular athletic programs, continuing education, community services, attendance services, guidance services, health, other student services, library, audiovisual services, other instructional support, and building administration, except those expenditures specifically assigned to infrastructure expenditures. Instructional expenditures also include the costs of special education instructional programs and the categorical programs for talented and gifted children and non-English-speaking children as provided in this chapter.

Funding for instructional expenditures shall be provided under this chapter. Additional moneys needed for instructional expenditures shall be included in the property tax levy for the infrastructure expenditures as provided in section 442A.10, subsection 22.

Sec. 104. NEW SECTION. 442A.4 FOUNDATION PROPERTY TAX -- LIVESTOCK CREDIT.

1. For the budget year beginning July 1, 1988, each school district shall cause to be levied each year, for the instructional expenditures budget, a uniform property tax of four dollars and fifty cents per thousand dollars of assessed valuation on all taxable property in the district. For the purpose of this chapter, a school district is defined as a school corporation organized under chapter 274. For each of the next ten fiscal years, the uniform property tax levy under this section shall be decreased by forty-five cents per thousand dollars of assessed valuation for each fiscal year. For fiscal years beginning on or after July 1, 1998, a foundation property tax shall not be levied under this section.

2. The amount paid to each school district for the tax credit for livestock under section 427.17 shall be regarded as uniform property tax. The portion of the payment which is uniform property tax shall be determined by applying the uniform property tax rate to the taxable value of livestock assessed for taxation in the district as of January 1, 1973, determined pursuant to section 427.17, and adjusted to actual value as provided in Acts of the Sixty-fifth General Assembly, chapter 1231, section 174. A school district may levy a tax on all of the taxable property within the district in an amount equal to the

difference between the amount due to a school district from the personal property tax replacement fund for the preceding year and the amount actually received during the preceding fiscal year from the personal property tax replacement fund.

3. The amount paid to each school district from the personal property tax replacement fund established by sections 427A.9 to 427A.14 shall be regarded as property tax. For budget years beginning after the year in which the ninth increase in the additional personal property tax credit becomes effective as provided in those sections, the portion of the payment which is uniform property tax shall be determined by applying the uniform property tax rate to the total actual value of all personal property assessed for taxation in the district as of January 1, 1973, excluding livestock, but including other personal property eligible for tax credits granted by sections 427A.9 to 427A.14. For budget years to and including the year in which the ninth increase in the additional personal property tax credit becomes effective as provided in the sections, the portion of the payment which is uniform property tax shall be determined by the state comptroller pursuant to uniform methods established by the comptroller.

4. For purposes of this chapter, the "amount per pupil of uniform property tax" and the "money raised by the uniform property tax" do not include the tax levied under subsection 1 on the property of a railway corporation or its trustee which corporation has been declared bankrupt or is in bankruptcy proceedings.

Sec. 105. NEW SECTION. 442A.5 ENROLLMENT.

1. Basic enrollment for the budget year beginning July 1, 1988 and succeeding budget years is determined by adding the resident pupils who were enrolled on the second Friday of September in the base year in public elementary and secondary schools of the district and in public elementary and secondary schools enrolled in another district or state for which tuition is paid by the district. However, resident pupils enrolled in kindergarten programs are included in basic enrollment in the proportion that the time for which they are enrolled or receive instruction for the school year is to the time that full-time pupils carrying a normal course schedule in the same school district, for the same school year, are enrolled and receive instruction.

Resident pupils of high school age for which the district pays tuition to attend an Iowa area school are included in basic enrollment on a full-time

equivalent basis.

Shared-time and part-time pupils of school age, irrespective of the districts in which the pupils reside, are included in basic enrollment as of the fourth Friday of September in the base year for the budget year in the proportion that the time for which they are enrolled or receive instruction for the school year is to the time that full-time pupils carrying a normal course schedule, at the same grade level, in the same school district, for the same school year, are enrolled and receive instruction.

Pupils attending a university laboratory school are not counted in any district's basic enrollment, but the laboratory school shall report them directly to the department of public instruction.

A school district shall certify its basic enrollment to the department of public instruction by September 25 of each year, and the department shall promptly forward the information to the state comptroller.

2. Weighted enrollment for the budget year beginning July 1, 1988 and succeeding budget years is determined by adding the district's additional enrollment because of special education and categorical programs to the district's basic enrollment for the budget year. A district's additional enrollment because of special education and categorical programs is determined on December 1 of the base year by multiplying the weighting for each category of special education and categorical program under sections 280.18, 280.19, and 281.9 by the number of children in each category totaled for all categories and subtracting from this total the basic enrollment for the budget year.

Weighted enrollment is basic enrollment as modified by the application of the special education and categorical programs weighting plans.

3. A school district's certification of basic and weighted enrollment is subject to audit in accordance with procedures adopted by rule by the state board pursuant to chapter 17A.

4. "Enrollment served" means the basic enrollment plus the number of pupils in approved nonpublic schools served with services of the area education agency except that if a nonpublic school pupil receives services through an area other than the area of the pupil's residence, the pupil shall be deemed to be served by the area of the pupil's residence, which shall by contractual arrangement reimburse the area through which the pupil actually receives services.

Each school district shall include in the second Friday in September enrollment report the number of pupils in approved nonpublic schools within each school district served by the area.

Sec. 106. NEW SECTION. 442A.6 STATE PERCENT OF GROWTH -- ALLOWABLE GROWTH.

1. For the budget year beginning July 1, 1988, and succeeding budget years, a state percent of growth for the budget year shall be computed by the state comptroller prior to September 15 in the base year and forwarded to the commissioner of public instruction. The state percent of growth shall be an average of the following four percentages of growth except as otherwise provided in paragraph "c" of this subsection:

a. The difference in the receipts of state general fund revenues computed or estimated as follows:

(1) The percentage of change between the revenues received during the second year preceding the base year and the revenues received during the year preceding the base year.

(2) The percentage of change between the revenues received during the year preceding the base year and the revenues received during the base year.

b. The difference in the gross national product implicit price deflator published by the bureau of economic analysis, United States department of commerce, computed or estimated as a percentage of change for the following:

(1) From the value for the quarter ending December 31 eighteen months prior to the beginning of the base year to the value for the quarter ending December 31 six months prior to the beginning of the base year.

(2) From the value for the quarter ending December 31 six months prior to the beginning of the base year to the value for the quarter ending December 31 six months prior to the beginning of the budget year.

The computation of the percentage change in the gross national product implicit price deflator shall be based, to the extent possible, on the latest available values for these deflators published by the bureau of economic analysis.

c. If the average of the percentages computed or estimated under paragraph "b" of this subsection exceeds the average of the percentages computed or estimated under paragraph "a" of this subsection, the state percent of growth shall be the average of the two percentages of growth computed or estimated under paragraph "a" of this subsection.

2. If the state percent of growth so computed is

negative, that percentage shall not be used and the state percent of growth shall be zero.

3. Each year prior to September 15 the state comptroller shall recompute the state percent of growth for the previous year using adjusted estimates and the actual figures available. The difference between the recomputed state percent of growth for the base year and the original computation shall be added to or subtracted from the state percent of growth for the budget year, as applicable.

With regard to values of gross national product implicit price deflators, the recomputation of the state percent of growth for the previous year shall be made only with respect to the value of the deflator for the quarter which occurred subsequent to the calculation of the state percent of growth for the previous year. If subsection 1, paragraph "c" is used in the calculation of the state percent of growth for the previous year, the calculation made in subsection 1, paragraph "b" shall not be used in the recomputation of the state percent of growth for the previous year.

4. The basic allowable growth per pupil for the budget year shall be computed by multiplying the state cost per pupil for the base year times the state percent of growth for the budget year.

5. The allowable growth per pupil for each school district is the basic allowable growth per pupil for the budget year modified by the school budget review committee.

Sec. 107. NEW SECTION. 442A.7 STATE COST PER PUPIL.

For the budget year beginning July 1, 1988 and succeeding budget years, the state comptroller shall determine the state cost per pupil pursuant to this section. The state comptroller shall add together the district costs for all school districts for the base year beginning July 1, 1987 as defined in section 442.9, Code 1985, and divide that total by the weighted enrollment in the state for the base year determined under section 442A.5 to determine the state cost per pupil for the base year. The state cost per pupil for the base year plus the total of the basic allowable growth per pupil for the budget year and one hundred sixty dollars is the state cost per pupil for the budget year beginning July 1, 1988. For the budget year beginning July 1, 1989 and succeeding budget years, the state cost per pupil shall be recalculated each year in the same manner as the base year beginning July 1, 1988 except that one hundred

sixty dollars will not be added.

The state comptroller shall compute the applicable amount of allowable growth to be added to the state cost per pupil for each school year.

Sec. 108. NEW SECTION. 442A.8 DISTRICT COST PER PUPIL -- STATE AID.

For the budget year beginning July 1, 1988, the district cost per pupil of a school district is an amount equal to seventy-seven percent of the district cost per pupil for the base year plus the sum of the total of the allowable growth for the budget year and one hundred sixty dollars. Thereafter, the district cost per pupil for the budget year is the district cost per pupil for the base year plus the allowable growth.

The district cost for the budget year is equal to the district cost per pupil for the budget year multiplied by the weighted enrollment for the budget year. There is appropriated to the state comptroller for each budget year an amount sufficient to pay to each school district an amount equal to its district cost less the amount raised by the uniform levy. Payment shall be made pursuant to section 442A.18.

DIVISION III

INFRASTRUCTURE EXPENDITURES

Sec. 109. NEW SECTION. 442A.9 DUTIES OF BOARD.

For the budget year beginning July 1, 1988 and succeeding budget years, the board shall establish a budget for infrastructure expenditures for the budget year and certify the infrastructure expenditures budget for property tax levy, to the school budget review committee and the state comptroller. The state comptroller shall determine the amount of the infrastructure property tax levy to be made on all taxable property in the district based upon the budget submitted and shall transmit the rate of the levy to the appropriate county auditor and county board of supervisors.

Sec. 110. NEW SECTION. 442A.10 INFRASTRUCTURE EXPENDITURES.

Expenditures for the following are infrastructure expenditures and may be included in the infrastructure expenditures budget:

1. Public educational and recreational purposes authorized in chapter 300.

2. Community education purposes pursuant to chapter 276.

3. Transportation of public school pupils to and from school and other school activities, including purchase and maintenance of transportation equipment,

vehicle operation and maintenance, and salaries and benefits of operational and maintenance personnel.

4. The purchase and improvement of grounds.

5. Opening roads to schoolhouses or buildings.

6. The purchase of buildings or equipment for buildings or schoolhouses.

7. The payment of debts contracted for the erection or construction of schoolhouses or buildings, including interest on the debts, but not including interest on bonds.

8. Procuring or acquisition of libraries.

9. Repairing, remodeling, reconstructing, improving, or expanding the schoolhouse or buildings.

10. Operation and maintenance of school district buildings and facilities.

11. Moneys to provide a necessary cash reserve.

12. The rental of facilities under chapter 28E.

13. Lease-purchase option agreements for school buildings.

14. The actual costs of removal or encapsulation of asbestos existing in buildings.

15. Equipment, vehicles, vehicle operation and maintenance for driver education.

16. Costs associated with the operation of a nonprofit food service to children in attendance as provided in chapter 283A.

17. Community services which include services which are not directly related to the educational programs of the district which include, but are not limited to, civic activities, public libraries, and nonpublic school services except for the costs of transportation for nonpublic school pupils.

18. The costs of unemployment benefits under chapter 96.

19. An amount sufficient for payment of judgments or settlements together with interest accruing on them to the expected date of payment under section 613A.2 or 613A.8.

20. Operation of the office of the board of education of the district, including compensation, travel and materials for board members.

21. Costs of school district general administration, executive administration, business administration, fiscal services, and staff services, but not including the costs of school administration.

22. Other costs of school districts that are included but are not funded under instructional expenditures funding.

23. Other necessary expenditures of school districts not included in instructional expenditures.

Sec. 111. NEW SECTION. 442A.11 PUBLIC HEARING.

The board shall present the budget for infrastructure expenditures separately during the public hearing required in section 24.9 and shall list the budget for each subsection under section 442A.10 separately.

DIVISION IV
AREA EDUCATION AGENCIES

Sec. 112. NEW SECTION. 442A.12 SPECIAL EDUCATION SUPPORT.

The state comptroller shall multiply the amount added to state cost per pupil for special education support services for the school year beginning July 1, 1987 by the weighted enrollment for that year and divide the result by the enrollment served for that year to obtain a state special education support services cost per pupil for the base year. The state comptroller shall then compute the special education allowable growth amount for the budget year by multiplying the state percent of growth for the budget year by the state special education support services cost per pupil for the base year. That allowable growth amount added to state special education support services cost per pupil for the base year is the state special education support services cost for the budget year.

The special education support services budget for an area education agency shall be determined under this section. For the base year beginning July 1, 1987, the state comptroller shall multiply the amount included in district cost per pupil for special education support services for an area education agency for that year by the weighted enrollment in the area education agency for that year and divide the result by the enrollment served in the area education agency for that year to determine the area special education support services cost per pupil for the base year. The area special education support services cost per pupil for the budget year is the area special education support services cost per pupil for the base year plus the special education allowable growth amount. The area special education support services cost per pupil for the budget year multiplied by the enrollment served for the budget year in the area provides the area special education support services cost for an area education agency for the budget year.

Sec. 113. NEW SECTION. 442A.13 FUNDING FOR SPECIAL EDUCATION SUPPORT SERVICES.

There is appropriated from the general fund of the state to the state comptroller an amount sufficient to

pay eighty percent of the area special education support services cost for an area education agency for each budget year.

The remainder of the area special education support services cost for an area education agency for a budget year shall be allocated to each school district in the area education agency based upon the district's proportion of the enrollment served compared to the total enrollment served in the area, and shall be added to the infrastructure cost of the district.

Sec. 114. NEW SECTION. 442A.14 MEDIA SERVICES.

For the school year beginning July 1, 1982 and succeeding school years, the total amount funded in each area for media services in the budget year shall be computed as provided in this subsection. For the school year beginning July 1, 1982, the total amount funded in each area for media services in the base year, including the cost for media resource material which shall only be used for the purchase or replacement of material required in section 273.6, subsection 1, paragraphs "a", "b" and "c", shall be divided by the enrollment served in the base year to provide an area media services cost per pupil in the base year, and the state comptroller shall compute the state media services cost per pupil in the base year which is equal to the average of the area media services costs per pupil in the base year. For the year beginning July 1, 1982 and succeeding school years, the state comptroller shall compute the allowable growth for media services in the budget year by multiplying the state media services cost per pupil in the base year times the state percent of growth for the budget year, and the total amount funded in each area for media services cost in the budget year equals the area media services cost per pupil in the base year plus the allowable growth for media services in the budget year times the enrollment served in the budget year. The total amount for a district shall be added to the infrastructure cost of the district. Funds shall be paid to area education agencies as provided in section 442A.16.

Sec. 115. NEW SECTION. 442A.15 EDUCATIONAL SERVICES.

For the school year beginning July 1, 1982 and succeeding school years, the total amount funded in each area for educational services in the budget year shall be computed as provided in this subsection. For the school year beginning July 1, 1982, the total amount funded in each area for educational services in the base year shall be divided by the enrollment

served in the area in the base year to provide an area educational services cost per pupil in the base year, and the state comptroller shall compute the state educational services cost per pupil in the base year, which is equal to the average of the area educational services costs per pupil in the base year. For the year beginning July 1, 1982 and succeeding school years, the state comptroller shall compute the allowable growth for educational services by multiplying the state educational services cost per pupil in the base year times the state percent of growth for the budget year, and the total amount funded in each area for educational services for the budget year equals the area educational services cost per pupil for the base year plus the allowable growth for educational services in the budget year times the enrollment served in the area in the budget year. The total amount for a district shall be added to the infrastructure cost of the district. Funds shall be paid to area education agencies as provided in section 442A.16.

Sec. 116. NEW SECTION. 442A.16 AREA EDUCATION AGENCY PAYMENTS.

The state comptroller shall deduct the amounts calculated for special education support services, media services, and educational services for each school district from the state aid due to the district pursuant to this chapter and shall pay the amounts to the respective area education agencies on a quarterly basis during each school year. The state comptroller shall notify each school district of the amount of state aid deducted for these purposes and the balance of state aid shall be paid to the district. If a district does not qualify for state aid under this chapter in an amount sufficient to cover its amount due to the area education agency as calculated by the state comptroller, the school district shall pay the deficiency to the area education agency from other moneys received by the district, on a quarterly basis during each school year.

DIVISION V

GENERAL PROVISIONS

Sec. 117. NEW SECTION. 442A.17 FUNDS.

A general fund and a schoolhouse fund are established for each school district. The general fund shall include three separate accounts. The moneys received for instructional expenditures plus the portion of the property tax revenue received under sections 442A.9 and 442A.10, for subsection 22, shall be placed in an instructional account and may be used

only for those purposes. The property tax revenue received for infrastructure expenditures listed in section 442A.10, except for subsection 22, shall be credited to the infrastructure account and may be used only for those purposes. The moneys collected for the operation of the area education agency shall be deposited in an area education agency account and then transmitted to the appropriate area education agency. The treasurer of the school district shall keep a separate record of each account in the general fund. Other moneys received by a school district for a specific purpose shall be credited to the appropriate account in the general fund. Moneys received by a school district for which a purpose is not specified and interest earned on the investment of school district moneys shall be credited to either the instructional or infrastructure accounts at the discretion of the board.

The schoolhouse fund shall include deposits of moneys from the proceeds of the sale of bonds authorized by law and the proceeds of a tax estimated and certified by the board for the purpose of paying interest on lawful bonded indebtedness. Moneys deposited in the schoolhouse fund shall be used only for these purposes.

Sec. 118. NEW SECTION. 442A.18 PAYMENT OF STATE AID.

In making computations for payment of state aid, the state comptroller shall round amounts to the nearest whole dollar.

State aid paid under sections 442A.8 and 442A.13 shall be paid in monthly installments beginning on September 15 of a budget year and ending on June 15 of the budget year and the installments shall be as nearly equal as possible as determined by the state comptroller, taking into consideration the relative budget and cash position of the state resources.

Sec. 119. NEW SECTION. 442A.19 SCHOOL BUDGET REVIEW COMMITTEE.

A five-member school budget review committee is established, consisting of the commissioner of public instruction, the state comptroller and three members appointed to represent the public by the governor subject to confirmation by the senate in accordance with section 2.32.

No more than two of the appointed members shall belong to the same political party. The appointed members shall serve three-year staggered terms which begin and end as provided in section 69.19. The governor shall fill a vacancy in the same manner as an

original appointment under the procedures of section 2.32.

The committee shall meet and hold hearings each year and shall continue in session until it has reviewed budgets of school districts. It may call in school board members and employees as necessary for the hearings. Members of the general assembly shall be notified of hearings concerning school districts in their constituencies.

The committee shall adopt its own rules of procedure. The commissioner of public instruction shall serve as chairperson, and the state comptroller shall serve as secretary. The committee members representing the public are entitled to receive a per diem of forty dollars, and their actual expenses while engaged in their official duties. Per diem and expense payments for members representing the public shall be made from appropriations to the department of public instruction.

Sec. 120. NEW SECTION. 442A.20 DUTIES OF THE COMMITTEE.

1. The school budget review committee may recommend the revision of any rules, directives, or forms relating to school district budgeting and accounting, confer with local school boards or their representatives and make recommendations relating to any budgeting or accounting matters, and may direct the commissioner of public instruction or the state comptroller to make studies and investigations of school costs in any school district.

2. The committee shall report to each session of the general assembly, which report shall include any recommended changes in laws relating to school districts, and shall specify the number of hearings held annually, the reasons for the committee's recommendations, information about the amounts of property tax levies, and state aid paid to school districts, and other information the committee deems advisable.

3. The committee shall review the recommendations of the commissioner of public instruction relating to special education and categorical programs and shall establish the weighting for special education and categorical programs and report the weights to the state comptroller.

4. The committee shall review the certified budget of each school district, and may make recommendations to the school district and to the state comptroller. The committee may make decisions affecting budgets to the extent provided in this chapter. The costs and

computations referred to in this section relate to the budget year unless otherwise expressly stated.

5. The committee shall review for each school district the amount of the infrastructure property tax levy. If in the committee's judgment, the levy is unreasonably high, the committee shall instruct the state comptroller to reduce the district's infrastructure tax levy for the following budget year by the amount deemed excessive.

6. Decisions by the committee under this chapter shall be made in accordance with reasonable and uniform policies which shall be consistent with this chapter. Policies of general application shall be stated in rules adopted under chapter 17A.

7. Failure by a school district to provide information or appear before the committee as requested for the accomplishment of review or hearing is justification for the committee to instruct the state comptroller to withhold state instructional support to that district until the committee's inquiries are satisfied completely.

Sec. 121. BUDGET YEAR BEGINNING JULY 1, 1987.

1. Notwithstanding section 442.2, for the budget year beginning July 1, 1987, each school district shall cause to be levied for the school general fund a foundation property tax of four dollars and twenty cents per thousand dollars of assessed valuation on all taxable property in the district.

2. For the budget year beginning July 1, 1987, there is appropriated from the salary improvement fund to the department of revenue and finance an amount sufficient to pay to each school district an amount equal to ninety-nine dollars multiplied by the basic enrollment of the district for the budget year. The amount received by a school district under this subsection is miscellaneous income for purposes of chapter 442 and shall be expended for purposes of increasing teacher salaries.

3. Except as otherwise provided in this subsection, for the budget year beginning July 1, 1987, a contract issued by boards of directors of a school district under section 279.13 shall provide for an annual salary for a full-time teacher of at least seventeen thousand dollars. The minimum salary specified in this subsection shall be prorated for a teacher employed on less than a full-time basis.

There is appropriated from the salary improvement fund to the state comptroller the amount of five million (5,000,000) dollars, or as much thereof as may be necessary, to pay to each school district an amount

equal to the difference between salaries of teachers earning less than seventeen thousand dollars on the salary schedule in effect for that year and the total of seventeen thousand dollars for each such teacher. If the amount appropriated in this subsection is insufficient to make the required payments, the state comptroller shall prorate the payments.

Sec. 122. NEW SECTION. 294.22 MINIMUM SALARY.

Effective for the school year beginning July 1, 1988 and succeeding school years, contracts issued by boards of directors of school districts and area education agencies under section 279.13 shall provide for employment of not less than two hundred working days and annual salaries at least equal to the salaries specified in this section.

For the school year beginning July 1, 1988, the minimum salaries for full-time teachers are as follows:

1. For teachers possessing a baccalaureate degree, eighteen thousand dollars.
2. For teachers possessing a baccalaureate degree plus at least fifteen graduate hours, twenty-two thousand five hundred dollars.
3. For teachers possessing a baccalaureate degree plus at least thirty graduate hours or a master's degree, twenty-six thousand dollars.
4. For teachers possessing a master's degree plus at least fifteen graduate hours beyond the master's degree, twenty-eight thousand dollars.

The salary a teacher will receive on the salary schedule adopted by the board of directors for a year does not include the costs of fringe benefits nor does it include supplemental pay earned by a teacher for performance of additional duties beyond teaching duties.

For the purposes of this section and section 294.23, "teacher" means a teacher employed by a school district or area education agency under a contract executed pursuant to section 279.13. A teacher jointly employed by two or more districts or area education agencies whose employment is on a full-time equivalent basis is a full-time teacher. The minimum salaries specified in this section may be prorated for teachers employed on less than a full-time basis.

Salaries in excess of the minimums specified in this section shall be based upon experience, education, and performance. They shall be negotiated under chapter 20 if an employee organization had been certified under chapter 20 or shall be determined by the board of directors if there is no employee

organization certified under chapter 20.

Sec. 123. NEW SECTION. 294.23 EXTENDED CONTRACT.

A contract of at least two hundred days duration offered by the board of directors of a school district or area education agency under section 294.22 shall provide that in addition to regular teaching duties, the teacher participate in curriculum development; community education projects; special programs offered by the school district, city, or county; recreation programs; staff development activities; or other similar activities.

Sec. 124. Section 11.21, unnumbered paragraph 1, Code 1985, is amended to read as follows:

Upon payment by the state of the salary and expenses, the auditor of state shall file with the warrant-issuing officer of the county, municipality or school, whose offices were examined, a sworn statement consisting of the itemized expenses paid and prorated salary costs paid under section 11.20. Upon audit and approval by the board of supervisors, council or school board, the warrant-issuing officer shall draw a warrant for the amount on the county, or on the general fund of the municipality or general fund of the school and charged against the infrastructure account in favor of the auditor of state, which warrant shall be placed to the credit of the general fund of the state. In the event of the disapproval of ~~any~~ items of ~~said~~ the statement by the county, municipality, or school authorities, written objections shall be filed with the auditor of state within thirty days from the filing ~~thereof~~. Disapproved items of the statement shall be paid the auditor of state upon receiving final decisions emanating from public hearing established by the auditor of state.

Sec. 125. Section 79.9, Code 1985, is amended to read as follows:

79.9 CHARGE FOR USE OF AUTOMOBILE BY OTHER THAN STATE OFFICER OR EMPLOYEE.

When a public officer or employee, other than a state officer or employee or a school district or area education agency officer or employee, is entitled to be paid for expenses in performing a public duty, a charge shall be made, allowed and paid for the use of an automobile, as determined by the local governing body, in an amount not exceeding twenty-two cents per mile for actual and necessary travel effective July 1, 1981, and in an amount not exceeding twenty-four cents per mile effective July 1, 1982. A statutory provision stipulating necessary mileage, travel, or

actual reimbursement to a local public officer or employee falls within the mileage reimbursement limitation specified in this section unless specifically provided otherwise. A political subdivision may authorize the use of private vehicles for the conduct of official business of the political subdivision at an annual amount in lieu of actual and necessary travel expense reimbursement provided in this section. A peace officer, other than a state officer or employee, as defined in section 801.4 who is required to use a private vehicle in the performance of official duties shall receive reimbursement for mileage expense at the rate specified in this section.

A school district or area education agency officer or employee shall be paid for the use of an automobile at the rate specified in section 18.117.

Sec. 126. Section 96.31, Code 1985, is amended to read as follows:

96.31 TAX FOR BENEFITS.

Political subdivisions may levy a tax outside their general fund levy limits to pay the cost of unemployment benefits. For school districts the cost of unemployment benefits shall be included in the infrastructure levy pursuant to section 442A.10.

Sec. 127. Section 258.5, unnumbered paragraph 1, Code 1985, is amended to read as follows:

Whenever a school corporation maintains an approved vocational school, department, or classes in accordance with the rules ~~and regulations~~ established by the state board and the state plan for vocational education, adopted by that board and approved by the United States ~~office~~ department of education ~~or other federal agency to which its functions are assigned~~, the state board shall reimburse ~~such~~ the school corporation at the end of the fiscal year for its expenditures for salaries and authorized travel of vocational teachers from federal and state funds~~:~~ ~~Provided, that no~~. However, a school corporation shall not receive from federal and state funds a larger amount than one-half the sum which has been expended by the school corporation for that particular type of program; further, provided that in the event federal and state funds are not sufficient to make ~~such~~ the reimbursement to the extent ~~herein~~ provided in this section, the state board shall prorate the respective amounts available to the corporations entitled to ~~such~~ reimbursement. Moneys received by a school district pursuant to this section shall be deposited in the general fund and credited to the

instructional account.

Sec. 128. Section 265.6, Code 1985, is amended to read as follows:

265.6 STATE AID APPLICABLE.

If the state board of regents has established a laboratory school, it shall receive state aid pursuant to chapters 281 and ~~442~~ 442A for each pupil enrolled in the laboratory school in the same amount as the public school district in which the pupil resides would receive aid for that pupil and shall transmit the amount received to the institution of higher education at which the laboratory school has been established. If the board of a school district terminates a contract with the state board of regents for attendance of pupils in a laboratory school, the school district shall inform the state comptroller of the number of these pupils who are enrolled in the district on the second Friday of the following September. The state comptroller shall pay to the school district, from funds appropriated in section ~~442.26~~ 442A.8, an amount equal to the amount of state aid paid for each pupil in that school district for that school year in payments made as provided in section ~~442.26~~ 442A.18. ~~However, payments shall not be made for pupils for which an advance is received by the district under section 442.28.~~

Sec. 129. Section 274.37, unnumbered paragraph 2, Code 1985, is amended to read as follows:

The boards in the respective districts, the boundaries of which have been changed under this section, complete in all respects, except for the passage of time prior to the effective date of the change, and when ~~all~~ the right of appeal of the change has expired, may enter into joint contracts for the construction of buildings for the benefit of the corporations whose boundaries have been changed, using funds accumulated ~~under section 278.1, subsection 7~~ in the infrastructure account of the school general fund. The district in which the building is to be located may use any funds authorized in accordance with chapter 75. ~~Nothing in this section shall be construed to~~ This section does not permit the changed districts to expend any funds jointly which they are not entitled to expend acting individually.

Sec. 130. Section 275.12, subsection 5, Code 1985, is amended by striking the subsection.

Sec. 131. Section 275.14, unnumbered paragraph 1, Code Supplement 1985, is amended to read as follows:

275.14 OBJECTION -- TIME OF FILING -- NOTICE.

Within ten days after the petition is filed, the

area education agency administrator shall fix a final date for filing objections to the petition which shall be not more than sixty days after the petition is filed and shall fix the date for a hearing on the objections to the petition. Objections shall be filed in the office of the administrator who shall give notice at least ten days prior to the final day for filing objections, by one publication in a newspaper published within the territory described in the petition, or if none is published therein, in a newspaper published in the county where the petition is filed, and of general circulation in the territory described. The notice shall also list the date, time, and location for the hearing on the petition as provided in section 275.15. The cost of publication shall be assessed to each district whose territory is involved in the ratio that the number of pupils in basic enrollment, as defined in section ~~442.4~~ 442A.5 in each district bears to the total number of pupils in basic enrollment in the total area involved. Objections shall be in writing in the form of an affidavit and may be made by any person residing or owning land within the territory described in the petition, or who would be injuriously affected by the change petitioned for and shall be on file not later than twelve o'clock noon of the final day fixed for filing objections.

Sec. 132. Section 275.20, Code 1985, is amended to read as follows:

275.20 SEPARATE VOTE IN EXISTING DISTRICTS.

The voters shall vote separately in each existing school district affected ~~and voters residing in the entire existing district are eligible to vote both~~ upon the proposition to create a new school corporation ~~and the proposition to levy the schoolhouse tax under section 278.1, subsection 7, if the petition included a provision for a vote to levy the schoolhouse tax~~. If ~~a~~ the proposition receives a majority of the votes cast in each of at least seventy-five percent of the districts, and also a majority of the total number of votes cast in all of the districts, the proposition is carried.

Sec. 133. Section 275.26, unnumbered paragraph 3, Code 1985, is amended to read as follows:

The respective boards to which such expenses are certified shall audit and order the same paid from the general fund and charged against the infrastructure account. In the event of failure of ~~any~~ a board to ~~so~~ audit and pay the expenses certified to it, the area education agency administrator shall certify the

expenses to the county auditor in the same manner as is provided for tuition claims in section 282.21 and the funds shall be transferred by the county treasurer from the debtor district to the agency board for payment of ~~said~~ the expenses.

Sec. 134. Section 275.32, Code 1985, is amended to read as follows:

275.32 SCHOOL BUILDINGS -- TAX LEVY.

The board of any school corporation shall establish attendance centers and provide suitable buildings for each school in the district, and may at the regular or a special meeting call a special election to submit to the qualified electors of the district the question of ~~voting a tax or~~ authorizing the board to issue bonds~~, or both~~, for any or all of the following purposes:

1. To secure sites, build, purchase, or equip school buildings.

2. To build or purchase a superintendent's or teacher's house or houses.

3. To repair or improve any school building or grounds, or superintendent's or teacher's house or houses, when the cost will exceed five thousand dollars.

All moneys received for such purposes shall be placed in the schoolhouse fund credited to the infrastructure account of ~~said~~ the corporation and shall be used only for the purpose for which voted.

Sec. 135. Section 275.33, subsection 2, unnumbered paragraph 1, Code Supplement 1985, is amended to read as follows:

The collective bargaining agreement of the district with the largest basic enrollment, as defined in section ~~442.4~~ 442A.5, in the new district shall serve as the base agreement and the employees of the other districts involved in the formation of the new district shall automatically be accreted to the bargaining unit of that collective bargaining agreement for purposes of negotiating the contract for the following year without further action by the public employment relations board. If only one collective bargaining agreement is in effect among the districts which are party to the reorganization, then that agreement shall serve as the base agreement, and the employees of the other districts involved in the formation of the new district shall automatically be accreted to the bargaining unit of that collective bargaining agreement for purposes of negotiating the contract for the following year without further action by the public employment relations board. The board of the newly formed district, using the base agreement

as its existing contract, shall bargain with the combined employees of the existing districts for the school year beginning with the effective date of the reorganization. The bargaining shall be completed by March 15 prior to the school year in which the reorganization becomes effective or within one hundred twenty days after the organization of the new board, whichever is later. If a bargaining agreement was already concluded by the board and employees of the existing district with the contract serving as the base agreement for the school year beginning with the effective date of the reorganization, that agreement shall be void. However, if the base agreement contains multiyear provisions affecting school years subsequent to the effective date of the reorganization, the base agreement shall remain in effect as specified in the agreement.

Sec. 136. Section 276.11, Code 1985, is amended by striking the section and inserting in lieu thereof the following:

276.11 FUNDING OF COMMUNITY EDUCATION.

Moneys received from the infrastructure levy may be expended for community education purposes.

Sec. 137. Section 277.2, Code 1985, is amended to read as follows:

277.2 SPECIAL ELECTION.

The board of directors in ~~any~~ a school corporation may call a special election at which ~~election~~ the voters shall have the powers exercised at the regular election with reference to the sale of school property and the application to be made of the proceeds, the authorization of seven members on the board of directors, the authorization to establish or change the boundaries of director districts, and the authorization of ~~a-schoolhouse-tax-or~~ indebtedness, as provided by law.

Sec. 138. Section 278.1, subsections 2 and 7, Code 1985, are amended by striking the subsection.

Sec. 139. Section 278.1, unnumbered paragraphs 2 and 3, Code 1985, are amended to read as follows:

The board may~~,-with-approval-of-sixty-percent-of-the-voters,-voting-in-a-regular-or-special-election-in-the-school-district,~~ make extended time contracts not to exceed twenty years in duration for rental of buildings to supplement existing schoolhouse facilities; and ~~where~~ if it is deemed advisable for buildings to be constructed or placed on real estate owned by the school district, ~~such~~ the contracts may include lease-purchase option ~~agreements,-such~~ contracts, with the amounts to be paid out of the

~~schoolhouse~~ fund and charged against the infrastructure account.

Before entering into a rental or lease-purchase option contract, ~~authorized by the electors~~, the board shall first adopt plans and specifications for a building ~~or buildings~~ which it considers suitable for the intended use and also adopt a form of rental or lease-purchase option contract.

Sec. 140. Section 278.1, unnumbered paragraph 4, Code 1985, is amended by striking the unnumbered paragraph.

Sec. 141. Section 279.12, unnumbered paragraph 1, Code 1985, is amended to read as follows:

The board shall carry into effect ~~any~~ instruction from the regular election upon matters within the control of the voters, and shall elect ~~all~~ teachers and make ~~all~~ contracts necessary or proper for exercising the powers granted and performing the duties required by law, and may establish and pay all or any part ~~thereof from school district funds~~ of the cost of group health insurance plans, nonprofit group hospital service plans, nonprofit group medical service plans and group life insurance plans adopted by the board for the benefit of employees of the school district from the general fund of the school district and charged against the appropriate account, but the board may authorize any subdirector to employ teachers for the school in the subdirector's subdistrict~~, but no such employment~~. Employment by a subdirector ~~shall~~ does not authorize a contract, the entire period of which is wholly beyond the subdirector's term of office.

Sec. 142. Section 279.26, Code 1985, is amended to read as follows:

279.26 LEASE ARRANGEMENTS.

The board of directors of a local school district ~~for which a schoolhouse tax has been voted pursuant to section 278.1, subsection 7,~~ may enter into a rental or lease arrangement~~, consistent with the purposes for which the schoolhouse tax has been voted,~~ for a period not exceeding ten years ~~and not exceeding the period for which the schoolhouse tax has been authorized by the voters~~ using revenues from the infrastructure levy.

Sec. 143. Section 279.28, Code 1985, is amended to read as follows:

279.28 INSURANCE -- SUPPLIES -- TEXTBOOKS.

It may provide and pay ~~out of~~ from the general fund of the school district and charge against the infrastructure account to insure school property such

sum as may be necessary~~,-and-may-purchase dictionaries,-library-books,-including-books-for-the purpose-of-teaching-vocal-music,-maps,-charts,-and apparatus-for-the-use-of-the-schools-thereof-as-deemed necessary-by-the-board-of-directors-for-each-school building-under-its-charge,-and~~. The board may furnish schoolbooks to indigent children ~~when-they-are-likely to-be-deprived-of-the-proper-benefits-of-the-school unless-so-aided~~.

Sec. 144. Section 279.41, Code 1985, is amended to read as follows:

279.41 SCHOOLHOUSES AND SITES SOLD -- FUNDS.

~~Any-fund~~ Moneys received from the condemnation, sale, or other disposition for public purposes of schoolhouses, school sites or both schoolhouses and school sites ~~may~~ shall be deposited in the ~~schoolhouse~~ general fund of the school district and credited to the infrastructure account and may ~~without-a-vote-of the-electorate~~ be used for the purchase of school sites or the erection or repair of schoolhouses or both as ordered by the board of directors of ~~such~~ the school district~~,-provided,-however,-that~~. However, the board shall comply with section 297.7.

Sec. 145. Section 279.42, Code 1985, is amended to read as follows:

279.42 GIFTS TO SCHOOLS.

The board of directors of any school district which receives funds through gifts, devises and bequests may utilize ~~the-same~~ them, unless limited by the terms of the grant~~,~~. The gift, devise, or bequest shall be deposited in the general ~~or-schoolhouse~~ fund ~~expenditures~~ and credited to the appropriate account pursuant to section 442A.17.

Sec. 146. Section 279.43, subsection 1, Code Supplement 1985, is amended to read as follows:

1. The board of directors may pay the actual cost of removal or encapsulation of asbestos existing in its school buildings from any funds in the general fund of the district, funds received from the ~~schoolhouse-tax-authorized-under-section-278.1,-subsection-7,-funds-from-the-tax-levy-certified-under section-297.5~~ infrastructure levy, or moneys obtained through a federal asbestos loan program, to be repaid from any of the funds specified in this subsection.

Sec. 147. NEW SECTION. 279.50 FEES.

The board of directors of a school district shall not impose the payment of any fee or charge upon a student enrolled in the school district.

Sec. 148. Section 280.4, subsections 1 through 3, Code 1985, are amended by striking the subsections.

Sec. 149. Section 280.7, Code 1985, is amended to read as follows:

280.7 DENTAL CLINICS.

Boards of directors in all public school districts may establish and maintain dental clinics for children and offer courses of instruction on mouth hygiene. The boards may employ ~~such~~ legally qualified dentists and dental hygienists ~~as-may-be-necessary~~ to accomplish the purpose of this section. The cost of the dental clinic shall be paid from the general fund of the school district and charged against the instructional account.

Sec. 150. Section 280.10, unnumbered paragraph 3, Code 1985, is amended to read as follows:

The board of directors of each local public school district and the authorities in charge of each nonpublic school shall provide the safety devices required herein. Such devices ~~may~~ shall be paid for from the general fund of the school district and charged against the instructional account, but the board may require students and teachers to pay for the safety devices and shall make them available to students and teachers at no more than the actual cost to the district or school.

Sec. 151. Section 280.11, unnumbered paragraph 3, Code 1985, is amended to read as follows:

The board of directors of each local public school district and the authorities in charge of each nonpublic school shall provide the safety devices required herein. Such devices ~~may~~ shall be paid for from the general fund of the school district and charged against the instructional account, but the board may require students and teachers to pay for the safety devices and shall make them available to students and teachers at no more than the actual cost to the district or school.

Sec. 152. NEW SECTION. 280.18 NON-ENGLISH-SPEAKING STUDENT PROGRAMS.

1. In order to provide funds for the excess costs of instruction for non-English-speaking students above the cost of instruction of pupils in a regular curriculum, a plan of weighting for determining enrollment in each school district is provided. Non-English-speaking students may receive instruction as provided in section 280.4. Pupils in a regular curriculum are assigned a weighting of one. For the school year beginning July 1, 1988, non-English-speaking students are assigned a weighting of one and four-tenths.

2. The state board of public instruction shall

adopt rules relating to the identification of non-English-speaking students who require special instruction under section 280.4. Non-English-speaking students shall be counted in the weighted enrollment as of December 1 of the base year for purposes of chapter 442A. Moneys received as a result of the weighting for non-English-speaking students shall be expended only for non-English-speaking student programs.

3. On December 1, 1988, and no later than December 1 every two years thereafter, for the school year commencing the following July 1, the commissioner of public instruction shall report to the school budget review committee the average costs of providing instruction for non-English-speaking students, and the state board of public instruction shall make recommendations to the school budget review committee for adjustment of the weighting for subsequent school years. The school budget review committee shall establish the weight for each subsequent school year and shall report the weight to the commissioner of public instruction.

4. The department of public instruction shall require that school districts submit program plans for non-English-speaking programs and shall review the plans and the identification of students qualifying for weighting.

Sec. 153. NEW SECTION. 280.19 TALENTED AND GIFTED CHILDREN PROGRAMS.

1. In order to provide funds for the excess costs of instruction for talented and gifted children programs approved by the department, a plan of weighting for determining enrollment in each school district for talented and gifted children enrolled in an approved talented and gifted children program is provided.

"Talented and gifted children" are those identified as possessing outstanding abilities who are capable of high performance. Talented and gifted children are children who require appropriate instruction and educational services commensurate with their abilities and needs beyond those provided by the regular school program.

Talented and gifted children include those children with demonstrated achievement or potential ability, or both, in any of the following areas or in combination:

a. General intellectual ability.

b. Creative thinking.

c. Leadership ability.

d. Visual and performing arts ability.

e. Specific ability aptitude.

Boards of school districts, individually or jointly with the boards of other school districts, shall annually submit program plans for talented and gifted children programs to the department of public instruction.

The department of public instruction shall adopt rules under chapter 17A relating to the identification of talented and gifted children, and the format of program plans. Pupils in a regular curriculum are assigned a weighting of one. For the school year beginning July 1, 1988, talented and gifted children are assigned a weighting of one and four-tenths.

2. The board of directors shall submit applications for approval for the programs to the department not later than November 1 preceding the fiscal year during which the program will be offered. The department shall review the program plans and shall prior to January 15 either grant approval for the program or return the request for approval with comments of the department included. Any unapproved request for a program may be resubmitted with modifications to the department not later than February 1. Not later than February 15 the department shall notify the state comptroller of the names of the school districts for which talented and gifted children programs have been approved and the number of each school district's students identified as talented and gifted, not to exceed three percent of the district's enrollment for weighting purposes, for the approved program for the budget year. Talented and gifted children shall be counted in the weighted enrollment as of December 1 of the base year for purposes of chapter 442A. Moneys received as a result of weighting for talented and gifted children shall be expended only for talented and gifted children programs.

3. On December 1, 1988, and not later than December 1 every two years thereafter, for the school year commencing the following July 1, the commissioner of public instruction shall report to the school budget review committee the average costs of providing instruction for talented and gifted children, and the state board of public instruction shall make recommendations to the school budget review committee for adjustment of the weighting for subsequent school years. The school budget review committee shall establish the weight for each subsequent school year and shall report the weight to the commissioner of public instruction.

Sec. 154. Section 281.2, subsection 2, unnumbered paragraphs 4 and 5, Code 1985, are amended to read as follows:

Every child requiring special education shall, if reasonably possible, receive a level of education commensurate with the level provided each child who does not require special education. The cost of providing such an education shall be paid as provided in section 273.9, this chapter and chapter ~~442~~ 442A. It ~~shall be~~ is the primary responsibility of each school district to provide special education to children who reside in that district if the children requiring special education are properly identified, the educational program or service has been approved, the teacher or instructor has been certified, the number of children requiring special education needing that educational program or service is sufficient to make offering the program or service feasible, and the program or service cannot more economically and equably be obtained from the area education agency, another school district, another group of school districts, a qualified private agency, or in co-operation with one or more other districts.

~~Any funds~~ Funds received by ~~the~~ a school district of the child's residence for the child's education, derived from funds received through chapter ~~442~~ 442A, this chapter and section 273.9 shall be paid by the school district of the child's residence to the appropriate education agency, private agency, or other school district providing special education for the child pursuant to contractual arrangements as provided in section 273.3, subsections 5 and 7.

Sec. 155. Section 281.8, unnumbered paragraph 1, Code 1985, is amended to read as follows:

It shall not be incumbent upon the school districts to keep a child requiring special education in regular instruction when the child cannot sufficiently profit from the work of the regular classroom, nor to keep ~~such~~ the child requiring special education in the special class or instruction for children requiring special education when it is determined by the director of special education of an area education agency that the child can no longer benefit from the instruction or needs more specialized instruction available in special schools. However, the school district shall ~~count~~ include the child requiring special education in the basic enrollment as provided in sections 273.9, 281.9 and ~~442.4~~ 442A.5 and shall ~~insure~~ ensure that appropriate educational provisions are made for the child requiring special education

within the limits of funds available under ~~the provisions of~~ this chapter and chapters 273 and ~~442~~ 442A.

Sec. 156. Section 282.3, subsection 1, Code 1985, is amended to read as follows:

1. The board may exclude from school children under the age of six years when in its judgment such children are not sufficiently mature to be benefited by regular instruction, or any incorrigible child or any child who in its judgment is so abnormal that regular instruction would be of no substantial benefit, or any child whose presence in school may be injurious to the health or morals of other pupils or to the welfare of such school. However, the board shall provide special education programs and services under the provisions of chapters 273, 281, and ~~442~~ 442A for all children requiring special education.

Sec. 157. Section 282.8, Code 1985, is amended to read as follows:

282.8 ATTENDING SCHOOL OUTSIDE STATE.

The boards of directors of school districts located near the state boundaries may designate schools of equivalent standing across the state line for attendance of both elementary and high school pupils when the public school in the adjoining state is nearer than any appropriate public school in a pupil's district of residence or in Iowa. Distance shall be measured by the nearest traveled public road. Arrangements shall be subject to reciprocal agreements made between the chief state school officers of the respective states. Notwithstanding section 282.1, arrangements between districts pursuant to the reciprocal agreements made under this section shall establish tuition and transportation fees in an amount acceptable to the affected boards, but the tuition and transportation fees shall not be less than the lower average cost per pupil for the previous school year of the two affected school districts. For the purpose of this section average cost per pupil for the previous school year is determined by dividing the district's ~~operating~~ instructional expenditures for the previous school year by the number of children enrolled in the district on the ~~second~~ third Friday of September of the previous school year. A person attending school in another state shall continue to be treated as a pupil of the district of residence in the apportionment of the current school fund and the payment of state aid.

Sec. 158. Section 282.19, Code Supplement 1985, is amended to read as follows:

282.19 CHILD LIVING IN FOSTER CARE FACILITY.

A child who is living in a licensed child foster care facility as defined in section 237.1 in this state which is located in a school district other than the school district in which the child resided before receiving foster care may enroll in and attend an approved school in the school district in which the child is living. If a child does not require special education and was not counted in the basic enrollment of a school district for a budget year under section ~~442.4~~ 442A.5, the tuition and transportation, when required by law, shall be paid by the treasurer of state from funds in the state treasury not otherwise appropriated, and upon warrants drawn by the state comptroller upon requisition of the commissioner of public instruction.

Sec. 159. Section 282.20, unnumbered paragraph 1, Code 1985, is amended to read as follows:

The school corporation in which the student resides shall pay from the general fund to the secretary of the corporation in which the student is permitted to enroll, a tuition fee as prescribed in section 282.24. The amount shall be charged against the instructional account.

Sec. 160. Section 282.24, subsection 1, unnumbered paragraph 1, Code 1985, is amended to read as follows:

There is established a maximum tuition fee that may be charged for elementary and high school students residing within another school district or corporation except students attending school in another district under section 282.7, subsection 1. That fee is the district cost per pupil of the receiving district ~~as computed in section 442.9, subsection 1, paragraph "a"~~.

Sec. 161. Section 282.27, Code Supplement 1985, is amended to read as follows:

282.27 PAYMENT FOR CERTAIN CHILDREN.

When a child requiring special education is living in a state-supported institution, charitable institution, or licensed boarding home as defined in this chapter which does not maintain a school and the residence of the child requiring special education is in a school district other than the school district in which the state-supported institution, charitable institution, or licensed boarding home is located, the child is eligible for special education programs and services provided for children requiring special education who are residents of the school district in which the institution or boarding home is located. The special education instructional costs shall be

computed by means of weighted enrollment for that child under ~~the provisions of~~ chapters 273, 281, and ~~442~~ 442A as if that child were a resident of the school district in which the institution or boarding home is located but the child shall be included in the enrollment count in the district of residence in the manner provided in sections 281.9 and ~~442.4~~ 442A.5. The costs as computed shall be paid by the district of residence. ~~No~~ A child requiring special education shall not be denied special education programs and services because of a dispute over determination of residence of that child. If there is a dispute over the residence of the child, the state board of public instruction shall determine the residence of the child. However, if the special education instructional costs incurred on behalf of the child exceed the amount which would be allowed if the child were provided the programs and services in the district of residence, the treasurer of the school district of residence shall make payment at the maximum amount allowed in that district for a child requiring special education who is similarly handicapped. If the child requiring special education is not counted in the weighted enrollment of any district under section 281.9, and payment is not made by any district, the district in which the institution or boarding home is located may certify the special education instructional costs to the commissioner of public instruction not later than September 1 of each year for the preceding fiscal year. The state board of public instruction shall review the costs and submit a requisition to the state comptroller. The amount due shall be paid by the treasurer of state to the district in which the institution or licensed boarding home is located from any funds in the general fund of the state not otherwise appropriated upon warrants drawn and signed by the state comptroller. For the purposes of this section, the term "district of residence of the child" means the residence of the parent or legal guardian, or the location of the district court if the district court is the legal guardian, of the child.

Sec. 162. Section 283A.9, Code 1985, is amended to read as follows:

283A.9 BUILDING FOR SCHOOL LUNCH FACILITY.

School districts are authorized to purchase, erect, or otherwise acquire a building for use as a school lunch facility, and to equip ~~such a~~ the building ~~for such use~~, and pay for ~~same~~ expenditures from unencumbered funds ~~on hand~~ in the schoolhouse fund

~~derived from taxes voted under authority of section 278.1, subsection 7, or 275.32, subject to the terms of this section~~, or may pay for ~~same~~ the building from the proceeds of the sale of school property sold under section 297.22, or from surplus remaining in the schoolhouse fund after retirement of a bond issue~~, or from a tax voted for said purposes~~. Payments made under this section from the general fund shall be charged against the infrastructure account.

Sec. 163. Section 285.2, unnumbered paragraph 3, Code 1985, is amended to read as follows:

The costs of providing transportation to nonpublic school pupils as provided in section 285.1 shall ~~not be included in the computation of district cost under chapter 442, but shall~~ be shown in the budget as an ~~expense from miscellaneous income~~ a separate expense. Any transportation reimbursements received by a local school district for transporting nonpublic school pupils shall ~~not affect district cost limitations of chapter 442~~ be recorded as a separate nonpublic transportation account in the general fund and be used only for expenses relating to nonpublic pupil transportation. ~~The reimbursements provided in this section are miscellaneous income as defined in section 442.5.~~

Sec. 164. Section 285.10, subsection 7, paragraph a, Code 1985, is amended to read as follows:

a. From such funds as may be available in the general fund and charged against the infrastructure account.

Sec. 165. Section 291.15, Code Supplement 1985, is amended to read as follows:

291.15 ANNUAL REPORT.

The treasurer shall make an annual report to the board at its regular July meeting, which shall show the amount of each account in the general fund and the schoolhouse fund and the amounts held over, received, paid out, and on hand, the several ~~funds~~ accounts to be separately stated, and the treasurer shall immediately file a copy of this report with the commissioner of public instruction and a copy with the county treasurer.

Sec. 166. Section 294.9, subsection 2, Code 1985, is amended to read as follows:

2. From the ~~proceeds of an annual tax levy~~ general fund and charged against the appropriate account.

Sec. 167. Section 297.9, Code 1985, is amended to read as follows:

297.9 USE FOR OTHER THAN SCHOOL PURPOSES.

The board of directors of any school district may

authorize the use of any schoolhouse and its grounds within ~~such~~ the district for the purpose of meetings of granges, lodges, agricultural societies, and similar societies, for parent-teacher associations, for community recreational activities, community education programs, election purposes, other meetings of public interest, public forums and similar community purposes~~;-provided-that-such~~. However, the use shall ~~in-no-way~~ not interfere with school activities~~;-such~~. The use ~~to-be-for-such~~ shall include compensation~~,-and-upon-such~~ terms, and conditions as may be ~~fixed~~ determined by ~~said~~ the board for the proper protection of the schoolhouse and the property ~~belonging-therein~~, including that of pupils~~;-except-that~~. However, in the case of community education programs, any compensation necessary for programs provided specifically by community education and not those provided through community education by other agencies or organizations shall be compensated from the ~~funding-provided-for-community-education-programs~~ general fund and charged against the infrastructure account.

Sec. 168. Section 297.10, Code 1985, is amended to read as follows:

297.10 COMPENSATION.

Any compensation for such use shall be paid into the general fund and credited to the infrastructure account and be expended in the upkeep and repair of such school property, and in purchasing supplies ~~therefor~~ for the property.

Sec. 169. Section 297.22, unnumbered paragraphs 1, 2, and 7, Code Supplement 1985, are amended to read as follows:

The board of directors of a school district may sell, lease, or dispose of, in whole or in part, a schoolhouse, site, or other property belonging to the district ~~for-which-the-appraised-value-does-not-exceed-twenty-five-thousand-dollars. If-the-appraised-value-exceeds-twenty-five-thousand-dollars,-the-board-shall-submit-the-question-at-an-election-under-section-278.1,-subsection-2,-to-authorize-the-sale,-lease-or-disposal.~~

Proceeds from the sale, lease or disposition of real property ~~shall-be-placed-in-the-schoolhouse-fund~~, and proceeds from the sale, lease or disposition of property other than real property, shall be placed in the general fund and credited to the infrastructure account.

The board of directors of a school corporation may lease a portion of an existing school building in

which the remaining portion of the building will be used for school purposes for a period of not to exceed five years. The lease may be renewed at the option of the board. Sections 297.15 to 297.20, sections 297.23 and 297.24, and ~~the property value limitations and~~ appraisal requirements of this section do not apply to the lease of a portion of an existing school building.

Sec. 170. NEW SECTION. 297.35 CONTINUATION OF LOAN AGREEMENT.

A loan agreement between a school district and a bank, investment banker, trust company, insurance company, or insurance group that was made under section 297.36, Code 1985, in order to make immediately available proceeds of the schoolhouse tax approved by the voters prior to July 1, 1986 shall continue in effect for the duration of the loan agreement.

Sec. 171. Section 297.36, Code 1985, is amended to read as follows:

297.36 LOAN AGREEMENTS.

In order to make immediately available proceeds of ~~the schoolhouse tax which has been approved by the voters as provided in section 278.1, subsection 7~~ up to sixty-seven and one-half cents of the infrastructure levy, the board of directors may, with or without notice, borrow money and enter into loan agreements of not to exceed ten years in duration in anticipation of the collection of the tax with a bank, investment banker, trust company, insurance company, or insurance group.

By resolution, the board shall provide for an annual levy which is within the limits ~~of the tax approved by the voters~~ provided in this section to pay for the amount of the principal and interest due each year until maturity. The board shall file a certified copy of the resolution with the auditor of each county in which the district is located. The filing of the resolution with the auditor ~~shall make~~ makes it the duty of the auditor to annually levy the amount certified for collection until funds are realized to repay the loan and interest on the loan in full.

The loan must mature within the ten-year period ~~of time authorized by the voters~~ and shall bear interest at a rate which does not exceed the limits ~~provided~~ under chapter 74A. A loan agreement entered into pursuant to this section shall be in a form as the board of directors shall by resolution provide and the loan shall be payable as to both principal and interest from the proceeds of the annual levy of the ~~voted tax pursuant to section 278.1, subsection 7~~

infrastructure levy, or so much thereof as will be sufficient to pay the loan and interest on the loan.

The proceeds of a loan must be deposited in a fund which is separate from other district funds. Warrants paid from this fund must be for purposes authorized ~~by the voters as provided in section 278.1, subsection 7~~ for the infrastructure levy.

This section does not limit the authority of the board of directors to levy the full ~~amount of the voted tax~~ sixty-seven and one-half cents levy, but if and to whatever extent the tax is levied in any year in excess of the amount of principal and interest falling due in that year under a loan agreement, the first available proceeds, to an amount sufficient to meet maturing installments of principal and interest under the loan agreement, shall be paid into the sinking fund for the loan before the taxes are otherwise made available to the school corporation for other school purposes, and the amount required to be annually set aside to pay principal of and interest on the money borrowed under the loan agreement ~~shall constitute~~ constitutes a first charge upon the proceeds of ~~the special voted tax~~ infrastructure levy, which tax shall be pledged to pay the loan and the interest on the loan.

This section is supplemental and in addition to existing statutory authority to finance the purposes specified in section ~~278.1, subsection 7~~ 442A.10, and for the borrowing of money and execution of loan agreements in connection with that section ~~and subsection~~, and is not subject to any other law. The fact that a school corporation may have previously borrowed money and entered into loan agreements under authority of this section does not prevent the school corporation from borrowing additional money and entering into further loan agreements if the aggregate of the amount payable under all of the loan agreements does not exceed the proceeds of the ~~voted tax~~ infrastructure levy.

Sec. 172. Section 298.1, Code 1985, is amended to read as follows:

298.1 SCHOOL TAXES.

The board of each school district shall estimate the amount of the proposed expenditures and proposed receipts for ~~the general~~ school purposes at a time and in a manner to effectuate the provisions of chapter ~~442~~ 442A and sections 281.9 and 281.11. Compliance with chapter 24 shall be observed.

Sec. 173. Section 298.7, Code 1985, is amended to read as follows:

298.7 CONTRACT FOR USE OF LIBRARY.

The board of directors of a school corporation in which there is no free public library may contract with a free public library for the free use of the library by the residents of the school district, and pay the library the amount agreed upon for the use of the library as provided by law. During the existence of the contract, the board shall ~~certify annually a tax sufficient to pay the library the consideration agreed upon, not exceeding twenty cents per thousand dollars of assessed value of the taxable property of the district~~ include the cost as an instructional expenditure pursuant to chapter 442A. During the existence of the contract, the school corporation is relieved from the requirement that the school treasurer withhold funds for library purposes. This section does not apply in townships where a contract for other library facilities is in existence.

Sec. 174. Section 300.2, Code 1985, is amended by striking the section and inserting in lieu thereof the following:

300.2 TAX LEVY.

The board of directors of a school district may use moneys from the infrastructure levy for public educational and recreational activities authorized under this chapter.

Sec. 175. Section 301.1, Code 1985, is amended to read as follows:

301.1 ADOPTION -- PURCHASE AND SALE.

The board of directors of ~~each and every~~ a school district ~~is hereby authorized and empowered to~~ may adopt textbooks ~~for the teaching of all branches that are now or may hereafter be authorized to be taught in the public schools of the state,~~ and ~~to~~ may contract for and ~~buy said~~ purchase the books and ~~any and all~~ other necessary school supplies ~~at said contract prices~~, and ~~to~~ may sell the ~~same~~ books to the pupils of their respective districts at cost, loan ~~such~~ the textbooks to ~~such~~ pupils free, or rent them to ~~such~~ pupils at ~~such~~ a reasonable fee as the board shall ~~fix~~ determine, and ~~said~~ the money so received shall be returned to the general fund and credited to the instructional fund.

Textbooks adopted and purchased by a school district may, and shall to the extent funds are appropriated by the general assembly, be made available to pupils attending nonpublic schools upon request of the pupil or the pupil's parent or guardian under comparable terms as made available to pupils attending public schools.

Sec. 176. Section 331.512, subsection 12, Code 1985, is amended to read as follows:

12. Carry out duties relating to levy of school taxes as provided in chapter ~~442~~ 442A.

Sec. 177. Section 422.100, Code 1985, is amended to read as follows:

422.100 ALLOCATION TO MONEYS AND CREDITS REPLACEMENT FUND IN EACH COUNTY.

There is created a permanent fund in the office of the treasurer of state to be known as the "moneys and credits replacement fund". The director shall determine the percentage which the aggregate taxable value for the year 1965 of the property described in and subject to taxation under section 429.2, Code 1966, owned or held by individuals, administrators, executors, guardians, conservators, trustees or an agent or nominee thereof, and the aggregate taxable value for the year 1965 of the property described in and subject to taxation under section 431.1, Code 1966, for the year 1965 but not subject to taxation under that section for the year 1966, in each county bears to the total aggregate taxable value of such property reported from all of the counties in the state and shall certify the percentage for each county to the state comptroller prior to January 1, 1967. In July of each year, the state comptroller shall apply that percentage to the money in the moneys and credits tax replacement fund prior to that July and determine the amount due to each county. The state comptroller shall draw warrants on the moneys and credits tax replacement fund in such amounts payable to the county treasurer of each county and transmit them. The county treasurer shall apportion these amounts as follows: For the amounts received in January 1972, and all previously collected amounts, twenty percent to the county general fund, fifty percent to the school general fund and credited to the instructional account, and the remaining thirty percent to cities and towns in the proportion that the taxable values for each city and town for 1965 of property subject to taxation in 1965 under sections 429.2, Code 1966, and 431.1, Code 1966, is to the total of such taxable values for all cities and towns within the county; for the amounts received in January 1973, and all subsequently collected amounts, forty percent to the county, and the remaining sixty percent to cities and towns in the proportion that the taxable values for each city and town for the year 1965 under sections 429.2 and 431.1, Code 1966, is to the total of such taxable values for all the cities and towns within the

S-5868

county.

Sec. 178. Section 467B.14, unnumbered paragraph 1, Code 1985, is amended to read as follows:

Sixty-five percent of any such payments or payment received from the federal government shall be distributed to the general fund of the school districts of the county and credited to the infrastructure account after the county auditor has determined the districts which are principally affected by the federal flood control project involved in an amount deemed to be the equitable share of each such district and the amount allocated to each school district shall be paid over to the treasurer of such school district.

Sec. 179. Chapter 260A, Code 1985 and chapter 442, Code 1985 and Code Supplement 1985, are repealed. Sections 276.11, 276.12, 291.13, 297.5, 298.9, 298.10, 298.16, 298.17, 300.3, 300.4, 301.4, 301.24, and 301.27, Code 1985, and section 279.43, Code Supplement 1985, are repealed.

Sec. 180. Sections 101 through 179 of this Act take effect for computations and procedures needed for the school year beginning July 1, 1988, except that section 121 takes effect for computations and procedures needed for the school year beginning July 1, 1987.

Sec. 181. Notwithstanding section 442.2, subsection 1, for the fiscal year beginning July 1, 1987, the foundation property tax levy shall be four dollars and ninety-five cents per thousand dollars of assessed valuation."

S-5868 Filed April 30, 1986
BY BROWN

w/d 5-1

HOUSE FILE 2484

S-5861

Amend S-5791 to House File 2484 as amended, passed, and reprinted by the House, as follows:

1. Page 21, lines 3 and 4, by striking the words "deposited as per provided in chapter 556." and inserting the following: "divided ~~as-per-chapter-556~~ in the following manner:

a. One-quarter of the unclaimed winnings remaining shall be deposited in the state general fund.

b. One-quarter of the unclaimed winnings remaining shall be divided among the tracks licensed under this chapter in proportion to the amount of unclaimed winnings collected from each track. The moneys shall be used for capital improvement.

c. One-quarter of the unclaimed winnings remaining shall be divided among the counties in which a track licensed under this chapter is located. The division shall be in proportion to the amount of unclaimed winnings collected from each track.

d. One-quarter of the unclaimed winnings remaining shall be divided among the cities in which a track licensed under this chapter is located. The division shall be in proportion to the amount of unclaimed winnings collected from each track. If a track is not located in a city, then the share that would have been distributed to a city would be divided evenly between the county in which the track is located and the track. The track's share shall be used for capital improvement."

S-5861 Filed and lost April 30, 1986 BY LIND
(p. 1472)

HOUSE FILE 2484

S-5862

Amend amendment S-5791 to House File 2484 as amended, passed, and reprinted by the House as follows:

1. Page 25, by striking lines 39 through 41.

S-5862 Filed April 30, 1986
BY RIFE
LOST
Lost 4-30 (p. 1475)

HOUSE FILE 2484

S-5864

Amend the amendment, S-5791, to House File 2484, as amended, passed, and reprinted by the House as follows:

1. Page 24, by inserting after line 15 the following:

"___. Page 150, by inserting after line 3 the following new sections:".

S-5864 Filed and ruled out of order april 30, 1986 BY WELSH
Adopted 4-30 (p. 1472)
Ruled o/o (p. 1473)

HOUSE FILE 2484

S-5869

Amend the Senate amendment, S-5791, to House File 2484 as amended, passed, and reprinted by the House, as follows:

1. Page 25, by inserting after line 15 the following:

"156. By striking page 156, line 25 through page 157, line 12 and inserting the following:

"Sec. 731A. Section 123.22, unnumbered paragraph 1, Code Supplement 1985, is amended to read as follows:

The ~~department~~ division has the exclusive right of importation into the state of all forms of alcoholic liquor, except as otherwise provided in this chapter, and a person shall not import alcoholic liquor, except that an individual of legal age may import and have in the individual's possession an amount of alcoholic liquor not exceeding one quart or, in the case of alcoholic liquor personally obtained outside the United States, one gallon for personal consumption only in a private home or other private accommodation. No distillery shall sell any alcoholic liquor within the state to any person but only to the ~~department~~ division, except as otherwise provided in this chapter. It is the intent of this section to vest in the ~~department~~ division exclusive control within the state both as purchaser and vendor of all alcoholic liquor sold by distilleries within the state or imported, except beer and wine, and except as otherwise provided in this chapter. The ~~department~~ division may continue to purchase wine from persons holding a vintner's certificate of compliance or a class "A" wine permit ~~for resale~~, but shall resell it only at retail in state liquor stores.

Sec. 732. Section 123.22, unnumbered paragraph 1, Code Supplement 1985, as amended by 1986 Iowa Acts, House File 2484, section 731A, is amended to read as follows:

The division has the exclusive right of importation into the state of all forms of alcoholic liquor, except as otherwise provided in this chapter, and a person shall not import alcoholic liquor, except that an individual of legal age may import and have in the individual's possession an amount of alcoholic liquor not exceeding one quart or, in the case of alcoholic liquor personally obtained outside the United States, one gallon for personal consumption only in a private home or other private accommodation. No distillery shall sell any alcoholic liquor within the state to any person but only to the division, except as otherwise provided in this chapter. ~~It is the intent~~

of this This section to vest vests in the division exclusive control within the state both as purchaser and vendor of all alcoholic liquor sold by distilleries within the state or imported, except beer and wine, and except as otherwise provided in this chapter. The division may continue to purchase wine from persons holding a vintner's certificate of compliance or a class "A" wine permit but shall resell it only at retail in state liquor stores. The division shall act as the sole wholesaler of alcoholic liquor to class "E" liquor control licensees."

157. By striking page 161, line 26 through page 162, line 28, and inserting the following:

"Sec. 739A. Section 123.30, subsection 3, paragraphs a, b, and c, Code Supplement 1985, are amended to read as follows:

a. CLASS "A". A class "A" liquor control license may be issued to a club and shall authorize authorizes the holder to purchase alcoholic liquors from only the department division, wine from the department or only class "A" wine permittees, and native wines from native wine manufacturers, and to sell liquors, wine, and beer, to bona fide members and their guests by the individual drink for consumption on the premises only.

b. CLASS "B". A class "B" liquor control license may be issued to a hotel or motel and shall authorize authorizes the holder to purchase alcoholic liquors from only the department division, wine from the department or only class "A" wine permittees, and native wines from native wine manufacturers, and to sell liquors, wine, and beer, to patrons by the individual drink for consumption on the premises only; however, beer may also be sold for consumption off the premises. Each license shall be is effective throughout the premises described in the application.

c. CLASS "C". A class "C" liquor control license may be issued to a commercial establishment but must be issued in the name of the individuals who actually own the entire business, and shall authorize authorizes the holder to purchase alcoholic liquors from only the department division, wine from the department or only class "A" wine permittees, and native wines from native wine manufacturers, and to sell liquors, wine, and beer, to patrons by the individual drink for consumption on the premises only; however, beer may also be sold for consumption off the premises.

A special class "C" liquor control license may be issued, and shall authorize authorizes the holder to purchase wine from the department or class "A" wine

permittees only, and to sell wine and beer to patrons by the individual drink for consumption on the premises only~~;~~ however, beer may also be sold for consumption off the premises. The license issued to holders of a special class "C" license shall clearly state on its face that the license is limited.

Sec. 740. Section 123.30, subsection 3, paragraphs a, b, and c, Code Supplement 1985, as amended by 1986 Iowa Acts, House File 2484, section 739A, is amended to read as follows:

a. CLASS "A". A class "A" liquor control license may be issued to a club and authorizes the holder to purchase alcoholic liquors from class "E" liquor control licensees only ~~the division~~, wine from ~~only~~ class "A" or "B" wine permittees only, and native wines from native wine manufacturers, and to sell liquors, wine, and beer, to bona fide members and their guests by the individual drink for consumption on the premises only.

b. CLASS "B". A class "B" liquor control license may be issued to a hotel or motel and authorizes the holder to purchase alcoholic liquors from class "E" liquor control licensees only ~~the division~~, wine from ~~only~~ class "A" or "B" wine permittees only, and native wines from native wine manufacturers, and to sell liquors, wine, and beer, to patrons by the individual drink for consumption on the premises only; however, beer may also be sold for consumption off the premises. Each license is effective throughout the premises described in the application.

c. CLASS "C". A class "C" liquor control license may be issued to a commercial establishment but must be issued in the name of the individuals who actually own the entire business, and authorizes the holder to purchase alcoholic liquors from class "E" liquor control licensees only ~~the division~~, wine from ~~only~~ class "A" or "B" wine permittees only, and native wines from native wine manufacturers, and to sell liquors, wine, and beer, to patrons by the individual drink for consumption on the premises only; however, beer may also be sold for consumption off the premises.

A special class "C" liquor control license may be issued, and authorizes the holder to purchase wine from class "A" or "B" wine permittees only, and to sell wine and beer to patrons by the individual drink for consumption on the premises only; however, beer may also be sold for consumption off the premises. The license issued to holders of a special class "C" license shall clearly state on its face that the

S-5869 p. 4

1 license is limited.""
2 2. Page 25, line 40, by striking the follc ng:
3 "752,".
4 3. Page 25, by inserting after line 41 the
5 following:
6 "Notwithstanding the amendment to sections 123.22
7 and 123.30 in sections 732 and 740 of this Act, the
8 amendment to sections 123.22 and 123.30 in sections
9 731A and 739A in this Act take effect July 1, 1986.
10 The amendment to section 752 of this Act takes effect
11 July 1, 1986."
12 4. By renumbering as required.

S-5869 Filed April 30, 1986
BY GRONSTAL, WELSH, DRAKE WITHDRAWN
w/d (p. 1482)

HOUSE FILE 2484

S-5870

Amend House File 2484 as amended, passed and reprinted by the House as follows:

1. Page 120, by inserting after line 25 the following:

"Sec. ___. 1986 Iowa Acts, House File 2383, section 5, is amended to read as follows:

SEC. 5. There is appropriated from the general fund of the state to the ~~Iowa-family-farm~~ agricultural development authority for the fiscal ~~year~~ period beginning July 1, 1985 and ending ~~June~~ August 30, 1986, the amount of five million (5,000,000) dollars or so much thereof as is necessary, to be used for providing financial assistance to Iowa farmers under and through the agricultural loan assistance program, by providing moneys for grants under agreements subject to section 175.35 entered into on or after March 1, 1986 but before ~~July~~ September 1, 1986. If the grants under the agreements exceed two million dollars, the excess shall be transferred from the Iowa plan fund for economic development, notwithstanding the provisions of 1985 Acts, chapter 33. Not more than one hundred thousand (100,000) dollars, or so much thereof as is necessary, shall be used for general administration, including salaries, support, and miscellaneous purposes. Moneys appropriated by this section which are committed for grants under agreements entered into on or after March 1, 1986 but before ~~July~~ September 1, 1986, do not revert to the general fund or the Iowa plan fund. Moneys appropriated by this section which are committed for agreements but which are not utilized for the grants by July 1, 1987 revert on a pro rata basis to the general fund and the Iowa plan fund."

S-5870 Filed April 30,1986
BY WELSH
w/d 5-1

HOUSE FILE 2484

S-5874

Amend House File 2484, as amended, passed, and reprinted by the House as follows:

1. Page 98, line 18, by inserting after the word "requires." the following: "The department shall maintain the confidentiality of all information which would indentify any person named in a report. However, the identifying information may be released for bona fide research purposes if the confidentiality of the identifying information is maintained by the researchers, or the identifying information may be released by the person with the brain injury or by the person's guardian or, if the person is a minor, by the person's parent."

S-5874 Filed April 30, 1986
BY BRUNER, GENTLEMAN
w/d 5-1

HOUSE FILE 2484

S-5871

Amend amendment S-5791 to House File 2484 as amended, passed and reprinted by the House as follows:

1. Page 2, by striking lines 39 through 43 and inserting in lieu thereof the following:

"___. Page 5, lines 14 and 15, by striking the words and figure "eight hundred twenty-five thousand four hundred ten (825,410) dollars" and inserting in lieu thereof the following: "seven hundred forty-five thousand six hundred fifty-six (745,656) dollars".".

2. Page 7, by inserting after line 33, the following:

"___. Page 67, line 15, by striking the word "twenty-four" and inserting the word "twenty-seven".

___. Page 67, line 18, by striking the figure "762,129" and inserting the figure "841,883"."

S-5871 Filed April 30, 1986
BY MANN
w/d 4-30 (p. 1475)

Withdrawn

HOUSE FILE 2484

S-5873

Amend amendment S-5868 to House File 2484 as amended, passed, and reprinted by the House as follows:

1. Page 16, line 26, by striking the word "twenty" and inserting in lieu thereof the following: "ninety-five".

S-5873 Filed April 30, 1986
BY BROWN
Placed o/o 5-1

HOUSE FILE 2484

S-5872

Amend House File 2484 as amended, passed and reprinted by the House as follows:

1. Page 130, by inserting after line 20 the following:

"It is the intent of the general assembly that the discount table for commutations in 500 Iowa Admin. Code §6.3, which was in effect immediately prior to March 20, 1985 and which was based on a simple rather than compound interest factor, shall be uniformly applied to all commutations approved by the industrial commissioner prior to March 20, 1985 as a valid interpretation of the general assembly's intent to commute future workers' compensation payments to a present worth lump sum payment pursuant to sections 85.45 and 85.47. It is further the intent of the general assembly that the supreme court's reinterpretation of the general assembly's intent, concerning the commutation of future workers' compensation payments to a present worth lump sum payment under sections 85.45 and 85.47, shall be uniformly applied to all commutations approved by the industrial commissioner on or after March 20, 1985."

S-5872 Filed April 30, 1986
BY WELSH
w/d S-1

HOUSE FILE 2484

S-5875

Amend amendment S-5791 to House File 2484 as amended, passed, and reprinted by the House as follows:

1. By striking page 18, line 45 through page 19, line 4.

S-5875 Filed April 30, 1986
BY HULTMAN
Adopted (p. 1476)

ADOPTED

HOUSE FILE 2484

S-5876

Amend the amendment, S-5791, to House File 2484, as amended, passed, and reprinted by the House as follows:

1. Page 6, line 43, by striking the words "revenue and finance" and inserting the word "management".

2. Page 6, line 46, by striking the words "revenue and finance" and inserting the word "management".

3. Page 7, line 10, by striking the words "revenue and finance" and inserting the word "management".

S-5876 Filed April 30, 1986
BY HORN
Placed % (p. 1476)

OUT OF ORDER

S-5877

Amend S-5791 to House File 2484 as amended, passed, and reprinted by the House, as follows:

1. Page 21, lines 3 and 4, by striking the words "deposited as per provided in chapter 556." and inserting the following: "divided ~~as per chapter 556~~ in the following manner:

a. One-third of the unclaimed winnings remaining shall be deposited in the state general fund.

b. One-third of the unclaimed winnings remaining shall be divided among the counties in which a track licensed under this chapter is located. The division shall be in proportion to the amount of unclaimed winnings collected from each track.

c. One-third of the unclaimed winnings remaining shall be divided among the cities in which a track licensed under this chapter is located. The division shall be in proportion to the amount of unclaimed winnings collected from each track. If a track is not located in a city, then the share that would have been distributed to a city would be distributed to the county in which the track is located."

S-5877 Filed and lost April 30, 1986 BY LIND

(p. 1472)

HOUSE FILE 2484

S-5879

Amend amendment S-5791 to House File 2484 as amended, passed, and reprinted by the House as follows:

1. Page 6, by striking lines 41 through 43

S-5879 Filed April 30, 1986
BY WELSH
Adopted (p. 1476)

ADOPTED

HOUSE FILE 2484

S-5880

Amend House File 2484 as amended, passed, and reprinted by the House as follows:

1. Page 15, by inserting after line 6 the following:

"Sec. 1001. Section 515B.1, Code 1985, is amended to read as follows:

515B.1 SCOPE.

This chapter shall apply to all kinds of direct insurance authorized to be written by an insurer licensed to operate in this state under chapter 515 or chapter 520, except life, title, ~~surety,~~ fidelity, disability including accident and health, credit, mortgage guaranty and ocean marine insurance.

Sec. 1002. Section 573.2, Code 1985, is amended to read as follows:

573.2 PUBLIC IMPROVEMENTS -- BOND AND CONDITIONS.

Contracts for the construction of a public improvement shall, when the contract price equals or exceeds twenty-five thousand dollars, be accompanied by a bond, with surety, conditioned for the faithful performance of the contract, and for the fulfillment of other requirements as provided by law. The bond may also be required when the contract price does not equal that amount. However, if a contractor provides a bond as required by this section and subsequently the surety company becomes insolvent and is no longer able to be a surety on the bond, then the contractor is relieved of the obligation of providing a new bond with surety."

2. Page 15, by inserting after line 11 the following:

"Sec. 1003. Sections 1001 and 1002 shall apply retroactively to July 1, 1985."

3. Renumber as necessary.

S-5880 Filed April 30, 1986
BY WELSH
w/d (p. 1487)

Withdrawn

HOUSE FILE 2484

S-5881

Amend the amendment, S-5791, to House File 2484, as amended, passed, and reprinted by the House as follows:

1. Page 25, by inserting after line 21 the following:

"159. Page 171, by inserting after line 3 the following:

"Sec. ___. Notwithstanding any other provisions of this Act, the alcoholic beverages control division of the department of commerce shall cease operations dealing with the purchase or sale of alcoholic beverages except to the extent that the division may continue to sell alcoholic beverages for the purpose of liquidating existing stocks of alcoholic beverages. Class "E" liquor control licensees shall purchase alcoholic liquor from private wholesalers holding a distillers certificate of compliance. A tax shall be levied and collected from each person selling alcoholic liquor to class "E" licensees equal to sixty percent of the price of the alcoholic liquor charged by the person selling alcoholic liquor to class "E" licensees. Persons selling alcoholic liquor to class "E" licensees shall periodically submit reports to the division according to rules adopted by the division and shall remit with those reports any amount of money due under the tax levied upon the wholesale sale of any alcoholic liquor. This section shall take effect March 1, 1987."

S-5881 Filed April 30, 1986
BY PALMER

LOST

Lost 4-30 (p. 1474)

HOUSE FILE 2484

S-5882

Amend House File 2484, as amended, passed and reprinted by the House as follows:

1. Page 113, by striking lines 10 and 11 and inserting the following: "academy. However, no charge shall be made to officer candidates being tested on behalf of state agencies."

2. Page 113, by striking line 17 and inserting the following: "officers employed by state agencies."

S-5882 Filed April 30, 1986
BY WELSH

w/d 5-1

HOUSE FILE 2484

S-5884

Amend House File 2484, as amended, passed, and reprinted by the House as follows:

1. Page 24, lines 8 and 9, by striking the words "revenue and finance" and inserting the word "management". B

2. Page 48, line 14, by striking the words "revenue and finance" and inserting the word "management". A

3. Page 49, line 32, by striking the words "revenue and finance" and inserting the word "management".

4. Page 49, line 33, by striking the words "revenue and finance" and inserting the word "management". B

5. Page 56, line 5, by striking the words "revenue and finance" and inserting the word "management". A

6. Page 56, line 30, by striking the words "revenue and finance" and inserting the word "management".

7. Page 57, line 23, by striking the word "education" and inserting the word "management".

8. Page 57, lines 25 and 26, by striking the words "The department shall notify the department of revenue and finance of the amount.".

9. Page 58, by striking lines 17 through 21 and inserting the words "The department of management shall determine for the base year beginning July 1, 1985, the state average cost per contact hour for each instructional cost center. The state". B

10. Page 58, line 25, by striking the word "education" and inserting the word "management".

11. Page 58, lines 30 and 31, by striking the words "The department shall notify the department of management."

12. Page 60, line 8, by striking the word "education" and inserting the word "management".

13. Page 60, lines 11 and 12, by striking the words "The department shall notify the department of management."

14. Page 61, line 2, by striking the word "education" and inserting the word "management".

15. Page 61, lines 5 and 6, by striking the words "The department shall notify the department of management."

S-5884 Filed April 30, 1986
BY HORN
A- W/D (p. 1488)
B- Adopted "

A w/drawn
B adopted

S-5886

Amend the amendment, S-5791, to House File 2484 as amended, passed and reprinted by the House, as follows:

1. Page 25, by inserting after line 15 the following:

"___. Page 168, line 22, by striking the words "and served".

___. Page 168, line 26, by striking the words "sold to and".

___. Page 168, line 33, by inserting before the word "beer" the following: "or "C""."

2. By renumbering as required.

S-5886 Filed April 30, 1986
BY BIELEMAN

o/o (p. 1480)

OUT OF ORDER

HOUSE FILE 2484

S-5887

Amend the amendment, S-5791, to House File 2484, as amended, passed, and reprinted by the House as follows:

1. Page 21, line 22, by striking the figure "10,000,000" and inserting the figure "13,000,000".

2. Page 21, line 24, by inserting after the word "system." the following: "The alcohol beverage control division may expend, in addition to funds appropriated in this subsection, any amount saved from the reduction in the level of inventory at the state liquor warehouse and retail outlets for operational purposes. Notwithstanding section 125.53, the division may expend from the beer and liquor control fund an amount equal to the inventory reduction savings. The number of retail outlets shall not be reduced below the number of retail outlets in existence on May 1, 1986. The number of retail outlets shall not be reduced until March 1, 1987."

S-5887 Filed April 30, 1986
BY GRONSTAL

w/o (p. 1477)

OUT OF ORDER

HOUSE FILE 2484

S-5889

Amend House File 2484 as amended, passed and reprinted by the House as follows:

1. Page 121, by inserting after line 1 the following:

"It is a condition of the funds appropriated by this section that the department shall not negotiate consent decrees which provide for donations to the hazardous waste remedial fund in lieu of the payment of civil or criminal penalties by a person against whom administrative or legal proceedings have been instituted by the department until after the department has adopted rules under chapter 17A regarding consent decree negotiations and appropriate provisions of those decrees."

S-5889 Filed April 30, 1986
BY WELSH

w/d 5-1

S-5890

Amend amendment S-5868 to House File 2484 as amended, passed and reprinted by the House as follows:

1. Page 4, line 28, by striking the words "four dollars and fifty cents" and inserting in lieu thereof the words "three dollars".

2. Page 4, lines 34 and 35, by striking the words "forty-five" and inserting in lieu thereof the words "twenty-five".

S-5890 Filed April 30, 1986
o/o S-1

HOUSE FILE 2484

S-5891

Amend the amendment, S-5791, to House File 2484, as amended, passed, and reprinted by the House as follows:

1. Page 20, by striking lines 19 through 26.

S-5891 Filed April 30, 1986
BY CARR, SCHWENGELS

ADOPTED

adopted (p. 1481)

HOUSE FILE 2484

S-5892

Amend House File 2484 as amended, passed and reprinted by the House, as follows:

1. Page 168, line 22, by striking the words "and served".

2. Page 168, line 26, by striking the words "sold to and".

3. Page 168, line 33, by inserting before the word "beer" the following: "or "C"".

4. By renumbering as required.

S-5892 Filed April 30, 1986
BY DIELEMAN

w/d S-1

HOUSE FILE 2484

S-5893

Amend amendment S-5791 to House File 2484 as amended, passed, and reprinted by the House as follows:

1. Page 24, line 36, by striking the words "department of elder affairs,".

2. Page 24, line 46, by inserting after the words "department of commerce," the words "department of elder affairs".

S-5893 Filed April 30, 1986

OUT OF ORDER

o/o (p. 1482)

HOUSE FILE 2484

S-5894

Amend the Senate amendment, S-5791, to House File 2484 as amended, passed, and reprinted by the House, as follows:

1. Page 25, by inserting after line 15 the following:

"___. Page 154, by striking lines 11 and 12 and inserting the following:

"Sec. 722A. Section 123.3, subsection 21, Code Supplement 1985, is amended to read as follows:

21. "State liquor store" means a store established by the department under this chapter on premises owned or leased by the department and operated exclusively by the department with its own employees for the sale of alcoholic liquor and wine in the original package for consumption off the premises.

Sec. 723. Section 123.3, subsection 21, Code Supplement 1985, as amended by 1986 Iowa Acts, House File 2484, section 722A, is amended by striking the subsection.

___. By striking page 156, line 25 through page 157, line 12 and inserting the following:

"Sec. 731A. Section 123.22, unnumbered paragraph 1, Code Supplement 1985, is amended to read as follows:

The ~~department~~ division has the exclusive right of importation into the state of all forms of alcoholic liquor, except as otherwise provided in this chapter, and a person shall not import alcoholic liquor, except that an individual of legal age may import and have in the individual's possession an amount of alcoholic liquor not exceeding one quart or, in the case of alcoholic liquor personally obtained outside the United States, one gallon for personal consumption only in a private home or other private accommodation. No distillery shall sell any alcoholic liquor within the state to any person but only to the ~~department~~ division, except as otherwise provided in this chapter. It is the intent of this section to vest in the ~~department~~ division exclusive control within the state both as purchaser and vendor of all alcoholic liquor sold by distilleries within the state or imported, except beer and wine, and except as otherwise provided in this chapter. The ~~department~~ division may continue to purchase wine from persons holding a vintner's certificate of compliance or a class "A" wine permit ~~for resale~~, but shall resell it only at retail in state liquor stores.

Sec. 732. Section 123.22, unnumbered paragraph 1, Code Supplement 1985, as amended by 1986 Iowa Acts, House File 2484, section 731A, is amended to read as

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follows:

The division has the exclusive right of importation into the state of all forms of alcoholic liquor, except as otherwise provided in this chapter, and a person shall not import alcoholic liquor, except that an individual of legal age may import and have in the individual's possession an amount of alcoholic liquor not exceeding one quart or, in the case of alcoholic liquor personally obtained outside the United States, one gallon for personal consumption only in a private home or other private accommodation. No distillery shall sell any alcoholic liquor within the state to any person but only to the division, except as otherwise provided in this chapter. ~~It is the intent of this~~ This section ~~to vest~~ vests in the division exclusive control within the state ~~both~~ as purchaser ~~and vendor~~ of all alcoholic liquor sold by distilleries within the state or imported, except beer and wine, and except as otherwise provided in this chapter. ~~The division may continue to purchase wine from persons holding a vintner's certificate of compliance or a class "A" wine permit but shall resell it only at retail in state liquor stores.~~ The division shall act as the sole wholesaler of alcoholic liquor to class "E" liquor control licensees. The department shall not otherwise sell any alcoholic beverages."

___. By striking page 161, line 26 through page 162, line 28, and inserting the following:

"Sec. 739A. Section 123.30, subsection 3, paragraphs a, b, and c, Code Supplement 1985, are amended to read as follows:

a. CLASS "A". A class "A" liquor control license may be issued to a club and ~~shall authorize~~ authorizes the holder to purchase alcoholic liquors from only the ~~department~~ division, wine from ~~the department or~~ only class "A" wine permittees, and native wines from native wine manufacturers, and to sell liquors, wine, and beer, to bona fide members and their guests by the individual drink for consumption on the premises only.

b. CLASS "B". A class "B" liquor control license may be issued to a hotel or motel and ~~shall authorize~~ authorizes the holder to purchase alcoholic liquors from only the ~~department~~ division, wine from ~~the department or~~ only class "A" wine permittees, and native wines from native wine manufacturers, and to sell liquors, wine, and beer, to patrons by the individual drink for consumption on the premises only~~;~~; however, beer may also be sold for consumption off the premises. Each license ~~shall be~~ is effective

throughout the premises described in the application.

c. CLASS "C". A class "C" liquor control license may be issued to a commercial establishment but must be issued in the name of the individuals who actually own the entire business, and ~~shall authorize~~ authorizes the holder to purchase alcoholic liquors from only the ~~department~~ division, wine from ~~the department or~~ only class "A" wine permittees, and native wines from native wine manufacturers, and to sell liquors, wine, and beer, to patrons by the individual drink for consumption on the premises only~~;~~ ; however, beer may also be sold for consumption off the premises.

A special class "C" liquor control license may be issued, and ~~shall authorize~~ authorizes the holder to purchase wine from ~~the department or~~ class "A" wine permittees only, and to sell wine and beer to patrons by the individual drink for consumption on the premises only~~;~~ ; however, beer may also be sold for consumption off the premises. The license issued to holders of a special class "C" license shall clearly state on its face that the license is limited.

Sec. 740. Section 123.30, subsection 3, paragraphs a, b, and c, Code Supplement 1985, as amended by 1986 Iowa Acts, House File 2484, section 739A, is amended to read as follows:

a. CLASS "A". A class "A" liquor control license may be issued to a club and authorizes the holder to purchase alcoholic liquors from class "E" liquor control licensees only ~~the division~~, wine from ~~only~~ class "A" wine permittees only, and native wines from native wine manufacturers, and to sell liquors, wine, and beer, to bona fide members and their guests by the individual drink for consumption on the premises only.

b. CLASS "B". A class "B" liquor control license may be issued to a hotel or motel and authorizes the holder to purchase alcoholic liquors from class "E" liquor control licensees only ~~the division~~, wine from ~~only~~ class "A" wine permittees only, and native wines from native wine manufacturers, and to sell liquors, wine, and beer, to patrons by the individual drink for consumption on the premises only; however, beer may also be sold for consumption off the premises. Each license is effective throughout the premises described in the application.

c. CLASS "C". A class "C" liquor control license may be issued to a commercial establishment but must be issued in the name of the individuals who actually own the entire business, and authorizes the holder to purchase alcoholic liquors from class "E" liquor

S-5894 p. 4

control licensees only ~~the division~~, wine from ~~only~~ class "A" wine permittees only, and native wines from native wine manufacturers, and to sell liquors, wine, and beer, to patrons by the individual drink for consumption on the premises only; however, beer may also be sold for consumption off the premises.

A special class "C" liquor control license may be issued, and authorizes the holder to purchase wine from class "A" wine permittees only, and to sell wine and beer to patrons by the individual drink for consumption on the premises only; however, beer may also be sold for consumption off the premises. The license issued to holders of a special class "C" license shall clearly state on its face that the license is limited.""

2. Page 25, line 40, by striking the following: "752,".

3. Page 25, by inserting after line 41 the following:

"Notwithstanding the amendments to sections 123.3, 123.22 and 123.30 in sections 723, 732 and 740 of this Act, the amendment to sections 123.3, 123.22 and 123.30 in sections 721A, 731A and 739A in this Act take effect July 1, 1986. The amendment to section 123.178 in section 752 of this Act takes effect July 1, 1986."

4. By renumbering as required.

S-5894 Filed April 30, 1986 ADOPTED
BY GRONSTAL Motion to reconsider (p. 1483) Adopted (p. 1484)
Adopted (p. 1482)
HOUSE FILE 2484

S-5895

Amend the amendment, S-5791, to House File 2484 as amended, passed and reprinted by the House, as follows:

1. Page 25, by striking lines 24 and 25.

S-5895 Filed April 30, 1986 LOST
BY MURPHY
Lost (p. 1482)
HOUSE FILE 2484

S-5896

Amend the House amendment S-5776 to Senate File 97 as amended, passed, and reprinted by the Senate as follows:

1. Page 1, line 8, by inserting after the period the following: "This section is repealed effective September 1, 1988."

S-5896 Filed April 30, 1986
BY RITSEMA

HOUSE FILE 2484

S-5897

Amend the Senate amendment, S-5791, to House File 2484 as amended, passed, and reprinted by the House, as follows:

1. Page 25, by inserting after line 15 the following:

"___. Page 154, by striking lines 12 and 13 and inserting the following:

"Sec. 722A. Section 123.3, subsection 21, Code Supplement 1985, is amended to read as follows:

21. "State liquor store" means a store established by the department under this chapter on premises owned or leased by the department and operated exclusively by the department with its own employees for the sale of alcoholic liquor and wine in the original package for consumption off the premises.

Sec. 723. Section 123.3, subsection 21, Code Supplement 1985, as amended by 1986 Iowa Acts, House File 2484, section 722A, is amended by striking the subsection.

___. By striking page 156, line 25 through page 157, line 12 and inserting the following:

"Sec. 731A. Section 123.22, unnumbered paragraph 1, Code Supplement 1985, is amended to read as follows:

The ~~department~~ division has the exclusive right of importation into the state of all forms of alcoholic liquor, except as otherwise provided in this chapter, and a person shall not import alcoholic liquor, except that an individual of legal age may import and have in the individual's possession an amount of alcoholic liquor not exceeding one quart or, in the case of alcoholic liquor personally obtained outside the United States, one gallon for personal consumption only in a private home or other private accommodation. No distillery shall sell any alcoholic liquor within the state to any person but only to the ~~department~~ division, except as otherwise provided in this chapter. It is the intent of this section to vest in the ~~department~~ division exclusive control within the state both as purchaser and vendor of all alcoholic liquor sold by distilleries within the state or imported, except beer and wine, and except as otherwise provided in this chapter. The ~~department~~ division may continue to purchase wine from persons holding a vintner's certificate of compliance or a class "A" wine permit ~~for resale~~, but shall resell it only at retail in state liquor stores.

Sec. 732. Section 123.22, unnumbered paragraph 1, Code Supplement 1985, as amended by 1986 Iowa Acts, House File 2484, section 731A, is amended to read as

follows:

The division has the exclusive right of importation into the state of all forms of alcoholic liquor, except as otherwise provided in this chapter, and a person shall not import alcoholic liquor, except that an individual of legal age may import and have in the individual's possession an amount of alcoholic liquor not exceeding one quart or, in the case of alcoholic liquor personally obtained outside the United States, one gallon for personal consumption only in a private home or other private accommodation. No distillery shall sell any alcoholic liquor within the state to any person but only to the division, except as otherwise provided in this chapter. ~~It is the intent of this~~ This section ~~to vest~~ vests in the division exclusive control within the state ~~both~~ as purchaser ~~and vendor~~ of all alcoholic liquor sold by distilleries within the state or imported, except beer and wine, and except as otherwise provided in this chapter. ~~The division may continue to purchase wine from persons holding a vintner's certificate of compliance or a class "A" wine permit but shall resell it only at retail in state liquor stores.~~ The division shall act as the sole wholesaler of alcoholic liquor to class "E" liquor control licensees. The department shall not otherwise sell any alcoholic beverages."

___. By striking page 161, line 26 through page 162, line 28, and inserting the following:

"Sec. 739A. Section 123.30, subsection 3, paragraphs a, b, and c, Code Supplement 1985, are amended to read as follows:

a. CLASS "A". A class "A" liquor control license may be issued to a club and ~~shall authorize~~ authorizes the holder to purchase alcoholic liquors from only the ~~department~~ division, wine from ~~the department or~~ only class "A" wine permittees, and native wines from native wine manufacturers, and to sell liquors, wine, and beer, to bona fide members and their guests by the individual drink for consumption on the premises only.

b. CLASS "B". A class "B" liquor control license may be issued to a hotel or motel and ~~shall authorize~~ authorizes the holder to purchase alcoholic liquors from only the ~~department~~ division, wine from ~~the department or~~ only class "A" wine permittees, and native wines from native wine manufacturers, and to sell liquors, wine, and beer, to patrons by the individual drink for consumption on the premises only~~;~~; however, beer may also be sold for consumption off the premises. Each license ~~shall be~~ is effective

throughout the premises described in the application.

c. CLASS "C". A class "C" liquor control license may be issued to a commercial establishment but must be issued in the name of the individuals who actually own the entire business, and ~~shall authorize~~ authorizes the holder to purchase alcoholic liquors from only the ~~department~~ division, wine from ~~the department or~~ only class "A" wine permittees, and native wines from native wine manufacturers, and to sell liquors, wine, and beer, to patrons by the individual drink for consumption on the premises only~~;~~ however, beer may also be sold for consumption off the premises.

A special class "C" liquor control license may be issued, and ~~shall authorize~~ authorizes the holder to purchase wine from ~~the department or~~ class "A" wine permittees only, and to sell wine and beer to patrons by the individual drink for consumption on the premises only~~;~~ however, beer may also be sold for consumption off the premises. The license issued to holders of a special class "C" license shall clearly state on its face that the license is limited.

Sec. 740. Section 123.30, subsection 3, paragraphs a, b, and c, Code Supplement 1985, as amended by 1986 Iowa Acts, House File 2484, section 739A, is amended to read as follows:

a. CLASS "A". A class "A" liquor control license may be issued to a club and authorizes the holder to purchase alcoholic liquors from class "E" liquor control licensees only ~~the division~~, wine from ~~only~~ class "A" wine permittees only, and native wines from native wine manufacturers, and to sell liquors, wine, and beer, to bona fide members and their guests by the individual drink for consumption on the premises only.

b. CLASS "B". A class "B" liquor control license may be issued to a hotel or motel and authorizes the holder to purchase alcoholic liquors from class "E" liquor control licensees only ~~the division~~, wine from ~~only~~ class "A" wine permittees only, and native wines from native wine manufacturers, and to sell liquors, wine, and beer, to patrons by the individual drink for consumption on the premises only; however, beer may also be sold for consumption off the premises. Each license is effective throughout the premises described in the application.

c. CLASS "C". A class "C" liquor control license may be issued to a commercial establishment but must be issued in the name of the individuals who actually own the entire business, and authorizes the holder to purchase alcoholic liquors from class "E" liquor

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S-5897

control licensees only ~~the division~~, wine from ~~only~~ class "A" wine permittees only, and native wines from native wine manufacturers, and to sell liquors, wine, and beer, to patrons by the individual drink for consumption on the premises only; however, beer may also be sold for consumption off the premises.

A special class "C" liquor control license may be issued, and authorizes the holder to purchase wine from class "A" wine permittees only, and to sell wine and beer to patrons by the individual drink for consumption on the premises only; however, beer may also be sold for consumption off the premises. The license issued to holders of a special class "C" license shall clearly state on its face that the license is limited.""

2. Page 25, line 40, by striking the following: "752,".

3. Page 25, by inserting after line 41 the following:

"Notwithstanding the amendments to sections 123.3, 123.22 and 123.30 in sections 723, 732 and 740 of this Act, the amendment to sections 123.3, 123.22 and 123.30 in sections 721A, 731A and 739A in this Act take effect July 1, 1986. The amendment to section 123.178 in section 752 of this Act takes effect July 1, 1986."

4. By renumbering as required.

S-5897 Filed and withdrawn April 30, 1986 BY GRONSTAL

W/D (p. 1482)

HOUSE FILE 2484

S-5898

Amend the amendment, S-5791, to House File 2484 as amended, passed and reprinted by the House, as follows:

1. Page 25, by striking lines 16 through 21 and inserting the following:

"___. By striking page 154, line 12 through page 163, line 27.

___. By striking page 163, line 28 through page 164, line 3 and inserting the following:

"Sec. 743. Section 123.36, Code Supplement 1985, is amended by adding the following new subsection:".

___. By striking page 164, line 11 through page 171, line 3 and inserting the following:

"Sec. 744. Section 123.183, Code Supplement 1985, is amended to read as follows:

123.183 WINE GALLONAGE TAX.

In addition to the annual permit fee to be paid by each class "A" wine permittee, there shall be levied and collected from each class "A" wine permittee on all wine manufactured for sale and sold in this state at wholesale and on all wine imported into this state for sale at wholesale and sold in this state at wholesale, a tax of one dollar and ~~fifty~~ seventy-five cents for every wine gallon and a like rate for the fractional parts of a wine gallon. A tax shall not be levied or collected on wine sold by one class "A" wine permittee to another class "A" wine permittee. Revenue derived from the wine tax collected on wine manufactured for sale and sold in this state shall be deposited in the gallonage tax fund hereby created in the office of the treasurer of state. All other revenue derived from the wine tax shall be deposited in the liquor control fund established by section 123.53 and shall be transferred by the state comptroller to the general fund of the state. The price of wine sold or offered for sale in state liquor stores which was not purchased by the department from a class "A" wine permittee shall include a markup over the wholesale price at least equal to the tax levied under this section.

Sec. 745. Section 123.96, Code Supplement 1985, is repealed.""

S-5898 Filed and ruled out of order April 30, 1986 LOST
BY KINLEY, RIFE, PALMER, SOORHOLTZ

o/o (p. 148)
Reconsidered + lost (p. 1484)

HOUSE FILE 2484

5917

Amend House File 2484 as amended, passed, and reprinted by the House as follows:

1. Page 15, by inserting after line 6 the following:

"Sec. 1001. Section 573.2, Code 1985, is amended to read as follows:

573.2 PUBLIC IMPROVEMENTS -- BOND AND CONDITIONS.

Contracts for the construction of a public improvement shall, when the contract price equals or exceeds twenty-five thousand dollars, be accompanied by a bond, with surety, conditioned for the faithful performance of the contract, and for the fulfillment of other requirements as provided by law. The bond may also be required when the contract price does not equal that amount. However, if a contractor provides a performance or maintenance bond as required by a public improvement contract governed by this chapter and subsequently the surety company becomes insolvent and is no longer able to be a surety on the bond, then the contractor is relieved of the obligation of providing a new bond with surety."

2. Page 15, by inserting after line 11 the following:

"Sec. 1003. Section 1001 shall apply retroactively to July 1, 1985 and the amendment enacted in section 1001 to section 573.2 shall be repealed on July 1, 1990."

3. Renumber as necessary.

S-5917 Filed April 30, 1986
BY WELSH
w/d 5-1 (p. 1510)

HOUSE FILE 2484

S-5921

Amend amendment S-5917 to House File 2484 as amended, passed and reprinted by the House as follows:

1. Page 1, line 27, by inserting after the figure "1990" the following: "as it pertains to maintenance bonds and on January 1, 1987 as it pertains to performance bonds".

S-5921 Filed May 1, 1986
BY A. MILLER
OUT OF ORDER
o/o 5-1 (p. 1519)

S-5900

Amend the amendment S-5868 to House File 2484, as amended, passed, and reprinted by the House, as follows:

1. Page 4, line 28, by striking the words "four dollars and fifty cents" and inserting the following: "three dollars".

2. Page 4, line 33, by striking the word "ten" and inserting the following: "twelve".

3. Page 4, lines 34 and 35, by striking the word "forty-five" and inserting the following: "twenty-five".

4. Page 4, line 37, by striking the figure "1998" and inserting the figure "2000".

5. Page 39, by striking lines 27 through 31.

S-5900 Filed April 30, 1986
BY BROWN

Placed o/o S-1 (p. 1508)

HOUSE FILE 2484

S-5901

Amend the amendment, S-5791, to House File 2484 as amended, passed and reprinted by the House, as follows:

1. Page 25, by striking lines 16 through 21 and inserting the following:

"___. By striking page 154, line 14 through page 163, line 27.

___. By striking page 163, line 28 through page 164, line 3 and inserting the following:

"Sec. 743. Section 123.36, Code Supplement 1985, is amended by adding the following new subsection:".

___. By striking page 164, line 11 through page 171, line 3 and inserting the following:

"Sec. 744. Section 123.183, Code Supplement 1985, is amended to read as follows:

123.183 WINE GALLONAGE TAX.

In addition to the annual permit fee to be paid by each class "A" wine permittee, there shall be levied and collected from each class "A" wine permittee on all wine manufactured for sale and sold in this state at wholesale and on all wine imported into this state for sale at wholesale and sold in this state at wholesale, a tax of one dollar and ~~fifty~~ seventy-five cents for every wine gallon and a like rate for the fractional parts of a wine gallon. A tax shall not be levied or collected on wine sold by one class "A" wine permittee to another class "A" wine permittee. Revenue derived from the wine tax collected on wine manufactured for sale and sold in this state shall be deposited in the gallonage tax fund hereby created in the office of the treasurer of state. All other revenue derived from the wine tax shall be deposited in the liquor control fund established by section 123.53 and shall be transferred by the state comptroller to the general fund of the state. The price of wine sold or offered for sale in state liquor stores which was not purchased by the department from a class "A" wine permittee shall include a markup over the wholesale price at least equal to the tax levied under this section.

Sec. 745. Section 123.96, Code Supplement 1985, is repealed.""

S-5901 Filed April 30, 1986
BY KINLEY, RIFE, SOORHOLTZ, PALMER, HALL

OUT OF ORDER

o/o (J. 1484)

HOUSE FILE 2484

S-5905

Amend the amendment, S-5791, to House File 2484 as amended, passed and reprinted by the House, as follows:

1. Page 25, line 41, by striking the figure "1987." and inserting the following: "1988. The amount of the funds appropriated under this Act for the fiscal year beginning July 1, 1986 and ending June 30, 1987 shall be reduced by one percent, rounded to the nearest whole dollar, and this section shall prevail over any other provisions of this Act. This section shall not apply to appropriations made under section 442.26."

S-5905 Filed and lost April 30, 1986 BY WALDSTEIN, HALL, PRIEBE, JENSEN
(p. 1485)

HOUSE FILE 2484

S-5906

Amend House File 2484 as amended, passed, and reprinted by the House as follows:

1. Page 163, by striking lines 1 through 3 and inserting the following: "licensed premises and to other liquor control licensees. A holder of a class "E" liquor control".

S-5906 Filed April 30, 1986
BY MURPHY, LIND
w/d 5-1

HOUSE FILE 2484

S-5907

Amend House File 2484 as amended, passed and reprinted by the House, as follows:

1. Page 168, line 22, by striking the words "and served".

2. Page 168, line 26, by striking the words "sold to and".

3. Page 168, line 33, by inserting before the word "beer" the following: "or "C"".

4. Page 178, by inserting after line 24 the following:

Sec. ___. If both this Act and Senate File 2265 are enacted by the Seventy-first General Assembly, the amendment to section 123.92, enacted as a part of this Act shall prevail over the amendment to section 123.92 enacted as a part of Senate File 2265."

5. By renumbering as required.

S-5907 Filed April 30, 1986
BY DIELEMAN
w/d 5-1

S-5902

Amend House File 2484 as amended, passed and reprinted by the House as follows:

1. By striking page 154, line 14 through page 171, line 3 and inserting the following:

"Sec. ___. The amount of the funds appropriated under this Act for the fiscal year beginning July 1, 1986 and ending June 30, 1987 shall be reduced by one percent, rounded to the nearest whole dollar, and this section shall prevail over any other provisions of this Act. This section shall not apply to appropriations made under section 442.26."

S-5902 Filed April 30, 1986
BY WALDSTEIN, HALL, JENSEN, PRIEBE

w/d 5-1

HOUSE FILE 2484

S-5903

Amend House File 2484 as amended, passed and reprinted by the House, as follows:

1. Page 127, by inserting after line 30 the following:

"Notwithstanding section 99D.5, subsection 4, members of the racing commission shall receive an annual salary of six thousand (6,000) dollars for the fiscal year beginning July 1, 1986 and ending June 30, 1987 and the fiscal year beginning July 1, 1987 and ending June 30, 1988. This section shall prevail over any inconsistent provisions of 1986 Iowa Acts, Senate File 2175 and any provision of 1986 Iowa Acts, Senate File 2175 relating to compensation for members of the racing commission shall not be applicable for the fiscal year beginning July 1, 1986 and ending June 30, 1987 or the fiscal year beginning July 1, 1987 and ending June 30, 1988."

S-5903 Filed April 30, 1986
BY READINGER

w/d 5-1

HOUSE FILE 2484

S-5904

Amend the amendment, S-5791, to House File 2484 as amended, passed and reprinted by the House, as follows:

1. Page 21, line 22, by inserting after the word "purposes" the following: ", including funds to maintain the existing warehouse distribution personnel for the transition period of July 1, 1986 through June 30, 1987".

2. Page 25, by striking lines 20 and 21 and inserting the following:

"___. Page 171, by striking lines 1 through 3."

S-5904 Filed April 30, 1986
BY WELSH

ADOPTED

Adopted (p. 1484)

HOUSE FILE 2484

S-5908

Amend House File 2484, as amended, passed, and reprinted by the House as follows:

1. Page 152, by inserting after line 4 the following:

"Sec. ___. There is appropriated from the road use tax fund to the following person the amount set opposite that person's name in full settlement of the person's claim which that person may have against the state of Iowa:

Claimant	Claim No.	Nature of Claim	Amount
Doyle D. Felton	G85-0654	Registration Fee Refund".	$95.99

2. Renumber sections and correct internal references as necessary in accordance with this amendment.

S-5908 Filed April 30,1986
BY TAYLOR, WELSH
w/d 5-1

HOUSE FILE 2484

S-5909

Amend House File 2484 as amended, passed, and reprinted by the House as follows:

1. Page 15, by inserting after line 6 the following:

"Sec. 1001. Section 573.2, Code 1985, is amended to read as follows:

573.2 PUBLIC IMPROVEMENTS -- BOND AND CONDITIONS.

Contracts for the construction of a public improvement shall, when the contract price equals or exceeds twenty-five thousand dollars, be accompanied by a bond, with surety, conditioned for the faithful performance of the contract, and for the fulfillment of other requirements as provided by law. The bond may also be required when the contract price does not equal that amount. However, if a contractor provides a performance or maintenance bond as required by a public improvement contract governed by this chapter and subsequently the surety company becomes insolvent and is no longer able to be a surety on the bond, then the contractor is relieved of the obligation of providing a new bond with surety."

2. Page 15, by inserting after line 11 the following:

"Sec. 1003. Section 1001 shall apply retroactively to July 1, 1985."

3. Renumber as necessary.

S-5909 Filed April 30, 1986
BY WELSH
w/d 5-1

SENATE 124
May 1, 1986

HOUSE FILE 2484

S-5910

Amend House File 2484 as amended, passed and reprinted by the House as follows:

1. Page 169, by striking lines 2 through 13.
2. By renumbering as necessary.

S-5910 Filed April 30, 1986
BY LIND

w/d 5-1

HOUSE FILE 2484

S-5911

Amend House File 2484 as amended, passed and reprinted by the House as follows:

1. Page 125, by inserting after line 18, the following:

"Sec. ___. Section 99D.22, subsection 3, paragraph d, Code Supplement 1985, is amended by striking the paragraph."

S-5911 Filed April 30, 1986
BY TIEDEN, PRIEBE

w/d 5-1

HOUSE FILE 2484

S-5915

Amend amendment S-5847 to House File 2484 as amended, passed and reprinted by the House as follows:

1. Page 1, line 9, by striking the words "one million" and inserting in lieu thereof the words "nine hundred thousand".
2. Page 1, lines 9 and 10, by striking the words "in section 261.63 for the payments".

S-5915 Filed April 30, 1986
BY HORN

w/d 5-1

HOUSE FILE 2484

S-5916

Amend House File 2484, as amended, passed, and reprinted by the House, as follows:

1. Page 67, by striking lines 2 through 4 and inserting the following: "be used for any capital improvement projects.

DIVISION III
PUBLIC HEALTH AND HUMAN RIGHTS"

S-5916 Filed April 30, 1986
BY HUTCHINS

w/d 5-1

SENATE AMENDMENT TO HOUSE FILE 2484

H-6103

Amend House File 2484, as amended, passed, and reprinted by the House, as follows:

1. Page 1, line 12, by striking the figure "2,789,691" and inserting the figure "3,300,000".

2. Page 1, by striking lines 13 through 15.

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

"The department shall actively pursue the acquisition of the Grant Wood Gothic House in Eldon, Iowa. The department shall cooperate with the historical division of the department of cultural affairs to acquire and maintain the Grant Wood Gothic House and to promote the property as a tourist attraction."

4. Page 2, line 10, by striking the figure "1,000,000" and inserting the figure "500,000".

5. Page 2, line 13, by striking the words "and to" and inserting the words "to be used by the department to".

6. Page 2, line 22, by inserting after the word "program." the words "The department shall secure the necessary private participation from groups and organizations most appropriate for any particular function. In-kind expenditures from the private sector may be considered as a portion of the dollar for dollar match. The department shall give attention to using a portion of these funds to contract and coordinate with international programs at Iowa colleges and universities to develop a network of trade contacts overseas through the use of alumni from Iowa colleges and universities."

7. Page 2, by inserting after line 22 the following:

"The department shall establish this program on or after January 1, 1987."

8. Page 2, line 24, by striking the word "Japan" and inserting the word "Asian".

9. Page 2, line 26, by striking the word "Japan" and inserting the word "Asia".

10. Page 2, line 27, by striking the word "Japanese" and inserting the word "Asian".

11. Page 2, line 29, by striking the words "Japanese market" and inserting the words "Asian market".

12. Page 2, line 29, by striking the words "encourage Japanese" and inserting the words "encourage Asian".

13. Page 2, line 32, by striking the figure "1,000,000" and inserting the figure "500,000".

14. Page 3, by striking lines 3 and 4.

15. Page 3, line 22, by striking the figure "11,700" and inserting the figure "15,000".

16. Page 3, line 31, by striking the figure "832,709" and inserting the figure "330,000".

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

"13. For additional and supplemental funding for the child care services program and the displaced homemakers program in connection and coordination with the federal Job Training Partnership Act of 1982 and funding for a child care grants program to provide grants of up to ten thousand dollars for start-up funding for before and after school programs using school facilities, infant care programs, child care information and referral centers, and on-site employer day care. An application for a grant under the child care grants program shall include a study documenting a need for the service or program for which the grant is sought and a plan for implementation of the service or program which plan includes a listing of other sources of income, the staff to be employed, and the method to make the service or program self-supporting within three years ..... $ 1,000,000"

18. Page 4, line 25, by striking the figure "15,605,770" and inserting the figure "16,770,770".

19. Page 4, line 34, by striking the figure "127,230" and inserting the figure "270,230".

20. Page 5, by inserting after line 9 the following:

"For salaries, support, and maintenance of the elder law education program ..... $ 95,000"

21. Page 5, line 12, by striking the words "department of revenue and finance" and inserting the words "college aid commission".

22. Page 5, lines 14 and 15, by striking the words and figure "eight hundred twenty-five thousand four hundred ten (825,410)" and inserting the words and figure "four hundred twenty-five thousand four hundred ten (425,410)".

23. Page 5, by striking lines 16 through 29 and inserting the following: "be paid for Iowa resident students at the college of osteopathic medicine and surgery. These funds shall be used to reduce Iowa resident student tuition. These funds are only to be used for students enrolled in each of the final three

years of classes in the college of osteopathic medicine and surgery."

24. Page 6, by striking lines 34 and 35.

25. Page 7, line 12, by striking the figure "14,623,482" and inserting the figure "15,581,482".

26. Page 8, line 4, by striking the figure "128,532,126" and inserting the figure "128,247,126".

27. Page 8, by striking lines 19 through 22 and inserting the following:

"___. For area garages for the Tama-Toledo area, Dubuque and Centerville ..... $ 1,344,000"

28. Page 9, by inserting after line 4 the following:

"Sec. ___. The state department of transportation shall operate a commercial vehicle permit issuing center utilizing existing field facilities near the location of the intersection of Iowa highways 151, 61 and 52."

29. By striking page 10, line 35 through page 11, line 24.

30. Page 12, by striking lines 18 through 28.

31. Page 12, by inserting after line 28 the following:

"Sec. ___. Section 308.4, subsection 3, Code Supplement 1985, is amended by striking the subsection."

32. By striking page 12, line 29 through page 14, line 13.

33. Page 14, line 31, by striking the words "general fund of the state" and inserting the words "~~general fund of the state~~ road use tax fund".

34. Page 14, lines 32 and 33, by striking the words and figure "eighty-six thousand five hundred thirty-five (86,535)" and inserting the words and figure "one hundred seven thousand (107,000)".

35. Page 15, line 4, by striking the words "general fund of the state" and inserting the words "~~general fund of the state~~ road use tax fund".

36. Page 15, by inserting after line 6 the following:

"Sec. ___. Section 324.65, unnumbered paragraph 1, Code 1985, is amended to read as follows:

If a licensee or other person fails to remit at least ninety percent of the tax due with the filing of the return on or before the due date or pays less than ninety percent of any tax required to be shown on the return, there shall be added to the tax a penalty of five percent of the amount of the tax due. The penalty imposed under this section is not subject to waiver. The taxpayer shall also pay interest on the

tax or additional tax at the rate in effect under section 421.7 counting each fraction of a month as an entire month, computed from the date the return was required to be filed. If the amount of the tax as determined by the appropriate state agency is less than the amount paid, the excess shall be refunded with interest, the interest to begin to accrue on the first day of the third calendar month following the date of payment or the date the return was due to be filed or was filed, whichever is the latest, at the rate in effect under section 421.7 counting each fraction of a month as an entire month under the rules prescribed by the appropriate state agency. In lieu of a refund allowed under this section, the licensee may request that the department allow the refund to be held as a credit for the licensee."

37. Page 15, by inserting after line 6 the following:

"Sec. ___. Section 423.1, subsection 1, Code Supplement 1985, is amended to read as follows:

1. "Use" means and includes the exercise by any person of any right or power over tangible personal property incident to the ownership of that property, except that it shall not include processing, or the sale of that property in the regular course of business. Property used in "processing" within the meaning of this subsection shall mean and include (a) any tangible personal property including containers which it is intended shall, by means of fabrication, compounding, manufacturing, or germination, become an integral part of other tangible personal property intended to be sold ultimately at retail, and containers used in the collection, recovery or return of empty beverage containers subject to chapter 455C, or (b) fuel which is consumed in creating power, heat, or steam for processing or for generating electric current, or (c) chemicals, solvents, sorbents, or reagents, which are directly used and are consumed, dissipated, or depleted in processing personal property, which is intended to be sold ultimately at retail, and which may not become a component or integral part of the finished product. The distribution to the public of free newspapers or shoppers guides shall be deemed a retail sale for purposes of the processing exemption."

38. Page 15, by inserting after line 6 the following:

"Sec. 35A. 1985 Iowa Acts, chapter 256, section 11, is amended to read as follows:

SEC. 11. There is appropriated from the general

fund of the state to the Iowa development commission for the fiscal period beginning on the effective date of this Act and ending June 30, 1985 the sum of two hundred thousand (200,000) dollars, or so much thereof as is necessary, for its advertising and tourism budget. ~~The Iowa development commission shall transfer from any other funds received for its advertising and tourism budget an amount up to or equal to two hundred thousand ($200,000) dollars received during the fiscal year beginning July 1, 1985 and ending June 30, 1986 which funds shall be transferred to the general fund of the state not later than June 30, 1986 to replace those funds received under this section for the fiscal period beginning on the effective date of this Act and ending June 30, 1985.~~"

39. Page 15, by inserting after line 11 the following:

"Sec. ___. Section 35A of this Act is retroactive to June 1, 1986."

40. Page 15, by inserting after line 25 the following:

"Notwithstanding 1985 Iowa Acts, chapter 33, section 301, subsection 3, paragraph "e", the lottery moneys allocated to the office for planning and programming shall be reallocated to the arts division of the department of cultural affairs for the fiscal year beginning July 1, 1986 and ending June 30, 1987 for any of the following arts projects: For the Herbert Hoover memorial in West Branch, for the Cedar Rapids science station for development, for the Ottumwa arts council, for the Dubuque great rivers hall of fame for capital improvements, for the Amana art guild-folk art show for the folk art showcase, for the Clinton riverboat theater for rehabilitation, for the Davenport river development project for capital improvements, and for general promotion of the arts."

41. Page 15, by inserting after line 30 the following:

"Notwithstanding sections 18.12 and 18.16, the historical division may directly and independently enter into rental and lease agreements with private vendors for the purpose of selling mementos on the premises of property under the control of the division. All fees and income produced from the sales and rental or lease agreements shall be credited to the account of the division. Retail vendors will not be exempt from the sales and use tax under this provision."

42. Page 15, by inserting after line 30 the

following:

"Notwithstanding section 303.9, subsection 1, all admission fees charged at the Montauk historical site shall be credited to the account of the historical division and are appropriated to the historical division to be invested and used exclusively for maintenance and improvement of the property and grounds of Montauk."

43. Page 15, line 35, by striking the figure "997,576" and inserting the figure "1,088,693".

44. Page 16, line 15, by striking the figure "127,792" and inserting the figure "137,792".

45. By striking page 16, line 19 through page 17, line 9.

46. Page 17, line 20, by striking the figure "41,700" and inserting the figure "30,000".

47. Page 17, line 24, by striking the figure "30,000" and inserting the figure "20,000".

48. Page 17, by striking lines 25 through 30.

49. By striking page 17, line 33 through page 18, line 3.

50. Page 18, line 31, by striking the figure "4,148,910" and inserting the figure "4,238,910".

51. Page 19, by inserting after line 12 the following:

"It is further the intent of the general assembly to consider any supplemental requests which may occur in the department of education, or in any other department or division of state government, due to a reduction in federal funds."

52. Page 19, line 13, by striking the figure "140,377" and inserting the figure "190,377".

53. Page 19, lines 15 and 16, by striking the words and figure "sixty thousand (60,000)" and inserting the words and figure "one hundred fifty thousand (150,000)".

54. Page 19, line 18, by inserting after the word "process" the words "and to provide increased compensation to individuals employed by the department in consultant positions in order to bring their compensation up to a level that is more competitive with compensation received by individuals employed in other professional positions that have similar education requirements".

55. Page 21, line 4, by striking the figure "10,000" and inserting the figure "210,000".

56. Page 21, by inserting after line 4 the following:

"Of the funds appropriated by this subsection, two hundred thousand (200,000) dollars may be expended as

supplemental aid pursuant to section 286A.14."

57. Page 24, lines 8 and 9, by striking the words "revenue and finance" and inserting the word "management".

58. Page 26, by striking lines 20 through 27 and inserting the following: "appropriated in this paragraph so that each institution receives a portion of the appropriation equal to the percent that eligible full-time equivalent faculty, professional, and scientific employees at the institution bears to the total full-time equivalent faculty, professional, and scientific employees at all institutions. The funds distributed by the university of northern Iowa for organized faculty shall be distributed either through the collective bargaining agreement in force for the fiscal year beginning July 1, 1986, or according to a different procedure that is acceptable to the collective bargaining representatives for the faculty at the university of northern Iowa and for the university of northern Iowa."

59. By striking page 28, line 17 through page 29, line 9 and inserting the following:

"It is the intent of the general assembly that university hospitals shall not perform heart, liver, pancreas, artificial heart, or heart/lung transplantations on indigent patients referred under chapter 255 unless the patient meets criteria developed by the national heart, lung and blood institute's special advisory group for heart recipients, or the 1983 national institute of health's concensus conference on liver transplants for liver recipients, or unless the patient meets nationally recognized criteria for pancreas transplantations. The total amount of state funds expended for heart, liver, pancreas, artificial heart, or heart/lung transplantations shall not exceed nine-tenths of one percent of the total state indigent funds received by the university hospitals for the fiscal year beginning July 1, 1986 and ending June 30, 1987."

60. Page 29, line 13, by striking the words "state comptroller" and inserting the words "department of management".

61. Page 31, line 15, by striking the figure "10,224,403" and inserting the figure "10,453,403".

62. Page 31, by striking lines 16 through 28 and inserting the following:

"The cooperative extension service in agriculture and home economics and the department of economic development shall enter into an agreement under chapter 28E that provides a procedure for coordinating the

economic development activities of the cooperative extension service in agriculture and home economics with the economic development activities of the department of economic development."

63. Page 31, line 30, by striking the figure "189,000" and inserting the figure "90,000".

64. Page 31, by inserting after line 30 the following:

"These funds may be matched by private contributions."

65. Page 31, by striking lines 31 and 32 and inserting the following:

"d. Center for industrial research and services

(1) For hazardous waste and cleanup project ..... $ 50,000"

66. Page 32, line 31, by striking the figure "1986" and inserting the following: "1987".

67. Page 32, line 34, by striking the figure "1986" and inserting the following: "1987".

68. Page 33, line 1, by striking the figure "1986" and inserting the following: "1987".

69. Page 35, by striking lines 5 through 8 and inserting the following: "If the applicant is eligible for".

70. Page 35, by striking lines 11 and 12 and inserting the following: "by a maternal and child health program, the".

71. Page 37, by striking lines 17 through 29.

72. Page 38, line 1, by striking the figure "1987" and inserting the figure "1988".

73. Page 38, by inserting after line 1 the following:

"Sec. 114A. Notwithstanding the procedures and appropriation specified in section 273.11, for the fiscal year beginning July 1, 1986 and ending June 30, 1987, the director of the department of education may modify the amount due from an area education agency under section 273.11 and the director of the department of revenue and finance shall pay the amount due to an area education agency from moneys appropriated for state school foundation aid under section 114E of this Act.

Sec. 114B. Notwithstanding the procedures and appropriation specified in section 281.12, for the fiscal year beginning July 1, 1986 and ending June 30, 1987, the director of the department of education may modify the amount due to a school district or agency providing a special education program under section 281.12 and the director of the department of revenue

and finance shall pay the amount due to a school district or agency providing a special education program from moneys appropriated for state school foundation aid under section 114E of this Act.

Sec. 114C. Notwithstanding the procedures and appropriation specified in section 282.19, for the fiscal year beginning July 1, 1986 and ending June 30, 1987, if the child does not require special education, the superintendent of the school district shall certify the costs of instruction under section 282.19 to the director of the department of education not later than September 1 of each year for the preceding fiscal year. The director of the department of education shall review the costs of instruction and may modify them and submit a requisition to the department of revenue and finance. The amount due shall be paid by the department of revenue and finance to the school district from moneys appropriated for state school foundation aid under section 114E of this Act.

For the purpose of this section, "costs of instruction" means the tuition fee of the school district in which the child is enrolled calculated under section 282.24 and multiplied by the portion of the school year in which the child was enrolled.

Sec. 114D. Notwithstanding the procedures and appropriation specified in section 282.27, for the fiscal year beginning July 1, 1986 and ending June 30, 1987, if a child requiring special education is not counted in the weighted enrollment of any district under section 281.9 and payment is not made by any district, the director of the department of education may modify the special education instructional costs certified to the director of the department of education under section 282.27 by a school district and the director of the department of revenue and finance shall pay the amount due from moneys appropriated for state school foundation aid under section 114E of this Act.

Sec. 114E. Notwithstanding section 442.26, from moneys appropriated pursuant to section 442.26 for the fiscal year beginning July 1, 1986 and ending June 30, 1987, the department of revenue and finance shall deduct the total of the amounts due under sections 114A through 114D, not to exceed the total amounts paid under sections 273.11, 281.12, 282.19, and 282.27, for the fiscal year beginning July 1, 1985. If the total of the amounts due under this section is more than the total of the amounts paid for the fiscal year beginning July 1, 1985, the department of revenue

and finance shall allocate an amount to be paid under each of sections 114A through 114D based upon the proportion the amount paid under each of sections 273.11, 281.12, 282.19, and 282.27 for the fiscal year beginning July 1, 1985 bears to the total amount paid for that fiscal year. The payments to area education agencies under section 114A, to school districts or other agencies under section 114B, and to school districts under sections 114C and 114D, shall be prorated based upon the moneys allocated for the respective sections."

74. Page 40, by striking lines 12 through 18.

75. By striking page 40, line 19 through page 41, line 11.

76. Page 45, line 26, by striking the word "An" and inserting the words "Commencing July 1, 1987, an".

77. Page 45, lines 33 and 34, by striking the words "state board of public instruction" and inserting the words "department of education".

78. Page 46, by striking lines 4 through 24.

79. By striking page 47, line 2 through page 50, line 7.

80. By striking page 54, line 32 through page 55, line 10.

81. By striking page 55, line 11 through page 56, line 11.

82. Page 56, line 30, by striking the words "revenue and finance" and inserting the word "management".

83. Page 56, line 31, by inserting after the word "allocations." the words "However, an area school shall be allocated an amount at least equal to the state general aid allocated for the base year unless the formula is fully funded under this chapter."

84. Page 57, line 23, by striking the word "education" and inserting the word "management".

85. Page 57, lines 25 and 26, by striking the words "The department shall notify the department of revenue and finance of the amount.".

86. Page 58, by striking lines 17 through 21 and inserting the words "The department of management shall determine for the base year beginning July 1, 1985, the state average cost per contact hour for each instructional cost center. The state".

87. Page 58, line 25, by striking the word "education" and inserting the word "management".

88. Page 58, lines 30 and 31, by striking the words "The department shall notify the department of management."

89. Page 60, line 8, by striking the word

"education" and inserting the word "management".

90. Page 60, lines 11 and 12, by striking the words "The department shall notify the department of management."

91. Page 61, line 2, by striking the word "education" and inserting the word "management".

92. Page 61, lines 5 and 6, by striking the words "The department shall notify the department of management."

93. Page 64, line 19, by inserting after the word "hours." the words "The department of education shall calculate the difference between the amount of state general aid each area school that has fewer than one million contact hours would receive if a foundation support level of seventy percent were used in lieu of the sixty-five percent specified in this chapter and the amount the area school would receive under this chapter. The area school shall receive that difference in lieu of the fifty thousand dollars granted under this subsection if the difference is greater than fifty thousand dollars."

94. Page 65, line 11, by striking the words "public instruction" and inserting the word "education".

95. Page 66, by striking line 30 and inserting the words and figure "1985, are repealed."

96. Page 68, line 12, by inserting after the word "two" the following: "and eight-tenths".

97. Page 68, line 15, by striking the figure "68,222" and inserting the figure "93,937".

98. Page 69, line 18, by striking the word "division" and inserting the word "department".

99. Page 71, line 3, by striking the word "thirteen" and inserting the word "twelve".

100. Page 71, line 6, by striking the figure "479,884" and inserting the figure "412,745".

101. Page 71, line 12, by striking the figure "98,393" and inserting the figure "96,093".

102. Page 71, line 19, by striking the figure "587,035" and inserting the figure "574,876".

103. Page 71, line 27, by striking the figure "517,947" and inserting the figure "506,774".

104. Page 71, line 33, by striking the figure "330,248" and inserting the figure "323,019".

105. Page 80, by inserting after line 32, the following:

"Sec. ___. It is the intent of the general assembly that the department of inspections and appeals initiate a demonstration waiver project to encourage the development of residential care

facilities, which serve persons with mental retardation, chronic mental illness, and other developmental disabilities, which have five or fewer residents for persons specified in section 225C.26. The project shall be exempt from section 135.63 through June 30, 1988.

A provider may apply for a demonstration waiver from the department. Before the waiver is granted, the provider shall meet all of the requirements:

1. Compliance with program requirements pursuant to chapter 135C and administrative rules relating to residential care facilities adopted by the state board of health or standards adopted by the accreditation council for services for persons with mental retardation and other developmental disabilities. The program shall emphasize age appropriate and least restrictive programs.

2. The proposed facility shall be housing located in areas zoned for single or multiple-family housing, shall have been constructed after 1950, shall meet local housing codes and fire safety requirements in accordance with minimum procedures and subsequent rules promulgated by the state fire marshal that are in accordance with the concepts of least restriction and the applicable sections of the appendix of chapter 21 of the national fire protection association, fire safety code of 1985.

3. The proposed facility shall have appropriate accessibility for the disabilities of the proposed residents.

4. Written plans shall demonstrate that the proposed facility meets the needs of the proposed residents pursuant to individual program plans meeting age appropriate and least restrictive program requirements.

5. Written plans shall demonstrate that proposed residents will have reasonable access to employment or job-related training, education, generic community resources, and integrated opportunities to promote community interaction.

The director of the department of inspections and appeals shall appoint a temporary waiver committee not to exceed nine members, to provide monitoring of program progress and initial project approval recommendations which are subject to final approval by the director. The committee shall include but not be limited to representatives from the following interested organizations, designated by the respective organizations and appointed by the director: the association for retarded citizens of Iowa, the Iowa

association of rehabilitation and residential facilities, the developmental disabilities council, the mental health and mental retardation commission of the department of human services, the mental health association of Iowa, and the Iowa state association of counties. The state fire marshal or the fire marshal's designee shall also be a member of the committee.

The housing for persons with mental retardation, chronic mental illness, and other developmental disabilities, developed under the demonstration waiver project pursuant to this section shall be eligible for funding utilized by licensed residential care facilities for the mentally retarded, including but not limited to, the social services block grant funds, state supplementary assistance funds, state community mental health and mental retardation services funds, and county funds.

The allocation of waiver sites shall be based upon equitable distribution within the districts of the department of human services. The total number of waivers approved shall not exceed a capacity for more than two hundred twenty-five residents before July 1, 1987, unless otherwise changed by rules adopted by the state board of health to no more than four hundred by July 1, 1987. Total waiver approval for housing shall not exceed approval for more than a total of eight hundred residents before July 1, 1988.

Prior to July 1, 1988 the waiver committee shall be responsible for recommending the appropriate licensure standards to the state board of health for continuation of the project on and after July 1, 1988.

The waiver committee may recommend to the general assembly the number of full-time equivalent employees needed within the office of the state fire marshal to conduct the health and fire safety inspections of housing developed under the demonstration waiver project pursuant to this section during the fiscal year ending June 30, 1987.

Sec. ___. There is appropriated from the general fund of the state to the department of inspections and appeals for each year of the fiscal biennium beginning July 1, 1986 and ending June 30, 1988, one hundred ten thousand (110,000) dollars, or so much thereof as is necessary, for three full-time equivalent positions specifically designated to provide staff support for the demonstration waiver project."

106. Page 82, by inserting after line 25 the following:

"If the state of Minnesota receives approval of its

federal waiver request involving self-employed individuals, the department shall analyze the impact of such a waiver request for Iowa's program and report the impact to the general assembly by January 15, 1987. The department shall work with other states in seeking to develop a federal waiver request for self-employed individuals."

107. Page 83, line 13, by striking the figure "126,500,000" and inserting the following: "128,000,000".

108. Page 84, by inserting after line 26 the following:

"The department may expend up to forty thousand (40,000) dollars of the appropriation made under this subsection to expand the state's drug utilization review program.

The department shall seek a federal waiver to eliminate the co-payment requirements for generic drugs."

109. Page 85, line 28, by striking the figure "5,119,000" and inserting the following: "5,219,000".

110. Page 85, line 35, by striking the word "one" and inserting the following: "two".

111. Page 86, line 1, by striking the figure "191,450" and inserting the following: "291,450".

112. Page 86, line 8, by striking the figure "26,900,000" and inserting the following: "24,200,000".

113. Page 86, by striking lines 29 through 34 and inserting the following: "director of human services shall consult with the bill of rights advisory committee, the bill of rights interim study committee and other oversight personnel in the establishment of the contract. The director shall appoint an oversight committee to provide ongoing assistance in the monitoring and oversight of the contract regarding fiscal and programatic decisions. The oversight committee shall include but not be limited to representatives of the developmental disabilities council, the association for retarded citizens of Iowa, the Iowa association of rehabilitation and residential facilities, the mental health association of Iowa, and the Iowa state association of counties, all of whom shall be selected from names submitted by their respective organizations. The director shall provide periodic updates on the contract to the legislative council and the fiscal committee of the legislative council and shall provide a progress report making recommendations regarding the contract to the general assembly not later than February 1,

1987.

e. The department shall review the contract at least quarterly relating to the expenditure of funds appropriated by this subsection. If the department determines that a surplus exists in funds appropriated by this subsection, the department shall use the surplus funds to restore, in whole or in part, the reductions in reimbursement rates made by section 309, subsections 2 and 3, and the department may transfer funds appropriated by this subsection to accomplish the reimbursement rate restorations."

114. Page 86, by inserting before line 35 the following:

"f. Of the funds appropriated by this subsection, the department may expend up to thirty thousand (30,000) dollars to contract with universities to provide ongoing research assistance into programs operated or supervised by the department involving foster care. Such contracts shall make maximum use of any matching resources from the universities with which the department contracts."

115. Page 88, by inserting after line 31 the following:

"12. As a condition of the appropriations made for aid to families with dependent children, medical assistance, state supplementary assistance, and foster care under subsections 1, 2, 5, and 8, the following shall apply:

a. Notwithstanding section 8.39, and except as provided in subsection 2 for the women, infants, and children program, in subsection 4 for child support recoveries, and in subsection 8, paragraph "e" for foster care, funds appropriated for aid to families with dependent children, medical assistance, state supplementary assistance, and foster care shall not be subject to transfer. Department of human services' programs shall not be modified for the purpose of transferring other funds appropriated to the department of human services into the aid to families with dependent children, medical assistance, state supplementary assistance, and foster care accounts.

b. Except as provided in paragraph "c", the director of human services shall not modify programs funded under the aid to families with dependent children, medical assistance, state supplementary assistance, and foster care appropriations in order to meet any projected budget shortfalls, but shall request supplemental appropriations from the general assembly to meet those shortfalls.

c. Notwithstanding the concept of allotments in

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section 8.31, for the purpose of any across-the-board budget reductions ordered by the governor, the appropriations for the aid to families with dependent children, medical assistance, state supplementary assistance, and foster care shall be deemed to include amounts needed to operate the programs for the entire fiscal year beginning July 1, 1986, under the July 1986 program guidelines and mandated subsequent changes. The across-the-board budget reductions shall be applied to the appropriations, and the estimate of revenues needed to balance the state's budget shall be made so as to operate the July 1, 1986 programs, as modified by mandated changes for the entire fiscal year.

d. Notwithstanding section 8.31, for deficit appropriations, the department shall apply the across-the-board budget reductions to the aid to families with dependent children, medical assistance, state supplementary assistance, and foster care appropriations, and to additional anticipated needs according to the July 1, 1986 guidelines and mandated subsequent changes. For surplus appropriations, the across-the-board budget reductions shall be applied first to the surplus appropriations and then to amounts needed to maintain the July 1, 1986 programs and any mandated subsequent changes."

116. Page 94, by striking lines 16 through 19 and inserting the following:

"c. For the fiscal year beginning July 1, 1986, the incentive and inflation factors shall be reinstated as in place on July 1, 1985. Beginning July 1, 1986, the basis for establishing the maximum medical".

117. Page 94, line 21, by striking the word "fiftieth" and inserting the following: "fifty-fifth".

118. Page 94, line 22, by striking the word and figure "December 31" and inserting the following: "June 30".

119. By striking page 96, line 27 through page 97, line 15 and inserting the following:

"Sec. ___. ADMINISTRATIVE RULES INTERIM STUDY -- DEPARTMENT OF HUMAN SERVICES, DEPARTMENT OF PUBLIC HEALTH, AND DIVISION OF VOCATIONAL REHABILITATION OF THE DEPARTMENT OF EDUCATION. It is the intent of the general assembly that the legislative council create an interim study committee, or charge an interim study committee, to review the administrative rules of the department of human services, the department of public health, and the division of vocational rehabilitation

of the department of education relating to the purchase of service methodologies and licensure, certification, and accreditation, and other program rules under the state supplementary assistance program, the foster care program, the purchase of local services program funded with federal social services block grant funds, and the vocational rehabilitation program. The review shall also include the federal and Iowa licensure rules for intermediate care facilities for the mentally retarded, residential care facilities, residential facilities for the mentally retarded, and residential care facilities for the mentally ill; the accreditation rules for community mental health centers; and the approval standards for community, supervised apartment living arrangements. The committee shall be composed of two senators, one appointed by the majority leader of the senate and one appointed by the minority leader of the senate, two representatives, one appointed by the speaker of the house of representatives and one appointed by the minority leader of the house of representatives, the administrative rules coordinator, two representatives of the department of human services appointed by the director of the department, two representatives of the department of public health appointed by the director of the department, two representatives of the division of vocational rehabilitation of the department of education appointed by the director of the department, and representatives of the Iowa association of rehabilitation and residential facilities, the coalition for family and children's services in Iowa, the provider advisory committee to the department of human services, and other provider representatives appointed by the legislative council, which are regulated or reimbursed in some manner by the department of human services, the department of public health, or the division of vocational rehabilitation. The committee shall identify administrative rules which are alleged to be burdensome, duplicative, or cost-inefficient. After weighing the impact of the rules on the delivery of services to clients and the impact of the rules on the providers of the services, the committee shall make recommendations concerning the retention, modification, or rescission of the departments' or division's administrative rules."

120. Page 97, by striking lines 16 through 24.

121. Page 98, by inserting after line 18, the following:

"Sec. ___. BILL OF RIGHTS INTERIM STUDY. It is

the intent of the general assembly that the legislative interim study committee on the bill of rights for the mentally retarded, developmentally disabled and chronically mentally ill coordinate a study to assess the existing framework of service delivery, planning, coordination, and funding in order to determine the appropriateness of the framework and the modifications necessary to create an efficient and quality system for implementation of section 225C.28.

The study shall include an opportunity for participation and recommendations by targeted constituencies, including eligible consumers, advocates of persons with disabilities eligible under the bill of rights, providers of community-based services, members of county boards of supervisors, state and district level representatives of affected governmental agencies, and others whose perspective would benefit the comprehensive evaluation of the system.

The study shall include all of the following:

1. Review and evaluation of funding, service coordination, and models which effectively respond to the needs of clients eligible under the bill of rights.

2. An assessment of the impact of coordinating inter-and intragovernmental resources.

3. The identification of targeted constituencies whose involvement in planning, services delivery, and support may enhance systemic coordination and service provision.

4. An assessment of a regionalized system and its effectiveness in maximizing revenue sources directed to, or available for, the appropriate implementation of the intent embodied within the bill of rights."

122. Page 98, by inserting before line 19 the following:

"Sec. ___. Chapter 252B, Code 1985, is amended by adding the following new sections:

NEW SECTION. 252B.13 COLLECTION SERVICES CENTER.

The department shall establish within the unit a collection services center for the receipt and disbursement of all support payments as defined in section 598.1. The judicial department and the department of human services shall cooperate in the establishment of the center which will receive and disburse support payments.

NEW SECTION. 252B.14 SUPPORT PAYMENTS -- CLERK OF COURT -- COLLECTION SERVICES CENTER -- DEFAULTS -- SECURITY.

Sections 252B.13 through 252B.17 apply to all

initial or modified orders for support entered under this chapter, chapter 234, 252A, 252C, 675, or any other chapter of the Code. All orders or judgments for support entered on or before March 31, 1987, shall direct the payment of such sums to the clerk of the district court for the use of the person for whom the payments have been awarded. All orders or judgments for support entered on or after April 1, 1987, shall direct the payment of such sums to the collection services center established pursuant to section 252B.13. Payments to persons other than the clerk of the district court and the collection services center do not satisfy the support obligations created by such orders or judgments, except as provided for trusts in section 252D.1, 598.22, 598.23 or for tax refunds or rebates in section 602.8102, subsection 47.

NEW SECTION. 252B.15 TRANSFER OF INFORMATION AND SUPPORT ORDERS.

The clerks of the district court shall transmit information regarding any order of support which is entered or modified on or after April 1, 1987 and a copy of the support order, if appropriate, to the collection services center no later than ten days after the order is entered. Where possible the transmission of data between the courts and the center shall be accomplished by electronic data transmission. Otherwise the transmission shall be accomplished by the transfer of notices, abstracts of orders and other documents. The form and content of the transmissions shall be prescribed by the department of human services after consultation with the judicial department.

NEW SECTION. 252B.16 CONVERSION -- PROCESSING OF SUPPORT PAYMENTS.

For existing orders of support entered before April 1, 1987, which direct the payments of support to the clerk of the district court, the following procedure shall be implemented to convert the processing of those payments to the collection services center on or before April 1, 1988:

1. The department of human services and the judicial department shall establish a mutually agreed effective date, between April 1, 1987 and April 1, 1988, to effectuate the transfer of these functions from each clerk of the district court to the collection services center. The department shall cause to be published in the administrative bulletin a cumulative list of effective dates by county, once agreed upon and determined, which list shall be final and inclusive of all counties on the next date of

publication subsequent to April 1, 1988.

2. In addition, for orders of support entered before April 1, 1987, the judicial department or the child support recovery unit shall notify the payee and the obligor that the obligor will be directed to pay future support payments to the collection services center as of the date provided in the notice. The notice to the obligor shall be equivalent of a court order directing the payment of the sums to the collection services center.

3. The notice of the change in the direction of payments shall be sent by ordinary mail to the payee's and the obligor's last known addresses or the persons shall be personally served with the notice in the manner provided for service of an original notice at least fifteen days prior to the date provided in the notice for the redirection of the payments. The notice shall include the following:

a. The name of the payee and, if different in whole or part, the names of the persons to whom the obligation of support is owed by the obligor.

b. The name of the obligor.

c. The amount of the periodic support payment, the due dates of the payments and any arrearages, and

d. The beginning date for sending payments to the collection services center.

4. Sixty days prior to the mutually agreed effective date in subsection 1, the clerk of the district court shall transfer to the collection services center information regarding all existing orders of support which direct the payment of support to the clerk of the district court. The form and content of the transfer shall be prescribed by the department after consultation with the judicial department but at a minimum shall include the data elements required for the notice in subsection 3.

5. On or after the mutually agreed effective date in subsection 1, but in any event not later than April 1, 1988, any payments received by the clerk of the district court for support or for the satisfaction of arrearages shall be sent by the clerk to the address specified by the collection services center within 10 days of receipt of the payments.

NEW SECTION. 252B.17 ADMISSIBILITY AND IDENTIFICATION OF SUPPORT PAYMENT RECORDS.

Copies of support payment records maintained by the collection services center, when certified over the signature of a designated employee of the center, shall be considered to be satisfactorily identified and shall be admitted in any proceeding as prima facie

evidence of the transactions. Additional proof of the official character of the person certifying the record or the authenticity of the person's signature shall not be required. Whenever an employee of the collection services center is served with a summons, subpoena, subpoena duces tecum, or order directing that person to produce such records, the employee may comply by transmitting a copy of the payment records certified as described above to the clerk of the district court.

Sec. 316A. Section 252D.1, subsection 2, Code Supplement 1985, is amended by striking the subsection.

Sec. ___. NEW SECTION. 252D.6 ADMINISTRATION OF WAGE WITHHOLDING PROCEDURES.

The collection services center, established pursuant to section 252B.13, is designated as the public agency of the state to administer wage withholding in accordance with procedure specified for keeping adequate records to document, track and monitor support payments in accordance with Title IV-D of the United States Social Security Act.

Sec. ___. Section 598.22, unnumbered paragraph 1, Code Supplement 1985, is amended by striking the paragraph and inserting the following:

This section applies to all initial or modified orders for support entered under this chapter, chapter 234, 252A, 252C, 675, or any other chapter of the Code. All orders or judgments for support entered on or before March 31, 1987, shall direct the payment of those sums to the clerk of the district court for the use of the person for whom the payments have been awarded. All orders or judgments for support entered on or after April 1, 1987, shall direct the payment of those sums to the collection services center established pursuant to section 252B.13. Payments to persons other than the clerk of the district court and the collection services center do not satisfy the support obligations created by the orders or judgments, except as provided for trusts in section 252D.1, 598.23, or this section or for tax refunds or rebates in section 602.8102, subsection 47.

Sec. ___. Section 598.22, unnumbered paragraphs 2, 3, and 4, Code Supplement 1985, are amended to read as follows:

Upon a finding of previous failure to pay child support, the court may order the person obligated for permanent child support to make an assignment of periodic earnings or trust income to the clerk of court or the collection services center established

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pursuant to section 252B.13 for the use of the person for whom the assignment is ordered. The assignment of earnings ordered by the court shall not exceed the amounts set forth in 15 U.S.C. §1673(b)(1982). The assignment is binding on the employer, trustee, or other payor of the funds two weeks after service upon that person of notice that the assignment has been made. The payor shall withhold from the earnings or trust income payable to the person obligated the amount specified in the assignment and shall transmit the payments to the clerk or the collection services center, as appropriate. However, for trusts governed by the federal Retirement Equity Act of 1984, Pub. L. No. 98-397, the payor shall transmit the payments to the alternate payee in accordance with the federal Act. The payor may deduct from each payment a sum not exceeding two dollars as a reimbursement for costs. An employer who dismisses an employee due to the entry of an assignment order commits a simple misdemeanor.

An order or judgment entered by the court for temporary or permanent support or for an assignment shall be filed with the clerk. The orders have the same force and effect as judgments when entered in the judgment docket and lien index and are records open to the public. The clerk or the collection services center, as appropriate, shall disburse the payments received pursuant to the orders or judgments within ten working days of the receipt of the payments. All moneys received or disbursed under this section shall be entered in a record book kept by the clerk, or the collection services center, as appropriate, which shall be open to the public. The clerk or the collection services center shall not enter any moneys paid in the record book if not paid directly to the clerk or the center, as appropriate, except as provided for trusts in section 252D.1, 598.23 or this section or for tax refunds or rebates in section 602.8102, subsection 47.

If the sums ordered to be paid in a support payment order are not paid to the clerk or the collection services center, as appropriate, at the time provided in the order or judgment, the clerk or the collection services center, as appropriate, shall certify a default to the court which may, on its own motion, proceed as provided in section 598.23."

123. Page 98, by inserting after line 29 the following:

"Sec. ___. Section 316A of this Act is effective April 1, 1988."

124. Page 103, line 4, by striking the figure

"933,006" and inserting the figure "833,006".

125. Page 105, lines 14 and 15, by striking the words and figure "four hundred seventy-eight thousand one hundred three (16,478,103)" and inserting the words and figure "four hundred ninety-five thousand nine hundred ten (16,495,910)".

126. Page 107, line 33, by striking the figure "51,545,266" and inserting the figure "51,445,266".

127. Page 111, by striking lines 24 through 26.

128. Page 112, by striking line 10 and inserting the following:

"coordinator, provided that an amount not to exceed twenty thousand dollars shall be spent upon expenses related to administering federal funds for highway safety, and provided that the governor authorizes the commissioner of public safety, pursuant to section 7.15, to accept and expend funds provided by any Act of Congress for highway safety, and designates the department of public safety to administer these funds ..... $ 17,174,415"

129. Page 113, line 13, by striking the word "candidate".

130. Page 113, by inserting after line 17 the following:

"Sec. ___. There is appropriated from the general fund of the state to the Iowa law enforcement academy for the fiscal year beginning July 1, 1986 and ending June 30, 1987 the sum of twenty-three thousand five hundred eighty-six (23,586) dollars, or so much thereof as is necessary, for jailer training and technical assistance."

131. Page 117, line 10, by striking the figure "3,391,635" and inserting the figure "3,440,635".

132. Page 117, by inserting after line 10 the following:

"___. INDEMNITY FUND AND ESCROW.

From the general fund of the state as an advance for administration of the indemnity fund and escrow provision created by the 1986 Iowa Acts, Senate File 2116, for not more than five full-time equivalent positions ..... $ 100,000

It is a condition of the funds appropriated by this subsection that the general fund be reimbursed from the interest accruing to the indemnity fund, no later than June 30, 1987, for the advance made by this subsection. Not withstanding 1986 Iowa Acts, Senate File 2116, section 33, only interest accruing to the

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indemnity fund may be used for administration costs of the indemnity fund. In addition, interest accruing to the indemnity fund may be used for the expenses of administration of the escrow provision, subject to the approval of the Iowa grain indemnity fund board, not withstanding 1986 Iowa Acts, Senate File 2116, section 33."

133. Page 117, line 30, by striking the words and figure "sixty thousand (60,000)" and inserting the words and figure "seventy-four thousand two hundred fifty (74,250)".

134. Page 118, by inserting after line 34 the following:

"Sec. ___. There is appropriated to the department of agriculture and land stewardship for the fiscal year beginning July 1, 1986 and ending June 30, 1987 from the funds available under section 99D.13 the sum of seventy-eight thousand one hundred seventy-five (78,175) dollars, or as much thereof as necessary, for volunteer assistance and not more than two full-time equivalent positions for the administration of section 99D.22."

135. Page 120, by inserting after line 20 the following:

"i. It is the intent of the general assembly to encourage greater use of no-till, strip cropping, contour, and other management practices rather than permanent structures thereby increasing participation in soil conservation."

136. Page 122, by striking lines 24 and 25 and inserting the following:

"of the elderly in conservation and outdoor recreation related fields to be known as the green thumb program in coordination with other agencies as provided by law ..... $ 138,730"

137. Page 125, line 11, by striking the figure "2276" and inserting the figure "2488".

138. Page 125, by inserting after line 18 the following:

"Sec. ___. Section 99D.13, subsection 2, Code 1985, is amended to read as follows:

2. Winnings forfeited under subsection 1 shall escheat to the state and be paid over to the director of revenue and finance and to the extent appropriated by the general assembly shall be used for the benefit of the department of agriculture and land stewardship to the extent necessary to administer section 99D.22 and the remainder shall be deposited as per provided in chapter 556."

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139. Page 126, line 4, by striking the figure "17,500" and inserting the figure "42,000".
140. Page 126, line 18, by striking the figure "61,913" and inserting the figure "138,000".
141. Page 126, line 23, by striking the figure "119,056" and inserting the figure "146,000".
142. Page 127, line 23, by striking the figure "350,000" and inserting the figure "1,650,000".
143. Page 127, by striking lines 31 through 34.
144. Page 128, line 5, by inserting after the word "advocate" the words "to be used as startup funding for the utilities division revolving fund".
145. Page 128, by inserting after line 5 the following:
"___. ALCOHOL BEVERAGE CONTROL DIVISION
For salaries, support, maintenance, and other operational purposes, including funds to maintain the existing warehouse distribution personnel for the transition period of July 1, 1986 through June 30, 1987 ..... $ 10,000,000
The state liquor inventory shall be placed on a bailment system."
146. Page 128, line 16, by striking the figure "1,793,877" and inserting the figure "1,943,000".
147. Page 128, line 26, by striking the figure "2,561,948" and inserting the figure "2,664,790".
148. Page 129, line 4, by striking the figure "24,523" and inserting the figure "47,000".
149. Page 129, line 8, by striking the figure "1,007,086" and inserting the figure "1,079,000".
150. By striking page 129, line 22 through page 130, line 6.
151. Page 130, lines 31 and 32, by striking the words and figure "three million six hundred fifty thousand (3,650,000)" and inserting the words and figure "three million nine hundred five thousand (3,905,000)".
152. Page 131, lines 24 and 25, by striking the words and figure "two million four hundred fifty thousand (2,450,000)" and inserting the words and figure "one million one hundred fifty thousand (1,150,000)".
153. Page 132, lines 10 and 11, by striking the words and figure "three million six hundred twenty-five thousand (3,625,000)" and inserting the words and figure "three million seven hundred eighty-nine thousand four hundred (3,789,400)".
154. Page 132, lines 16 and 17, by striking the

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words and figure "eight hundred sixty-six thousand (866,000)" and inserting the words and figure "eight hundred ninety-two thousand (892,000)".

155. Page 132, line 19, by inserting after the word "office." the words "Of the funds deposited in the utilities trust fund, the treasurer of state shall transfer from the fund and credit to the general fund of the state the sum of seven hundred twenty-five thousand (725,000) dollars for the fiscal year beginning July 1, 1986 and ending June 30, 1987 to reimburse the general fund of the state for startup funding provided for the utilities trust fund from the general fund of the state."

156. Page 133, line 24, by inserting after the word "basis." the words "Assessments may be made quarterly based upon estimates of the utility division's and the consumer advocate's expenditures for the fiscal year. Beginning with the fiscal year beginning July 1, 1987, the first assessment for any fiscal year may be made by the utility division by May 15 of the preceding fiscal year and shall be paid by the utility on or before the following July 1. Not more than ninety days following the close of the fiscal year, the utilities division shall conform the amount of the prior fiscal year's assessments to the requirements of this section."

157. Page 134, line 25, by striking the words "The utilities" and inserting the words "Subject to section 476.10, the utilities".

158. Page 134, by striking lines 29 through 31 and inserting the words "division. No part of the funds held by the treasurer".

159. Page 134, by striking lines 33 through 35 and inserting the words "fund of the state or any other fund. The funds held by".

160. Page 135, line 21, by striking the word "The".

161. By striking page 135, line 22 through page 136, line 16 and inserting the following: "However, fees paid for the inspection or examination of an insurer or other entity subject to regulation by the department shall be deposited in a special trust fund. The treasurer of state shall hold these funds in an account that shall be established in the name of the commissioner for the payment of the inspection and examination expenses of the department upon appropriation by the general assembly. This fund is subject at all times to the warrant of the department of revenue, drawn upon written requisition of the commissioner or the commissioner's designated

representative, for the payment of all salaries and other expenses necessary to carry out the inspection or examination duties of the insurance department. The commissioner may keep on hand with the treasurer of state funds in excess of the current needs of the department. Transfers shall not be made from the general fund of the state or any other fund for the payment of the inspection and examination expenses of the department. No part of the funds held by the treasurer of state for the account of the commissioner shall be transferred to the general fund of the state or any other fund. The funds held by the treasurer of state for the account of the commissioner shall be invested by the treasurer of state and the income derived from these investments shall be credited to the general fund of the state.

The commissioner shall account for receipts and disbursements according to the separate inspection and examination duties imposed upon the commissioner by the laws of this state and each separate inspection and examination duty shall be fiscally self-sustaining."

162. Page 140, line 29, by striking the words "department of job service" and inserting the words "job services division of the department of employment services".

163. Page 142, by inserting after line 11, the following:

"Sec. ___. SPECIAL EMPLOYMENT SECURITY CONTINGENCY FUND EXPENDITURES.

1. Notwithstanding the provisions of section 96.13, subsection 3, which restrict the use of moneys in the special employment security contingency fund, moneys in the fund on June 30, 1986, shall not be transferred by the treasurer of state to either the temporary emergency surcharge fund or to the unemployment compensation fund, but shall be available to the department of job service, for the fiscal year beginning July 1, 1986, and ending June 30, 1987, for expenditure under subsection 2.

2. The department of job service shall only expend moneys, which are credited to the special employment security contingency fund during the fiscal year beginning July 1, 1986, and ending June 30, 1987, including moneys which are available to the department of job service under subsection 1, in accordance with the following restrictions:

a. The department may expend up to fifty thousand (50,000) dollars from the fund for the purchase and installation of an electrical transformer for its

state administrative office building.

b. The department may expend up to two hundred thousand (200,000) dollars from the fund for the support of county labor survey economic development teams.

c. Any balance of moneys in the special employment security contingency fund shall be deposited in a separate account in the state treasury to be known as the department approved training fund. Notwithstanding section 453.7, interest and earnings from moneys deposited in the department approved training fund shall be credited to the fund. The department shall use moneys from the fund only to pay the instructional costs of training, relating to tuition and course fees, approved by the department pursuant to section 96.4 and 370 I.A.C. §4.39, §4.40, for individuals who demonstrate, to the department's satisfaction, that they are financially incapable of paying the instructional costs of the approved training. However, the department may expend up to thirty thousand (30,000) dollars from the fund for administrative costs related to payments for department approved training.

The payments shall not be made to the individual receiving approved training but shall be made directly to the institution or person providing the approved training. Payments shall not exceed one thousand dollars per individual trainee in any two-year period.

The department shall distribute information on the qualification requirements for and availability of payment for department approved training to individuals filing claims for benefits or receiving benefits under chapter 96."

164. Page 143, line 1, by striking the figure "675,712" and inserting the figure "643,650".

165. Page 143, line 3, by striking the figure "5,607" and inserting the figure "5,439".

166. Page 143, line 7, by striking the figure "58,482" and inserting the figure "56,728".

167. Page 143, line 22, by striking the figure "17,134" and inserting the figure "15,706".

168. Page 143, line 26, by striking the figure "60,187" and inserting the figure "58,053".

169. Page 145, line 6, by striking the figure "4,437,424" and inserting the figure "4,590,964".

170. Page 145, by inserting after line 6 the following:

"It is the intent of the general assembly that the department of general services insure that each state agency and department obtains the lowest cost possible

in procuring computer equipment and computer equipment maintenance services. All contracts for computer equipment, whether new or used, and all contracts for computer maintenance, whether with the original manufacturer or a third party vendor, should be let in accordance with competitive bidding practices. Evaluation of bids should also consider vendor experience, depth of training, problem determination equipment, parts supply and the ability of the vendor to meet the requirements of the state. The department of general services shall summarize in report form the bids received and accepted for the procurement of computer equipment and computer equipment maintenance services. The report shall cover the period May 1, 1986 through February 28, 1987 and shall be submitted to the state government appropriations subcommittees of the senate and house on or before March 15, 1987."

171. Page 145, by inserting after line 26 the following:

"___. To provide a public employee salary list report for public distribution as provided by section 18.75 ..... $ 6,500".

172. Page 148, line 2, by striking the words "and banquet".

173. Page 149, line 4, by striking the figure "5,295,236" and inserting the figure "3,195,236".

174. Page 149, by inserting after line 4 the following:

"Sec. ___. The treasurer of state shall apportion all moneys in the county indemnification fund to the county treasurers of the respective counties. The moneys in the fund, including interest income received by the fund, shall be allocated to each county in the same proportion that the county contributed to the fund. The treasurer of state shall apportion and remit the funds on or before July 15, 1986."

175. Page 149, line 22, by striking the figure "44,099,400" and inserting the figure "44,597,000".

176. Page 150, lines 8 and 9, by striking the words and figure "sixteen million six hundred sixty-seven thousand nine hundred forty (16,667,940)" and inserting the words and figure "seventeen million six hundred sixty-seven thousand nine hundred forty (17,667,940)".

177. Page 150, line 26, by striking the figure "2,928,227" and inserting the figure "2,977,981".

178. Page 152, by inserting after line 4 the following:

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"Sec. ___. Section 18.75, Code 1985, is amended by inserting the following new subsection after subsection 7:

NEW SUBSECTION. By September 1 of each year supply an inexpensively bound report which contains the name, county of residence, official title, salary received during the previous fiscal year, base salary as computed on July 1 of the current fiscal year, and traveling and subsistence expense of the personnel of each of the departments, boards, and commissions of the state government except personnel who receive an annual salary of less than one thousand dollars. The number of the personnel and the total amount received by them shall be shown for each department in the report. All employees who have drawn salaries, fees, or expense allowances from more than one department or subdivision shall be listed separately under the proper departmental heading. On the request of the superintendent, the head of each department, board, or commission shall furnish the data covering that agency. The report shall be paid for out of moneys in the general fund not otherwise appropriated. The report shall be distributed upon request without charge to each member of the general assembly, elected state officer, and department head. Other persons may purchase a copy for a fee not less than the amount required to print the copy. All funds from the sale of the report shall be deposited in the general fund."

179. Page 154, by striking lines 12 and 13 and inserting the following:

"Sec. 722A. Section 123.3, subsection 21, Code Supplement 1985, is amended to read as follows:

21. "State liquor store" means a store established by the department under this chapter on premises owned or leased by the department and operated exclusively by the department with its own employees for the sale of alcoholic liquor and wine in the original package for consumption off the premises.

Sec. 723. Section 123.3, subsection 21, Code Supplement 1985, as amended by 1986 Iowa Acts, House File 2484, section 722A, is amended by striking the subsection."

180. By striking page 156, line 25 through page 157, line 12 and inserting the following:

"Sec. 731A. Section 123.22, unnumbered paragraph 1, Code Supplement 1985, is amended to read as follows:

The department division has the exclusive right of importation into the state of all forms of alcoholic liquor, except as otherwise provided in this chapter,

and a person shall not import alcoholic liquor, except that an individual of legal age may import and have in the individual's possession an amount of alcoholic liquor not exceeding one quart or, in the case of alcoholic liquor personally obtained outside the United States, one gallon for personal consumption only in a private home or other private accommodation. No distillery shall sell any alcoholic liquor within the state to any person but only to the ~~department~~ division, except as otherwise provided in this chapter. It is the intent of this section to vest in the ~~department~~ division exclusive control within the state both as purchaser and vendor of all alcoholic liquor sold by distilleries within the state or imported, except beer and wine, and except as otherwise provided in this chapter. The ~~department~~ division may continue to purchase wine from persons holding a vintner's certificate of compliance or a class "A" wine permit ~~for resale~~, but shall resell it only at retail in state liquor stores.

Sec. 732. Section 123.22, unnumbered paragraph 1, Code Supplement 1985, as amended by 1986 Iowa Acts, House File 2484, section 731A, is amended to read as follows:

The division has the exclusive right of importation into the state of all forms of alcoholic liquor, except as otherwise provided in this chapter, and a person shall not import alcoholic liquor, except that an individual of legal age may import and have in the individual's possession an amount of alcoholic liquor not exceeding one quart or, in the case of alcoholic liquor personally obtained outside the United States, one gallon for personal consumption only in a private home or other private accommodation. No distillery shall sell any alcoholic liquor within the state to any person but only to the division, except as otherwise provided in this chapter. ~~It is the intent of this~~ This section ~~to vest~~ vests in the division exclusive control within the state ~~both~~ as purchaser ~~and vendor~~ of all alcoholic liquor sold by distilleries within the state or imported, except beer and wine, and except as otherwise provided in this chapter. ~~The division may continue to purchase wine from persons holding a vintner's certificate of compliance or a class "A" wine permit but shall resell it only at retail in state liquor stores.~~ The division shall act as the sole wholesaler of alcoholic liquor to class "E" liquor control licensees. The department shall not otherwise sell any alcoholic beverages."

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181. By striking page 161, line 26 through page 162, line 28, and inserting the following:

"Sec. 739A. Section 123.30, subsection 3, paragraphs a, b, and c, Code Supplement 1985, are amended to read as follows:

a. CLASS "A". A class "A" liquor control license may be issued to a club and ~~shall authorize~~ authorizes the holder to purchase alcoholic liquors from only the ~~department~~ division, wine from ~~the department or~~ only class "A" wine permittees, and native wines from native wine manufacturers, and to sell liquors, wine, and beer, to bona fide members and their guests by the individual drink for consumption on the premises only.

b. CLASS "B". A class "B" liquor control license may be issued to a hotel or motel and ~~shall authorize~~ authorizes the holder to purchase alcoholic liquors from only the ~~department~~ division, wine from ~~the department or~~ only class "A" wine permittees, and native wines from native wine manufacturers, and to sell liquors, wine, and beer, to patrons by the individual drink for consumption on the premises only~~;~~ however, beer may also be sold for consumption off the premises. Each license ~~shall be~~ is effective throughout the premises described in the application.

c. CLASS "C". A class "C" liquor control license may be issued to a commercial establishment but must be issued in the name of the individuals who actually own the entire business, and ~~shall authorize~~ authorizes the holder to purchase alcoholic liquors from only the ~~department~~ division, wine from ~~the department or~~ only class "A" wine permittees, and native wines from native wine manufacturers, and to sell liquors, wine, and beer, to patrons by the individual drink for consumption on the premises only~~;~~ however, beer may also be sold for consumption off the premises.

A special class "C" liquor control license may be issued, and ~~shall authorize~~ authorizes the holder to purchase wine from ~~the department or~~ class "A" wine permittees only, and to sell wine and beer to patrons by the individual drink for consumption on the premises only~~;~~ however, beer may also be sold for consumption off the premises. The license issued to holders of a special class "C" license shall clearly state on its face that the license is limited.

Sec. 740. Section 123.30, subsection 3, paragraphs a, b, and c, Code Supplement 1985, as amended by 1986 Iowa Acts, House File 2484, section 739A, is amended to read as follows:

a. CLASS "A". A class "A" liquor control license

may be issued to a club and authorizes the holder to purchase alcoholic liquors from class "E" liquor control licensees only ~~the division~~, wine from ~~only~~ class "A" wine permittees only, and native wines from native wine manufacturers, and to sell liquors, wine, and beer, to bona fide members and their guests by the individual drink for consumption on the premises only.

b. CLASS "B". A class "B" liquor control license may be issued to a hotel or motel and authorizes the holder to purchase alcoholic liquors from class "E" liquor control licensees only ~~the division~~, wine from ~~only~~ class "A" wine permittees only, and native wines from native wine manufacturers, and to sell liquors, wine, and beer, to patrons by the individual drink for consumption on the premises only; however, beer may also be sold for consumption off the premises. Each license is effective throughout the premises described in the application.

c. CLASS "C". A class "C" liquor control license may be issued to a commercial establishment but must be issued in the name of the individuals who actually own the entire business, and authorizes the holder to purchase alcoholic liquors from class "E" liquor control licensees only ~~the division~~, wine from ~~only~~ class "A" wine permittees only, and native wines from native wine manufacturers, and to sell liquors, wine, and beer, to patrons by the individual drink for consumption on the premises only; however, beer may also be sold for consumption off the premises.

A special class "C" liquor control license may be issued, and authorizes the holder to purchase wine from class "A" wine permittees only, and to sell wine and beer to patrons by the individual drink for consumption on the premises only; however, beer may also be sold for consumption off the premises. The license issued to holders of a special class "C" license shall clearly state on its face that the license is limited."

182. Page 170, by striking lines 21 through 27 and inserting the following: "fill vacant positions within the division."

183. Page 170, line 33, by striking the figure "1986" and inserting the figure "1987".

184. Page 170, line 35, by striking the words "However, the division shall not operate a state".

185. Page 171, by striking lines 1 through 3.

186. Page 171, line 13, by striking the figure "3,067,210" and inserting the figure "3,191,828".

187. By striking page 171, line 23 through page 177, line 4.

188. Page 177, by inserting before line 5 the following:

"Sec. ___. Section 29A.9, unnumbered paragraph 2, Code 1985, is amended to read as follows:

The governor shall also provide for the participation of the national guard, or any part of it, in training at such times and places as designated ~~by the secretary of defense~~ necessary to insure readiness for public defense or federal service."

189. Page 178, by inserting after line 24 the following:

"Sec. ___. If after exhausting the requirements of collective bargaining agreements a vacancy still exists in any other state department or agency, the other state department or agency shall give preference to qualified persons previously employed by the executive branch of state government whose jobs are terminated as a result of reorganization."

190. Page 178, by inserting after line 24 the following:

"Sec. ___. Section 331.404, Code 1985, is repealed.

Sec. ___. Sections 723 through 742, 744 through 749, 754, 755, and 756 of this Act take effect March 1, 1987.

Notwithstanding the amendments to sections 123.3, 123.22 and 123.30 in sections 723, 732 and 740 of this Act, the amendment to sections 123.3, 123.22 and 123.30 in sections 721A, 731A and 739A in this Act take effect July 1, 1986. The amendment to section 123.178 in section 752 of this Act takes effect July 1, 1986."

191. By renumbering, relettering, or redesignating and correcting internal references as necessary.

H-6103 FILED MAY 1, 1986 RECEIVED FROM THE SENATE

House amended (6135, 6131, & 6138) 5/2 (p. 2111)

HOUSE FILE 2484

H-6118

Amend the Senate amendment, H-6103, to House File 2484, as amended, passed, and reprinted by the House, as follows:

1. Page 7, by striking lines 5 through 12 and inserting the following:

"___. Page 26, by striking lines 24 through 27 and inserting the following: "faculty at the three institutions. The"."

H-6118 FILED MAY 1, 1986 BY TEAFORD of Black Hawk

H/O 5/2 (p. 2110)

HOUSE FILE 2484

H-6116

Amend the House amendment, H-6110, to the Senate amendment, H-6103, to House File 2484 as amended, passed, and reprinted by the House as follows:

1. Page 1, by striking line 9, and inserting the following: ""sold to and served the" and inserting the words "sold the beer, wine, or intoxicating liquor and served a"."

H-6116 FILED MAY 1, 1986 BY HALVORSON of Webster

H/S 5/2 (p. 2109)

HOUSE FILE 2484

H-6135

Amend the Senate amendment, H-6103, to House File 2484 as amended, passed and reprinted by the House, as follows:

1. Page 29, by inserting after line 17 the following:

"___. Page 145, by inserting after line 6 the following:

"Savings achieved in providing telecommunications services shall be used by the department of general services to increase efficiencies in the provision of those services.""

H-6135 FILED MAY 2, 1986 BY JOCHUM of Dubuque

ADOPTED (p. 2110)

HOUSE FILE 2484

H-6136

Amend the Senate amendment, H-6103, to House File 2484, as amended, passed and reprinted by the House as follows:

1. Page 3, line 11, by striking the word "area".

H-6136 FILED MAY 2, 1986 BY HANDORF of Marshall

LOST (p. 2109)

HOUSE FILE 2484

H-6108

Amend the amendment, H-6103, to House File 2484, as amended, passed, and reprinted by the House, as follows:

1. Page 16, lines 43 and 44, by striking the words "PUBLIC HEALTH" and inserting the following: "INSPECTIONS AND APPEALS".
2. Page 16, lines 49 and 50, by striking the words "public health" and inserting the following: "inspections and appeals".
3. Page 17, line 25, by striking the words "public health" and inserting the following: "inspections and appeals".
4. Page 17, lines 37 and 38, by striking the words "public health" and inserting the following: "inspections and appeals".

H-6108 FILED MAY 1, 1986 BY VAN MAANEN of Mahaska

Placed o/c 5/2 (p. 2108)

HOUSE FILE 2484

H-6110

Amend the Senate amendment, H-6103, to House File 2484 as amended, passed, and reprinted by the House as follows:

1. Page 33, by inserting after line 38 the following:

"___. Page 168, line 22, by striking the words "and served".

___. Page 168, line 26, by striking the words "sold to and".

___. Page 168, line 33, by inserting before the word "beer" the following: "or "C""."

2. Page 34, by inserting after line 22 the following:

"Sec. ___. If both this Act and Senate File 2265 are enacted by the Seventy-first General Assembly, the amendment to section 123.92, enacted as a part of this Act shall prevail over the amendment to section 123.92 enacted as a part of Senate File 2265."

3. By renumbering as required.

BY HALVORSON of Webster
WOODS of Polk
VAN CAMP of Scott
RENAUD of Polk
RUNNING of Linn
OSTERBERG of Linn
MULLINS of Kossuth
CLARK of Cerro Gordo
JAY of Appanoose

H-6110 FILED MAY 1, 1986

W/D 5/2 (p. 2116)

HOUSE FILE 2484

H-6138

Amend the Senate amendment, H-6103, to House File 2484, as amended, passed, and reprinted by the House, as follows:

1. Page 1, line 4, by striking the figure "3,300,000" and inserting the figure "3,000,000".
2. Page 1, by striking lines 15 and 16.
3. Page 1, by striking lines 32 through 35.
4. Page 1, by striking lines 48 and 49.
5. Page 2, lines 43 and 44, by striking the words and figure "four hundred twenty-five thousand four hundred ten (425,410)" and inserting the words and figure "seven hundred twenty-five thousand four hundred ten (725,410)".
6. By striking page 2, line 45 through page 3, line 2 and inserting the following:

"___. Page 6, line 33, by striking the figure "1,000,000" and inserting the figure " 620,000".

7. Page 3, by striking line 21.
8. Page 3, by inserting after line 38 the following:

"___. Page 15, by inserting after line 6 the following:

"Sec. 1001. Section 573.2, Code 1985, is amended to read as follows:

573.2 PUBLIC IMPROVEMENTS -- BOND AND CONDITIONS.

Contracts for the construction of a public improvement shall, when the contract price equals or exceeds twenty-five thousand dollars, be accompanied by a bond, with surety, conditioned for the faithful performance of the contract, and for the fulfillment of other requirements as provided by law. The bond may also be required when the contract price does not equal that amount. However, if a contractor provides a performance or maintenance bond as required by a public improvement contract governed by this chapter and subsequently the surety company becomes insolvent and the contractor is required to purchase a new bond, the contractor may apply for reimbursement from the governmental agency that required a second bond and the claims shall be reimbursed from funds allocated for road construction purposes.""

9. Page 5, by inserting before line 17 the following:

"___. Page 15, by inserting after line 11 the following:

"Sec. 1003. Section 1001 shall apply retroactively to July 1, 1985 and the reimbursement may be applied for until August 31, 1986.""

10. Page 5, by striking lines 21 through 37.
11. Page 6, line 10, by striking the figure

"1,088,693" and inserting the figure "1,058,693".
12. Page 6, by striking lines 13 and 14.
13. Page 6, by striking lines 15 through 18.
14. Page 6, by striking lines 19 through 21.
15. Page 6, by striking lines 22 and 23.
16. Page 6, by striking lines 24 through 30.
17. Page 6, by striking lines 31 and 32.
18. Page 6, by striking lines 33 through 44.
19. Page 6, line 46, by striking the figure "210,000" and inserting the figure "110,000".
20. Page 6, lines 49 and 50, by striking the words and figure "two hundred thousand (200,000)" and inserting the words and figure "one hundred thousand (100,000)".
A 21. Page 7, line 7, by inserting after the word "institution" the following: "of higher education".
22. Page 7, lines 9 and 10, by striking the words ", professional, and scientific employees".
23. Page 7, lines 11 and 12, by striking the words ", professional, and scientific employees".
24. Page 7, line 12, by inserting after the word "institutions" the following: "of higher education".
25. Page 7, line 44, by striking the figure "10,453,403" and inserting the figure "10,343,403".
26. Page 8, by inserting after line 31 the following:
"___. Page 38, by inserting after line 1 the following:
"Sec. ___. The Iowa college aid commission shall notify eligible high school seniors in writing that the supplemental grant program established in sections 261.61 through 261.63 has been retained by the general assembly and nine hundred thousand (900,000) dollars is appropriated in section 261.63 for the payments. The letter shall include notification that it supersedes correspondence previously received by the student stating that the program was abolished.""
27. Page 9, line 47, by striking the figure "1985" and inserting the following: "1984".
28. Page 9, line 50, by striking the figure "1985" and inserting the following: "1984".
29. Page 10, line 5, by striking the figure "1985" and inserting the following: "1984".
30. Page 10, by striking lines 12 through 16.
B 31. Page 10, by striking lines 23 and 24.
32. Page 11, by striking lines 25 and 26.
33. By striking page 16, line 40 through page 17, line 46.
A 34. By striking page 17, line 48 through page 18, line 34 and inserting the following:

"___. Page 98, line 18, by inserting after the word "requires." the following: "The department shall maintain the confidentiality of all information which would identify any person named in a report. However, the identifying information may be released for bona fide research purposes if the confidentiality of the identifying information is maintained by the researchers, or the identifying information may be released by the person with the brain injury or by the person's guardian or, if the person is a minor, by the person's parent.""

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

"___. Page 113, by striking lines 10 and 11 and inserting the following: "academy. However, no charge shall be made to officer candidates being tested on behalf of state agencies.""

36. Page 23, by inserting after line 24 the following:

"___. Page 113, by striking line 17 and inserting the following: "officers employed by state agencies.""

37. Page 23, line 35, by striking the figure "3,440,635" and inserting the figure "3,420,635".

38. Page 24, by striking lines 8 through 11.

39. Page 25, by inserting before line 9 the following:

"___. Page 127, by inserting after line 30 the following:

"Notwithstanding section 99D.5, subsection 4, members of the racing commission shall receive an annual salary of six thousand (6,000) dollars for the fiscal year beginning July 1, 1986 and ending June 30, 1987 and the fiscal year beginning July 1, 1987 and ending June 30, 1988. This section shall prevail over any inconsistent provisions of 1986 Iowa Acts, Senate File 2175 and any provision of 1986 Iowa Acts, Senate File 2175 relating to compensation for members of the racing commission shall not be applicable for the fiscal year beginning July 1, 1986 and ending June 30, 1987 or the fiscal year beginning July 1, 1987 and ending June 30, 1988.""

40. Page 25, by striking lines 13 through 24.

41. Page 25, line 26, by striking the figure "1,943,000" and inserting the figure "1,868,000".

42. Page 25, line 28, by striking the figure "2,664,790" and inserting the figure "2,614,790".

43. Page 25, by striking lines 29 and 30.

44. Page 25, line 32, by striking the figure "1,079,000" and inserting the figure "1,044,000".

45. Page 25, by striking lines 33 and 34 and inserting the following:

"___. By striking page 129, line 22 through page 130, line 6, and inserting the following:

"Sec. ___. Notwithstanding section 123.53, there is appropriated from the beer and liquor control fund to the alcoholic beverages control division of the department of commerce for the fiscal year beginning July 1, 1986 and ending June 30, 1987 the sum of nine million two hundred thirty-five thousand (9,235,000) dollars for salaries, support, maintenance and other operational purposes, including funds to maintain existing warehouse distribution positions for the fiscal year beginning July 1, 1986 and ending June 30, 1987 or additional funds as necessary for the orderly and efficient operation of the liquor system, subject to the approval of the department of management. Funds appropriated by this section may also be expended for the transition expenses.

The state liquor inventory shall be placed on a bailment system.""

A 46. Page 25, by inserting before line 35 the following:

"___. Page 130, by inserting after line 20 the following:

"It is the intent of the general assembly that the discount table for commutations in 500 Iowa Admin. Code §6.3, which was in effect immediately prior to March 20, 1985 and which was based on a simple rather than compound interest factor, shall be uniformly applied to all commutations approved by the industrial commissioner prior to March 20, 1985 as a valid interpretation of the general assembly's intent to commute future workers' compensation payments to a present worth lump sum payment pursuant to sections 85.45 and 85.47. It is further the intent of the general assembly that the supreme court's reinterpretation of the general assembly's intent, concerning the commutation of future workers' compensation payments to a present worth lump sum payment under sections 85.45 and 85.47, shall be uniformly applied to all commutations approved by the industrial commissioner on or after March 20, 1985.""

47. Page 26, by striking lines 30 through 32.

48. By striking page 28, line 46 through page 29, line 17.

49. Page 29, by striking lines 18 through 24.

50. Page 29, line 40, by striking the figure "44,597,000" and inserting the figure "44,000,000".

51. Page 29, lines 44 through 46, by striking the

words and figure "seventeen million six hundred sixty-seven thousand nine hundred forty (17,667,940)" and inserting the words and figure "sixteen million six hundred seventeen thousand nine hundred forty (16,617,940)".

52. Page 29, by striking lines 47 and 48.

53. By striking page 29, line 49 through page 30, line 28.

54. By striking page 30, line 29 through page 33, line 46 and inserting the following:

"___. Page 155, by striking lines 9 and 10 and inserting the following: "127.8, subsection 1, and offer for sale and deliver such intoxicating liquors ~~and wine for sale through the state liquor stores~~ to class "E"".

___. Page 157, line 27, by inserting after the word "licensees" the following: "without regard for the quantity of purchase or the distance for delivery".

___. Page 158, line 31, by striking the words "at least equal" and inserting the words "of up".

___. Page 158, line 34, by striking the word "reduce" and inserting the word "increase".

___. Page 159, line 2, by striking the words "equals or exceeds" and inserting the words "does not exceed".

___. Page 160, line 15, by inserting after the word "chapter." the following: "The department shall deliver alcoholic liquor purchased by class "E" liquor control licensees. Class "E" liquor control licensees may deliver alcoholic liquor purchased by class "A", "B", or "C" liquor control licensees, and class "A", "B", or "C" liquor control licensees may transport alcoholic liquor purchased from class "E" liquor control licensees."

___. Page 160, line 29, by striking the words "a class "E"".

___. Page 163, line 31, by inserting after the word "sum" the following: "of not less than seven hundred and fifty dollars, and not more than seven thousand five hundred dollars as".

___. By striking page 168, line 13 through page 169, line 1.

___. Page 170, line 35, by inserting after the word "retailers." the following: "The division shall not close a state liquor store before June 30, 1987 unless a class "E" liquor control licensee begins operations within the particular store's market area. However, the division shall not operate a liquor store after June 30, 1987."

___. Page 171, line 1, by striking the word and figures "December 31, 1986" and inserting the following: "June 30, 1987. The provisions of the Code concerning the operation of state liquor stores shall remain in effect to the extent applicable in the form as they existed prior to the effective date of this Act and they shall so remain in effect until the division ceases operation of any liquor stores."

___. Page 171, by inserting after line 3 the following:

"Sec. ___. Effective July 1, 1986 the division shall cease offering for sale and selling wine at wholesale to liquor control licensees and class "B" wine permittees. The state shall continue to sell wine at retail to purchasers at state liquor stores as provided by this Act.

Sec. ___. Notwithstanding section 741 of this Act which creates a new lettered paragraph "e" to section 123.30, subsection 3, Code Supplement 1985, a person operating an agency store may obtain a class "E" liquor control license for the premises designated as an agency store despite the fact that gasoline is also sold on the premises.

Sec. ___. The division shall not contract for any other agency stores nor allow the operation of any other agency stores other than those agency stores operating on May 1, 1986.

Sec. ___. No state liquor store shall be discontinued before March 1, 1987 and no class "E" liquor control licensee shall be allowed to begin doing business before March 1, 1987. However, the division shall not operate a liquor store after June 30, 1987.

Sec. ___. The division shall adopt rules prior to October 1, 1986 for the approval of applications for class "E" liquor control licenses.""

55. Page 33, by striking lines 49 and 50 and inserting the following:

"___. Page 177, by inserting after line 4 the following:

"Sec. 765. Section 8.33, unnumbered paragraph 2, Code 1985, is amended to read as follows:

No payment of an obligation for goods and services shall be charged to an appropriation subsequent to the last day of the fiscal term for which the appropriation is made unless such goods or services are received on or before ~~September 15~~ the last day of the ~~following~~ fiscal year, except that repair projects, purchase of specialized equipment and furnishings, and other contracts for services and

capital expenditures for the purchase of land or the erection of buildings or new construction or remodeling, which were committed and in progress prior to the end of the fiscal term are excluded from this provision.""

56. Page 34, by inserting after line 22 the following:

"___. Page 178, by inserting after line 29 the following:

"Sec. ___. Section 765 of this Act is retroactive to March 1, 1986.""

57. Page 34, by striking lines 23 through 32 and inserting the following:

"___. Page 178, line 30, by striking the figure "139" and inserting the figure "144"."

H-6138 FILED MAY 2, 1986 BY JOCHUM of Dubuque
DIVISIONS A, B AND C ADOPTED (p. 2108, 2110, 2111)

HOUSE FILE 2484

H-6137

Amend the Senate amendment, H-6103, to House File 2484, as amended, passed and reprinted by the House as follows:

1. Page 6, by inserting before line 45 the following:

"___. Page 19, by inserting before line 19 the following:

"Of the funds identified in this paragraph for funding for the evaluator approval process, an amount not to exceed ten thousand (10,000) dollars of those funds shall be used by the department of education to develop a mental retardation model curriculum. The department shall develop a model curriculum for teachers of grades one through twelve on mental retardation prevention and related issues. The department may use existing staff members or may contract with outside parties for developing the model curriculum. The model curriculum shall be distributed to school districts and area education agencies prior to July 1, 1988. The funds allocated for the development of the mental retardation model curriculum are not subject to reversion pursuant to section 8.33 until June 30, 1988.""

H-6137 FILED MAY 2, 1986 BY SWARTZ of Marshall
ADOPTED (p. 2109)

HOUSE FILE 2484

H-6140

Amend House amendment, H-6138, to Senate amendment, H-6103, to House File 2484 as amended, passed and reprinted by the House as follows:

1. Page 5, by striking lines 42 and 43 and inserting the following:

"___. Page 168, line 22, by striking the words "and served".

___. Page 168, line 26, by striking the words "sold to and servedthe" and inserting the words "sold the beer, wine, or intoxicating liquor and served a".

___. Page 168, line 33, by inserting before the word "beer" the following: "or "C""."

2. Page 7, by striking line 11 and inserting the following: "to March 1, 1986.

Sec. ___. If both this Act and Senate File 2265 are enacted by the Seventy-first General Assembly, the amendment to section 123.92, enacted as a part of this Act shall prevail over the amendment to section 123.92 enacted as a part of Senate File 2265."

BY HALVORSON of Webster
VAN CAMP of Scott
RENAUD of Polk
RUNNING of Linn
OSTERBERG of Linn
CLARK of Cerro Gordo
JAY of Appanoose
McKEAN of Jones

H-6140 FILED MAY 2, 1986
LOST (p. 2111)

HOUSE FILE 2484

H-6142

Amend the Senate amendment, H-6103, to House File 2484, as amended, passed, and reprinted by the House, as follows:

1. Page 8, by striking lines 11 through 16.

BY ZIMMERMAN of Dallas
STUELAND of Clinton

H-6142 FILED MAY 2, 1986
LOST (p. 2111)

May 5, 1986

HOUSE AMENDMENT TO
SENATE AMENDMENT TO
HOUSE FILE 2484

S-5971

Amend the Senate amendment, H-6103, to House File 2484, as amended, passed, and reprinted by the House, as follows:

1. Page 1, line 4, by striking the figure "3,300,000" and inserting the figure "3,000,000".
2. Page 1, by striking lines 15 and 16.
3. Page 1, by striking lines 32 through 35.
4. Page 1, by striking lines 48 and 49.
5. Page 2, lines 43 and 44, by striking the words and figure "four hundred twenty-five thousand four hundred ten (425,410)" and inserting the words and figure "seven hundred twenty-five thousand four hundred ten (725,410)".
6. By striking page 2, line 45 through page 3, line 2 and inserting the following:

"___. Page 6, line 33, by striking the figure "1,000,000" and inserting the figure " 620,000".

7. Page 3, by striking line 21.
8. Page 3, by inserting after line 38 the following:

"___. Page 15, by inserting after line 6 the following:

"Sec. 1001. Section 573.2, Code 1985, is amended to read as follows:

573.2 PUBLIC IMPROVEMENTS -- BOND AND CONDITIONS.

Contracts for the construction of a public improvement shall, when the contract price equals or exceeds twenty-five thousand dollars, be accompanied by a bond, with surety, conditioned for the faithful performance of the contract, and for the fulfillment of other requirements as provided by law. The bond may also be required when the contract price does not equal that amount. However, if a contractor provides a performance or maintenance bond as required by a public improvement contract governed by this chapter and subsequently the surety company becomes insolvent and the contractor is required to purchase a new bond, the contractor may apply for reimbursement from the governmental agency that required a second bond and the claims shall be reimbursed from funds allocated for road construction purposes.""

9. Page 5, by inserting before line 17 the following:

"___. Page 15, by inserting after line 11 the following:

"Sec. 1003. Section 1001 shall apply retroactively to July 1, 1985 and the reimbursement may be applied for until August 31, 1986.""

10. Page 5, by striking lines 21 through 37.
11. Page 6, line 10, by striking the figure

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"1,088,693" and inserting the figure "1,058,693".

12. Page 6, by striking lines 13 and 14.

13. Page 6, by striking lines 15 through 18.

14. Page 6, by striking lines 19 through 21.

15. Page 6, by striking lines 22 and 23.

16. Page 6, by striking lines 24 through 30.

17. Page 6, by striking lines 31 and 32.

18. Page 6, by striking lines 33 through 44.

19. Page 6, by inserting before line 45 the following:

"___. Page 19, by inserting before line 19 the following:

"Of the funds identified in this paragraph for funding for the evaluator approval process, an amount not to exceed ten thousand (10,000) dollars of those funds shall be used by the department of education to develop a mental retardation model curriculum. The department shall develop a model curriculum for teachers of grades one through twelve on mental retardation prevention and related issues. The department may use existing staff members or may contract with outside parties for developing the model curriculum. The model curriculum shall be distributed to school districts and area education agencies prior to July 1, 1988. The funds allocated for the development of the mental retardation model curriculum are not subject to reversion pursuant to section 8.33 until June 30, 1988.""

20. Page 6, line 46, by striking the figure "210,000" and inserting the figure "110,000".

21. Page 6, lines 49 and 50, by striking the words and figure "two hundred thousand (200,000)" and inserting the words and figure "one hundred thousand (100,000)".

22. Page 7, line 7, by inserting after the word "institution" the following: "of higher education".

23. Page 7, lines 9 and 10, by striking the words ", professional, and scientific employees".

24. Page 7, lines 11 and 12, by striking the words ", professional, and scientific employees".

25. Page 7, line 12, by inserting after the word "institutions" the following: "of higher education".

26. Page 7, line 44, by striking the figure "10,453,403" and inserting the figure "10,343,403".

27. Page 8, by inserting after line 31 the following:

"___. Page 38, by inserting after line 1 the following:

"Sec. ___. The Iowa college aid commission shall notify eligible high school seniors in writing that

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the supplemental grant program established in sections 261.61 through 261.63 has been retained by the general assembly and nine hundred thousand (900,000) dollars is appropriated in section 261.63 for the payments. The letter shall include notification that it supersedes correspondence previously received by the student stating that the program was abolished.""

28. Page 9, line 47, by striking the figure "1985" and inserting the following: "1984".

29. Page 9, line 50, by striking the figure "1985" and inserting the following: "1984".

30. Page 10, line 5, by striking the figure "1985" and inserting the following: "1984".

31. Page 10, by striking lines 12 through 16.

32. Page 10, by striking lines 23 and 24.

33. Page 11, by striking lines 25 and 26.

34. By striking page 16, line 40 through page 17, line 46.

35. By striking page 17, line 48 through page 18, line 34 and inserting the following:

"___. Page 98, line 18, by inserting after the word "requires." the following: "The department shall maintain the confidentiality of all information which would identify any person named in a report. However, the identifying information may be released for bona fide research purposes if the confidentiality of the identifying information is maintained by the researchers, or the identifying information may be released by the person with the brain injury or by the person's guardian or, if the person is a minor, by the person's parent.""

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

"___. Page 113, by striking lines 10 and 11 and inserting the following: "academy. However, no charge shall be made to officer candidates being tested on behalf of state agencies.""

37. Page 23, by inserting after line 24 the following:

"___. Page 113, by striking line 17 and inserting the following: "officers employed by state agencies.""

38. Page 23, line 35, by striking the figure "3,440,635" and inserting the figure "3,420,635".

39. Page 24, by striking lines 8 through 11.

40. Page 25, by inserting before line 9 the following:

"___. Page 127, by inserting after line 30 the following:

"Notwithstanding section 99D.5, subsection 4,

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members of the racing commission shall receive an annual salary of six thousand (6,000) dollars for the fiscal year beginning July 1, 1986 and ending June 30, 1987 and the fiscal year beginning July 1, 1987 and ending June 30, 1988. This section shall prevail over any inconsistent provisions of 1986 Iowa Acts, Senate File 2175 and any provision of 1986 Iowa Acts, Senate File 2175 relating to compensation for members of the racing commission shall not be applicable for the fiscal year beginning July 1, 1986 and ending June 30, 1987 or the fiscal year beginning July 1, 1987 and ending June 30, 1988.""

41. Page 25, by striking lines 13 through 24.

42. Page 25, line 26, by striking the figure "1,943,000" and inserting the figure "1,868,000".

43. Page 25, line 28, by striking the figure "2,664,790" and inserting the figure "2,614,790".

44. Page 25, by striking lines 29 and 30.

45. Page 25, line 32, by striking the figure "1,079,000" and inserting the figure "1,044,000".

46. Page 25, by striking lines 33 and 34 and inserting the following:

"___. By striking page 129, line 22 through page 130, line 6, and inserting the following:

"Sec. ___. Notwithstanding section 123.53, there is appropriated from the beer and liquor control fund to the alcoholic beverages control division of the department of commerce for the fiscal year beginning July 1, 1986 and ending June 30, 1987 the sum of nine million two hundred thirty-five thousand (9,235,000) dollars for salaries, support, maintenance and other operational purposes, including funds to maintain existing warehouse distribution positions for the fiscal year beginning July 1, 1986 and ending June 30, 1987 or additional funds as necessary for the orderly and efficient operation of the liquor system, subject to the approval of the department of management. Funds appropriated by this section may also be expended for the transition expenses.

The state liquor inventory shall be placed on a bailment system.""

47. Page 25, by inserting before line 35 the following:

"___. Page 130, by inserting after line 20 the following:

"It is the intent of the general assembly that the discount table for commutations in 500 Iowa Admin. Code §6.3, which was in effect immediately prior to March 20, 1985 and which was based on a simple rather than compound interest factor, shall be uniformly

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applied to all commutations approved by the industrial commissioner prior to March 20, 1985 as a valid interpretation of the general assembly's intent to commute future workers' compensation payments to a present worth lump sum payment pursuant to sections 85.45 and 85.47. It is further the intent of the general assembly that the supreme court's reinterpretation of the general assembly's intent, concerning the commutation of future workers' compensation payments to a present worth lump sum payment under sections 85.45 and 85.47, shall be uniformly applied to all commutations approved by the industrial commissioner on or after March 20, 1985.""

48. Page 26, by striking lines 30 through 32.

49. By striking page 28, line 46 through page 29, line 17.

50. Page 29, by inserting after line 17 the following:

"___. Page 145, by inserting after line 6 the following:

"Savings achieved in providing telecommunications services shall be used by the department of general services to increase efficiencies in the provision of those services.""

51. Page 29, by striking lines 18 through 24.

52. Page 29, line 40, by striking the figure "44,597,000" and inserting the figure "44,000,000".

53. Page 29, lines 44 through 46, by striking the words and figure "seventeen million six hundred sixty-seven thousand nine hundred forty (17,667,940)" and inserting the words and figure "sixteen million six hundred seventeen thousand nine hundred forty (16,617,940)".

54. Page 29, by striking lines 47 and 48.

55. By striking page 29, line 49 through page 30, line 28.

56. By striking page 30, line 29 through page 33, line 46 and inserting the following:

"___. Page 155, by striking lines 9 and 10 and inserting the following: "127.8, subsection 1, and offer for sale and deliver such intoxicating liquors ~~and wine for sale through the state liquor stores~~ to class "E"".

57. Page 157, line 27, by inserting after the word "licensees" the following: "without regard for the quantity of purchase or the distance for delivery".

58. Page 158, line 31, by striking the words "at least equal" and inserting the words "of up".

59. Page 158, line 34, by striking the word

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"reduce" and inserting the word "increase".

60. Page 159, line 2, by striking the words "equals or exceeds" and inserting the words "does not exceed".

61. Page 160, line 15, by inserting after the word "chapter." the following: "The department shall deliver alcoholic liquor purchased by class "E" liquor control licensees. Class "E" liquor control licensees may deliver alcoholic liquor purchased by class "A", "B", or "C" liquor control licensees, and class "A", "B", or "C" liquor control licensees may transport alcoholic liquor purchased from class "E" liquor control licensees."

62. Page 160, line 29, by striking the words "a class "E"".

63. Page 163, line 31, by inserting after the word "sum" the following: "of not less than seven hundred and fifty dollars, and not more than seven thousand five hundred dollars as".

64. By striking page 168, line 13 through page 169, line 1.

65. Page 170, line 35, by inserting after the word "retailers." the following: "The division shall not close a state liquor store before June 30, 1987 unless a class "E" liquor control licensee begins operations within the particular store's market area. However, the division shall not operate a liquor store after June 30, 1987."

66. Page 171, line 1, by striking the word and figures "December 31, 1986" and inserting the following: "June 30, 1987. The provisions of the Code concerning the operation of state liquor stores shall remain in effect to the extent applicable in the form as they existed prior to the effective date of this Act and they shall so remain in effect until the division ceases operation of any liquor stores."

67. Page 171, by inserting after line 3 the following:

"Sec. ___. Effective July 1, 1986 the division shall cease offering for sale and selling wine at wholesale to liquor control licensees and class "B" wine permittees. The state shall continue to sell wine at retail to purchasers at state liquor stores as provided by this Act.

Sec. ___. Notwithstanding section 741 of this Act which creates a new lettered paragraph "e" to section 123.30, subsection 3, Code Supplement 1985, a person operating an agency store may obtain a class "E" liquor control license for the premises designated as an agency store despite the fact that gasoline is also

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sold on the premises.
Sec. ___. The division shall not contract for any other agency stores nor allow the operation of any other agency stores other than those agency stores operating on May 1, 1986.
Sec. ___. No state liquor store shall be discontinued before March 1, 1987 and no class "E" liquor control licensee shall be allowed to begin doing business before March 1, 1987. However, the division shall not operate a liquor store after June 30, 1987.
Sec. ___. The division shall adopt rules prior to October 1, 1986 for the approval of applications for class "E" liquor control licenses.""
68. Page 33, by striking lines 49 and 50 and inserting the following:
"___. Page 177, by inserting after line 4 the following:
"Sec. 765. Section 8.33, unnumbered paragraph 2, Code 1985, is amended to read as follows:
No payment of an obligation for goods and services shall be charged to an appropriation subsequent to the last day of the fiscal term for which the appropriation is made unless such goods or services are received on or before ~~September 15~~ the last day of the ~~following~~ fiscal year, except that repair projects, purchase of specialized equipment and furnishings, and other contracts for services and capital expenditures for the purchase of land or the erection of buildings or new construction or remodeling, which were committed and in progress prior to the end of the fiscal term are excluded from this provision.""
69. Page 34, by inserting after line 22 the following:
"___. Page 178, by inserting after line 29 the following:
"Sec. ___. Section 765 of this Act is retroactive to March 1, 1986.""
70. Page 34, by striking lines 23 through 32 and inserting the following:
"___. Page 178, line 30, by striking the figure "139" and inserting the figure "144"."
71. By renumbering, relettering, or redesignating and correcting internal references as necessary.

S-5971 Filed May 2, 1986 REC'D FROM THE HOUSE ADOPTED (p. ~~2444~~ 1590)

OFFICE OF THE GOVERNOR
STATE CAPITOL
DES MOINES, IOWA 50319
515 281-5211

TERRY E. BRANSTAD
GOVERNOR

May 31, 1986

The Honorable Mary Jane Odell
Secretary of State
State Capitol Building
L O C A L

Dear Madam Secretary:

I hearby transmit House File 2484, an act relating to and making appropriations to agencies, boards, commissions, departments, and programs of state government and making certain provisions retroactive.

House File 2484 is approved May 31, 1986 with the following exceptions which I hereby disapprove.

I am unable to approve the item designated as paragraphs 2, 3 and 4, of Section 1, Subsection 2, which reads as follows:

> Of the funds appropriated by this subsection, one hundred thousand (100,000) dollars, or so much thereof as is necessary, shall be expended to develop a state tourism marketing plan. The plan shall be provided to the legislative council upon completion. Of the funds appropriated by this subsection, one million (1,000,000) dollars shall not be expended prior to the completion of the state tourism marketing plan and presentation of the plan to the legislative council.
>
> There is created a tourism marketing plan task force. The director of the department of economic development or the director's designee shall serve as chairperson of the tourism marketing plan task force. The task force shall consist of five members. The director shall appoint a representative of the state conservation commission, a representative of the recreation, tourism, and leisure study committee, a representative of the department of cultural affairs, and a representative of the tourism industry from the private sector.

The task force shall develop guidelines for the preparation of a comprehensive statewide tourism marketing plan and tourism information delivery system plan, recommendations from which shall be submitted by the task force to the legislative council for the release of withheld funds.

Section 1, Subsection 2, of House File 2484 appropriates $1.4 million for tourism promotion programs to the Iowa Department of Economic Development. I am disappointed that the legislature did not adopt my recommendation to provide $2.6 million in tourism promotion money. These additional funds could be used to promote tourism attractions in the state of Iowa.

Nevertheless, the increased appropriation by the General Assembly is welcomed and will provide an immediate economic stimulus to the state of Iowa.

I cannot approve, however, language which is included in this appropriation which would hamstring the department and the expenditure of the tourism funds. The department already has a successful plan in place for tourism marketing promotion. Last year that plan resulted in a 20% increase in tourism spending. Tourism requests are already up almost 10% in Iowa. What is needed now is funding to provide the tools to implement that existing marketing plan. In order to avoid an unnecessary and unwise delay in the expenditure of tourism marketing funds, I am disapproving language which would prevent the immediate implementation of our tourism marketing efforts.

I am unable to approve Section 15 in its entirety.

Section 15 directs the Department of Transportation to establish an additional permit center at the junction of Iowa highways 151, 61 and 52. However, there is no convenience to the industry or efficiency in government to be gained by opening another center. For over 10 years, truckers have been able to pick up a telephone, make one call to the existing 24-hour center and have all necessary permits transmitted by wire anywhere they wish in the country. A consensus of the Department of Transportation's Motor Carrier Advisory Committee (composed of members of the industry and related businesses) is that the section should be vetoed. Moreover, many truck stop operators use permit transmittals as a business enhancement and could view this as more government intrusion.

The restructuring bill appropriately maintains the authority of the Department of Transportation Commission to make the decisions affecting these matters. This section would inappropriately involve the legislature in those decisions. For those reasons I hereby disapprove Section 15 of House File 2484.

I disapprove a portion of Section 110, Subsection 1.a, which reads as follows:

> The state board of regents shall not assess charges to the three institutions of higher education under the control of the state board for fiscal year beginning July 1, 1986, in excess of the charges to the three institutions assessed and approved by the state board as of April 1, 1986 for the fiscal year ending June 30, 1986.

Section 110 of House File 2484 includes a provision which limits the ability of the State Board of Regents to secure funding. The state board serves a critical role coordinating the efforts of the three public institutions of higher education and applying appropriate public policy input into the decision-making process. In order to discharge their governance responsibilities appropriately, the Board of Regents' office needs the flexibility. This language could prevent the office from providing the services and the management that we expect from a governing board and is therefore disapproved.

I hereby disapprove Section 138 in its entirety.

Section 138 of House File 2484 includes a substantial change in the method to reimburse parents for non-public transportation. I am a strong supporter of such a reimbursement. And, I am concerned that this change will limit the availability of this reimbursement for some families. The present reimbursement system is working appropriately and has been funded adequately. With the disapproval of this section, we will be able to maintain the current system and ensure funds for the reimbursement of non-public school parents.

For the above reasons, I hereby respectfully disapprove of these items in accordance with Amendment IV of the Amendments of 1968 to the Constitution of the State of Iowa. All other items in House File 2484 are hereby approved as of this date.

Sincerely,

Terry E. Branstad
Governor

TEB:cd

cc: Secretary of the Senate
Chief Clerk of the House

HOUSE FILE 2484

AN ACT

RELATING TO AND MAKING APPROPRIATIONS TO AGENCIES, BOARDS, COMMISSIONS, DEPARTMENTS, AND PROGRAMS OF STATE GOVERNMENT AND MAKING CERTAIN PROVISIONS RETROACTIVE.

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

DIVISION I

BUSINESS/TRADE/TRANSPORTATION

Section 1. There is appropriated from the general fund of the state to the department of economic development for the fiscal year beginning July 1, 1986 and ending June 30, 1987 the following amounts, or so much thereof as is necessary, to be used for the purposes designated:

	1986-1987 Fiscal Year
1. For salaries, support, maintenance, and other operational purposes	$ 3,000,000
2. For tourism and promotion programs	$ 1,429,560

Of the funds appropriated by this subsection, one hundred thousand (100,000) dollars, or so much thereof as is necessary, shall be expended to develop a state tourism marketing plan. The plan shall be provided to the legislative council upon completion. Of the funds appropriated by this subsection, one million (1,000,000) dollars shall not be expended prior to the completion of the state tourism marketing plan and presentation of the plan to the legislative council.

There is created a tourism marketing plan task force. The director of the department of economic development or the director's designee shall serve as chairperson of the tourism marketing plan task force. The task force shall consist of five members. The director shall appoint a representative of the state conservation commission, a representative of the recreation, tourism, and leisure study committee, a representative of the department of cultural affairs, and a representative of the tourism industry from the private sector.

The task force shall develop guidelines for the preparation of a comprehensive statewide tourism marketing plan and tourism information delivery system plan, recommendations from which shall be submitted by the task force to the legislative council for the release of withheld funds.

Item Veto

Item Veto

The department shall actively pursue the acquisition of the Grant Wood Gothic House in Eldon, Iowa. The department shall cooperate with the historical division of the department of cultural affairs to acquire and maintain the Grant Wood Gothic House and to promote the property as a tourist attraction.

3. For advertising and marketing	$ 92,333
4. For establishment and maintenance of an ambassador's program	$ 1,000,000

The funds appropriated by this subsection shall be matched on a dollar for dollar basis with capital provided by private sources and be expended to attract private capital to be used by the department to develop a comprehensive national and international marketing program. These funds shall be utilized to implement a statewide initiative that includes, but is not limited to, the development of a trade network, national and international marketing research, business recruitment, utilization of national advertising features, a toll-free number, billboards, displays in key business locations, a direct marketing program, a "trade and marketing institute", and an "invest in Iowa" program. The department shall secure the necessary private participation from groups and organizations most appropriate for any particular

H. F. 2484

ITEM VETO: Section 1; Subsection 2; paragraphs 2, 3, and 4.
Section 15 in its entirety
Section 110, Subsection 1.a.
Section 138

function. In-kind expenditures from the private sector may be considered as a portion of the dollar for dollar match. The department shall give attention to using a portion of these funds to contract and coordinate with international programs at Iowa colleges and universities to develop a network of trade contacts overseas through the use of alumni from Iowa colleges and universities.

5. For establishment and maintenance of an Asian trade office ..... $ 300,000

The funds appropriated by this subsection shall be expended to establish an Iowa investment and trade office in Asia to promote Iowa as a location offering advantages to Asian firms for investment, to promote Iowa commodities, goods, and services to the Asian market, and to encourage Asian tour companies to bring group tours to this state.

6. For establishment and maintenance of an export finance program ..... $ 1,000,000

The funds appropriated by this subsection shall be expended to develop a program to assist, promote and enhance economic prosperity by fostering expansion of exports through an interest buy-down program for exported sales targeted to assist small businesses which are entering the export market.

7. Community development block grant administration and related federal housing and urban development community development grant administration

For salaries, support, maintenance, and miscellaneous purposes ..... $ 53,800

8. Job training partnership Act: dislocated workers

For salaries, support, maintenance, and miscellaneous purposes to develop and administer

the job training partnership Act ..... $ 958,936

9. Mississippi river parkway commission

For support, maintenance, and miscellaneous purposes ..... $ 15,000

10. Youth services administration

For salaries, support, maintenance, and miscellaneous purposes to develop and administer employment opportunities for the youth ..... $ 71,391

11. Iowa youth corps

For salaries, support, maintenance, and miscellaneous purposes ..... $ 330,000

12. For additional and supplemental funding for the child care services program and the displaced homemakers program in connection and coordination with the federal Job Training Partnership Act of 1982 and funding for a child care grants program to provide grants of up to ten thousand dollars for start-up funding for before and after school programs using school facilities, infant care programs, child care information and referral centers, and on-site employer day care. An application for a grant under the child care grants program shall include a study documenting a need for the service or program for which the grant is sought and a plan for implementation of the service or program which plan includes a

listing of other sources of income, the staff to be employed, and the method to make the service or program self-supporting within three years ..... $ 1,000,000

Sec. 2. There is appropriated from the general fund of the state to the department of cultural affairs for the historical division for the fiscal period beginning July 1, 1986 and ending June 30, 1988 the sum of one hundred twenty-five thousand (125,000) dollars, or so much thereof as is necessary, to acquire by negotiated sale part of the land encompassing the Blood Run national historic landmark in Lyon county, Iowa. This appropriation shall be matched by revenue from other sources.

Ten thousand (10,000) dollars of the appropriation in this section shall be allocated to the state archaeologist for the fiscal year beginning July 1, 1986 and ending June 30, 1987, or so much thereof as is necessary, for the development planning and the next phase of archaeological field study at the Blood Run national historic landmark in Lyon county, Iowa. The state archaeologist shall consult with the historical division of the department of cultural affairs in conducting the developmental planning and archaeological field study.

Sec. 3. There is appropriated from the general fund of the state to the department of revenue and finance for the fiscal year beginning July 1, 1986 and ending June 30, 1987, 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:

	1986-1987 Fiscal Year
For salaries, support, maintenance, and miscellaneous purposes	$ 16,770,770

Sec. 4. There is appropriated from the general fund of the state to the college aid commission for the fiscal year beginning July 1, 1986 and ending June 30, 1987, the following amounts, or so much thereof as is necessary, to be used for the purposes designated:

	1986-1987 Fiscal Year
For salaries, support, maintenance, and miscellaneous purposes	$ 270,230
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	$ 926,184
For salaries, support, and maintenance of the elder law education program	$ 95,000

Sec. 5.

1. There is appropriated from the general fund of the state to the college aid commission for the fiscal year beginning July 1, 1986 and ending June 30, 1987, the sum of seven hundred twenty-five thousand four hundred ten (725,410) dollars, or so much thereof as may be necessary, to be paid to the college of osteopathic medicine and surgery for the subvention program created pursuant to sections 261.18 and 261.19. Notwithstanding section 261.19, for the fiscal year beginning July 1, 1986, the subvention shall be used for the admission and education of students enrolled in each of the four years of classes in the college of osteopathic medicine and surgery.

2. In addition to the requirements of sections 261.18 and 261.19, the availability of funds appropriated by this section

is subject to the condition that one-half of the funds appropriated for fiscal year 1986-1987 shall not be released until delivery to the legislative fiscal bureau of the June 30, 1986, financial audits, conducted by an independent third party, of the college of osteopathic medicine and surgery.

Sec. 6. There is appropriated from the motor vehicle fuel tax fund to the department of revenue and finance for the fiscal year beginning July 1, 1986 and ending June 30, 1987 the following amount, or so much thereof as may be necessary, for salaries, support, maintenance, and other operational purposes for administration and enforcement of the provisions of chapter 324 and the motor vehicle use tax program:

	1986-1987 Fiscal Year
	$ 827,788

Sec. 7. There is appropriated from the general fund of the state to the office of treasurer of state for the fiscal year beginning July 1, 1986 and ending June 30, 1987 the following amount, or so much thereof as is necessary, to be used for the purposes designated:

	1986-1987 Fiscal Year
For salaries, support, maintenance, and other operational purposes	$ 487,646

Sec. 8. There is appropriated from the general fund of the state to the moneys and credits replacement fund established in section 422.100 for the fiscal year beginning July 1, 1986 and ending June 30, 1987 the sum of two million four hundred seventy-five thousand (2,475,000) dollars, or so much thereof as may be necessary, to be used for payments to counties as provided in section 422.100.

Sec. 9. There is appropriated from the general fund of the state to the state department of transportation for the fiscal year beginning July 1, 1986 and ending June 30, 1987 the

following amount, or so much thereof as may be necessary, to be used for the following purposes:

	1986-1987 Fiscal Year
STATE DEPARTMENT OF TRANSPORTATION	
1. For salaries, support, maintenance, and miscellaneous purposes	$ 620,000

Sec. 10. There is appropriated from the road use tax fund to the state department of transportation for the fiscal year beginning July 1, 1986 and ending June 30, 1987 the following amounts, or so much thereof as may be necessary, to be used for the following purposes:

	1986-1987 Fiscal Year
STATE DEPARTMENT OF TRANSPORTATION	
1. For salaries, support, maintenance, and miscellaneous purposes	$ 15,581,482
2. For the purpose of making payments to the department of personnel for expenses incurred in administering the merit system on behalf of the state department of transportation, as required by chapter 19A	$ 16,000
3. Unemployment compensation	$ 12,250

Sec. 11. There is appropriated from the road use tax fund to the department of personnel for the fiscal year beginning July 1, 1986 and ending June 30, 1987 the sum of thirty-two thousand seven hundred fifty (32,750) dollars, or so much thereof as is necessary, to be used for the purpose of paying workers' compensation claims under chapter 85 on behalf of employees of the state department of transportation.

Sec. 12. There is appropriated from the primary road fund to the state department of transportation for the fiscal year beginning July 1, 1986 and ending June 30, 1987 the following amounts, or so much thereof as may be necessary, to be used for the following purposes:

	1986-1987 Fiscal Year
STATE DEPARTMENT OF TRANSPORTATION	
1. For salaries, support, maintenance, and miscellaneous purposes	$128,247,126
2. To be deposited in the state department of transportation materials and equipment revolving fund established by section 307A.7 for funding the increased replacement cost of vehicles	$ 2,000,000
3. For the purpose of making payments to the department of personnel for expenses incurred in administering the merit system on behalf of the state department of transportation, as required by chapter 19A	$ 304,000
4. Unemployment compensation	$ 232,750
5. For area garages for the Tama-Toledo area, Dubuque and Centerville	$ 1,344,000

Sec. 13. There is appropriated from the primary road fund to the department of personnel for the fiscal year beginning July 1, 1986 and ending June 30, 1987 the sum of six hundred twenty-two thousand two hundred fifty (622,250) dollars, or so much thereof as is necessary, for the purpose of paying workers' compensation claims under chapter 85 on behalf of the employees of the state department of transportation.

Sec. 14. There is appropriated from the state aviation fund to the state department of transportation for the fiscal year beginning July 1, 1986 and ending June 30, 1987, the following amount, or so much thereof as may be necessary, to be used for the following purposes:

	1986-1987 Fiscal Year
For salaries, support, maintenance, and miscellaneous purposes	$ 261,318

Sec. 15. The state department of transportation shall operate a commercial vehicle permit issuing center utilizing existing field facilities near the location of the intersection of Iowa highways 151, 61 and 52.

Vetoed 5/31

Sec. 16. Notwithstanding the appropriation amounts in section 261.25, there is appropriated from the general fund of the state to the college aid commission for the fiscal year beginning July 1, 1986 and ending June 30, 1987 the following amounts for the purposes listed:

1. Nineteen million eight hundred six thousand nine hundred (19,806,900) dollars for tuition grants.

2. Three hundred thirty-six thousand five hundred twenty-five (336,525) dollars for scholarships.

3. Six hundred forty-six thousand five hundred eighty-two (646,582) dollars for vocational-technical tuition grants.

Sec. 17. Notwithstanding the appropriation amount listed in section 261.45, there is appropriated from the general fund of the state to the college aid commission for the fiscal year beginning July 1, 1986 and ending June 30, 1987 the sum of fifty-seven thousand six hundred ninety (57,690) dollars, or as much thereof as is necessary, to make the reimbursement payments for the guaranteed student loan payment program.

Sec. 18. Notwithstanding the appropriation amount listed in section 261.53, there is appropriated from the general fund of the state to the Iowa college aid commission for the fiscal

year beginning July 1, 1986 and ending June 30, 1987, the sum of sixty-seven thousand three hundred five (67,305) dollars, or as much thereof as is necessary, for science and mathematics loans.

Sec. 19. Notwithstanding the appropriation amount listed in section 261.63, there is appropriated from the general fund of the state to the Iowa college aid commission for the fiscal year beginning July 1, 1986 and ending June 30, 1987, the sum of nine hundred thousand (900,000) dollars, or as much thereof as is necessary, for supplemental grants.

Sec. 20. Notwithstanding section 321.145, there is transferred from the road use tax fund to the general fund of the state for the fiscal year beginning July 1, 1986 and ending June 30, 1987 the sum of twenty-eight thousand seven hundred thirty-five (28,735) dollars to fund salary adjustments required pursuant to 1984 Iowa Acts, chapter 1314.

Sec. 21. There is appropriated from the road use tax fund to the state department of transportation for the fiscal year beginning July 1, 1986 and ending June 30, 1987 the sum of five hundred fifty-two thousand two hundred nine (552,209) dollars, or so much thereof as is necessary, to provide salary adjustments required by implementation action taken under 1984 Iowa Acts, chapter 1314.

Sec. 22. There is appropriated from the primary road fund to the state department of transportation for the fiscal year beginning July 1, 1986 and ending June 30, 1987 the sum of two million eighty-one thousand one hundred seventeen (2,081,117) dollars, or so much thereof as is necessary, to provide salary adjustments required by implementation action taken under 1984 Iowa Acts, chapter 1314.

Sec. 23. A supplemental authorization is authorized for each departmental revolving, trust, or special fund for the fiscal year beginning July 1, 1986 and ending June 30, 1987 for which the general assembly has established an operating budget in an amount necessary to provide salary adjustments

required by implementation action taken under 1984 Iowa Acts, chapter 1314. The supplemental authorization allowed under this section is not applicable to the road use tax fund or the primary road fund.

Sec. 24. The treasurer of state shall transfer to the general fund of the state eleven million (11,000,000) dollars from the long-term disability reserve account maintained by the treasurer of state. The transfer shall be during the period from July 1, 1986 and ending June 30, 1987.

Sec. 25. Section 261.35, subsection 5, Code 1985, is amended to read as follows:

5. "Eligible borrower" means a person, or the parent of a person, who is a resident of this state and is enrolled or will be enrolled at an eligible institution within or without the state or who is a nonresident of this state and is enrolled or will be enrolled at an eligible institution within the state ~~and who meets~~, or who is a resident of a contiguous state and is borrowing from an Iowa-based eligible lender and is enrolled or will be enrolled at an eligible institution within or without the state. All eligible borrowers must meet the eligibility requirements established by the commission. The commission shall establish the qualifications for being a resident of this state~~;~~, however, the qualifications shall not be more stringent than those established by the state board of regents.

Sec. 26. Section 261.38, subsection 1, Code 1985, is amended to read as follows:

1. The commission shall establish a loan reserve account from which any default on a guaranteed student loan shall be paid. The commission shall credit to this account all moneys designated exclusively for the reserve fund by the United States, the state of Iowa or any of their agencies, departments or instrumentalities, as well as any funds accruing to the program which are not required for current administrative expenses. The department of management shall

determine the actuarially sound reserve requirement for the amount of guaranteed loans outstanding.

Sec. 27. Section 261.38, subsection 2, Code 1985, is amended by striking the subsection and inserting in lieu thereof the following:

2. The general assembly shall appropriate moneys from the loan reserve account of the commission to the college aid commission for operating costs of the guaranteed student loan program. Moneys appropriated from the loan reserve account for operating costs of the guaranteed student loan program that are unencumbered or unobligated on June 30 of a fiscal year shall revert to the loan reserve account of the commission.

Sec. 28. Section 308.4, subsection 3, Code Supplement 1985, is amended by striking the subsection.

Sec. 29. Section 321.211, unnumbered paragraph 1, Code 1985, is amended to read as follows:

Upon suspending the license of any person as authorized the department shall immediately notify the licensee in writing and upon the licensee's request shall afford the licensee an opportunity for a hearing before the director or the director's authorized agent as early as practical within not to exceed thirty days after receipt of the request in the county in which the licensee resides unless the department and the licensee agree that such hearing may be held in some other county. Upon such hearing the director or the director's authorized agent may administer oaths and may issue subpoenas for the attendance of witnesses and the production of relevant books and papers and may require a re-examination of the licensee. Upon such hearing the department shall either rescind its order of suspension or for good cause may extend the suspension of such license or revoke such license. There is appropriated each year from the ~~general-fund-of-the-state~~ road use tax fund to the department ~~ninety~~ one hundred seven thousand (107,000) dollars or so much thereof as may be

necessary to be used to pay the cost of notice and personal delivery of service, if necessary to meet the notice requirement of this section. The department shall promulgate rules governing the payment of the cost of personal delivery of service. The reinstatement fees collected under section 321.191 shall be deposited in the ~~general-fund-of-the-state~~ road use tax fund in a manner provided in section 321.192, as reimbursement for the costs of notice under this section.

Sec. 30. Section 324.65, unnumbered paragraph 1, Code 1985, is amended to read as follows:

If a licensee or other person fails to remit at least ninety percent of the tax due with the filing of the return on or before the due date or pays less than ninety percent of any tax required to be shown on the return, there shall be added to the tax a penalty of five percent of the amount of the tax due. The penalty imposed under this section is not subject to waiver. The taxpayer shall also pay interest on the tax or additional tax at the rate in effect under section 421.7 counting each fraction of a month as an entire month, computed from the date the return was required to be filed. If the amount of the tax as determined by the appropriate state agency is less than the amount paid, the excess shall be refunded with interest, the interest to begin to accrue on the first day of the third calendar month following the date of payment or the date the return was due to be filed or was filed, whichever is the latest, at the rate in effect under section 421.7 counting each fraction of a month as an entire month under the rules prescribed by the appropriate state agency. In lieu of a refund allowed under this section, the licensee may request that the department allow the refund to be held as a credit for the licensee.

Sec. 31. Section 423.1, subsection 1, Code Supplement 1985, is amended to read as follows:

1. "Use" means and includes the exercise by any person of any right or power over tangible personal property incident to

the ownership of that property, except that it shall not include processing, or the sale of that property in the regular course of business. Property used in "processing" within the meaning of this subsection shall mean and include (a) any tangible personal property including containers which it is intended shall, by means of fabrication, compounding, manufacturing, or germination, become an integral part of other tangible personal property intended to be sold ultimately at retail, and containers used in the collection, recovery or return of empty beverage containers subject to chapter 455C, or (b) fuel which is consumed in creating power, heat, or steam for processing or for generating electric current, or (c) chemicals, solvents, sorbents, or reagents, which are directly used and are consumed, dissipated, or depleted in processing personal property, which is intended to be sold ultimately at retail, and which may not become a component or integral part of the finished product. The distribution to the public of free newspapers or shoppers guides shall be deemed a retail sale for purposes of the processing exemption.

Sec. 32. Section 573.2, Code 1985, is amended to read as follows:

573.2 PUBLIC IMPROVEMENTS -- BOND AND CONDITIONS.

Contracts for the construction of a public improvement shall, when the contract price equals or exceeds twenty-five thousand dollars, be accompanied by a bond, with surety, conditioned for the faithful performance of the contract, and for the fulfillment of other requirements as provided by law. The bond may also be required when the contract price does not equal that amount. However, if a contractor provides a performance or maintenance bond as required by a public improvement contract governed by this chapter and subsequently the surety company becomes insolvent and the contractor is required to purchase a new bond, the contractor may apply for reimbursement from the governmental agency that required a

second bond and the claims shall be reimbursed from funds allocated for road construction purposes.

Sec. 33. 1985 Iowa Acts, chapter 256, section 11, is amended to read as follows:

SEC. 11. There is appropriated from the general fund of the state to the Iowa development commission for the fiscal period beginning on the effective date of this Act and ending June 30, 1985 the sum of two hundred thousand (200,000) dollars, or so much thereof as is necessary, for its advertising and tourism budget. ~~The Iowa development commission shall transfer from any other funds received for its advertising and tourism budget an amount up to or equal to two hundred thousand ($200,000) dollars received during the fiscal year beginning July 1, 1985 and ending June 30, 1986 which funds shall be transferred to the general fund of the state not later than June 30, 1986 to replace those funds received under this section for the fiscal period beginning on the effective date of this Act and ending June 30, 1985.~~

Sec. 34. All federal grants to and the federal receipts of the agencies appropriated funds under this division of this Act are appropriated for the purposes set forth in such federal grants and receipts unless otherwise provided by the general assembly.

Sec. 35. Section 32 shall apply retroactively to July 1, 1985 and the reimbursement may be applied for until August 31, 1986.

Sec. 36. Section 33 of this Act is retroactive to June 1, 1986.

DIVISION II

EDUCATION

Sec. 101. There is appropriated from the general fund of the state for the fiscal year beginning July 1, 1986 and ending June 30, 1987, to the following named agencies the following amounts, or so much thereof as necessary, to be used for the purposes designated:

1986-1987
Fiscal Year

1. ARTS DIVISION OF CULTURAL AFFAIRS

For salaries, support, maintenance, and miscellaneous purposes including funds to match federal grants ..... $ 450,000

2. HISTORICAL DIVISION OF CULTURAL AFFAIRS

For salaries, support, maintenance, and miscellaneous purposes ..... $ 1,286,045

Notwithstanding sections 18.12 and 18.16, the historical division may directly and independently enter into rental and lease agreements with private vendors for the purpose of selling mementos on the premises of property under the control of the division. All fees and income produced from the sales and rental or lease agreements shall be credited to the account of the division. Retail vendors will not be exempt from the sales and use tax under this provision.

Notwithstanding section 303.9, subsection 1, all admission fees charged at the Montauk historical site shall be credited to the account of the historical division and are appropriated to the historical division to be invested and used exclusively for maintenance and improvement of the property and grounds of Montauk.

3. LIBRARY DIVISION OF CULTURAL AFFAIRS

a. For the state library for salaries, support, maintenance, and miscellaneous purposes ..... $ 1,058,693

b. For the regional library system for state aid ..... $ 1,430,730

4. PUBLIC BROADCASTING DIVISION OF CULTURAL AFFAIRS

For salaries, support, maintenance, and miscellaneous purposes ..... $ 5,586,848

5. STATE FAIR BOARD

For maintenance of state fair buildings and grounds ..... $ 69,038

6. TERRACE HILL AUTHORITY

For salaries, support, maintenance, and miscellaneous purposes for the operation of Terrace Hill and for conducting tours ..... $ 137,792

7. HERBERT HOOVER BIRTHPLACE FOUNDATION

For capital improvements ..... $ 1,246

Sec. 102. There is appropriated from the general fund of the state to the arts division of the department of cultural affairs for the fiscal period beginning July 1, 1986 and ending June 30, 1988 the following amounts, or so much thereof as is necessary, to be used for the following purposes:

1986-1988
Fiscal Year

1. For the Herbert Hoover memorial in West Branch, Iowa ..... $ 35,000

2. For the Cedar Rapids science station for development ..... $ 30,000

3. For the Ottumwa arts council ..... $ 30,000

4. For the Dubuque great rivers hall of fame for capital improvements ..... $ 40,000

5. For the Amana art guild-folk art show for the folk art showcase ..... $ 20,000

6. For the Clinton riverboat theater for rehabilitation ..... $ 20,000

7. For the Davenport river de-

velopment project for capital improvements ..... $ 35,000

8. For general promotion of the arts ..... $ 40,000

Notwithstanding section 8.33, unencumbered and unobligated funds appropriated in this section shall not revert to the general fund.

Sec. 103. There is appropriated from the general fund of the state to the historical division of the department of cultural affairs for the fiscal period beginning July 1, 1986 and ending June 30, 1988 the following amounts, or so much thereof as is necessary, to be used for the following purposes:

1986-1988
Fiscal Year

1. For the purchase and development of property adjacent to the gravesite at Gardner cabin ..... $ 41,700

2. For capital improvements and operational contract services for the Matthew Edel blacksmith shop in Haverhill ..... $ 30,000

3. For Montauk at Clermont for repairs ..... $ 20,700

4. For the Bow-String Bridge restoration project for restoration ..... $ 20,000

5. For the centennial building in Iowa City for repairs ..... $ 40,000

6. For old Fort Madison for reconstruction ..... $ 25,000

7. For the Rock Island depot in Council Bluffs for reconstruction ..... $ 20,000

8. For the old territorial capitol in Burlington for restoration ..... $ 22,000

9. For promotion of historical

sites in this state ..... $ 30,000

Notwithstanding section 8.33, unencumbered and unobligated funds appropriated in this section shall not revert to the general fund.

Sec. 104. There is appropriated from the general fund of the state to the division for the blind of the department of human rights for the fiscal year beginning July 1, 1986 and ending June 30, 1987, the following amount, or so much thereof as may be necessary, to be used by the following agency for the purposes designated:

1986-1987
Fiscal Year

DIVISION FOR THE BLIND, DEPARTMENT OF HUMAN RIGHTS

For salaries, support, maintenance, and miscellaneous purposes ..... $ 1,019,280

Sec. 105. There is appropriated from the general fund of the state for the fiscal year beginning July 1, 1986 and ending June 30, 1987, to the department of education the following amounts, or so much thereof as may be necessary, to be used in the manner designated:

1986-1987
Fiscal Year

1. GENERAL OFFICE ADMINISTRATION

a. For salaries, support, maintenance, and miscellaneous purposes ..... $ 4,148,910

It is the intent of the general assembly that the department of education expend, from funds appropriated in this paragraph, at least five hundred thousand (500,000) dollars to be used by the department to provide technical assistance and monetary grants to school districts for developing elementary and secondary foreign language programs.

The department shall transmit plans for the expenditure of moneys allocated for development of foreign language programs under this paragraph to the joint education appropriations subcommittee not later than January 1, 1987.

It is also the intent of the general assembly that a portion of moneys appropriated in this paragraph to the department of education be expended for the continuation of the meetings of subject matter committees and committees that cross subject matter lines for coordination of curriculum at all education levels.

b. Fire service education ..... $ 140,377

c. As a condition of the appropriation made in paragraph "a", the department of education shall expend at least sixty thousand (60,000) dollars of the moneys appropriated in paragraph "a" to provide funding for the evaluator approval process.

Of the funds identified in this paragraph for funding for the evaluator approval process, an amount not to exceed ten thousand (10,000) dollars of those funds shall be used by the department of education to develop a mental retardation model curriculum. The department shall develop a model curriculum for teachers of grades one through twelve on mental retardation prevention and related issues. The department may use existing staff members or may contract with outside parties for developing the model curriculum. The model curriculum shall be distributed to school districts and area education agencies prior to July 1, 1988. The funds allocated for the development of the mental retardation model curriculum are not subject to reversion pursuant to section 8.33 until June 30, 1988.

2. VOCATIONAL EDUCATION ADMINISTRATION

For salaries, support, maintenance, and miscellaneous purposes ..... $ 795,655

3. VOCATIONAL EDUCATION AID

For vocational education aid to secondary schools ..... $ 3,723,061

Funds appropriated by this paragraph are to be used for aid to school districts for development and the conduct of both continuing and new vocational programs, services and activities of vocational education through secondary schools, and for aid to existing jointly administered secondary vocational education programs, in accordance with chapter 258 and chapter 280A, and to purchase instructional equipment for vocational and technical courses of instruction in such schools.

It is the intent of the general assembly that the state board of education provide an opportunity for input from representatives from appropriate labor groups for vocational education programs that could lead to apprenticeships.

4. PROFESSIONAL TEACHING PRACTICES COMMISSION

For the use of the professional teaching practices commission to carry out chapter 272A ..... $ 35,128

5. VOCATIONAL YOUTH ORGANIZATION FUND

To carry out section 258.14 ..... $ 9,252

6. SCHOOL FOOD SERVICE

For the purpose of providing assistance to students enrolled in public school districts and nonpublic schools of the state for breakfasts, lunches and minimal equipment programs with the funds being used as state matching funds for federal programs and which shall be disbursed according to federal regulations ..... $ 3,173,131

7. TEXTBOOKS OF NONPUBLIC SCHOOL PUPILS

To provide funds for costs of providing textbooks to each resident pupil who attends a nonpublic school or authorized by section 301.1. Such funding is limited to ten dollars per pupil and shall not exceed the comparable services offered to resident public school pupils ..... $ 333,160

8. SCHOOL BUDGET REVIEW COMMITTEE ..... $ 110,000

Of the funds appropriated by this subsection, one hundred thousand (100,000) dollars may be expended as supplemental aid pursuant to section 286A.14.

9. VOCATIONAL REHABILITATION DIVISION

For salaries, support, maintenance, and miscellaneous purposes ..... $ 2,587,715

10. NON-ENGLISH SPEAKING

To provide funding to public schools and for nonpublic school students for special instruction for non-English speaking students as provided in section 280.4 ..... $ 150,000

11. MERGED AREA SCHOOLS

a. For general state financial aid to merged areas as defined in section 280A.2 the amount of forty-two million five hundred seventy-six thousand five hundred eighty-six (42,576,586) dollars to be allocated as follows:

(1)	Merged area I	$ 1,970,381
(2)	Merged area II	$ 2,620,675
(3)	Merged area III	$ 2,328,125
(4)	Merged area IV	$ 921,853
(5)	Merged area V	$ 2,953,129
(6)	Merged area VI	$ 2,594,155
(7)	Merged area VII	$ 2,951,909
(8)	Merged area IX	$ 3,572,825
(9)	Merged area X	$ 5,545,497
(10)	Merged area XI	$ 6,152,704
(11)	Merged area XII	$ 2,100,476
(12)	Merged area XIII	$ 2,943,089
(13)	Merged area XIV	$ 1,033,696
(14)	Merged area XV	$ 2,934,428
(15)	Merged area XVI	$ 1,953,644

b. To provide funds for matching federal reimbursement for continuing and new vocational education programs in merged area schools in accordance with chapter 258 and chapter 280A, and to purchase instructional equipment for vocational and technical courses of instruction in such schools ..... $ 8,049,520

Sec. 106.

1. There is appropriated from the general fund of the state to the department of education for the fiscal year beginning July 1, 1987 and ending June 30, 1988, for general state financial aid to merged areas the amount of fourteen million one hundred twenty-nine thousand five hundred eighty-three (14,129,583) dollars, to be accrued as income and used for expenditures incurred by the area schools during the fiscal year beginning July 1, 1986 and ending June 30, 1987, to be allocated to each area school as follows:

a. Merged area I ..... $ 658,260
b. Merged area II ..... $ 868,028
c. Merged area III ..... $ 784,978
d. Merged area IV ..... $ 308,988
e. Merged area V ..... $ 1,034,684
f. Merged area VI ..... $ 872,933
g. Merged area VII ..... $ 989,868
h. Merged area IX ..... $ 1,133,265
i. Merged area X ..... $ 1,769,391
j. Merged area XI ..... $ 2,059,840
k. Merged area XII ..... $ 743,035
l. Merged area XIII ..... $ 1,025,453
m. Merged area XIV ..... $ 347,525
n. Merged area XV ..... $ 880,354
o. Merged area XVI ..... $ 652,991

2. Funds appropriated by this section shall be allocated pursuant to this section and paid on or about August 15, 1987.

Sec. 107. 1985 Iowa Acts, chapter 263, section 7, subsection 1, is amended by striking the subsection and inserting in lieu thereof the following:

1. There is appropriated from the general fund of the state to the department of education for the fiscal year beginning July 1, 1986 and ending June 30, 1987, for general state financial aid to merged areas the amount of thirteen million seven hundred seventy-six thousand five hundred seven (13,776,507) dollars, to be accrued as income and used for expenditures incurred by the area schools during the fiscal year beginning July 1, 1985 and ending June 30, 1986, to be allocated to each area school as follows:

a. Merged area I ..... $ 658,260
b. Merged area II ..... $ 863,660
c. Merged area III ..... $ 777,840
d. Merged area IV ..... $ 296,488
e. Merged area V ..... $ 1,004,788
f. Merged area VI ..... $ 850,695

g. Merged area VII ..... $ 989,868
h. Merged area IX ..... $ 1,114,498
i. Merged area X ..... $ 1,683,267
j. Merged area XI ..... $ 2,059,840
k. Merged area XII ..... $ 688,938
l. Merged area XIII ..... $ 995,539
m. Merged area XIV ..... $ 335,025
n. Merged area XV ..... $ 813,544
o. Merged area XVI ..... $ 644,257

Sec. 108. General state aid paid to area schools under section 105, subsection 11, paragraph "a" of this Act, for expenditures incurred during the fiscal year beginning July 1, 1986 and ending June 30, 1987, shall be paid by the department of revenue and finance in installments due on or about November 15, February 15, and May 15 of that fiscal year. The payment received by area schools on or about August 15 under section 106 of this Act is an account receivable for the previous fiscal year. The installments shall be as nearly equal as possible as determined by the department of management, taking into consideration the relative budget and cash position of the state resources.

Sec. 109. There is appropriated from the general fund of the state to the Iowa academy of science for the fiscal year beginning July 1, 1986 and ending June 30, 1987, the following amount, or so much thereof as may be necessary, to be used by the following agency for the purposes designated:

1986-1987
Fiscal Year

IOWA ACADEMY OF SCIENCE
For support and maintenance ..... $ 57,494

It is the intent of the general assembly that the Iowa academy of science submit a report to the legislative fiscal bureau by December 1, 1986, listing each project funded under this section, describing the anticipated results of each project, and outlining the potential value to or impact upon this state of each project.

Sec. 110. There is appropriated from the general fund of the state to the state board of regents for the fiscal year beginning July 1, 1986 and ending June 30, 1987, the following amounts, or so much thereof as may be necessary, for use for the following designated purposes, however, as a condition for the appropriation of these funds, the state board of regents, for purposes of implementing and administering collective bargaining pursuant to chapter 20, shall act as the exclusive representative of the state of Iowa with respect to its faculty, scientific, and other professional staff:

	1986-1987 Fiscal Year
1. OFFICE OF STATE BOARD OF REGENTS	
a. For salaries, support, maintenance, equipment, and miscellaneous purposes, including state board of regents members receiving a per diem not to exceed forty dollars per day	$ 411,336

The state board of regents shall not assess charges to the three institutions of higher education under the control of the state board, for the fiscal year beginning July 1, 1986, in excess of the charges to the three institutions assessed and approved by the state board as of April 1, 1986 for the fiscal year ending June 30, 1986.

Vetoed 5/31

b. For allocation by the state board of regents to the state university of Iowa, the Iowa state university of science and technology, and the university of northern Iowa in amounts as may be necessary to reimburse the institutions for deficiencies

in their operating funds resulting from the pledging of tuitions, student fees and charges and institutional income to finance the cost of providing academic and administrative buildings and facilities and utility services at the institutions ..... $ 17,291,054

The state board of regents shall refund and refinance selected academic revenue bonds under section 262A.5, if substantial savings can be expected, in order to reduce the shortfall in tuition replacement appropriations made in this paragraph. The board shall analyze the conditions prevalent in the tax exempt bond market, the overall potential savings, the possibility of restructuring debt service to lessen future tuition replacement costs, the potential impacts upon the owners of state board of regents' bonds, and the potential impacts upon future sales of state board of regents' bonds.

In determining the amount of the shortfall, the state board of regents shall not include tuition or fee increases approved by the state board of regents after May 1, 1986.

c. For allocation by the state board of regents to the institutions under its control for supplemental salary increases for faculty, professional, and scientific employees ..... $ 2,000,000

The state board of regents shall allocate moneys appropriated in this paragraph so that each institution of higher education receives a portion of the appropriation equal to the percent that eligible full-time equivalent faculty at the institution bears to the total full-time equivalent faculty at all institutions of higher education. The funds distributed by the university of northern Iowa for organized faculty shall be distributed either through the collective

bargaining agreement in force for the fiscal year beginning July 1, 1986, or according to a different procedure that is acceptable to the collective bargaining representatives for the faculty at the university of northern Iowa and for the university of northern Iowa.

2. STATE UNIVERSITY OF IOWA

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 $117,840,274

It is the intent of the general assembly that funds appropriated in this paragraph not be used to pay for efforts of the prisoner assistance clinic at the university of Iowa law school to solicit participation in the clinic by inmates at state correctional facilities.

It is the intent of the general assembly that three hundred twelve thousand five hundred (312,500) dollars of the funds appropriated in this paragraph be used for the purchase of research and instructional equipment.

b. University hospitals

(1) For salaries, support, maintenance, equipment, and miscellaneous purposes; for medical and surgical treatment of indigent patients as provided in chapter 255 ..... $ 23,070,941

(2) For allocation by the dean of the college of medicine, with approval of the advisory board, to qualified participants, to carry out chapter 148C for the family practice program ..... $ 1,359,609

(3) For specialized child health care services, including childhood cancer diagnostic and treatment network programs; rural comprehensive care for hemophilia patients; and Iowa high risk infant follow-up program ..... $ 278,758

c. As a condition of the appropriation made in paragraph "b", subparagraph (1), the county quotas for indigent patients for the fiscal year commencing July 1, 1986 shall not be lower than the county quotas for the fiscal year commencing July 1, 1985. Before a patient is eligible for the indigent patient program, the county general relief director shall first ascertain from the local office of human services if the applicant would qualify for medical assistance or the medically needy program without the spend-down provision under chapter 249A. If the applicant qualifies, then the patient shall be certified for medical assistance and shall not be counted under chapter 255.

It is the intent of the general assembly that university hospitals shall not perform heart, liver, pancreas, artificial heart, or heart/lung transplantations on indigent patients referred under chapter 255 unless the patient meets criteria developed by the national heart, lung and blood institute's special advisory group for heart recipients, or the 1983 national institute of health's concensus conference on liver transplants for liver recipients, or unless the patient meets nationally recognized criteria for pancreas transplantations. The total amount of state funds expended for heart, liver,

pancreas, artificial heart, or heart/lung transplantations shall not exceed nine-tenths of one percent of the total state indigent funds received by the university hospitals for the fiscal year beginning July 1, 1986 and ending June 30, 1987.

d. As a condition of the appropriation made in paragraph "b", subparagraph (1), funds appropriated in that subparagraph shall not be allocated to the university hospitals until the superintendent has filed with the department of management and the legislative fiscal bureau a quarterly report containing the account required in section 255.24. The report shall include the information required in section 255.24 for patients by the type of service provided.

e. As a condition of the appropriation made in paragraph "b", funds appropriated in this section shall not be used to perform abortions except medically necessary abortions, and shall not be used to operate the early termination of pregnancy clinic except for the performance of medically necessary abortions. For the purpose of this paragraph, an abortion is the purposeful interruption of pregnancy with the intention other than to produce a live-born infant or to remove a dead fetus, and a medically necessary abortion is one performed under one of the following conditions:

(1) The attending physician certifies that continuing the pregnancy would endanger the life of the pregnant woman.

(2) The attending physician certifies that the fetus is physically deformed, mentally deficient, or afflicted with a congenital illness.

(3) The pregnancy is the result of a rape which is reported within forty-five days of the incident to a law enforcement agency or public or private health agency which may include a family physician.

(4) The pregnancy is the result of incest which is reported within one hundred fifty days of the incident to a law enforcement agency or public or private health agency which may include a family physician.

(5) The abortion is a spontaneous abortion, commonly known as a miscarriage, wherein not all of the products of conception are expelled.

f. Psychiatric hospital

For salaries, support, maintenance, equipment, and miscellaneous purposes and for the care, treatment and maintenance of committed and voluntary public patients ..... $ 5,321,186

g. State hygienic laboratory

For salaries, support, maintenance, equipment, and miscellaneous purposes ..... $ 2,098,376

h. Hospital school

For salaries, support, maintenance, equipment, and miscellaneous purposes ..... $ 3,874,645

i. Oakdale campus

For salaries, support, maintenance, equipment, and miscellaneous purposes ..... $ 2,278,902

3. IOWA STATE UNIVERSITY OF SCIENCE AND TECHNOLOGY

a. General university

For salaries, support, maintenance, equipment, and miscellaneous purposes ..... $ 96,082,703

It is the intent of the general assembly that three hundred twelve thousand five hundred (312,500) dollars of the funds appropriated in this paragraph be used for the purchase of research and instructional equipment.

b. Agricultural experi-

ment station

For salaries, support, maintenance, equipment, and miscellaneous purposes ..... $ 11,002,021

c. Cooperative extension service in agriculture and home economics

(1) For salaries, support, maintenance, and miscellaneous purposes ..... $ 10,343,403

The cooperative extension service in agriculture and home economics and the department of economic development shall enter into an agreement under chapter 28E that provides a procedure for coordinating the economic development activities of the cooperative extension service in agriculture and home economics with the economic development activities of the department of economic development.

(2) For continuation of the rural concern hotline ..... $ 90,000

These funds may be matched by private contributions.

d. Center for industrial research and services

(1) For hazardous waste and cleanup project ..... $ 50,000

4. UNIVERSITY OF NORTHERN IOWA

For salaries, support, maintenance, equipment, and miscellaneous purposes ..... $ 37,846,399

5. STATE SCHOOL FOR THE DEAF

For salaries, support, maintenance, and miscellaneous purposes ..... $ 4,520,929

6. IOWA BRAILLE AND SIGHT-

SAVING SCHOOL

For salaries, support, maintenance, and miscellaneous purposes ..... $ 2,475,290

Sec. 111. INDIGENT OBSTETRICAL PATIENT QUOTAS.

1. The statewide indigent patient care program shall continue the nonquota system for indigent obstetrical and orthopedic patients and shall maintain the current county quota system for other indigent patients. In addition, commencing October 1, 1986, under the statewide indigent patient care program each county shall be allocated an indigent obstetrical patient quota equal to the lesser of sixty patients or a total number equal to four percent of the average number of live births per year in the county, calculated for the 1983, 1984, and 1985 calendar years, minus the number of obstetrical patients from the county who delivered at the university of Iowa hospitals and clinics under the statewide indigent patient care program in the fiscal year beginning July 1, 1985. However, each county shall be allocated a minimum indigent obstetrical patient quota of four. The department of public health shall provide for the reassignment of an unused county obstetrical quota allotment to other counties on April 1, 1987. The reassignment shall only be taken from a county which has an unused obstetrical patient quota for the portion of the fiscal period ending March 31, 1987, and the reassignment shall not affect the county's portion of the quota for the calendar quarter ending June 30, 1987. The reassignments shall be made to other counties on a first-come, first-served basis. A newborn infant who is born locally to an indigent woman under a county's indigent obstetrical patient quota may be transferred to the university of Iowa hospitals and clinics and receive care as a nonquota indigent patient. A county may use its obstetrical quota to provide services to indigent obstetrical patients and their newborns under the county's

general relief program to hospitals licensed in this state and to physicians licensed and practicing in this state. All providers of services to quota and nonquota obstetrical and newborn patients shall agree to accept as full payment the reimbursements allowable under the medical assistance program established pursuant to chapter 249A, adjusted for intensity of care. However, the total reimbursement from the obstetrical patient care fund to providers for residents of a county is limited to that county's indigent obstetrical patient quota multiplied by one thousand four hundred dollars. The university of Iowa hospitals and clinics and other hospitals shall submit their billings on the UB 82, uniform hospital billing form, and physicians shall submit their billings on the HCFA 1500. University hospital billings shall be submitted directly to the department of public health and other billings shall be submitted through the county general relief directors to the department of public health.

2. The department of public health, in collaboration with the department of human services and in consultation with the Iowa state association of counties, shall adopt rules, pursuant to chapter 17A, establishing minimum standards for eligibility for obstetrical and newborn care, including physician examination, medical testing, and inpatient transportation costs, for indigent obstetrical and newborn care provided by the university of Iowa hospitals and clinics and by other hospitals licensed in this state and physicians licensing and practicing in this state. The minimum standards for eligibility shall provide eligibility for persons with incomes at or below one hundred fifty percent of the annual revision of the poverty income guidelines published by the United States department of health and human services, and shall provide, but shall not be limited to providing, eligibility for uninsured and underinsured persons financially unable to pay for necessary obstetrical and newborn care. The minimum standards may include a spend-down provision. The

resource standards shall be set at or above the resource standards under the federal supplemental security income program. The resource exclusions allowed under the federal supplemental security income program shall be allowed and shall include resources necessary for self-employment. The department of public health shall adopt administrative rules to implement the statewide indigent obstetrical patient quota system under section 17A.4, subsection 2, and section 17A.5, subsection 2, paragraph "b" and the rules shall become effective no later than October 1, 1986.

3. The department of public health shall establish procedures for payment to other hospitals licensed in this state, and physicians licensed and practicing in this state.

4. A county shall not be held responsible for the costs of providing obstetrical and newborn care, including physician examination, medical testing, and transportation costs, to pregnant women and their newborn infants who meet the eligibility requirements adopted by the department of public health.

5. A person desiring obstetrical and newborn care, the cost of which is payable under the obstetrical patient care program, or the parent or guardian of a minor desiring or in need of such care, may apply to the general relief director of the person's county of residence to have the cost of such care paid from the obstetrical patient care fund. The applicant shall attest to the accuracy of the information contained on the application. The county general relief director shall first ascertain from the local office of the department of human services if the applicant would be eligible for medical assistance or for assistance under the medically needy program without any spend-down requirement, pursuant to chapter 249A. If the applicant is eligible for assistance pursuant to chapter 249A, if the applicant is eligible for maternal and child health care services covered by a maternal and child health program, the obstetrical patient care program shall not

provide such assistance, care, or covered services provided under other programs.

6. The legislative fiscal bureau and the state health data commission shall study the operation of the obstetrical patient care program for the fiscal period beginning July 1, 1986, and ending June 30, 1988, shall identify the levels of medical care provided and the location of the care provided under the program, and the costs of the care provided by all hospitals under this section, and shall report its preliminary findings to the governor and the general assembly convening in 1987 and its final determinations to the governor and the general assembly convening in 1988.

7. There is appropriated from the general fund of the state to a special account in the state treasury to be known as the obstetrical patient care fund, for the fiscal year beginning July 1, 1986, and ending June 30, 1987, one million one hundred thousand (1,100,000) dollars, or so much thereof as is necessary, for the development and operation, commencing October 1, 1986, of a statewide obstetrical patient care program as provided in this section. The department of public health shall be the administrator of the fund.

If moneys appropriated to the obstetrical patient care fund by this section remain unobligated and unencumbered on June 30, 1987, the moneys shall not revert to the general fund of the state but shall be transferred to the indigent patient care fund established pursuant to chapter 255.

8. It is the intent of the general assembly that commencing July 1, 1987 under the statewide indigent patient care program established pursuant to chapter 255, each county shall be allocated an indigent obstetrical and newborn patient quota equal to the lesser of seventy patients or a total number equal to six percent of the average number of live births per year in the county, calculated for the 1984, 1985, and 1986 calendar years, minus the number of obstetrical patients from the county who delivered at the university of

Iowa hospitals and clinics under the statewide indigent patient care program in the fiscal year beginning July 1, 1986, with each county being allocated a minimum quota of four.

It is the intent of the general asembly that the portion of the indigent patient care program established pursuant to chapter 255 serving indigent obstetrical and newborn patients be completely decentralized to all counties by July 1, 1988 so as to allow reimbursement for care locally as well as at the university of Iowa hospitals and clinics. It is the intent of the general assembly that persons certified for obstetrical and newborn care under the decentralized program be entitled to reimbursement only to the extent of moneys appropriated to the program. It is further the intent of the general assembly that the amount appropriated for obstetrical and newborn care under the decentralized program be equal to the amount that would otherwise have been appropriated for obstetrical and newborn patients under the indigent patient care program established pursuant to chapter 255.

Sec. 112. Upon the request of the public broadcasting division of the department of cultural affairs, the executive council shall sell the property and building located at 2801 Bell avenue in Des Moines, Iowa, and used by the Iowa department of public broadcasting. The proceeds from the sale of the property and building are appropriated to the public broadcasting division of the department of cultural affairs to pay a portion of the costs of construction of a new building for the public broadcasting division of the department of cultural affairs. However, the executive council may direct that the building and property located at 2801 Bell avenue in Des Moines, Iowa, be used for another state purpose. The executive council shall determine by independent appraisal the fair market value of the building and property and, in that case, an appropriation equal to appraised value of the building and property may be considered by the general

assembly to pay a portion of the costs of construction of a new building for the public broadcasting division of the department of cultural affairs.

Sec. 113. The department of education shall establish auditable standards and a maximum number of reimbursable contact hours for each program offered by one or more of the area schools. The standards shall provide the basis for allocation of state general aid and state vocational aid, on an equitable program basis for the fiscal year beginning July 1, 1988 and thereafter.

Sec. 114. The Iowa college aid commission shall notify eligible high school seniors in writing that the supplemental grant program established in sections 261.61 through 261.63 has been retained by the general assembly and nine hundred thousand (900,000) dollars is appropriated in section 261.63 for the payments. The letter shall include notification that it supersedes correspondence previously received by the student stating that the program was abolished.

Sec. 115. Notwithstanding the procedures and appropriation specified in section 273.11, for the fiscal year beginning July 1, 1986 and ending June 30, 1987, the director of the department of education may modify the amount due from an area education agency under section 273.11 and the director of the department of revenue and finance shall pay the amount due to an area education agency from moneys appropriated for state school foundation aid under section 119 of this Act.

Sec. 116. Notwithstanding the procedures and appropriation specified in section 281.12, for the fiscal year beginning July 1, 1986 and ending June 30, 1987, the director of the department of education may modify the amount due to a school district or agency providing a special education program under section 281.12 and the director of the department of revenue and finance shall pay the amount due to a school district or agency providing a special education program from moneys appropriated for state school foundation aid under section 119 of this Act.

Sec. 117. Notwithstanding the procedures and appropriation specified in section 282.19, for the fiscal year beginning July 1, 1986 and ending June 30, 1987, if the child does not require special education, the superintendent of the school district shall certify the costs of instruction under section 282.19 to the director of the department of education not later than September 1 of each year for the preceding fiscal year. The director of the department of education shall review the costs of instruction and may modify them and submit a requisition to the department of revenue and finance. The amount due shall be paid by the department of revenue and finance to the school district from moneys appropriated for state school foundation aid under section 119 of this Act.

For the purpose of this section, "costs of instruction" means the tuition fee of the school district in which the child is enrolled calculated under section 282.24 and multiplied by the portion of the school year in which the child was enrolled.

Sec. 118. Notwithstanding the procedures and appropriation specified in section 282.27, for the fiscal year beginning July 1, 1986 and ending June 30, 1987, if a child requiring special education is not counted in the weighted enrollment of any district under section 281.9 and payment is not made by any district, the director of the department of education may modify the special education instructional costs certified to the director of the department of education under section 282.27 by a school district and the director of the department of revenue and finance shall pay the amount due from moneys appropriated for state school foundation aid under section 119 of this Act.

Sec. 119. Notwithstanding section 442.26, from moneys appropriated pursuant to section 442.26 for the fiscal year beginning July 1, 1986 and ending June 30, 1987, the department of revenue and finance shall deduct the total of the amounts due under sections 115 through 118, not to exceed

the total amounts paid under sections 273.11, 281.12, 282.19, and 282.27, for the fiscal year beginning July 1, 1984. If the total of the amounts due under this section is more than the total of the amounts paid for the fiscal year beginning July 1, 1984, the department of revenue and finance shall allocate an amount to be paid under each of sections 115 through 118 based upon the proportion the amount paid under each of sections 273.11, 281.12, 282.19, and 282.27 for the fiscal year beginning July 1, 1984 bears to the total amount paid for that fiscal year. The payments to area education agencies under section 115, to school districts or other agencies under section 116, and to school districts under sections 117 and 118, shall be prorated based upon the moneys allocated for the respective sections.

Sec. 120. 1985 Iowa Acts, chapter 254, section 2, subsection 1, is amended by adding the following new unlettered paragraphs after unlettered paragraph 2:

NEW UNLETTERED PARAGRAPH. A pay adjustment provided in this subsection for the 1986-1987 fiscal year shall be added to the salary of a full-time nonadministrative certificated employee and shall supplement, not supplant, the results of a collective bargaining agreement negotiated under chapter 20, if any. The amount of a pay adjustment is for the adjustment of base pay only.

NEW UNLETTERED PARAGRAPH. It is the intent of the general assembly that moneys appropriated for salary adjustments for each area school under this subsection shall be included in each institution's general aid request for the fiscal year beginning July 1, 1987 and the amounts of the pay adjustments shall be submitted to the general assembly by the department of education.

Sec. 121. Section 8.6, subsection 9, Code Supplement 1985, as amended by House File 2225, enacted by the Seventy-first General Assembly, 1986 Session, is amended by striking the subsection and inserting in lieu thereof the following:

9. INTEREST OF THE PERMANENT SCHOOL FUND. To transfer the interest of the permanent school fund to the credit of the first in the nation in education foundation as provided in section 302.1A.

Sec. 122. Section 257A.1, unnumbered paragraph 1, Code Supplement 1985, is amended to read as follows:

There is created a corporate body called "First In the Nation in Education, an education foundation". The foundation is an independent nonprofit quasi-public instrumentality and the exercise of the powers granted to the foundation as a corporation in this chapter is an essential governmental function. As used in this chapter "foundation" means "First In the Nation in Education, an education foundation". The purposes of the foundation include but are not limited to the following for the common schools of this state:

Sec. 123. Section 257A.7, Code Supplement 1985, is amended by striking the section and inserting in lieu thereof the following:

257A.7 FUND CREATED AND TRANSFER OF MONEYS.

The "First in the Nation in Education Fund" is established in the office of treasurer of state. The fund shall be an endowment for the foundation and moneys deposited in the fund shall not be expended, but shall be invested by the treasurer of state in investments authorized for the Iowa public employees' retirement fund in section 97B.7.

The governing board of the foundation may accept gifts, grants, bequests, and other moneys for deposit in the fund as a part of the endowment or for the use of the foundation.

Gifts, grants, and bequests from public and private sources, federal funds, and other moneys received for the endowment shall be deposited in the fund. Interest earned on the fund shall be transferred by the department of revenue and finance to the credit of the foundation at the request of the governing board and shall be used for the purposes of this chapter.

The governing board may transfer moneys credited for the use of the foundation not encumbered or obligated on June 30 of a fiscal year to the fund and those moneys shall be considered interest earned by the fund and may be transferred back to the credit of the foundation at the request of the governing board at any time.

Sec. 124. Section 260.15, Code Supplement 1985, is amended to read as follows:

260.15 APPLICATIONS -- DISBURSEMENT OF FEES.

Applications for the issuance or renewal of all teachers' certificates shall be made to the ~~commissioner of public instruction~~ director of the department of education. Fees for the issuance or renewal of certificates shall be paid to the ~~commissioner of public instruction~~ director of the department of education who shall deposit each fee received from these sources with the treasurer of state and credit the fee to the general fund of the state. ~~If an application for the issuance or renewal of a certificate is not approved, the commissioner of public instruction shall remit the fee to the applicant by a state comptroller's warrant issued on the general fund of the state upon certification of the commissioner of public instruction that the fee has not been earned.~~ The ~~commissioner~~ director shall keep an accurate and detailed account of money received.

Sec. 125. Section 262.9, Code 1985, is amended by adding the following new subsection:

NEW SUBSECTION. 15. Provide that residents of Yamanashi, Japan; Yucatan, Mexico; and Hebei, China, who enroll in its institutions of higher education are eligible for resident student status and resident student tuition. The named locations are Iowa's sister states.

Sec. 126. Section 262.44, subsection 1, Code 1985, is amended to read as follows:

1. Set aside and use ~~such~~ portions of the respective campuses of the institutions of higher education under its

control, namely, the state ~~University~~ university of Iowa, the Iowa ~~State University~~ state university of science and technology, and the ~~University of Northern~~ university of northern Iowa, as the board ~~shall determine to be~~ determines are suitable for the acquisition or construction ~~thereon~~ of the following self-liquidating and revenue producing buildings and facilities~~, which the board deems necessary for the comfort, convenience and welfare of their students and suitable for the purposes for which the institutions were established, including student~~: Student unions, recreational buildings, auditoriums, stadiums, field houses, athletic buildings and areas, parking structures and areas, research equipment if the debt incurred in its acquisition will be retired by federal, private, or other lawfully available nonappropriated funds, and additions to or alterations of existing buildings or structures ~~now or hereafter used for any or all of the purposes aforesaid~~.

Except as provided for self-liquidating dormitories, the state board of regents, or any bonding authority established by them, shall not issue any notes, bonds or other evidence of indebtedness for construction of other buildings or facilities without prior approval by the general assembly and the governor in the manner provided in section 262A.4 for bonds issued under that chapter.

Sec. 127. NEW SECTION. 262.64A REPORTS TO GENERAL ASSEMBLY.

The state board of regents shall determine, in consultation with the legislative fiscal bureau, the financial information to be included in line item budget information for projects funded by the issuance of bonds or notes under this chapter and shall submit the line item budget information to the general assembly as requested. The state board of regents shall submit quarterly reports to the general assembly concerning the projects funded by the issuance of bonds or notes under this chapter as follows:

1. Identification of both undercharges and overcharges for line items of projects.

2. Identification of contracts in which any line item for a project exceeds the adopted budget for that line item by ten percent or more.

3. Identification of complaints received by an institution regarding the construction of a project.

If the state board of regents approves a change in the amount of the line item of a budget for a project, the change shall be transmitted to the appropriations committees of the house of representatives and senate, while the general assembly is in session, and to the legislative council, when the general assembly is not in session, for review.

Sec. 128. Section 262A.5, unnumbered paragraph 1, Code 1985, is amended to read as follows:

The board is authorized to borrow money under the ~~provisions of~~ this chapter, and the board may issue and sell negotiable bonds to pay all or any part of the cost of carrying out any project at any institution and may refund and refinance bonds issued for any project or for refunding purposes at the same rate or at a higher or lower rate or rates of interest. Bonds issued under the provisions of this chapter shall be sold by said board at public sale on the basis of sealed proposals received pursuant to a notice specifying the time and place of sale and the amount of bonds to be sold which shall be published at least once not less than seven days prior to the date of sale in a newspaper published in the state of Iowa and having a general circulation in said state. The provisions of chapter 75 shall not apply to bonds issued under authority contained in this chapter, but such bonds shall be sold upon terms of not less than par plus accrued interest. Bonds issued to refund other bonds issued under the provisions of this chapter may either be sold in the manner hereinbefore specified and the proceeds thereof applied to the payment of the obligations being

refunded, or the refunding bonds may be exchanged for and in payment and discharge of the obligations being refunded. The refunding bonds may be sold or exchanged in installments at different times or an entire issue or series may be sold or exchanged at one time. Any issue or series of refunding bonds may be exchanged in part or sold in parts in installments at different times or at one time. The refunding bonds may be sold or exchanged at any time on, before, or after the maturity of any of the outstanding bonds or other obligations to be refinanced thereby and may be issued for the purpose of refunding a like or greater principal amount of bonds, except that the principal amount of the refunding bonds may exceed the principal amount of the bonds to be refunded to the extent necessary to pay any premium due on the call of the bonds to be refunded or to fund interest in arrears or ~~about~~ which is to become due.

Sec. 129. NEW SECTION. 262A.12A REPORTS TO GENERAL ASSEMBLY.

The state board of regents shall determine, in consultation with the legislative fiscal bureau, the financial information to be included in line item budget information for projects funded by the issuance of bonds or notes under this chapter and shall submit the line item budget information to the general assembly as requested. The state board of regents shall submit quarterly reports to the general assembly concerning the projects funded by the issuance of bonds or notes under this chapter as follows:

1. Identification of both undercharges and overcharges for line items of projects.

2. Identification of contracts in which any line item for a project exceeds the adopted budget for that line item by ten percent or more.

3. Identification of complaints received by an institution regarding the construction of a project.

If the state board of regents approves a change in the amount of the line item of a budget for a project, the change shall be transmitted to the appropriations committees of the house of representatives and senate, while the general assembly is in session, and to the legislative council, when the general assembly is not in session, for review.

Sec. 130. NEW SECTION. 263A.10A REPORTS TO GENERAL ASSEMBLY.

The state board of regents shall determine, in consultation with the legislative fiscal bureau, the financial information to be included in line item budget information for projects funded by the issuance of bonds or notes under this chapter and shall submit the line item budget information to the general assembly as requested. The state board of regents shall submit quarterly reports to the general assembly concerning the projects funded by the issuance of bonds or notes under this chapter as follows:

1. Identification of both undercharges and overcharges for line items of projects.

2. Identification of contracts in which any line item for a project exceeds the adopted budget for that line item by ten percent or more.

3. Identification of complaints received by an institution regarding the construction of a project.

If the state board of regents approves a change in the amount of the line item of a budget for a project, the change shall be transmitted to the appropriations committees of the house of representatives and senate, while the general assembly is in session, and to the legislative council, when the general assembly is not in session, for review.

Sec. 131. Section 270.9, subsection 2, Code 1985, is amended to read as follows:

2. Transportation reimbursement at a rate established annually by the state board of regents to the parents or guardians for ~~not more than eleven trips per year~~

transportation from the institution to the residence of the parent or guardian and return to the institution for children who reside in the institution.

Sec. 132. NEW SECTION. 270.10 MERGER REQUIREMENTS.

The state board of regents shall not merge the school for the deaf at Council Bluffs with the Iowa braille and sight-saving school at Vinton or close either of those institutions until all of the following requirements have been met:

1. The department of management has presented to the general assembly a comprehensive plan, program, and fiscal analysis of the existing circumstances and the circumstances which would prevail upon the proposed merger or closing, together with data which would support the contention that the merger or closing will be more efficient and effective than continuation of the existing facilities. The analysis shall include a detailed study of the educational implications of the merger or closing, the impact on the students, and the opinions and research of nationally recognized experts in the field of the education of visually impaired and deaf students. The comprehensive plan shall further include a study relating to the programming, fiscal consequences, and political implications which would result if either a merger or an agreement under chapter 28E should be implemented between the school for the deaf in Council Bluffs and comparable state programs in the state of Nebraska.

2. The general assembly has studied the plans, programs, and fiscal analysis and has reviewed their impact on the programs.

3. The general assembly has enacted legislation authorizing either the closing or the merger to take effect not sooner than two years after the enactment of the legislation.

Sec. 133. Section 273.3, subsection 10, Code Supplement 1985, is amended to read as follows:

10. In any county operating a juvenile home, upon request of the county board of supervisors, provide suitable curriculum, teaching staff, books, supplies, and other necessary materials for the instruction of children of school age who are maintained in the juvenile home of the county, as provided in section 232.142. An area education agency shall also provide suitable curriculum, teaching staff, books, supplies, and other necessary materials for the instruction of children of school age in juvenile homes other than those operated by a county if the juvenile home meets the criteria adopted by the board of education and if the children have been placed in the juvenile homes by the district court and parental rights have been terminated. The department of education shall adopt rules under chapter 17A for the instruction provided by area education agencies under this subsection. Reimbursement for the cost of instruction provided under this section shall be made pursuant to section 273.11.

Sec. 134. Section 280A.23, Code 1985, is amended by adding the following new subsection:

NEW SUBSECTION. 12. During the second week of August of each year, publish by one insertion in at least one newspaper published in the merged area a summarized statement verified by affidavit of the secretary of the board showing the receipts and disbursements of all funds of the area school for the preceding fiscal year. The statement of disbursements shall show the names of the persons, firms, or corporations, and the total amount paid to each during the fiscal year. The board is not required to make the publications and notices required under sections 279.34, 279.35, and 279.36.

Sec. 135. Section 285.1, subsection 3, Code Supplement 1985, is amended to read as follows:

3. In a district where transportation by school bus is impracticable or where school bus service is not available, the board may require parents or guardians to furnish

transportation for their children to the schools designated for attendance. ~~The~~ Except as provided in section 285.3, the parent or guardian shall be reimbursed for such transportation service for public and nonpublic school pupils by the board of the resident district in an amount equal to eighty dollars plus ~~the following~~ seventy-five percent of the difference between eighty dollars and the previous school year's statewide average per pupil transportation cost, as determined by the department of ~~public instruction~~ education~~:~~

~~a.--For the school year commencing July 1, 1980, twenty-five percent.~~

~~b.--For the school year commencing July 1, 1981, fifty percent.~~

~~c.--For the school year commencing July 1, 1982 and each school year thereafter, seventy-five percent.~~

However, a parent or guardian shall not receive reimbursement for furnishing transportation for more than two family members who attend elementary school and one family member who attends high school.

Sec. 136. Section 285.2, unnumbered paragraph 2, Code 1985, is amended to read as follows:

There is appropriated from the general fund of the state to the department of ~~public instruction~~ education funds sufficient to pay the approved claims of public school districts for transportation services to nonpublic school pupils as provided in this section. The portion of the amount appropriated for approved claims under section 285.1, subsection 3, shall be determined under section 285.3.

Sec. 137. Section 285.2, unnumbered paragraph 4, Code 1985, is amended to read as follows:

Claims for reimbursement shall be made to the department of ~~public instruction~~ education by the public school district providing transportation or transportation reimbursement during a school year on a form prescribed by the department, and the claim shall state the services provided and the actual

costs incurred. A claim shall not exceed the average transportation costs of the district per pupil transported except as otherwise provided. If transportation is provided under section 285.1, subsection 3, the amount of a claim shall be determined ~~under paragraph "c" of that subsection shall be the amount of the claim~~ under section 285.3 regardless of the average transportation costs of the district per pupil transported.

PARAGRAPH DIVIDED. Claims shall be accompanied by an affidavit of an officer of the public school district affirming the accuracy of the claim. By February 1 and by July 15 of each year, the department shall certify to the ~~state comptroller~~ department of revenue and finance the amounts of approved claims to be paid, and the ~~state comptroller~~ department of revenue and finance shall draw warrants payable to school districts which have established claims. Claims shall be allowed where practical, and at the option of the public school district of the pupil's residence, subject to approval by the area education agency of the pupil's residence, under section 285.9, subsection 3, the public school district of the pupil's residence may transport ~~any~~ a pupil to a school located in a contiguous public school district outside the boundary lines of the public school district of the pupil's residence. The public school district of the pupil's residence may contract with the contiguous public school district or with a private contractor under section 285.5 to transport the pupils to the school of attendance within the boundary lines of the contiguous public school district. The public school district in which the pupil resides may contract with the contiguous public school district or with a private contractor under section 285.5 to transport the pupil from the pupil's residence or from designated school bus collection locations to the school located within the boundary lines of the contiguous public school district, subject to the approval of the area education

agency of the pupil's residence. The public school district of the pupil's residence may utilize the reimbursement provisions of section 285.1, subsection 3.

Sec. 138. NEW SECTION. 285.3 PARENTAL REIMBURSEMENT FOR NONPUBLIC TRANSPORTATION.

The portion of the amount appropriated under section 285.2 to pay claims to reimburse parents or guardians of nonpublic school pupils for furnishing transportation for their children is equal to eighty dollars plus seventy-five percent of the difference between eighty dollars and the previous school year's statewide average per pupil transportation cost as determined by the department of education multiplied by the total number of nonpublic school pupils for which the parent or guardian furnishes transportation, except that only two members of a family who attend a nonpublic high school shall be included in the total number.

The amount of an approved claim to a parent or guardian for furnishing transportation shall include a base payment, and may include a supplemental payment, determined under this section. The base payment is equal to the amount of the reimbursement determined under section 285.1, subsection 3.

The difference between the amount appropriated under this section for reimbursement of parents and guardians and the amount paid to parents and guardians pursuant to section 285.1, subsection 3, shall be used for supplemental payments to the parents and guardians of nonpublic school pupils who transport one or more family members more than four miles to a school of attendance. The department of education shall add together the number of parents and guardians who transport one or more family members more than four and less than eight miles to their schools of attendance and two times the number of parents and guardians who transport one or more family members eight or more miles to their schools of attendance and divide that total number of parents and guardians into the amount available for supplemental payments to determine a

supplemental payment amount. Parents and guardians who transport one or more family members more than four but less than eight miles to their schools of attendance shall receive an amount equal to the supplemental payment amount. Parents and guardians who transport one or more family members eight or more miles to their schools of attendance shall receive an amount equal to two times the supplemental payment amount.

Sec. 139. Section 302.1, subsection 1, Code 1985, is amended to read as follows:

1. Five percent of the net proceeds of the public lands of the state, ~~which shall be paid to the state treasurer and be apportioned by the state comptroller among the area education agencies of this state.~~

Sec. 140. Section 302.1, Code 1985, is amended by adding the following new subsection:

NEW SUBSECTION. 5. The portion of the interest on the permanent school fund that has not been transferred to the credit of the first in the nation in education foundation.

Annually on January 1, the treasurer of state shall transfer a portion of the permanent school fund to the first in the nation in education fund pursuant to the requirements of this section. Prior to January 1 of each year, the governing board of the first in the nation in education foundation shall certify to the treasurer of state the amount that the governing board has received under section 257A.7, subsections 2 and 3, during the previous calendar year. The treasurer of state shall deposit in a separate account in the first in the nation in education fund the portion of the permanent school fund equivalent to the amount certified.

Sec. 141. NEW SECTION. 302.1A TRANSFER OF INTEREST.

The department of revenue and finance shall transfer the interest earned on the permanent school fund to the first in the nation in education foundation in the manner provided in this paragraph. Prior to March 1 of each year, the governing board of the first in the nation in education foundation

established in section 257A.2 shall certify to the state comptroller the total amount of the endowment in the first in the nation in education fund. The portion of the permanent school fund that is equal to the total amount of the endowment is dedicated to the first in the nation in education foundation for that year. The interest from this dedicated amount shall be transferred to the credit of the first in the nation in education foundation. The remaining portion of the interest earned on the permanent school fund shall become a part of the permanent school fund.

Sec. 142. Section 304A.6, subsection 6, Code 1985, is amended to read as follows:

6. Accept gifts, contributions, endowments, or bequests for all or any of the purposes of this chapter. Interest earned on the gifts, contributions, endowments, or bequests accepted under this subsection shall be credited to the fund or funds to which the gifts, contributions, endowments, or bequests have been deposited and are available for all or any of the purposes of this chapter.

Sec. 143. Section 442.3, Code 1985, is amended by striking the section and inserting the following:

442.3 STATE FOUNDATION BASE.

The state foundation base for the school year beginning July 1, 1986 is eighty percent of the state cost per pupil. The state foundation base for the school year beginning July 1, 1987 is eighty-one and one-half percent of the state cost per pupil. For each succeeding school year, the state foundation base shall be increased by the amount of one-half percent of the state cost per pupil, up to a maximum of eighty-five percent of the state cost per pupil. The district foundation base is the larger of the state foundation base or the amount per pupil which the district will receive from foundation property tax and state school foundation aid.

Sec. 144. Section 442.27, Code 1985, is amended by adding the following new subsection:

NEW SUBSECTION. 4A. For the school year beginning July 1, 1986, the department of management shall increase the area media services cost per pupil in each area education agency and the state media services cost per pupil determined under subsection 4 by one dollar and one cent for the purchase or replacement of material required in section 273.6, subsection 1, paragraphs "a", "b", and "c".

Sec. 145. NEW SECTION. 286A.1 STATE AREA SCHOOL FUNDING PLAN.

The state area school funding plan is established for the fiscal year beginning July 1, 1986 and succeeding fiscal years. Funds appropriated specifically for distribution under this chapter shall be allocated to the area schools established under chapter 280A in the manner provided in this chapter. If the funds appropriated for distribution under this chapter are insufficient to make the allocations required, the department of management shall prorate the allocations. However, an area school shall be allocated an amount at least equal to the state general aid allocated for the base year unless the formula is fully funded under this chapter.

Sec. 146. NEW SECTION. 286A.2 DEFINITIONS.

As used in this chapter and chapter 280A, unless the context otherwise requires:

1. "Contact hour" means fifty minutes of contact between an instructor and students in a scheduled course offering for which students are registered.

The total contact hours for an area school in a cost center for a budget year for purposes of determining state general aid under this chapter are the average of the total contact hours offered by the area school in that cost center for the base year and the two fiscal years preceding the base year.

2. "Contact hour eligible for general aid" is a contact hour as provided in subsection 1 except for the contact hours of nonresident students; contact hours of students in

avocational or recreational programs; and contact hours of students in courses or programs the direct operational costs of which are entirely paid by federal, state, or other governmental agencies, or private subsidy, or both.

3. "Base year" means base year as defined in section 442.6.

4. "Budget year" means budget year as defined in section 442.6.

5. "State percent of growth" is the state percent of growth calculated under section 442.7.

6. "Area school allowable growth for an instructional cost center" is a dollar amount determined by the department of management by multiplying the state average cost per contact hour for that cost center for a base year times the state percent of growth for the budget year.

7. "Instructional cost center" means one of the following areas of course offerings of the area schools:

a. Arts and sciences cost center.

b. Vocational-technical preparatory cost center.

c. Vocational-technical supplementary cost center.

d. Adult basic education and high school completion cost center.

e. Continuing and general education cost center.

8. "Noninstructional function" means all of the following functions:

a. General institutional function.

b. Student services function.

c. Physical plant, including plant maintenance and utility costs functions.

d. Library services function.

9. "State average cost per contact hour for an instructional cost center" is the actual state average cost per contact hour for that instructional cost center for all area schools for the base year beginning July 1, 1985 adjusted in succeeding years to equal the base year's state average

cost per contact hour for the instructional cost center plus the area school allowable growth for the instructional cost center for the budget year. The state average cost per contact hour does not include expenditures for capital outlay.

Sec. 147. NEW SECTION. 286A.3 FOUNDATION SUPPORT LEVEL.

The department of management shall determine for the base year beginning July 1, 1985, the state average cost per contact hour for each instructional cost center. The state foundation support level per contact hour for each instructional cost center is sixty-five percent of the state average cost per contact hour for that year.

For the budget year commencing July 1, 1986 and succeeding budget years, the department of management shall determine the area school allowable growth for each instructional cost center and shall add those amounts to the foundation support level per contact hour for each instructional cost center for the base year in order to determine the foundation support level per contact hour for the budget year. However, for any budget year for which funds are appropriated by the general assembly for salary improvement for the arts and sciences cost center and for the vocational-technical preparatory cost center, the foundation support level per contact hour for those cost centers for the budget year shall be increased by a salary improvement cost per contact hour. However, the salary improvement cost per contact hour is not included in the foundation support level per contact hour for those cost centers. Funds appropriated for salary improvement for a budget year shall be divided by the total number of contact hours in the arts and sciences cost center and the vocational-technical preparatory cost center in all area schools for the budget year to determine a salary improvement cost per contact hour. Salary improvement moneys received by an area school shall be added to the base salaries of recipients of the moneys, and shall supplement, not supplant, the results of a collective bargaining agreement negotiated under chapter 20, if any.

Sec. 148. NEW SECTION. 286A.4 SUPPORT PER INSTRUCTIONAL COST CENTER.

Each area school shall multiply the state foundation support level per contact hour for each instructional cost center for a budget year by the number of contact hours eligible for state general aid in the area school in the cost center for the budget year to obtain the support per cost center in that area school. The total support for an area school for instructional cost centers is the sum of the support per cost center for all five instructional cost centers.

Sec. 149. NEW SECTION. 286A.5 GENERAL INSTITUTIONAL FUNCTION.

The general institutional function cost for the base year commencing July 1, 1985 for an area school is determined by multiplying the area school's total expenditures for the fiscal year beginning July 1, 1985 by thirteen and ninety-six hundredths percent, which is the average percent of total expenditures of the area schools for general institutional function costs.

The foundation support level for the general institutional function for an area school for the base year beginning July 1, 1985 is sixty-five percent of the area school's general institutional support function cost for that year.

For the budget year beginning July 1, 1986 and succeeding budget years, the foundation support level for the general institutional support function for an area school is the foundation support level for the base year plus a general institutional function allowable growth amount. The allowable growth amount is determined by the department of management by multiplying the state percent of growth for the budget year by the state average general institutional function cost for the base year.

For the base year beginning July 1, 1989, and each four years thereafter, the department shall recalculate the average percent of total expenditures of the area schools for general

institutional function costs and shall use that percent for the four next following budget years.

Sec. 150. NEW SECTION. 286A.6 STUDENT SERVICES FUNCTION COST.

The state student services function cost for the base year commencing July 1, 1985 is determined by dividing the total of all area schools' expenditures for the student services function for that year by the total number of contact hours eligible for general aid in the state for that year to achieve a state average student services function cost per contact hour for the base year.

The foundation support level per contact hour for the student services function cost for the base year beginning July 1, 1985 is sixty-five percent of the state average student services function cost per contact hour for that year.

For the budget year beginning July 1, 1986 and succeeding budget years, the foundation support level per contact hour eligible for state general aid for the student services function cost for an area school is the foundation support level per contact hour for the base year plus a student services support allowable growth amount. The allowable growth amount is determined by the department of management by multiplying the state percent of growth for the budget year by the state average student services function cost per contact hour for the base year. The total is then multiplied by the number of contact hours in the area school to determine the foundation support for the student services function cost for a budget year.

Sec. 151. NEW SECTION. 286A.7 PHYSICAL PLANT FUNCTION COST.

The physical plant function cost includes physical plant maintenance cost and the physical plant utility cost.

1. The physical plant function cost for the base year commencing July 1, 1985 for all area schools is determined by dividing the total physical plant maintenance cost of all area

schools for that year by the total square feet of buildings of the area schools for that year to achieve a state average cost per square foot.

The foundation support level per square foot for the physical plant maintenance costs for the base year beginning July 1, 1985 is sixty-five percent of the state average cost per square foot for that year.

For the budget year beginning July 1, 1986 and succeeding budget years, the foundation support level per square foot for the physical plant maintenance costs for an area school is the foundation support level per square foot for the base year plus a physical plant maintenance allowable growth amount. The allowable growth amount is determined by the department of education by multiplying the state percent of growth for the budget year by state average cost per square foot for the base year. The total is then multiplied by the number of square feet in buildings of the area school to determine the foundation support for the physical plant maintenance costs for a budget year. The department shall notify the department of management.

2. The physical plant utility function cost for the base year commencing July 1, 1985 for all area schools is determined by dividing the total physical plant utility costs of all area schools for that year by the total cubic feet of buildings of the area schools for that year to achieve a state average cost per cubic foot.

The foundation support level per cubic foot for the physical plant utility cost for the base year beginning July 1, 1985 is sixty-five percent of the state average cost per cubic foot for the base year for that year.

For the budget year beginning July 1, 1986 and succeeding budget years, the foundation support level per cubic foot for the physical plant utility cost for an area school is the foundation support level per cubic foot for the base year plus a physical plant utility allowable growth amount. The

allowable growth amount is determined by the department of education by multiplying the state percent of growth for the budget year by the state average cost per cubic foot for the base year. The total is then multiplied by the number of cubic feet in buildings of the area school to determine the foundation support for the physical plant utility cost for a budget year. The department shall notify the department of management.

3. The foundation support for the physical plant maintenance cost added to the foundation support for the physical plant utility cost for a budget year equals the foundation support for the physical plant function for a budget year.

Sec. 152. NEW SECTION. 286A.8 LIBRARY FUNCTION COST.

The library function cost for a base year for an area school is determined by the department of education by multiplying the total of the area school's support for the five instructional cost centers, for the general institutional support function, for the student services function, and for the physical plant function for that year by three and thirty-three hundredths percent, which is the average percent of the area schools' support expended for the library function cost. The department shall notify the department of management.

The foundation support level for the library services function for an area school for a base year is sixty-five percent of the area school's library function cost for that year.

For the budget year beginning July 1, 1986 and each succeeding budget year, the foundation support level for the library function for an area school is the foundation support level for the base year plus a library allowable growth amount. The allowable growth amount is determined by the department of education by multiplying the state percent of growth for the budget year by the state average library function cost for the base year for each area school. The department shall notify the department of management.

Sec. 153. NEW SECTION. 286A.9 AREA SCHOOL MONEYS.

The difference between the amount of an area school's budget and the sum of the amount of state general aid plus the amount raised by the tax levy under section 280A.17 may include tuition, student fees, revenues received from property tax levies other than the levy established in section 280A.17, federal moneys, and other moneys received by the area school.

Sec. 154. NEW SECTION. 286A.10 EXPENDITURES FOR BASE YEAR.

When an area school determines its total expenditures, expenditures for the student services function, physical plant maintenance costs, physical plant utility costs, and costs per cost center for the base year beginning July 1, 1985 for purposes of determining state general aid under this chapter, the area school shall use the actual costs and expenditures for the first three quarters of the fiscal year and shall estimate the costs of the fourth quarter. When actual costs and expenditures are known, the department of education shall direct the department of management to adjust the support levels for the cost centers and noninstructional functions and the amount of state general aid to be paid for that budget year on the basis of the actual figures.

Sec. 155. NEW SECTION. 286A.11 STATE GENERAL AID AMOUNT.

The amount of state general aid to which an area school is entitled for a budget year under this chapter is equal to the sum of the following:

1. An amount equal to the difference between the total of foundation support levels for the five instructional cost centers and the four noninstructional functions, and the amount raised by the tax levy under section 280A.17.

2. An amount for operation of a public radio station if one has been established for the area school and has been funded by the state. The amount is the amount for operation of the radio station for the base year plus an amount equal to the cost of operation for the base year multiplied by the state percent of growth for the budget year.

3. Fifty thousand dollars if the area school has fewer than one million contact hours. The department of education shall calculate the difference between the amount of state general aid each area school that has fewer than one million contact hours would receive if a foundation support level of seventy percent were used in lieu of the sixty-five percent specified in this chapter and the amount the area school would receive under this chapter. The area school shall receive that difference in lieu of the fifty thousand dollars granted under this subsection if the difference is greater than fifty thousand dollars.

Sec. 156. NEW SECTION. 286A.12 PAYMENT OF APPROPRIATION.

Payment shall be made by the department of revenue and finance in four installments due on or about November 15, February 15, and May 15 of a budget year and on or about August 15 of the next following budget year, and installments shall be as nearly equal as possible, as determined by the department of revenue and finance, taking into consideration the relative budget and cash position of the state resources.

The payment made on or about August 15 of the next following budget year is an account receivable for the budget year.

Sec. 157. NEW SECTION. 286A.13 MISREPRESENTATION OF REQUIRED INFORMATION.

An area school which misrepresents the cost for a cost center or its contact hours shall repay any excess funds received under this chapter.

Sec. 158. NEW SECTION. 286A.14 AREA SCHOOL BUDGET REVIEW.

1. An area school budget review procedure is established for the school budget review committee created in section 442.12. The school budget review committee, in addition to its duties under chapter 442, shall meet and hold hearings each year under this chapter to review unusual circumstances of area schools, either upon the committee's motion or upon

the request of an area school. The committee may grant supplemental aid to the area school from funds appropriated to the department of education for area school budget review purposes, or an amount may be added to the area school allowable growth for all cost centers and area school allowable growth for noninstructional functions for the budget year either on a temporary or permanent basis, or both.

Unusual circumstances shall include but not be limited to the following:

a. An unusual increase or decrease in enrollment.

b. Natural disasters.

c. Unusual staffing problems.

d. Unusual necessity for additional funds to permit continuance of a course or program which provides substantial benefit to students.

e. Unusual need for a new course or program which will provide substantial benefit to students, if the area school establishes the need and the amount of necessary increased cost.

f. Unique problems of area schools to include vandalism, civil disobedience, and other costs incurred by area schools.

2. When the school budget review committee makes a decision under subsection 1, it shall provide written notice of its decision, including all changes, to the board of directors of the area school and to the department of management.

3. All decisions by the school budget review committee under this chapter shall be made in accordance with reasonable and uniform policies which shall be consistent with this chapter.

4. Failure by an area school to provide information or appear before the school budget review committee as requested for the accomplishment of review or hearing constitutes justification for the committee to instruct the department of revenue and finance to withhold state area school aid to that

area school until the committee's inquiries are satisfied completely.

Sec. 159. NEW SECTION. 286A.15 INFORMATION FURNISHED BY AREA SCHOOL.

Each area school shall supply to the department of management and the department of education the information required for calculation of the amount of state area school aid due each area school under the state area school funding plan. Forms for reporting information to calculate the state area school aid for a budget year shall be supplied by the department of management to each area school.

Sec. 160. NEW SECTION. 286A.16 RULES.

The department of education shall adopt rules and definitions of terms necessary for the administration of this chapter. The school budget review committee shall adopt rules under chapter 17A to carry out section 286A.14.

Sec. 161. Section 442.13, Code Supplement 1985, is amended by adding the following new subsection:

NEW SUBSECTION. 16. The committee shall perform the duties assigned to it under chapter 286A.

Sec. 162. Sections 257.44 and 442.44, Code Supplement 1985, and sections 292.1 and 302.13, Code 1985, are repealed.

Sec. 163. All federal grants to and the federal receipts of agencies appropriated funds under this division of this Act are appropriated for the purposes set forth in such federal grants or receipts.

Sec. 164. Moneys appropriated by this division of this Act, except sections 102 and 103 of this division, shall not be used for capital improvements.

DIVISION III

HEALTH AND HUMAN RIGHTS

Sec. 201. There is appropriated from the general fund of the state for the fiscal year beginning July 1, 1986, and ending June 30, 1987, the following amount, or so much thereof as is necessary, to be used by the following agency for the purposes designated:

	1986-1987 Fiscal Year
1. IOWA STATE CIVIL RIGHTS COMMISSION	
For salaries and support of not more than twenty-four full-time equivalent positions annually, maintenance, and miscellaneous purposes	$ 762,129

Sec. 202. There is appropriated from the general fund of the state to the department of human rights for the fiscal year beginning July 1, 1986 and ending June 30, 1987, the following amounts, or so much thereof as is necessary, to be used for the purposes designated:

1. CENTRAL ADMINISTRATION DIVISION	
For salaries and support of not more than four full-time equivalent positions annually, maintenance, and miscellaneous purposes	$ 116,171
2. SPANISH-SPEAKING PEOPLE DIVISION	
For salaries and support of not more than one full-time equivalent position annually, maintenance, and miscellaneous purposes	$ 43,316
3. PERSONS WITH DISABILITIES DIVISION	
For salaries and support of not more than three full-time equivalent positions annually, maintenance, and miscellaneous purposes	$ 96,531

4. STATUS OF WOMEN DIVISION

For salaries and support of not more than two and eight-tenths full-time equivalent positions annually, maintenance, and miscellaneous purposes ..... $ 93,937

5. CHILDREN, YOUTH, AND FAMILIES DIVISION

For salaries and support of not more than two full-time equivalent positions annually, maintenance and miscellaneous purposes ..... $ 68,001

It is the intent of the general assembly that the children, youth, and families division be terminated June 30, 1988.

6. DEAF SERVICES DIVISION

For salaries and support of not more than eight and twenty-six hundreths full-time equivalent positions annually, maintenance, and miscellaneous purposes ..... $ 215,766

Sec. 203. There is appropriated from the general fund of the state to the department of elder affairs for the fiscal year beginning July 1, 1986 and ending June 30, 1987, the following amounts, or so much thereof as is necessary, to be used for the purposes designated:

1986-1987
Fiscal Year

1. For salaries and support of not more than twenty-nine and five-tenths full-time equivalent positions annually, maintenance, and miscellaneous purposes ..... $ 245,601

2. For the administration of area agencies on aging ..... $ 114,248

3. For the retired Iowans community employment program ..... $ 104,865

4. For the older Iowans legislature ..... $ 12,953

5. For the retired seniors volunteer program ..... $ 14,278

All of the funds appropriated under subsection 5 shall be divided equally among the programs in existence as of July 1, 1986 and shall not be used by the department for administrative purposes.

6. For the Alzheimer's disease support program ..... $ 70,000

All funds appropriated under subsection 6 shall be used for training and education programs for families serving as caregivers for Alzheimer's disease victims and shall not be used for administrative purposes.

7. For elderly services programs ..... $ 777,195

All funds appropriated under this subsection shall be received and disbursed by the director of elder affairs for the elderly services program, shall not be used for administrative purposes, and shall be used for citizens of Iowa over sixty-five years of age for chore, telephone reassurance, adult day care, and home repair services, including the winterizing of homes, and for the construction of entrance ramps which meet the requirements of section 104A.4 and make residences accessible to the physically handicapped. Funds appropriated under this subsection may be used to supplement federal funds under federal regulations. Funds appropriated under this subsection may be used for elderly services not specifically enumerated in this subsection only if approved by an area agency for provision of the service within the area.

Sec. 204. There is appropriated from the general fund of the state to the state department of public health for the

fiscal year beginning July 1, 1986, and ending June 30, 1987, the following amounts, or so much thereof as is necessary, to be used for the purposes designated:

	1986-1987 Fiscal Year
1. CENTRAL ADMINISTRATION DIVISION	
For salaries and support of not more than fifty-three and three-tenths full-time equivalent positions annually, maintenance, and miscellaneous purposes	$ 731,771
2. HEALTH PLANNING AND DEVELOPMENT DIVISION	
For salaries and support of not more than fifteen equivalent positions annually, maintenance, and miscellaneous purposes	$ 179,411
3. DISEASE PREVENTION DIVISION	
For salaries and support of not more than fifty-four and six-tenths full-time equivalent positions annually, maintenance, and miscellaneous purposes	$ 1,092,967
4. PROFESSIONAL LICENSURE	
For salaries and support of not more than twelve full-time equivalent positions annually, maintenance, and miscellaneous purposes	$ 412,745
5. STATE BOARD OF DENTAL EXAMINERS	
For salaries and support of not more than two full-time equivalent positions annually, maintenance, and miscellaneous purposes	$ 96,093
6. STATE BOARD OF MEDICAL EXAMINERS	
For salaries and support of not more than fourteen full-time equivalent positions annually, maintenance, and miscellaneous purposes	$ 574,876
7. STATE BOARD OF NURSING EXAMINERS	
For salaries and support of not more than sixteen full-time time equivalent positions annually, maintenance, and miscellaneous purposes	$ 506,774
8. STATE BOARD OF PHARMACY EXAMINERS	
For salaries and support of not more than ten full-time equivalent positions annually, maintenance, and miscellaneous purposes	$ 323,019

Professional licensure pursuant to subsection 4 and the boards pursuant to subsections 5 through 8 shall prepare estimates of projected receipts 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 receipts equal projected costs.

9. PERSONAL AND FAMILY HEALTH DIVISION

a. For salaries and support

of not more than forty-six full-time equivalent positions annually, maintenance, and miscellaneous purposes ..... $ 1,510,018

The department shall allocate from the funds appropriated under this paragraph at least six hundred thousand nine hundred forty-four (600,944) dollars for the fiscal year beginning July 1, 1986, and ending June 30, 1987, for the birth defects and genetics counseling program and of these funds, thirty-nine thousand six hundred (39,600) dollars shall be allocated for a central birth defects registry program.

Of the funds appropriated in this paragraph, the following amounts shall be allocated to the university of Iowa hospitals and clinics under the control of the state board of regents for the following programs under the Iowa specialized child health care services:

(1) Mobile and regional child health specialty clinics ..... $ 308,411

(2) Muscular dystrophy and related genetic disease programs ..... $ 125,322

(3) Statewide perinatal program ..... $ 41,635

The birth defects and genetic counseling service shall apply a sliding fee scale to determine the amount a person receiving the services is required to pay for the services. These fees shall be considered repayment receipts and used for the program.

Of the funds allocated to the mobile and regional child health speciality clinics under subparagraph 1 of this paragraph, sixty-eight thousand five hundred thirty-six (68,536) dollars shall be used for a specialized medical home care program providing care planning and coordination of community support services for children who require technical medical care in the home.

The university of Iowa hospitals and clinics shall not receive indirect costs from the funds for each program.

The department of public health shall administer the statewide maternal and child health program and the crippled children's program by conducting mobile and regional child health specialty clinics and conducting other activities to improve the health of low-income women and children and to promote the welfare of children with actual or potential handicapping conditions and chronic illnesses in accordance with the requirements of Title V of the Social Security Act.

b. Sexual abuse investigations.

For medical procedures required by section 709.10 ..... $ 55,014

c. Sudden infant death syndrome autopsies.

For reimbursing counties for expenses resulting from autopsies of suspected victims of sudden infant death syndrome required under section 331.802, subsection 3, paragraph "j" ..... $ 14,278

10. COMMUNITY HEALTH DIVISION

a. For salaries and support of not more than thirty-one and ninety-nine hundredths full-time equivalent positions annually, maintenance, and miscellaneous purposes ..... $ 1,562,508

The department shall allocate from the funds appropriated under this lettered paragraph eight hundred ninety-five thousand forty-one (895,041) dollars for the fiscal year beginning July 1, 1986, for the chronic renal disease program. The types of assistance to eligible recipients under the program may include hospital and medical expenses, home

dialysis supplies, insurance premiums, travel expenses, prescription and nonprescription drugs, and lodging expenses for persons in training. The program expenditures shall not exceed these allocations. If projected expenditures will exceed the allocations, the department shall establish by administrative rule a mechanism to reduce financial assistance under the renal disease program in order to keep expenditures within the allocations.

b. For grants to local boards of health for the public health nursing program ..... $ 2,101,259

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.

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 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. 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 shall subcontract with a nonprofit nurses' association, an independent nonprofit agency, or a suitable local governmental body 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 of each fiscal year, 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. If the unallocated pool is fifty thousand dollars or more it shall be reallocated to the 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 and ending June 30 of each fiscal year. If the unallocated pool is less than fifty thousand dollars, the department may allocate it to counties with demonstrated special needs for public health nursing.

The department shall maintain rules governing the expenditure of funds appropriated by paragraph "b". The rules 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 annually 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 each annual evaluation to the governor and the general assembly.

c. For grants to county boards of supervisors for the homemaker-

home health aide program ..... $ 7,033,669

Funds appropriated under this paragraph shall be used to provide homemaker-home health aide services with emphasis on services to elderly and persons below the poverty level 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. It also includes heavy house cleaning which includes cleaning attics or basements to remove fire hazards, moving heavy furniture, extensive wall washing, floor care or painting, and trash removal.

(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, and household management.

(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. 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: sixty percent according to the number of elderly persons living in the county; twenty percent according to the number of persons below the poverty level living in the county; and twenty percent according to the number of substantiated cases of child abuse in the county during the three most recent fiscal years for which data is available.

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 human 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 planning for 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 shall subcontract with a nonprofit nurses' association, an independent nonprofit agency, the department of human services, or a suitable local governmental body 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 of each fiscal year, 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 each fiscal year. 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 15 of each fiscal year, reallocate the funds in the unallocated pool among the counties in which the department has concluded contracts under this paragraph. The department shall also review the first ten months' expenditures for each county in May of each year, to determine if any counties have contracted funds which they do not anticipate spending. If such funds are identified and the county agrees to release the funds, the released funds will be

considered a new reallocation pool. The department may, prior to June 1 of each year, reallocate funds from this new reallocation pool to those counties which have experienced a high utilization of protective service hours for children and dependent adults.

The department shall maintain rules governing the expenditure of funds appropriated by this paragraph. The rules 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 maintain rules for standards regarding training, supervision, recordkeeping, appeals, program evaluation, cost analysis, and financial audits, and rules specifying reporting requirements.

The department shall annually 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 annual evaluation to the governor and the general assembly.

d. For the development and maintenance of well-elderly clinics in the state ..... $ 205,957

11. SUBSTANCE ABUSE DIVISION

a. For salaries and support of not more than fifteen full-time equivalent positions annual-

ly, maintenance, and miscella-
neous purposes ..... $ 503,917

b. For program grants ..... $ 6,772,423

Sec. 205. The licensing boards for which general fund appropriations have been provided for in section 204, subsections 4, 5, 6, 7, and 8 of this Act may expend additional funds, if those additional expenditures are directly the cause of actual examination expenses exceeding funds budgeted for examinations. Before a licensing board included in section 204, subsections 4, 5, 6, 7, and 8 of this Act expends or encumbers an amount in excess of the funds budgeted for examinations, the director of the office of management shall approve the expenditure or encumbrance. Before approval is given, the department of management shall determine that the examination expenses exceed the funds budgeted by the general assembly to the board and the board does not have other funds from which examination expenses can be paid. Upon approval of the department of management the licensing board may expend and encumber funds for excess examination expenses. The amounts necessary to fund the excess examination expenses shall be collected as fees from additional examination applicants and shall be treated as repayment receipts as defined in section 8.2, subsection 5.

Sec. 206. It is the intent of the general assembly that the department of inspections and appeals initiate a demonstration waiver project to encourage the development of residential care facilities, which serve persons with mental retardation, chronic mental illness, and other developmental disabilities, which have five or fewer residents for persons specified in section 225C.26. The project shall be exempt from section 135.63 through June 30, 1988.

A provider may apply for a demonstration waiver from the department. Before the waiver is granted, the provider shall meet all of the requirements:

1. Compliance with program requirements pursuant to chapter 135C and administrative rules relating to residential care facilities adopted by the state board of health or standards adopted by the accreditation council for services for persons with mental retardation and other developmental disabilities. The program shall emphasize age appropriate and least restrictive programs.

2. The proposed facility shall be housing located in areas zoned for single or multiple-family housing, shall have been constructed after 1950, shall meet local housing codes and fire safety requirements in accordance with minimum procedures and subsequent rules promulgated by the state fire marshal that are in accordance with the concepts of least restriction and the applicable sections of the appendix of chapter 21 of the national fire protection association, fire safety code of 1985.

3. The proposed facility shall have appropriate accessibility for the disabilities of the proposed residents.

4. Written plans shall demonstrate that the proposed facility meets the needs of the proposed residents pursuant to individual program plans meeting age appropriate and least restrictive program requirements.

5. Written plans shall demonstrate that proposed residents will have reasonable access to employment or job-related training, education, generic community resources, and integrated opportunities to promote community interaction.

The director of the department of inspections and appeals shall appoint a temporary waiver committee not to exceed nine members, to provide monitoring of program progress and initial project approval recommendations which are subject to final approval by the director. The committee shall include but not be limited to representatives from the following interested organizations, designated by the respective organizations and appointed by the director: the association for retarded citizens of Iowa, the Iowa association of rehabilitation and

residential facilities, the developmental disabilities council, the mental health and mental retardation commission of the department of human services, the mental health association of Iowa, and the Iowa state association of counties. The state fire marshal or the fire marshal's designee shall also be a member of the committee.

The housing for persons with mental retardation, chronic mental illness, and other developmental disabilities, developed under the demonstration waiver project pursuant to this section shall be eligible for funding utilized by licensed residential care facilities for the mentally retarded, including but not limited to, the social services block grant funds, state supplementary assistance funds, state community mental health and mental retardation services funds, and county funds.

The allocation of waiver sites shall be based upon equitable distribution within the districts of the department of human services. The total number of waivers approved shall not exceed a capacity for more than two hundred twenty-five residents before July 1, 1987, unless otherwise changed by rules adopted by the state board of health to no more than four hundred by July 1, 1987. Total waiver approval for housing shall not exceed approval for more than a total of eight hundred residents before July 1, 1988.

Prior to July 1, 1988 the waiver committee shall be responsible for recommending the appropriate licensure standards to the state board of health for continuation of the project on and after July 1, 1988.

The waiver committee may recommend to the general assembly the number of full-time equivalent employees needed within the office of the state fire marshal to conduct the health and fire safety inspections of housing developed under the demonstration waiver project pursuant to this section during the fiscal year ending June 30, 1987.

Sec. 207. There is appropriated from the general fund of the state to the department of inspections and appeals for each year of the fiscal biennium beginning July 1, 1986 and ending June 30, 1988, one hundred ten thousand (110,000) dollars, or so much thereof as is necessary, for three full-time equivalent positions specifically designated to provide staff support for the demonstration waiver project.

Sec. 208. All federal grants to and federal receipts of the agencies appropriated funds under this division of this Act are appropriated for the purposes set forth in the federal grants or receipts unless otherwise provided by the general assembly. Full-time equivalent positions funded entirely with federal funds are exempt from the limits on the number of full-time equivalent positions provided in this division of this Act, but are approved only for the period of time for which the federal funds are available for the position.

DIVISION IV

HUMAN SERVICES

Sec. 301. GENERAL ADMINISTRATION. There is appropriated from the general fund of the state for the fiscal year beginning July 1, 1986, and ending June 30, 1987, to the department of human services for general administration, including salaries and support, maintenance, and miscellaneous purposes, the following amount, or so much thereof as is necessary:

1986-1987
Fiscal Year
$ 5,752,032

The funds appropriated by this section include necessary amounts to continue, for the fiscal year beginning July 1, 1986, the general administration programs relating to staff training, program evaluation, and the purchase-of-local-services allocations to the counties as operated in the fiscal year beginning July 1, 1985.

Sec. 302. FIELD OPERATIONS AND VOLUNTEERS. There is appropriated from the general fund of the state for the fiscal year beginning July 1, 1986, and ending June 30, 1987, to the department of human services, the following amounts, or so much thereof as is necessary, to be used for the purposes designated:

	1986-1987 Fiscal Year
1. For field operations, including salaries and support, maintenance, and miscellaneous purposes	$ 21,055,632

The funds appropriated by this subsection include necessary amounts to continue, for the fiscal year beginning July 1, 1986, the purchase-of-local-services allocations to the counties and the individual education and training plan program as made and operated in the fiscal year beginning July 1, 1985.

2. For development and coordination of volunteer services	$ 68,000
3. For the support of protective service workers	$ 95,000

Sec. 303. SPECIAL PROGRAMS. There is appropriated from the general fund of the state for the fiscal year beginning July 1, 1986, and ending June 30, 1987, to the department of human services, the following amounts, or so much thereof as is necessary, to be used for the purposes designated:

	1986-1987 Fiscal Year
1. For aid to families with dependent children	$ 59,000,000

The funds appropriated by this subsection include necessary amounts to continue, for the fiscal year beginning July 1, 1986, the individual education and training plan program as operated in the fiscal year beginning July 1, 1985.

If the state of Minnesota receives approval of its federal waiver request involving self-employed individuals, the department shall analyze the impact of such a waiver request for Iowa's program and report the impact to the general assembly by January 15, 1987. The department shall work with other states in seeking to develop a federal waiver request for self-employed individuals.

2. For medical assistance, 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:

a. The attending physician certifies that continuing the pregnancy would endanger the life of the pregnant woman.

b. The attending physician certifies that the fetus is physically deformed, mentally deficient, or afflicted with a congenital illness.

c. The pregnancy is the result of a rape which is reported within forty-five days of the incident to a law enforcement agency or public or private health agency which may include a family physician.

d. The pregnancy is the result of incest which is reported within one hundred fifty days of the incident to a law enforcement agency or public or private health agency which may include a family physician.

e. Any spontaneous abortion, commonly known as a miscarriage, if not all of the products of conception are expelled	$128,000,000

The funds appropriated by this subsection include necessary amounts to continue, for the fiscal year beginning July 1, 1986, the expanded medically needy program for supplemental security income-related groups as operated in the last quarter of the fiscal year beginning July 1, 1985, and to increase

provider reimbursements, for the fiscal year beginning July 1, 1986, for intermediate care facilities above the provider reimbursements for the fiscal year beginning July 1, 1985.

Of the funds appropriated by this subsection, not more than two hundred thousand (200,000) dollars may be transferred to the state department of public health for contingency state assistance for the federal women, infants, and children program in order to allow the state department of public health to fully use available federal funds under the program.

The department may expend up to one hundred twenty thousand (120,000) dollars of the funds appropriated in this subsection to continue the development and implementation of one or more health maintenance organization projects in the fiscal year beginning July 1, 1986.

The department shall explore means to make full use of veterans' benefits for those medical assistance recipients in intermediate care facilities whose current eligibility for veterans' benefits has not been established.

The department shall seek to reduce the utilization of surgical procedures with high coefficients of variation under the medical assistance program. The department may develop special utilization review efforts, physician education programs, or may mandate second opinions for selected surgical procedures in order to reduce utilization rates.

The department may continue to seek a waiver under the authority of 1984 Iowa Acts, chapter 1310, section 3, subsection 2, unnumbered paragraph 2.

If the department receives approval for a program of home and community-based services pursuant to a waiver under Title XIX of the federal Social Security Act, the program shall be funded with the appropriation made by this subsection. A county shall reimburse the department for the cost of services under the program, which is not paid from federal funds, to mentally retarded or mentally ill persons with legal settlement in the county at the same percentage which the county is

required to reimburse the state for mentally retarded or mentally ill persons receiving services at state institutions.

The department may seek a grant to study and implement alternative methods to improve financial access to medical care for Iowa's rural underinsured citizens and if approved, may expend up to one hundred fifty thousand (150,000) dollars of the funds appropriated by this subsection to match foundation moneys or private source donations.

The department may expend up to forty thousand (40,000) dollars of the appropriation made under this subsection to expand the state's drug utilization review program.

The department shall seek a federal waiver to eliminate the co-payment requirements for generic drugs.

3. For medical contracts ..... $ 2,290,000

The department may expend up to sixty-two thousand nine hundred (62,900) dollars of the funds appropriated in this subsection to contract for staff to further develop and implement recommendations contained in the medical assistance reimbursement study required by 1985 Iowa Acts, chapter 259, section 3, subsection 3.

4. For child support recoveries, including salary and support, maintenance, and miscellaneous purposes ..... $ 950,000

The commissioner of human services, within the limitations of the funds appropriated in this subsection or funds transferred from the aid to families with dependent children program for this purpose, may establish new positions and add additional employees to the child support recovery unit when the commissioner determines that both the current and additional employees together can reasonably be expected to recover for the aid to families with dependent children program and the nonpublic assistance support recovery program more than twice the amount of money required to pay the salaries and support for both the current and additional

employees. The department shall demonstrate the cost effectiveness of the current and additional employees by reporting to the human services appropriations subcommittee the ratio of the total amount of administrative costs for child support recoveries to the total amount of the child support recoveries.

5. For state supplementary assistance, including state supplementary assistance for the blind ..... $ 9,500,000

6. For aid to Indians under section 252.43 ..... $ 35,000

The tribal council shall not use more than ten percent of the funds for administrative expenses.

7. For home-based services ..... $ 5,219,000

a. Of the funds appropriated by this subsection, six hundred seventy-two thousand six hundred fifty (672,650) dollars, or so much thereof as is necessary, is allocated for subsidized adoptions, including the purchase of services for severely handicapped children and children in large sibling groups.

b. Of the funds appropriated by this subsection, two hundred ninety-one thousand four hundred fifty (291,450) dollars, or so much thereof as is necessary, is allocated for family planning.

c. Of the funds appropriated by this subsection, four million two hundred fifty-four thousand nine hundred (4,254,900) dollars, or so much thereof as is necessary, is allocated for family centered services.

8. For foster care ..... $ 24,200,000

a. The department may transfer a portion of the funds appropriated by this subsection for use in providing subsidized adoption services, if funds allocated under subsection 7 are insufficient to provide necessary subsidized adoption services.

b. No more than thirty-five percent of all children in foster care funded under Title IV, part E of the federal Social Security Act shall be in foster care for more than twenty-four months.

c. Of the funds appropriated by this subsection, forty-five thousand (45,000) dollars, or so much thereof as is necessary, is allocated for foster parent training.

d. The department may expend up to five hundred sixty thousand (560,000) dollars, or so much thereof as is necessary, of the funds appropriated by this subsection or subsection 2 to contract for appropriate staff to develop a plan for enhancing federal funding in Title XIX, Title IV-E, third party liability and increased supplemental security income and social security disability insurance participation. The department may begin implementation, if appropriate. The director of human services shall consult with the bill of rights advisory committee, the bill of rights interim study committee and other oversight personnel in the establishment of the contract. The director shall appoint an oversight committee to provide ongoing assistance in the monitoring and oversight of the contract regarding fiscal and programatic decisions. The oversight committee shall include but not be limited to representatives of the developmental disabilities council, the association for retarded citizens of Iowa, the Iowa association of rehabilitation and residential facilities, the mental health association of Iowa, and the Iowa state association of counties, all of whom shall be selected from names submitted by their respective organizations. The director shall provide periodic updates on the contract to the legislative council and the fiscal committee of the legislative council and shall provide a progress report making recommendations regarding the contract to the general assembly not later than February 1, 1987.

e. The department shall review the contract at least quarterly relating to the expenditure of funds appropriated by

this subsection. If the department determines that a surplus exists in funds appropriated by this subsection, the department shall use the surplus funds to restore, in whole or in part, the reductions in reimbursement rates made by section 309, subsections 2 and 3, and the department may transfer funds appropriated by this subsection to accomplish the reimbursement rate restorations.

f. Of the funds appropriated by this subsection, the department may expend up to thirty thousand (30,000) dollars to contract with universities to provide ongoing research assistance into programs operated or supervised by the department involving foster care. Such contracts shall make maximum use of any matching resources from the universities with which the department contracts.

9. For community-based programs ..... $ 2,883,000

a. Of the funds appropriated by this subsection, one hundred twenty thousand (120,000) dollars, or so much thereof as is necessary, is allocated for displaced homemakers.

b. Of the funds appropriated by this subsection, four hundred thirty thousand (430,000) dollars, or so much thereof as is necessary, is allocated for child care center financial assistance.

Notwithstanding section 237A.13, subsection 4, funds unencumbered as of April 30, 1987, shall not be reallocated unless the unencumbered funds reclaimed exceed two thousand dollars.

Notwithstanding section 237A.18, a day care facility is eligible to receive funds if the facility serves some low-income families, even if low-income families served comprise less than a majority of total families served.

c. Of the funds appropriated by this subsection, three hundred fourteen thousand (314,000) dollars, or so much thereof as is necessary, is allocated for the child abuse prevention grant program.

d. Of the funds appropriated by this subsection, two hundred fifteen thousand (215,000) dollars, or so much thereof as is necessary is allocated for domestic abuse program grants.

e. The commissioner of human services shall pay from funds appropriated by this subsection, as the entitled aid from the state under section 232.142, subsection 4, one-half of one percent of the total cost of the establishment, improvements, operation, and maintenance of approved county or multicounty juvenile homes.

f. Of the funds appropriated by this subsection, one hundred thousand (100,000) dollars, or so much thereof as is necessary, is allocated for community-based juvenile services. These funds shall be used to reduce the need for long-term juvenile institutional and group foster care placements, and to encourage home-based treatment programs as alternatives to juvenile institutional care and group foster care. The department shall only approve grants for residential community-based services when such projects are designed to directly reduce the state juvenile institutional population or the number of children being placed in group foster care outside the state.

g. Of the funds appropriated by this subsection, five hundred forty-five thousand (545,000) dollars, or so much thereof as is necessary, is allocated for state cases.

h. Of the funds appropriated by this subsection, one million one hundred thousand (1,100,000) dollars, or so much thereof as is necessary, is allocated for protective day care.

i. Of the funds appropriated by this subsection, fifty thousand (50,000) dollars, or so much thereof as is necessary, is allocated to provide grants for the provision of essential services to children who are at risk of running away and to the children's families.

10. For county-based juvenile justice reimbursement under sec-

tion 232.141, subsection 4 ..... $ 2,100,000

Of the funds appropriated by this subsection, fifty thousand (50,000) dollars, or so much thereof as is necessary, is allocated to the judicial department for administrative preparations to reimburse counties for witness, transportation, and attorney fees pursuant to section 232.141 and for the development of plans for the legal representation of children before the juvenile court in each of the judicial districts.

11. To establish and maintain the registry for the brain injured ..... $ 17,000

12. As a condition of the appropriations made for aid to families with dependent children, medical assistance, state supplementary assistance, and foster care under subsections 1, 2, 5, and 8, the following shall apply:

a. Notwithstanding section 8.39, and except as provided in subsection 2 for the women, infants, and children program, in subsection 4 for child support recoveries, and in subsection 8, paragraph "e" for foster care, funds appropriated for aid to families with dependent children, medical assistance, state supplementary assistance, and foster care shall not be subject to transfer. Department of human services' programs shall not be modified for the purpose of transferring other funds appropriated to the department of human services into the aid to families with dependent children, medical assistance, state supplementary assistance, and foster care accounts.

b. Except as provided in paragraph "c", the director of human services shall not modify programs funded under the aid to families with dependent children, medical assistance, state supplementary assistance, and foster care appropriations in order to meet any projected budget shortfalls, but shall request supplemental appropriations from the general assembly to meet those shortfalls.

c. Notwithstanding the concept of allotments in section 8.31, for the purpose of any across-the-board budget

reductions ordered by the governor, the appropriations for the aid to families with dependent children, medical assistance, state supplementary assistance, and foster care shall be deemed to include amounts needed to operate the programs for the entire fiscal year beginning July 1, 1986, under the July 1986 program guidelines and mandated subsequent changes. The across-the-board budget reductions shall be applied to the appropriations, and the estimate of revenues needed to balance the state's budget shall be made so as to operate the July 1, 1986 programs, as modified by mandated changes for the entire fiscal year.

d. Notwithstanding section 8.31, for deficit appropriations, the department shall apply the across-the-board budget reductions to the aid to families with dependent children, medical assistance, state supplementary assistance, and foster care appropriations, and to additional anticipated needs according to the July 1, 1986 guidelines and mandated subsequent changes. For surplus appropriations, the across-the-board budget reductions shall be applied first to the surplus appropriations and then to amounts needed to maintain the July 1, 1986 programs and any mandated subsequent changes.

Sec. 304. JUVENILE AND VETERANS INSTITUTIONS. There is appropriated from the general fund of the state for the fiscal year beginning July 1, 1986, and ending June 30, 1987, to the department of human services, the following amounts, or so much thereof as is necessary, to be used for the purposes designated:

	1986-1987 Fiscal Year
1. For the operation of the state training school and the Iowa juvenile home, including salaries and support, maintenance, and miscellaneous purposes	$ 7,574,308

2. For operation of the Iowa veterans home, including salaries and support, maintenance, and miscellaneous purposes ..... $ 18,358,486

As a condition of this appropriation, the department shall open and staff twenty beds on February 15, 1987 and seventeen additional beds on April 15, 1987 for the care of residents with Alzheimer's disease.

The department may use the gifts accepted by the commissioner of human services pursuant to section 218.96 and other resources available to the department for use at the Iowa veterans home for purposes identified by the department.

Sec. 305. MENTAL HEALTH INSTITUTES. There is appropriated from the general fund of the state for the fiscal year beginning July 1, 1986, and ending June 30, 1987, to the department of human services, for the state mental health institutes, the following amount, or so much thereof as is necessary:

1986-1987
Fiscal Year

1. For salaries and support, maintenance, and miscellaneous purposes ..... $ 30,954,794

2. All funds received from client participation shall be deposited in the general fund of the state.

3. The superintendents of the state mental health institutes at Cherokee and Independence, in discharging the duties imposed by section 230.20, shall not include the costs of the psychiatric residency and chaplain intern programs maintained at those institutes in computing the institutes' respective daily charges to patients.

4. A state mental health institute shall not accept physical custody of a child alleged to be a child in need of assistance, on guest status or otherwise, for more than thirty days. A child found to be a child in need of assistance shall

not be placed in a state mental health institute or other appropriate secure facility unless the juvenile court finds that the standard for voluntary admission or involuntary commitment in chapter 229 has been met. The finding may be made by the court under section 232.103 at any time prior to the expiration of a dispositional order.

5. The department shall pursue all reasonable courses of action necessary to expand the recruitment and retention of psychiatrists at the state mental health institutions. The department shall aggressively recruit psychiatrists, when necessary by sending department representatives to events and locations where psychiatrists are likely to be recruited and by taking other similar actions which have the likelihood of contributing to the recruitment of psychiatrists. The department shall continue to explore and implement, if necessary, alternative approaches to retaining psychiatrists in the state hospital system, such as special contractual arrangements, expanded staff privileges, or improved educational opportunities for the medical staff.

Sec. 306. HOSPITAL-SCHOOLS. There is appropriated from the general fund of the state for the fiscal year beginning July 1, 1986, and ending June 30, 1987, to the department of human services, for the state hospital-schools, the following amount, or so much thereof as is necessary:

1986-1987
Fiscal Year

1. For salaries and support, maintenance, and miscellaneous purposes ..... $ 46,969,633

2. All funds received from client participation shall be deposited in the general fund of the state.

3. The state hospital-schools' per-patient-per-day cost as determined pursuant to section 222.73 shall be billed at eighty percent for the fiscal year, except as otherwise provided by subsection 4.

4. If more than twenty percent of the cost of a patient's care is initially paid from any source other than state-appropriated funds, the amount so paid shall be subtracted from the per-patient-per-day cost of that patient's care computed pursuant to section 222.73 and the patient's county of legal settlement shall be billed for the full balance of the cost so computed.

5. In the calculation of per diem rates, charges assessed to the county shall be credited with one hundred percent of client participation for eligible medical assistance patients at the state hospital-schools.

Sec. 307. MENTAL HEALTH AND RETARDATION SERVICES FUND. There is appropriated from the general fund of the state for the fiscal year beginning July 1, 1986, and ending June 30, 1987, to the state community mental health and mental retardation services fund established in section 225C.7, the following amount, or so much thereof as is necessary:

1986-1987 Fiscal Year
$ 3,333,000

1. Notwithstanding section 225C.10, subsection 2, paragraph "a", subparagraph (1), counties shall indicate in their annual plan that general allocation moneys will be expended in accordance with administrative rules adopted by the mental health and mental retardation commission and will not be used for major maintenance or capital expenditure projects.

2. Notwithstanding section 225C.10, subsection 3, counties shall submit annual rather than quarterly financial and plan status reports. The annual reports shall include the services funded; the amounts expended by service and by agency; a description of the use of the funds; and the number of persons or units of service provided.

Sec. 308. BLOCK GRANT SUPPLEMENTATION. There is appropriated from the general fund of this state for the

fiscal year beginning July 1, 1986, and ending June 30, 1987, to the department of human services for supplementation of federal social services block grant funds and for allocation to the various counties for the purchase of local services and child day care services for eligible individuals, the following amount, or so much thereof as is necessary:

1986-1987 Fiscal Year
$ 3,180,000

The funds appropriated by this section shall be allocated to the counties pursuant to the rules of the department in effect on January 1, 1985. The department shall increase the income guidelines for income eligible persons receiving services funded with federal social services block grant funds for the fiscal year beginning July 1, 1986 by the same percentage and at the same time as federal social security benefits are increased due to a recognized increase in the cost of living.

Of the funds appropriated by this section, two million six hundred ninety thousand (2,690,000) dollars shall be earmarked for the purchase of local services and four hundred ninety thousand (490,000) dollars shall be earmarked for child day care services.

A county may use up to four percent of the federal social services block grant funds and the state purchase of local services funds for the purchase of child day care services without matching the federal and state funds with local funds.

The department shall not require counties to match the state child day care services funds with local funds but shall require that the counties allocate local funds for child day care services in an amount at least equal to the county expenditures for child day care services in the fiscal year ending June 30, 1983. The department shall reallocate state child day care services funds from counties which do not qualify for or do not utilize the funds to counties which do qualify for the funds.

If the department determines that funds earmarked under this section for child day care services will not be fully expended, the department may increase the income guidelines in order to provide for the expenditure of all funds earmarked under this section for child day care services.

The department may develop and implement a pilot project establishing a prospective payment system for purchase of service providers in no more than two departmental districts.

Sec. 309. REIMBURSEMENT RATES.

1. Except as provided in paragraphs "a", "b", "c", "d", and "e", and except for medical assistance services provided to recipients in state mental health institutes and the veterans home, rural health clinic services, intermediate care facilities services for the mentally retarded, and the material costs of products which are reimbursed at the acquisition cost, the reimbursement and per diem rates for medical assistance providers for the fiscal year beginning July 1, 1986, shall be limited to the reimbursement and per diem rates for the providers in effect on June 30, 1985.

a. Medical assistance payments for all mandatory and optional services, except for hospital services, physican services, skilled nursing facility services, intermediate care facility services, intermediate care facility services for the mentally retarded, services provided to recipients in state mental health institutes, rural health clinic services, medical transportation services other than ambulance services, and the material costs of products which are reimbursed at the acquisition cost, shall be reduced by a factor of two and one-half percent.

b. A continued reduction of three and eighty-five hundredths percent shall be applied to medical assistance payments for all mandatory and optional services, except for skilled nursing facility services, intermediate care facility services, intermediate care facility services for the mentally retarded, services provided to recipients in state mental

health institutes and the veterans home, rural health clinic services, medical transportation services other than ambulance services, and the material costs of products which are reimbursed at the acquisition cost.

c. For the fiscal year beginning July 1, 1986, the incentive and inflation factors shall be reinstated as in place on July 1, 1985. Beginning July 1, 1986, the basis for establishing the maximum medical assistance rate for intermediate care facilities shall be the fifty-fifth percentile of all facility per diems as calculated from the June 30, 1986, unaudited compilation of financial and statistical reports.

d. Beginning July 1, 1986, the professional fee for pharmacies shall continue to be reduced by five and twenty-one hundredths percent until the department establishes a new reimbursement system for drug products based on estimates of actual acquisition costs. The department shall establish by October 1, 1986, unless disapproved by the United States department of health and human services, a new reimbursement system for drug products based on estimates of actual acquisition costs derived from data obtained from the department's survey of drug product costs and professional fees. The department shall adjust the maximum allowable professional fee to reflect the change in the reimbursement system from average wholesale price reimbursement to actual acquisition cost reimbursement. However, the adjustment in the professional fee shall not exceed the professional fee which represents the seventy-fifth percentile of fees charged to the private paying public by pharmacies in this state. Beginning on the date the new reimbursement system is implemented, the professional fees shall be reduced by three and eighty-five hundredths percent rather than by five and twenty-one hundredths percent.

e. For the fiscal year beginning July 1, 1986, skilled nursing facility payment rates shall be increased by four and

three-tenths percent and rural health clinic rates shall be increased in accordance with increases under the federal medicare program, pursuant to Title XVIII of the federal Social Security Act.

2. For the fiscal year beginning July 1, 1986, reimbursement limits for residential care facilities shall remain in effect as established for the fiscal year which began July 1, 1985. For the fiscal year beginning July 1, 1986, state supplementary assistance payments for recipients in residential care facilities and recipients receiving in-home health-related care shall be reduced by a factor of three and eighty-five hundredths percent.

3. For the fiscal year beginning July 1, 1986, maximum rates for providers of social services shall remain in effect as established for the fiscal year which began July 1, 1985. For the fiscal year beginning July 1, 1986, the following purchase-of-service providers, at their own option, shall have either their rates or invoices reduced by the following percentages: state cases, three and eighty-five hundredths percent; protective day care, two and thirty-three hundredths percent; family-centered services, three and eighty-five hundredths percent; family planning, two and fifteen hundredths percent; foster group care, two and seventy hundredths percent; subsidized adoption, two and seventy hundredths percent; foster family care, two and seventy hundredths percent; and local purchase, ninety-three hundredths percent.

Sec. 310. ASSISTANCE TO GAMBLERS. The department shall use funds deposited in the gamblers assistance fund established in section 99E.10 only for programs to assist gamblers. Any unspent funds shall remain in the fund and shall not be transferred or reverted to the general fund.

Sec. 311. EMPLOYEE DAMAGE REIMBURSEMENTS. Notwithstanding the dollar limitation in section 217.23, subsection 2, the department may reimburse an employee under that section an

amount up to one hundred fifty dollars for each item damaged or destroyed.

Sec. 312. SLIDING-FEE PAYMENT SCHEDULES FOR CHILDREN'S SERVICES. The department shall study the feasibility of establishing sliding-fee payment schedules for all services provided by the department to children and their families. The payment schedules shall be based on the ability of the children's parents, guardians, or custodians to pay for the services, the nature of the services, and other relevant factors. The department shall report its findings to the general assembly by January 15, 1987. The department may implement by administrative rule during the fiscal year beginning July 1, 1986 one or more sliding-fee payment schedules for services provided to children and their families.

Sec. 313. ADMINISTRATIVE RULES INTERIM STUDY -- DEPARTMENT OF HUMAN SERVICES AND DEPARTMENT OF PUBLIC HEALTH. The legislative council shall create an interim study committee to review all the administrative rules of the department of human services and of the department of public health, other than rules relating to substance abuse programs. The committee shall be composed of two senators, one appointed by the majority leader of the senate and one appointed by the minority leader of the senate, two representatives, one appointed by the speaker of the house of representatives and one appointed by the minority leader of the house of representatives, the administrative rules coordinator, two representatives of the department of human services appointed by the director of the department, two representatives of the department of public health appointed by the director of the department, and representatives of providers and provider groups appointed by the legislative council, which are regulated or reimbursed in some manner by the department of human services or the department of public health. The committee shall identify burdensome and unnecessary

administrative rules and shall make recommendations, which would not have a negative impact on departmental clients, concerning the retention, modification, or rescission of the departments' administrative rules.

Sec. 314. RULES. The department of human services may adopt administrative rules under section 17A.4, subsection 2, and section 17A.5, subsection 2, paragraph "b", relating to subsidized adoption services in section 303, subsection 7, paragraph "a" of this Act, county-based juvenile justice reimbursements in section 303, subsection 10 of this Act, supplementation of federal social services block grant funds in section 308 of this Act, and reimbursements in section 309 of this Act, and the rules shall become effective immediately upon filing, unless a later effective date is specified in the rules.

Sec. 315. NEW SECTION. 225C.22 CENTRAL REGISTRY FOR BRAIN INJURIES.

1. As used in this section, "brain injury" means clinically evident brain damage resulting directly or indirectly from trauma, infection, anoxia, or vascular lesions not primarily related to degenerative or aging processes, which temporarily or permanently impairs a person's physical or cognitive functions.

2. The director shall establish and maintain a central registry of persons with brain injuries in order to facilitate the provision of appropriate rehabilitative services to the persons by the department and other state agencies. Hospitals and attending physicians shall report a brain injury to the director within seven days after identification of the person sustaining a brain injury. The report shall contain the name, age and residence of the person, the date and cause of the brain injury, and additional information as the director requires. The department shall maintain the confidentiality of all information which would identify any person named in a report. However, the identifying information may be released

for bona fide research purposes if the confidentiality of the identifying information is maintained by the researchers, or the identifying information may be released by the person with the brain injury or by the person's guardian or, if the person is a minor, by the person's parent.

Sec. 316. Chapter 252B, Code 1985, is amended by adding the following new sections:

NEW SECTION. 252B.13 COLLECTION SERVICES CENTER.

The department shall establish within the unit a collection services center for the receipt and disbursement of all support payments as defined in section 598.1. The judicial department and the department of human services shall cooperate in the establishment of the center which will receive and disburse support payments.

NEW SECTION. 252B.14 SUPPORT PAYMENTS -- CLERK OF COURT -- COLLECTION SERVICES CENTER -- DEFAULTS -- SECURITY.

Sections 252B.13 through 252B.17 apply to all initial or modified orders for support entered under this chapter, chapter 234, 252A, 252C, 675, or any other chapter of the Code. All orders or judgments for support entered on or before March 31, 1987, shall direct the payment of such sums to the clerk of the district court for the use of the person for whom the payments have been awarded. All orders or judgments for support entered on or after April 1, 1987, shall direct the payment of such sums to the collection services center established pursuant to section 252B.13. Payments to persons other than the clerk of the district court and the collection services center do not satisfy the support obligations created by such orders or judgments, except as provided for trusts in sections 252D.1, 598.22, 598.23 or for tax refunds or rebates in section 602.8102, subsection 47.

NEW SECTION. 252B.15 TRANSFER OF INFORMATION AND SUPPORT ORDERS.

The clerks of the district court shall transmit information regarding any order of support which is entered or modified on

or after April 1, 1987 and a copy of the support order, if appropriate, to the collection services center no later than ten days after the order is entered. Where possible the transmission of data between the courts and the center shall be accomplished by electronic data transmission. Otherwise the transmission shall be accomplished by the transfer of notices, abstracts of orders and other documents. The form and content of the transmissions shall be prescribed by the department of human services after consultation with the judicial department.

NEW SECTION. 252B.16 CONVERSION -- PROCESSING OF SUPPORT PAYMENTS.

For existing orders of support entered before April 1, 1987, which direct the payments of support to the clerk of the district court, the following procedure shall be implemented to convert the processing of those payments to the collection services center on or before April 1, 1988:

1. The department of human services and the judicial department shall establish a mutually agreed effective date, between April 1, 1987 and April 1, 1988, to effectuate the transfer of these functions from each clerk of the district court to the collection services center. The department shall cause to be published in the administrative bulletin a cumulative list of effective dates by county, once agreed upon and determined, which list shall be final and inclusive of all counties on the next date of publication subsequent to April 1, 1988.

2. In addition, for orders of support entered before April 1, 1987, the judicial department or the child support recovery unit shall notify the payee and the obligor that the obligor will be directed to pay future support payments to the collection services center as of the date provided in the notice. The notice to the obligor shall be equivalent of a court order directing the payment of the sums to the collection services center.

3. The notice of the change in the direction of payments shall be sent by ordinary mail to the payee's and the obligor's last known addresses or the persons shall be personally served with the notice in the manner provided for service of an original notice at least fifteen days prior to the date provided in the notice for the redirection of the payments. The notice shall include the following:

a. The name of the payee and, if different in whole or part, the names of the persons to whom the obligation of support is owed by the obligor.

b. The name of the obligor.

c. The amount of the periodic support payment, the due dates of the payments and any arrearages, and

d. The beginning date for sending payments to the collection services center.

4. Sixty days prior to the mutually agreed effective date in subsection 1, the clerk of the district court shall transfer to the collection services center information regarding all existing orders of support which direct the payment of support to the clerk of the district court. The form and content of the transfer shall be prescribed by the department after consultation with the judicial department but at a minimum shall include the data elements required for the notice in subsection 3.

5. On or after the mutually agreed effective date in subsection 1, but in any event not later than April 1, 1988, any payments received by the clerk of the district court for support or for the satisfaction of arrearages shall be sent by the clerk to the address specified by the collection services center within ten days of receipt of the payments.

NEW SECTION. 252B.17 ADMISSIBILITY AND IDENTIFICATION OF SUPPORT PAYMENT RECORDS.

Copies of support payment records maintained by the collection services center, when certified over the signature of a designated employee of the center, shall be considered to

be satisfactorily identified and shall be admitted in any proceeding as prima facie evidence of the transactions. Additional proof of the official character of the person certifying the record or the authenticity of the person's signature shall not be required. Whenever an employee of the collection services center is served with a summons, subpoena, subpoena duces tecum, or order directing that person to produce such records, the employee may comply by transmitting a copy of the payment records certified as described above to the clerk of the district court.

Sec. 317. Section 252D.1, subsection 2, Code Supplement 1985, is amended by striking the subsection.

Sec. 318. NEW SECTION. 252D.6 ADMINISTRATION OF WAGE WITHHOLDING PROCEDURES.

The collection services center, established pursuant to section 252B.13, is designated as the public agency of the state to administer wage withholding in accordance with procedure specified for keeping adequate records to document, track and monitor support payments in accordance with Title IV-D of the United States Social Security Act.

Sec. 319. Section 598.22, unnumbered paragraph 1, Code Supplement 1985, is amended by striking the paragraph and inserting the following:

This section applies to all initial or modified orders for support entered under this chapter, chapter 234, 252A, 252C, 675, or any other chapter of the Code. All orders or judgments for support entered on or before March 31, 1987, shall direct the payment of those sums to the clerk of the district court for the use of the person for whom the payments have been awarded. All orders or judgments for support entered on or after April 1, 1987, shall direct the payment of those sums to the collection services center established pursuant to section 252B.13. Payments to persons other than the clerk of the district court and the collection services center do not satisfy the support obligations created by the

orders or judgments, except as provided for trusts in section 252D.1, 598.23, or this section or for tax refunds or rebates in section 602.8102, subsection 47.

Sec. 320. Section 598.22, unnumbered paragraphs 2, 3, and 4, Code Supplement 1985, are amended to read as follows:

Upon a finding of previous failure to pay child support, the court may order the person obligated for permanent child support to make an assignment of periodic earnings or trust income to the clerk of court or the collection services center established pursuant to section 252B.13 for the use of the person for whom the assignment is ordered. The assignment of earnings ordered by the court shall not exceed the amounts set forth in 15 U.S.C. § 1673(b)(1982). The assignment is binding on the employer, trustee, or other payor of the funds two weeks after service upon that person of notice that the assignment has been made. The payor shall withhold from the earnings or trust income payable to the person obligated the amount specified in the assignment and shall transmit the payments to the clerk or the collection services center, as appropriate. However, for trusts governed by the federal Retirement Equity Act of 1984, Pub. L. No. 98-397, the payor shall transmit the payments to the alternate payee in accordance with the federal Act. The payor may deduct from each payment a sum not exceeding two dollars as a reimbursement for costs. An employer who dismisses an employee due to the entry of an assignment order commits a simple misdemeanor.

An order or judgment entered by the court for temporary or permanent support or for an assignment shall be filed with the clerk. The orders have the same force and effect as judgments when entered in the judgment docket and lien index and are records open to the public. The clerk or the collection services center, as appropriate, shall disburse the payments received pursuant to the orders or judgments within ten working days of the receipt of the payments. All moneys

received or disbursed under this section shall be entered in a record book kept by the clerk, or the collection services center, as appropriate, which shall be open to the public. The clerk or the collection services center shall not enter any moneys paid in the record book if not paid directly to the clerk or the center, as appropriate, except as provided for trusts in section 252D.1, 598.23 or this section or for tax refunds or rebates in section 602.8102, subsection 47.

If the sums ordered to be paid in a support payment order are not paid to the clerk or the collection services center, as appropriate, at the time provided in the order or judgment, the clerk or the collection services center, as appropriate, shall certify a default to the court which may, on its own motion, proceed as provided in section 598.23.

Sec. 321. FEDERAL RECEIPTS. All federal grants to and the federal receipts of the department of human services are appropriated for the purposes set forth in the federal grants or receipts. The veterans per diem payable for veterans at the veterans home and funds received under Title XIX of the federal Social Security Act by the state mental health institutes and state hospital-schools shall be deposited in the general fund.

Sec. 322. CAPITAL EXPENDITURES EXCLUDED. Funds appropriated by this division of this Act shall not be used for capital acquisitions or improvements.

Sec. 323. Section 317 of this Act is effective April 1, 1988.

DIVISION V

JUSTICE SYSTEM

Sec. 401. There is appropriated from the general fund of the state for the fiscal year beginning July 1, 1986 and ending June 30, 1987, to the department of corrections the following amounts, or so much thereof as is necessary, to be used for the purposes designated:

1986-1987

Fiscal Year

1. For operation of adult correctional institutions, including salaries and support, maintenance, and miscellaneous purposes, provided that the director of corrections, in order to keep expenditures from exceeding the amount of funds appropriated by this section, shall declare a prison overcrowding state of emergency in the state's prisons when the population of the prison system exceeds two thousand six hundred forty-five inmates for sixty consecutive days. Upon the declaration of a prison overcrowding state of emergency, the board of parole shall consider all inmates, except for inmates convicted of class "A" felonies, for parole who are within nine months of their tentative discharge date. If the board of parole's actions do not reduce the population of the prison system below two thousand six hundred twenty inmates within ninety days of the date of the declaration of the prison overcrowding state of emergency, the tentative discharge dates of all inmates, whose most serious offenses for which the inmates are currently

incarcerated are crimes against property and who are incarcerated in state prisons on the date of the declaration, shall be reduced by ninety days by the director of corrections. However, the tentative discharge date of a prisoner sentenced under section 204.406, 204.413, 902.7, 902.8, or 906.5 shall not be reduced under this section prior to completion of the mandatory minimum sentence required by the section. The director of corrections shall terminate a prison overcrowding state of emergency in the state's prisons when the population of the prison system is reduced below two thousand six hundred twenty inmates. The department shall adopt administrative rules which identify all offenses as either crimes against property or crimes against persons. As used in this section, "prison" means a correctional facility operated by the department of corrections and funded under this section, "prison system" means the prisons of this state which are the Iowa correctional institution for women, the Iowa state men's reformatory, the Iowa

state penitentiary, the Iowa medical and classification facility, the north central correctional facility, the Mount Pleasant correctional facility, the Clarinda correctional treatment facility, the correctional release center, and the rehabilitation camps, excluding the Luster Heights honor camp and facilities established under section 402, subsection 2 of this Act for treatment of OWI offenders; and "tentative discharge date" means the date at which an inmate is scheduled for release including good conduct and work time currently received. However, offenders for whom the board of parole has authorized parole, but for whom the director has determined that inadequate parole plans have been formulated, may remain within the correctional institution for a period of ten days following parole authorization or until adequate parole plans have been developed, whichever date is sooner. During this period of time, the offender shall not be included in the list of names used to determine the existence of a prison overcrowding emergency. On and after July 1, 1986,

the superintendent shall not admit additional inmates to the medium security facility of the men's reformatory at Anamosa if the inmate population of the men's reformatory equals or exceeds eight hundred and fifty inmates ..... $ 50,094,227

2. For the planting and care of fruit trees at correctional institutions, the unobligated or unencumbered balance of which shall not revert as provided in section 8.33 ..... $ 9,973

The department of corrections shall report to the legislative fiscal bureau on a monthly basis the current expenditures of the department's various allocations with a comparison of actual to budgeted expenditures.

Sec. 402. There is appropriated from the general fund of the state for the fiscal year beginning July 1, 1986 and ending June 30, 1987, to the department of corrections the following amounts, or so much thereof as is necessary, for the programs as designated:

	1986-1987 Fiscal Year
1. For general administration, including salaries and support, maintenance, and miscellaneous purposes	$ 1,396,552
2. For salaries, support, and maintenance related to providing additional residential bed space for use in treating substance abuse problems of persons convicted of violating section 321.281 who are sentenced to the custody of the department of corrections	$ 833,006

The funds appropriated under this subsection shall be allocated and expended for the purpose and subject to the conditions specified in paragraphs "a" through "d".

a. The department of corrections, not later than October 1, 1986, shall establish in each judicial district bed space for the confinement and treatment of offenders convicted of violating section 321.281 (OWI) who are sentenced to the custody of the department of corrections. Prior to establishing any facilities, the department shall solicit bids from all interested parties. It is the intent of the general assembly that OWI offenders who are sentenced to the custody of the department of corrections shall first be assigned to the Iowa medical and classification facility at Oakdale for classification. Notwithstanding any contrary provision of law, the OWI offenders after classification may be assigned to a residential facility operated by any judicial district department of correctional services.

b. The department of corrections shall allocate the funds appropriated under this subsection to the judicial district departments of correctional services upon approval of a written agreement by each judicial district department with the department of corrections. The agreement shall specify the number of beds to be operated, the substance abuse treatment programming to be provided, and whether the beds will be sited in a new facility, in a remodeled existing facility, or in a residential correctional facility currently in use. In developing the allocations, the department of corrections shall pattern the budgets of any new residential facility upon the budgets of existing work release facilities.

c. The department of corrections shall adopt rules concerning standards for the residential facilities offering substance abuse programs for OWI offenders. The department of corrections and the division of substance abuse of the

department of public health shall annually review the facilities to ensure compliance with the program standards and licensing standards of the respective state departments. If a facility does not meet these standards, the department of corrections shall follow the process to correct deficiencies or assume administrative control in the same manner as specified in section 905.9.

d. The judicial district departments of correctional services shall offer employment counseling services to OWI offenders who are receiving substance abuse treatment. While in a residential facility operated by a district department, each OWI offender shall be charged a daily fee, but services shall not be denied because of an inability to pay this fee.

3. For salaries, support and maintenance related to the establishment of an alcohol and drug treatment facility, licensed by the division of substance abuse of the department of public health, at a correctional institution chosen by the department of corrections ..... $ 63,529

4. For reimbursement of counties for temporary confinement of work release and parole violators, as provided in sections 247A.10, 901.7, and 906.17 ..... $ 68,298

5. For federal prison reimbursement and miscellaneous contracts ..... $ 355,720

The department of corrections shall use funds appropriated in this subsection to continue to contract for the services of a Muslim imam.

6. For salaries, support, maintenance, and miscellaneous purposes at the correctional training center

at Mount Pleasant ..... $ 308,557

7. For salaries, support, maintenance, and miscellaneous purposes for jail inspectors as provided in section 356.43 ..... $ 75,204

Sec. 403. There is appropriated from the general fund of the state for the fiscal year beginning July 1, 1986 and ending June 30, 1987, to the department of corrections the sum of sixteen million four hundred ninety-five thousand nine hundred ten (16,495,910) dollars, or so much thereof as is necessary, for preinstitutional and postconviction community-based corrections, halfway houses, and parole services.

Sec. 404. There is appropriated from the general fund of the state for the fiscal year beginning July 1, 1986 and ending June 30, 1987, to the board of parole, the sum of four hundred sixty-one thousand seven hundred fifty-nine (461,759) dollars, or so much thereof as is necessary, for salaries, support and miscellaneous purposes.

Sec. 405. There is appropriated from the general fund of the state to the following named agency for the fiscal year beginning July 1, 1986 and ending June 30, 1987, the following amounts, or so much thereof as is necessary, to be used for the purposes designated:

	1986-1987 Fiscal Year
DEPARTMENT OF JUSTICE	
1. For the general office of attorney general for salaries, support, maintenance, and miscellaneous purposes	$ 3,001,847

2. In addition to the funds appropriated under subsection 1, there is appropriated from the general fund of the state to the department of justice for the fiscal year beginning July 1, 1986 and ending June 30, 1987, an amount not exceeding ninety-five thousand (95,000) dollars to be used for the

enforcement of the Iowa competition law under chapter 553. The expenditure of the funds appropriated under this subsection is contingent upon receipt by the general fund of the state of an amount at least equal to either the expenditures from damages awarded to the state or a political subdivision of the state by a civil judgment under chapter 553, if the judgment authorizes the use of the award for enforcement purposes or costs or attorney fees awarded the state in state or federal antitrust actions.

3. In addition to the funds appropriated under subsection 1, there is appropriated from the general fund of the state to the department of justice for the fiscal year beginning July 1, 1986 and ending June 30, 1987, an amount not exceeding fifty thousand (50,000) dollars to be used for public education relating to consumer fraud and for enforcement of section 714.16. The expenditure of the funds appropriated under this paragraph is contingent upon receipt by the general fund of the state of an amount at least equal to the expenditures from damages awarded to the state or a political subdivision of the state by a civil consumer fraud judgment, if the judgment authorizes the use of the award for public education on consumer fraud. Funds received in a previous fiscal year which have not been expended shall be credited to this fiscal year.

4. Prosecuting attorney training program for salaries, support, maintenance and miscellaneous purposes which funds shall be used to attract federal and county funding ..... $ 78,742

5. Prosecuting intern program; however, counties participating in the prosecuting intern program shall match funds appropriated by this

paragraph ..... $ 48,308

6. For payment of grants to dispute resolution programs under the prosecuting attorney training program ..... $ 50,000

Sec. 406. There is appropriated from the general fund of the state for the fiscal year beginning July 1, 1986 and ending June 30, 1987, to the judicial department, the following amount, or so much thereof as is necessary, to be used for the purposes designated:

	1986-1987 Fiscal Year
COURTS AND ADMINISTRATION	
For salaries of supreme court justices, appellate court judges, district court judges, district associate judges, judicial magistrates and staff, court administrator, clerk of the supreme court, district court administrators, board of law examiners and board of examiners of shorthand reporters and judicial qualifications commission, maintenance, equipment and miscellaneous purposes, including implementation of court reorganization according to provisions of 1983 Iowa Acts, chapter 186, section 10301	$ 51,445,266

It is the intent of the general assembly that the counties be aware that the state may delay the schedule of state assumption of responsibility for the fiscal year beginning July 1, 1987. If the state is unable to fully assume the 1987-1988 fiscal year component of the court system, the chairpersons of the house and senate committees on

appropriations shall notify the supreme court and the counties of this possible delay by no later than February 15, 1987.

Sec. 407. 1985 Iowa Acts, chapter 253, section 2, is amended by adding the following new lettered paragraph:

NEW LETTERED PARAGRAPH. j. The collective bargaining agreements negotiated pursuant to chapter 20 for employees in the bargaining units of the judicial department.

Sec. 408. There is appropriated from the general fund of the state to the department of public safety for the fiscal year beginning July 1, 1986 and ending June 30, 1987, the following amounts, or so much thereof as is necessary, to be used for funding the following functions and programs for the purposes designated:

	1986-1987 Fiscal Year
DEPARTMENT OF PUBLIC SAFETY	
1. ADMINISTRATIVE FUNCTION	
a. For salaries, support, maintenance, and miscellaneous purposes of the department and the criminal justice information system	$ 1,697,542
b. For salaries, support, maintenance and miscellaneous purposes relating to radio communication	$ 2,482,592
c. For salaries, support, maintenance, and miscellaneous purposes of the victim compensation program	$ 40,810

When the department of transportation revokes a person's license or operating privilege under chapter 321B, the department shall assess the person a civil penalty of one hundred dollars. A separate fund is created in the state treasury. The money collected by the department under this

paragraph shall be transmitted to the treasurer of state who shall deposit the money in the fund to be used for the purposes of chapter 912. Any balance in this fund on June 30 of any fiscal year exceeding fifty thousand dollars shall revert to the general fund of the state. A temporary restricted license shall not be issued or a license or privilege to drive reinstated until the civil penalty has been paid.

2. INSPECTION FUNCTION	
For salaries, support, maintenance, and miscellaneous purposes of fire marshal's inspections, administration of the state building code, 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	$ 1,023,634
3. SECURITY FUNCTION	
For salaries, support, maintenance, and miscellaneous purposes of the capitol security division	$ 688,452
4. INVESTIGATION FUNCTION	
a. For salaries, support, maintenance, and miscellaneous purposes, including lease or lease purchase of laboratory equipment, of the division of criminal investigation containing the bureaus of identification, drug	

law enforcement, and beer and liquor law enforcement, 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 ..... $ 4,658,508

b. For undercover purchases by the division of criminal investigation agents and local law enforcement agents ..... $ 189,816

c. For salaries, support, maintenance, and miscellaneous purposes for the employment of pari-mutuel law enforcement agents, 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 ..... $ 220,186

It is the intent of the general assembly that the division of criminal investigation of the department of public safety shall not purchase more than five motor vehicles of the same make or model based upon specifications submitted by the department.

An employee of the department of public safety or the department of natural resources or their successor agencies who retires after the effective date of this Act is eligible for payment of life or health insurance premiums as provided for in the collective bargaining agreement covering the public

safety bargaining unit at the time of retirement if that employee previously served in a position which would have been covered by that agreement. The employee shall be given credit for the service in that prior position as though it was covered by that agreement. This section shall not operate to reduce any retirement benefits an employee may have earned under other collective bargaining agreements or retirement programs.

5. STATE MEDICAL EXAMINER

For salaries, support, maintenance, and miscellaneous purposes ..... $ 28,473

If the department of public safety uses funds appropriated for one purpose for other purposes within the scope of the department as provided in section 8.39, the department shall notify, at least two weeks prior to the transfer, in addition to those persons provided in section 8.39, each of the members of the justice system appropriations subcommittees of the senate and house of representatives regarding the transfer.

Sec. 409. There is appropriated from the road use tax fund to the department of public safety for the fiscal year beginning July 1, 1986 and ending June 30, 1987, the following amount, or so much thereof as is necessary, to be used as follows:

DIVISION OF HIGHWAY SAFETY AND UNIFORMED FORCE

1. For salaries, support, maintenance, and miscellaneous purposes 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 for funding not to exceed four-

teen community service officers, one in each state patrol district, and a statewide coordinator, provided that an amount not to exceed twenty thousand dollars shall be spent upon expenses related to administering federal funds for highway safety, and provided that the governor authorizes the commissioner of public safety, pursuant to section 7.15, to accept and expend funds provided by any Act of Congress for highway safety, and designates the department of public safety to administer these funds ..... $ 17,174,415
However, the unfunded liability of the peace officers' retirement, accident, and disability system, as of July 1, 1986, shall not be considered a liability of the road use tax fund.

2. In addition to the complement of not to exceed four hundred ten persons, not more than eight additional persons shall be appointed to serve as members of the highway safety patrol for the period beginning July 1, 1986 and ending June 30, 1987, subject to available federal funding. The additional members of the highway safety patrol appointed to serve under this subsection shall be totally funded through the use of federal funds.

Sec. 410. There is appropriated from the road use tax fund to the department of public safety for the fiscal year beginning July 1, 1986 and ending June 30, 1987, the sum of one million one hundred three thousand seven hundred (1,103,700) dollars, or so much thereof as is necessary, to be distributed to supplement other funds appropriated by the general assembly to the division of highway safety and uniformed force to fund the annual pay adjustments, expense reimbursement and benefits not in conflict with the Code for

public officials and employees as authorized by 1985 Iowa Acts, chapter 253.

Sec. 411. There is appropriated from the general fund of the state to the Iowa law enforcement academy for the fiscal year beginning July 1, 1986 and ending June 30, 1987 the sum of six hundred seventy-two thousand two hundred forty-two (672,242) dollars, or so much thereof as is necessary, for salaries, support, maintenance, and miscellaneous purposes.

Notwithstanding section 80B.11, subsection 5, during the fiscal year beginning July 1, 1986, not more than one-half of the cost of providing cognitive and psychological examinations of law enforcement officer candidates may be charged to the candidates taking the examinations by the Iowa law enforcement academy. However, no charge shall be made to officer candidates being tested on behalf of state agencies.

The Iowa law enforcement academy may also charge each law enforcement officer not more than one-half of the cost of providing the ten-week course which is designed to meet the minimum basic training requirements for a law enforcement officer. However, a charge shall not be made to officers employed by state agencies.

Sec. 412. There is appropriated from the general fund of the state to the Iowa law enforcement academy for the fiscal year beginning July 1, 1986 and ending June 30, 1987 the sum of twenty-three thousand five hundred eighty-six (23,586) dollars, or so much thereof as is necessary, for jailer training and technical assistance.

Sec. 413. There is appropriated from the general fund of the state to the department of justice two hundred fifty thousand (250,000) dollars for the fiscal year beginning July 1, 1986 and ending June 30, 1987, for the legal assistance for farmers program administered by the farm crisis program coordinator. The amounts appropriated under this section are not subject to section 8.33.

Sec. 414. There is appropriated from the general fund of the state to the department of justice the sum of one hundred thousand (100,000) dollars for the fiscal year beginning July 1, 1986 and ending June 30, 1987, for the administrative costs of the farm mediation service administered by the farm crisis program coordinator. The amounts appropriated under this section are not subject to section 8.33.

Sec. 415. 1985 Iowa Acts, chapter 254, section 1, subsection 2, paragraph b, is amended to read as follows:

b. For the fiscal year beginning July 1, 1986 ..... $ ~~807,300~~ 1,187,188

Sec. 416. 1985 Iowa Acts, chapter 254, section 1, subsection 3, paragraph b, is amended by striking paragraph b.

Sec. 417. All federal grants to and the federal receipts of agencies appropriated funds under this division of this Act are appropriated for the purposes set forth in such federal grants or receipts.

DIVISION VI

NATURAL RESOURCES

Sec. 501. DEPARTMENT OF AGRICULTURE AND LAND STEWARDSHIP. There is appropriated from the general fund of the state and the trust funds indicated to the department of agriculture and land stewardship for the fiscal year beginning July 1, 1986 and ending June 30, 1987 the following amounts, or so much thereof as is necessary, to be used for the purposes designated:

1986-1987
Fiscal Year

1. GENERAL ADMINISTRATION

a. From the general fund for salaries, support, maintenance, and miscellaneous purposes ..... $ 1,385,409

b. From the fertilizer fund to be transferred to the administration division ..... $ 43,387

c. From the dairy trade practice fund to be transferred to the administration division ..... $ 73,614

d. From the commercial feed fund to be transferred to the administration division ..... $ 43,387

e. Of the amount appropriated from the general fund of the state under paragraph "a" of this subsection, three hundred forty thousand nine hundred sixty-six (340,966) dollars shall be allocated to the horticultural division for the following purposes:

1986-1987
Fiscal Year

(1) Farmers market development program

For salaries, support, maintenance, and miscellaneous purposes ..... $ 95,490

It is the intent of this appropriation that the position of farmers market manager, who would work on organizing, developing, and operating a full-time metropolitan farmers market in Iowa, and the position of farmers market specialist, who would provide assistance in areas around the state which desire to upgrade or develop a local farmers market, be established, and that support staff be provided for the program. These funds may be utilized to obtain matching federal grants.

(2) Centralized facilities development program

For salaries, support, maintenance, and miscellaneous purposes ..... $ 99,995

It is the intent of this appropriation that two agricultural economic development specialist positions, who

would work within the community structure in developing and coordinating the overall local centralized facilities plan, assist in pulling together financing mechanisms for the capital investments necessary for centralized facility development, and work with localized grower groups to establish and expand their markets, be established, and that support staff be provided for the program. These funds may be utilized to obtain matching federal grants.

(3) Electronic marketing program

For salaries, support, maintenance, and miscellaneous purposes ..... $ 44,872

It is the intent of this appropriation that the position of horticultural market specialist be retained and the program continued and expanded to develop working relationships with contacts at regional terminal markets, to integrate in-state market trading prices, to develop hookups at centralized marketing facilities within Iowa, and to update and expand the existing data base on buyers, growers, and market prices. These funds may be utilized to obtain matching federal grants.

(4) Alternative agricultural products market evaluation program

For salaries, support, maintenance, and miscellaneous purposes ..... $ 50,606

It is the intent of this appropriation that the position of agricultural diversification administrator be maintained and that the administrator shall work with other departments of agriculture, other state departments, universities, and individual entrepreneurs in order to identify market outlets, market demand, and potential areas for future economic growth, and to identify constraints that need to be overcome in order for Iowa producers to participate in the market. These funds may be utilized to obtain matching federal grants.

(5) Marketing promotions program

For salaries, support, maintenance, and miscellaneous purposes ..... $ 50,003

It is the intent of this appropriation that the division work with other state departments, and with businesses and producers on promotional and consumer awareness activities, encouraging the purchase of Iowa grown products encompassed in the agricultural diversification program. These funds may be utilized to obtain matching federal grants.

f. The department of agriculture and land stewardship shall establish annual subscription fees for the regular and periodic publications of the department. Fees collected from subscribers shall be deposited in the general fund of the state.

It is the intent of the general assembly that the department of agriculture and land stewardship continue the agricultural diversification program.

2. REGULATORY DIVISION

From the general fund for salaries, support, maintenance, and miscellaneous purposes ..... $ 3,420,635

3. INDEMNITY FUND AND ESCROW.

From the general fund of the state as an advance for administration of the indemnity fund and escrow provision created by the 1986 Iowa Acts, Senate File 2116, for not more than five full-time equivalent positions ..... $ 100,000

It is a condition of the funds appropriated by this subsection that the general fund be reimbursed from the interest accruing to the indemnity fund, no later than June 30, 1987, for the advance made by this subsection. Notwithstanding 1986 Iowa Acts, Senate File 2116, section 33, only interest accruing to the indemnity fund may be used for

administration costs of the indemnity fund. In addition, interest accruing to the indemnity fund may be used for the expenses of administration of the escrow provision, subject to the approval of the Iowa grain indemnity fund board, notwithstanding 1986 Iowa Acts, Senate File 2116, section 33.

4. LABORATORY DIVISION

a. From the general fund for salaries, support, maintenance, and miscellaneous purposes ..... $ 553,674

b. From the commercial feed fund to be transferred to the laboratory division ..... $ 726,814

c. From the pesticide fund to be transferred to the laboratory division ..... $ 440,317

d. From the fertilizer fund to be transferred to the laboratory division ..... $ 774,371

5. FARM COMMODITY DIVISION

From the general fund for salaries, support, maintenance and miscellaneous purposes ..... $ 229,628

Sec. 502. MULTIFLORA ROSE ERADICATION COST REIMBURSEMENT.

1. There is appropriated from the general fund of the state to the state department of agriculture and land stewardship for the fiscal year beginning July 1, 1986 and ending June 30, 1987, the sum of sixty thousand (60,000) dollars, or as much thereof as may be necessary, to be used for the purpose of partially reimbursing agricultural landowners or tenants for the cost of herbicide for controlling or eradicating the multiflora rose which has severely infested their agricultural land. Not more than five percent of the funds appropriated under this subsection shall be used for administrative expenses.

2. A county board of supervisors desiring a share of the appropriation shall, in conjunction with the county weed commissioner and the county soil conservation district

commissioners, develop a plan to combat severe infestations of multiflora rose on privately owned land within the county. The plan shall be based upon partial reimbursement of individual landowner's costs for the purchase of herbicide from both state and county appropriations; however, the share of costs reimbursed by state funds shall not exceed one-fourth. The plan shall be submitted to the secretary of agriculture for approval or recommendations for modification.

3. A landowner or tenant whose agricultural land is severely infested by multiflora roses may apply to the soil conservation district commissioners of the county for partial reimbursement, according to the approved plan, of the cost of herbicide for controlling or eradicating the multiflora rose on the agricultural land. The county weed commissioner shall assist the soil conservation district commissioners in investigating the application and determining if the infestation is severe. The soil conservation district commissioners shall review and approve each application for partial cost reimbursement if the infestation is severe on the applicant's agricultural land. If the soil conservation district commissioners find the amount of reimbursement claimed to be excessive, the district commissioners may approve a lesser amount. The reasons for disapproval of an application or reduction of the amount of reimbursement shall be sent in writing to the applicant. The amount of reimbursement certified by the secretary shall be paid by warrant issued by the director of revenue and finance.

4. Federal lands and federal land tenants are not eligible for reimbursement under this section.

Sec. 503. There is appropriated to the department of agriculture and land stewardship for the fiscal year beginning July 1, 1986 and ending June 30, 1987 from the funds available under section 99D.13 the sum of seventy-eight thousand one hundred seventy-five (78,175) dollars, or as much thereof as necessary, for volunteer assistance and not more than two

full-time equivalent positions for the administration of section 99D.22.

Sec. 504. SOIL CONSERVATION. There is appropriated from the general fund of the state to the department of agriculture and land stewardship for the fiscal year beginning July 1, 1986 and ending June 30, 1987, the following amounts, or so much thereof as is necessary, to be used for the purposes designated:

	1986-1987 Fiscal Year
1. For salaries, support, maintenance, assistance to soil conservation districts, and for miscellaneous purposes	$ 3,385,315

It is the intent of the general assembly that if full-time equivalent positions must be reduced, the department shall first consider staff reductions in the central office.

2. For soil conservation grants which shall be allocated by the state soil conservation committee as follows:

a. To conduct soil surveys in conjunction with federal, state, and local agencies in Iowa	$ 303,436
b. To provide financial incentives for soil conservation practices in accordance with the provisions of subsection 3 of this section	$ 6,546,519

3. The following requirements apply to the funds appropriated by subsection 2, paragraph "b":

a. Not more than five percent may be allocated for cost sharing to abate complaints filed under sections 467A.47 and 467A.48.

b. Not more than ten percent may be allocated for financial incentives not exceeding seventy-five percent of the approved cost of permanent soil conservation practices under chapter 467A on watersheds above publicly owned lakes in accordance with the priority list required in subsection 3 of section 507 of this Act.

c. The committee may allocate funds to conduct research and demonstration projects to promote conservation tillage practices and nonpoint source pollution control practices.

d. Not more than thirty percent of a district's allocation may be allocated by the soil conservation district commissioners for the establishment of management practices to control soil erosion on land that is now row cropped.

e. The soil conservation district commissioners may allocate financial incentives not exceeding sixty percent of the cost of permanent soil conservation practices for special watershed practices or summer construction incentives under section 467A.7, subsections 17 and 19.

f. Except for the allocation subject to paragraphs "a", "b", and "e", the financial incentives for voluntary permanent soil conservation practices shall not exceed fifty percent of the approved cost and priority shall be given to family-operated farms.

g. Not more than twenty thousand (20,000) dollars may be used for reimbursement of out-of-pocket expenses of fencing authorized by section 467A.75.

h. The financial incentive payments may be used in combination with department of natural resources funds.

i. It is the intent of the general assembly to encourage greater use of no-till, strip cropping, contour, and other management practices rather than permanent structures thereby increasing participation in soil conservation.

4. The provisions of section 8.33 shall not apply to the funds appropriated by subsection 2. Unencumbered or unobligated funds remaining on June 30, 1990 from funds appropriated for the fiscal year beginning July 1, 1986 shall revert to the general fund on September 30, 1990.

Sec. 505. DEPARTMENT OF NATURAL RESOURCES. There is appropriated from the general fund of the state and the funds indicated to the department of natural resources and its divisions for the fiscal year beginning July 1, 1986 and

ending June 30, 1987 the following amounts, or so much thereof as may be necessary, to be used for the following purposes:

	1986-1987 Fiscal Year
For salaries, support, maintenance, equipment, and miscellaneous purposes	$ 9,122,655

The natural resource commission shall give priority to the acquisition of private property along the Cedar Valley nature trail in Black Hawk, Buchanan, Benton, and Linn counties and its extension into Johnson and Cedar counties; the Heritage trail in Dubuque county; the Comet trail in Grundy county; and the trail from Des Moines to Arispe in Polk, Warren, Madison, and Union counties. The department of transportation shall provide technical assistance to the natural resource commission with regard to acquisition proceedings. No state funds will be used unless appropriated by the general assembly.

1. FISH AND WILDLIFE

a. From the state fish and game protection fund for salaries, support, maintenance, equipment, and miscellaneous purposes including not more than one million nine hundred eighty-six thousand three hundred fifty-two (1,986,352) dollars during the fiscal year beginning on July 1, 1986 which shall be available from the state fish and game protection fund for administration and coordination relating to fish and wildlife activities	$ 13,106,897
b. From the fees deposited under section 321G.7 to the fish and game protection fund for enforcement of	

snowmobile laws as part of the state snowmobile program	$ 67,000
c. From the fees deposited under section 106.52 to the fish and game protection fund for administration and enforcement of navigation laws and water safety	$ 906,610

d. Funds remaining in the fish and game protection fund during fiscal year 1986-1987 which are not specifically appropriated by section 505 of this Act are appropriated and may be used for capital projects and contingencies arising during the fiscal year beginning July 1, 1986. A contingency shall not include any purpose or project which was presented to the general assembly by way of a bill or a proposed bill and which failed to be enacted into law. For the purpose of this subsection, a necessity of additional operating funds may be construed as a contingency. Before any of the funds authorized to be expended by this subsection are allocated for contingencies, it shall be determined by the executive council that a contingency exists and that the contingency was not existent while the general assembly was in session and that the proposed allocation shall be for the best interests of the state. If a contingency arises or could reasonably be foreseen during the time the general assembly is in session, expenditures for the contingency must be authorized by the general assembly.

2. GREEN THUMB PROGRAM

From the general fund for deposit in the green thumb fund for the employment of the elderly in conservation and outdoor recreation related fields to be known as the green thumb program in coordination with other agencies as provided by law	$ 138,730

3. The natural resource commission shall establish a priority list of watersheds above publicly owned lakes and areas within those watersheds which are of highest importance based on soil loss to be used for the allocation of funds set aside in subsection 3 of section 503 of this Act for permanent soil conservation practices on watersheds above publicly owned lakes.

4. For reimbursement to federal agencies for cooperative contracts ..... $ 185,558

5. Notwithstanding section 8.33 funds appropriated for the state's contribution to the AIDEX superfund by 1984 Iowa Acts, chapter 1303, section 18, subsection 3, and by 1985 Iowa Acts, chapter 260, section 12, subsection 3, which are unexpended or unencumbered shall carry forward into the 1986-1987 fiscal year for the same purpose as originally appropriated.

6. During the fiscal year for which funds are appropriated by this section, the department of natural resources shall not require the installation or use of equipment to control the emission of dust or other particulate matter on facilities for the storage of grain which are located within the ambient air quality attainment areas for suspended particulates.

7. For payments to the governing bodies responsible for publicly owned sewage treatment facilities which are eligible for grants under section 202 of the federal Water Pollution Control Act, 33 U.S.C. 466 et seq., as amended by the federal Clean Water Act of 1977, Pub. L. 95-217, in an amount equal to five percent of the amount approved as the eligible cost of the project by the environmental protection commission ..... $ 1,865,695

Notwithstanding the provisions of unnumbered paragraph 1, of this subsection, not more than ten thousand (10,000)

dollars of the funds appropriated by this subsection may be used for payments to governing bodies of local governments to reimburse up to fifty percent of expenses incurred since January 1, 1985 for alternative solid waste disposal projects.

The department is authorized to utilize from funds appropriated for payments to governing bodies responsible for publicly owned sewage treatment facilities but which are unexpended an amount not to exceed four hundred ninety-three thousand (493,000) dollars for the state share of the AIDEX superfund cleanup. Any funds remaining in the AIDEX superfund account once the final site cleanup work, excluding the ongoing monitoring of the site, has been completed shall revert to the general fund of the state. The moneys used for the state share of the AIDEX superfund cleanup shall be repaid not later than June 30, 1989. It is the intent of the general assembly that the withdrawal of funds from moneys available for publicly owned sewage treatment facilities shall not be used for any other purpose in future years and the department of natural resources shall report to the general assembly not later than January 1, 1987 on methods to increase funds for the state superfund to meet future needs in this state.

The provisions of section 8.33 shall not apply to the funds appropriated by this subsection. Unencumbered or unobligated funds remaining on June 30, 1990 from funds appropriated for the fiscal year beginning July 1, 1986, shall revert to the general fund on September 30, 1990.

Sec. 506. MARINE FUEL TAX FUND. There is appropriated from the marine fuel tax fund to the department of natural resources and its divisions for the fiscal year beginning July 1, 1986 and ending June 30, 1987 the following amounts, or so much thereof as is necessary, to be used for the following purposes:

1986-1987
Fiscal Year

1. For maintenance and de-

velopment of boating facilities
and access to public waters ..... $ 374,100

2. For deposit in the state
fish and game protection fund
for the administration and en-
forcement of navigation laws
and boat safety ..... $ 100,000

The balance of the amount computed as provided in section 324.84 for the fiscal year beginning July 1, 1986 and ending June 30, 1987 is appropriated for the purposes provided in section 324.79, subsections 1, 2, 3 and 5. The unencumbered or unobligated balances of funds specifically allocated for such projects for the fiscal year ending June 30, 1987, shall revert to the fund from which appropriated June 30, 1989.

Sec. 507. There is appropriated from the general fund of the state to the Iowa state water resources research institute for the fiscal year beginning July 1, 1986 and ending June 30, 1987, the sum of one hundred thousand (100,000) dollars, or so much thereof as is necessary, for research approved by the panel created in 1984 Iowa Acts, chapter 1303, section 20.

Sec. 508. If House File 2488 is enacted by the Seventy-first General Assembly, 1986 Session, and becomes law, there is appropriated from the general fund of the state to the interstate agricultural grain marketing commission for the fiscal period beginning July 1, 1986 and ending June 30, 1988, the sum of fifty thousand (50,000) dollars for the state's initial contribution to the commission for expenses incurred by the commission.

Sec. 509. Section 99D.13, subsection 2, Code 1985, is amended to read as follows:

2. Winnings forfeited under subsection 1 shall escheat to the state and be paid over to the director of revenue and finance and to the extent appropriated by the general assembly shall be used for the benefit of the department of agriculture and land stewardship to the extent necessary to administer

section 99D.22 and the remainder shall be deposited as per provided in chapter 556.

Sec. 510. All federal grants to and the federal receipts, not otherwise appropriated, of the agencies appropriated funds under this division of this Act are appropriated for the purposes set forth in the federal grants or receipts, unless otherwise provided by the general assembly.

DIVISION VII

REGULATORY AND LICENSING

Sec. 601. There is appropriated from the general fund of the state to the department of commerce for the fiscal year beginning July 1, 1986 and ending June 30, 1987 the following amounts, or so much thereof as may be necessary, to be used for the following purposes:

	1986-1987 Fiscal Year
1. PROFESSIONAL LICENSING AND REGULATION DIVISION	
a. BOARD OF ARCHITECTURAL EXAMINERS	
For salaries, support, maintenance, and other operational purposes	$ 42,000
b. BOARD OF LANDSCAPE ARCHITECTURAL EXAMINERS	
For salaries, support, maintenance, and other operational purposes	$ 11,000
c. BOARD OF ACCOUNTANCY	
For salaries, support, maintenance, and other operational purposes	$ 213,000
d. STATE BOARD OF ENGINEERING AND LAND SURVEYING EXAMINERS	
For salaries, support, main-	

tenance, and other operational
purposes ..... $ 138,000

e. IOWA REAL ESTATE COMMISSION

For salaries, support, maintenance, and other operational
purposes ..... $ 146,000

The licensing boards for which general fund appropriations have been provided for in paragraphs "a", "b", and "d" may expend additional funds, if those additional expenditures are directly the cause of actual examination expenses exceeding funds budgeted for examinations. Before a licensing board included in paragraphs "a", "b", and "d" expends or encumbers an amount in excess of the funds budgeted for examinations, the department of management shall approve the expenditure or encumbrance. Before approval is given, the department of management shall determine that the examination expenses exceed the funds budgeted by the general assembly to the board and the board does not have other funds from which examination expenses can be paid. Upon approval of the department of management the licensing board may expend and encumber funds for excess examination expenses. The amounts necessary to fund the excess examination expenses shall be collected as fees from additional examination applicants and shall be treated as repayment receipts as defined in section 8.2, subsection 5.

2. BANKING DIVISION

For salaries, support, maintenance, and other operational
purposes to be used as startup
funding for the banking revolving
fund ..... $ 295,000

3. CREDIT UNION DIVISION

For salaries, support, maintenance, and other operational

purposes to be used as startup
funding for the credit union
revolving fund ..... $ 50,000

4. INSURANCE DIVISION

For salaries, support, maintenance, and other operational
purposes ..... $ 1,650,000

Of the amount appropriated in this subsection, three hundred fifty thousand (350,000) dollars is to be used as startup funding for the insurance examination revolving fund.

5. GAMING DIVISION

For salaries, support, maintenance, and other operational
purposes ..... $ 49,000

Notwithstanding section 99D.5, subsection 4, members of the racing commission shall receive an annual salary of six thousand (6,000) dollars for the fiscal year beginning July 1, 1986 and ending June 30, 1987 and the fiscal year beginning July 1, 1987 and ending June 30, 1988. This section shall prevail over any inconsistent provisions of 1986 Iowa Acts, Senate File 2175 and any provision of 1986 Iowa Acts, Senate File 2175 relating to compensation for members of the racing commission shall not be applicable for the fiscal year beginning July 1, 1986 and ending June 30, 1987 or the fiscal year beginning July 1, 1987 and ending June 30, 1988.

6. UTILITIES DIVISION

For salaries, support, maintenance, and other operational
purposes including the consumer
advocate to be used as startup
funding for the utilities division revolving fund ..... $ 725,000

Sec. 602. There is appropriated from the general fund of the state for the fiscal year beginning July 1, 1986 and ending June 30, 1987 to the following named agencies, the

following amounts, or so much thereof as is necessary, to be used for the purposes designated:

	1986-1987 Fiscal Year
1. AUDITOR OF STATE	
For salaries, support, maintenance, and other operational purposes	$ 1,868,000
2. CAMPAIGN FINANCE DISCLOSURE COMMISSION	
For salaries, support, maintenance, and other operational purposes	$ 155,000
3. DEPARTMENT OF INSPECTIONS AND APPEALS	
For salaries, support, maintenance, and other operational purposes	$ 2,614,790

The department may charge state departments, agencies, and commissions for services rendered and the payments received shall be considered repayment receipts as defined in section 8.2, subsection 5.

4. FOSTER CARE REVIEW BOARD	
For salaries, support, maintenance, and other operational purposes	$ 129,000
5. OCCUPATIONAL SAFETY AND HEALTH REVIEW COMMISSION	
For salaries, support, maintenance, and other operational purposes	$ 24,523
6. SECRETARY OF STATE	
a. For salaries, support, maintenance, and other operational purposes	$ 1,044,000

b. For editing and printing the Iowa official register ..... $ 62,000

The secretary of state is responsible for the printing of the Iowa official register and the centralized printing department of the department of general services is responsible for the distribution of the Iowa official register.

The secretary of state shall not collect a fee for providing persons with the Iowa official register. If additional copies of the Iowa official register are required for distribution, the secretary of state shall not reprint the most expensive version of the Iowa official register but shall reprint the version that is less expensive for distribution.

Sec. 603. Notwithstanding section 123.53, there is appropriated from the beer and liquor control fund to the alcoholic beverages control division of the department of commerce for the fiscal year beginning July 1, 1986 and ending June 30, 1987 the sum of nine million two hundred thirty-five thousand (9,235,000) dollars for salaries, support, maintenance and other operational purposes, including funds to maintain existing warehouse distribution positions for the fiscal year beginning July 1, 1986 and ending June 30, 1987 or additional funds as necessary for the orderly and efficient operation of the liquor system, subject to the approval of the department of management. Funds appropriated by this section may also be expended for the transition expenses.

The state liquor inventory shall be placed on a bailment system.

Sec. 604. There is appropriated from the general fund of the state to the department of employment services for the fiscal year beginning July 1, 1986 and ending June 30, 1987, the following sums, or so much thereof as is necessary, to be used for the purposes designated:

1. DIVISION OF LABOR SERVICES

For salaries, support, mainte-

nance, and other operational purposes ..... $ 1,563,000

2. DIVISION OF INDUSTRIAL SERVICES

For salaries, support, maintenance, and other operational purposes ..... $ 946,199

It is the intent of the general assembly that the discount table for commutations in 500 Iowa Admin. Code §6.3, which was in effect immediately prior to March 20, 1985 and which was based on a simple rather than compound interest factor, shall be uniformly applied to all commutations approved by the industrial commissioner prior to March 20, 1985 as a valid interpretation of the general assembly's intent to commute future workers' compensation payments to a present worth lump-sum payment pursuant to sections 85.45 and 85.47. It is further the intent of the general assembly that the supreme court's reinterpretation of the general assembly's intent, concerning the commutation of future workers' compensation payments to a present worth lump-sum payment under sections 85.45 and 85.47, shall be uniformly applied to all commutations approved by the industrial commissioner on or after March 20, 1985.

Sec. 605. There is appropriated from the road use tax fund to the state department of transportation for the fiscal year beginning July 1, 1986 and ending June 30, 1987 the sum of three hundred twenty-six thousand (326,000) dollars, or so much thereof as is necessary, to reimburse the department of inspections and appeals for inspection and appeals services provided to the state department of transportation.

Sec. 606. There is appropriated from the banking revolving fund to the banking division of the department of commerce for the fiscal year beginning July 1, 1986 and ending June 30, 1987 the sum of three million nine hundred five thousand (3,905,000) dollars, or so much thereof as is necessary, for

salaries, support, maintenance, and other operational purposes of the banking division. Of the funds deposited in the banking revolving fund, the treasurer of state shall transfer from the fund and credit to the general fund of the state for the fiscal year beginning July 1, 1986 and ending June 30, 1987 the sum of two hundred ninety-five thousand (295,000) dollars to reimburse the general fund of the state for startup funding providing for the banking revolving fund from the general fund of the state.

Sec. 607. There is appropriated from the credit union revolving fund to the credit union division of the department of commerce for the fiscal year beginning July 1, 1986 and ending June 30, 1987 the sum of five hundred forty-one thousand (541,000) dollars, or so much thereof as is necessary, for salaries, support, maintenance, and other operational purposes of the credit union division. Of the funds deposited in the credit union revolving fund, the treasurer of state shall transfer from the fund and credit to the general fund of the state for the fiscal year beginning July 1, 1986 and ending June 30, 1987 the sum of fifty thousand (50,000) dollars to reimburse the general fund of the state for startup funding provided for the credit union revolving fund from the general fund of the state.

Sec. 608. There is appropriated from the insurance examination revolving fund to the insurance division of the department of commerce for the fiscal year beginning July 1, 1986 and ending June 30, 1987, the sum of one million one hundred fifty thousand (1,150,000) dollars, or so much thereof as is necessary, for salaries, support, maintenance, and other operational purposes of the insurance division. Of the funds deposited in the insurance examination revolving fund, the treasurer of state shall transfer from the fund and credit to the general fund of the state the sum of three hundred fifty thousand (350,000) dollars for the fiscal year beginning July 1, 1986 and ending June 30, 1987 to reimburse the general fund

of the state for startup funding provided for the insurance examination revolving fund from the general fund of the state.

Sec. 609. There is appropriated from the savings and loan revolving fund to the savings and loan division of the department of commerce for the fiscal year beginning July 1, 1986 and ending June 30, 1987 the sum of three hundred forty-five thousand (345,000) dollars, or so much thereof as is necessary, for salaries, support, maintenance, and other operational purposes of the savings and loan division.

Sec. 610. There is appropriated from the utilities trust fund to the utilities division of the department of commerce for the fiscal year beginning July 1, 1986 and ending June 30, 1987 the sum of three million seven hundred eighty-nine thousand four hundred (3,789,400) dollars, or so much thereof as is necessary, for salaries, support, maintenance, and other operational purposes of the utilities division. There is appropriated from the utilities trust fund to the consumer advocate office of the department of justice for the fiscal year beginning July 1, 1986 and ending June 30, 1987 the sum of eight hundred ninety-two thousand (892,000) dollars, or so much thereof as may be necessary, for salaries, support, maintenance, and operational purposes of the office. Of the funds deposited in the utilities trust fund, the treasurer of state shall transfer from the fund and credit to the general fund of the state the sum of seven hundred twenty-five thousand (725,000) dollars for the fiscal year beginning July 1, 1986 and ending June 30, 1987 to reimburse the general fund of the state for startup funding provided for the utilities trust fund from the general fund of the state.

Sec. 611. Section 19A.3, Code Supplement 1985, is amended by adding the following new subsections:

NEW SUBSECTION. 25. The administrator and the deputy administrator of the credit union division of the department of commerce, all members of the credit union review board, and all employees of the credit union division.

NEW SUBSECTION. 26. The superintendent and the deputy superintendent of the banking division of the department of commerce, all members of the state banking board, and all employees of the banking division.

NEW SUBSECTION. 27. The superintendent of savings and loan associations and all employees of the savings and loan division of the department of commerce.

Sec. 612. Section 20.4, Code 1985, is amended by adding the following new subsections:

NEW SUBSECTION. 11. Persons employed by the credit union division of the department of commerce.

NEW SUBSECTION. 12. Persons employed by the banking division of the department of commerce.

NEW SUBSECTION. 13. Persons employed by the savings and loan division of the department of commerce.

Sec. 613. Section 476.10, unnumbered paragraph 2, Code 1985, is amended to read as follows:

The commission shall ascertain the total of its expenditures during each year which are reasonably attributable to the performance of its duties under this chapter. The commission shall add to this total the certified expenses of the consumer advocate as provided under section 475A.6 and shall deduct all amounts chargeable directly to any specific utility under any law. The remainder shall be assessed by the commission to the public utilities in proportion to their respective gross operating revenues during the last calendar year derived from intrastate public utility operations and ~~shall be assessed within ninety days of the close of the calendar year based upon an estimate of the commission expenditures for the first half of the commission's fiscal year and again within ninety days of the close of the fiscal year as necessary to conform the amount of the assessment to the requirements of this section~~ may be assessed by the commission on a quarterly basis. Assessments may be made quarterly based upon estimates of the utility division's

and the consumer advocate's expenditures for the fiscal year. Beginning with the fiscal year beginning July 1, 1987, the first assessment for any fiscal year may be made by the utility division by May 15 of the preceding fiscal year and shall be paid by the utility on or before the following July 1. Not more than ninety days following the close of the fiscal year, the utilities division shall conform the amount of the prior fiscal year's assessments to the requirements of this section. Public utilities exempt from rate regulation under this chapter shall not be assessed for remainder expenses incurred during review of rate-regulated public utilities under section 476.31 or 476.32, but such remainder expenses shall be assessed proportionally as provided in this section among only the rate-regulated public utilities. The total amount which may be assessed to the public utilities under authority of this paragraph shall not exceed two-tenths of one percent of the total gross operating revenues of the public utilities during the calendar year derived from intrastate public utility operations. However, the total amount which may be assessed in any one calendar year to a public utility under this section shall not exceed three-tenths of one percent of the utility's total gross operating revenues derived from intrastate public utility operation in the last preceding year. For public utilities exempted from rate regulation under this chapter, the assessments under this paragraph shall be computed at one-half the rate used in computing the assessment for other utilities.

Sec. 614. Section 476.10, Code 1985, is amended by adding the following new unlettered paragraph:

NEW UNLETTERED PARAGRAPH. Fees paid to the utilities division shall be deposited in a utilities trust fund. The treasurer of state shall hold these funds in an account that shall be established in the names of the administrator of the utilities division and the consumer advocate for the payment, upon appropriation by the general assembly, of the expenses of

the utility division and the consumer advocate division of the department of justice. This fund is subject at all times to the warrant of the department of revenue and finance, drawn upon written requisition of the administrator of the utilities division, the administrator's designated representative, the consumer advocate, or the consumer advocate's designated representative for the payment of all salaries and other expenses necessary to carry out the duties of the utilities division or the consumer advocate division. Subject to section 476.10, the utilities division or the consumer advocate division may keep on hand with the treasurer of state funds in excess of the current needs of the utilities division or the consumer advocate division. Transfers shall not be made from the general fund of the state or any other fund for the payment of the expenses of the divisions. No part of the funds held by the treasurer of state for the account shall be transferred to the general fund of the state or any other fund. The funds held by the treasurer of state for the account shall be invested by the treasurer of state and the income derived from these investments shall be credited to the general fund of the state. The authority to modify allotments provided in section 8.31 shall not apply to funds appropriated from the fund created in this section.

The administrator and consumer advocate shall account for receipts and disbursements according to the separate duties imposed upon the utilities and consumer advocate divisions by the laws of this state and each separate duty shall be fiscally self-sustaining.

Sec. 615. Section 505.7, Code 1985, is amended to read as follows:

505.7 FEES.

All fees and charges ~~of every character whatsoever~~ which are required by law to be paid by insurance companies and associations shall be payable to the commissioner of the insurance division of the department of commerce or department

of revenue and finance, as provided by law, whose duty it shall be to account for and pay over the same to the treasurer of state at the time and in the manner provided by law. However, fees paid for the inspection or examination of an insurer or other entity subject to regulation by the department shall be deposited in a special trust fund. The treasurer of state shall hold these funds in an account that shall be established in the name of the commissioner for the payment of the inspection and examination expenses of the department upon appropriation by the general assembly. This fund is subject at all times to the warrant of the department of revenue, drawn upon written requisition of the commissioner or the commissioner's designated representative, for the payment of all salaries and other expenses necessary to carry out the inspection or examination duties of the insurance department. The commissioner may keep on hand with the treasurer of state funds in excess of the current needs of the department. Transfers shall not be made from the general fund of the state or any other fund for the payment of the inspection and examination expenses of the department. No part of the funds held by the treasurer of state for the account of the commissioner shall be transferred to the general fund of the state or any other fund. The funds held by the treasurer of state for the account of the commissioner shall be invested by the treasurer of state and the income derived from these investments shall be credited to the general fund of the state.

The commissioner shall account for receipts and disbursements according to the separate inspection and examination duties imposed upon the commissioner by the laws of this state and each separate inspection and examination duty shall be fiscally self-sustaining.

Sec. 616. Section 524.207, Code 1985, is amended by striking the section and inserting in lieu thereof the following:

524.207 EXPENSES OF THE ~~DEPARTMENT OF~~ BANKING DIVISION -- FEES.

All expenses required in the discharge of the duties and responsibilities imposed upon the ~~department of~~ banking division of the department of commerce, the superintendent, and the state banking board by the laws of this state shall be paid from fees provided by the laws of this state and appropriated by the general assembly from the fund established in this section. All of these fees are payable to the superintendent. The superintendent shall pay all the fees and other money received by the superintendent to the treasurer of state within the time required by section 12.10. The treasurer of state shall hold these funds in an account that shall be established in the name of the superintendent for the payment of the expenses of the department. This fund is subject at all times to the warrant of the department of revenue and finance, drawn upon written requisition of the superintendent or the superintendent's designated representative, for the payment of all salaries and other expenses necessary to carry out the duties of the banking division of the department of commerce. The superintendent may keep on hand with the treasurer of state funds in excess of the current needs of the department to the extent approved by the state banking board. Transfers shall not be made from the general fund of the state or any other fund for the payment of the expenses of the department. No part of the funds held by the treasurer of state for the account of the superintendent shall be transferred to the general fund of the state or any other fund, except as follows: One hundred thousand dollars each fiscal year shall be transferred to the general fund of the state. That amount shall be considered as one of the costs of the department. The funds held by the treasurer of state for the account of the superintendent shall be invested by the treasurer of state and the income derived from these investments shall be credited to the general fund of the state.

The authority to modify allotments provided in section 8.31 shall not apply to funds appropriated from the fund created in this section and held for the superintendent.

The superintendent shall account for receipts and disbursements according to the separate duties imposed upon the superintendent by the laws of this state and each separate duty shall be fiscally self-sustaining.

Sec. 617. Section 524.219, unnumbered paragraph 1, Code 1985, is amended to read as follows:

524.219 FEES FOR EXAMINATIONS.

A state bank~~,-and-any-private-bank~~ subject to examination, supervision, and regulation by the superintendent, shall pay to the superintendent a fee, established by the state banking board, based on the time required for the examination and the administrative costs and expenses incurred in the discharge of the duties imposed upon the superintendent by this chapter. The fee shall include, but not be limited to costs and expenses for salaries, expenses and travel for employees, office facilities, supplies, and equipment. Such fee shall apply equally to all state banks ~~and-private-banks-subject-to examination,-and-may-not-be-changed-more-frequently-than annually-and-when-changed,-shall-be-effective-on-January-1-of the-year-following-the-year-in-which-the-change-was-approved.~~

Sec. 618. NEW SECTION. 533.67 EXPENSES OF THE CREDIT UNION DIVISION -- FEES.

All expenses required in the discharge of the duties and responsibilities imposed upon the credit union division, the administrator, and the credit union review board by the laws of this state shall be paid from fees provided by the laws of this state and appropriated by the general assembly from the fund established in this section. All of these fees are payable to the administrator. The administrator shall pay all the fees and other money received by the superintendent to the treasurer of state within the time required by section 12.10. The treasurer of state shall hold these funds in an account

that shall be established in the name of the administrator for the payment of the expenses of the department. This fund is subject at all times to the warrant of the department of revenue and finance, drawn upon written requisition of the administrator or the administrator's designated representative, for the payment of all salaries and other expenses necessary to carry out the duties of the department. The administration may keep on hand with the treasurer of state funds in excess of the current needs of the department to the extent approved by the credit union review board. No transfers shall be made from the general fund of the state or any other fund for the payment of the expenses of the division. No part of the funds held by the treasurer of state for the account of the administrator shall be transferred to the general fund of the state or any other fund, except as follows: Forty thousand dollars each fiscal year shall be transferred to the general fund of the state. The amount shall be considered as one of the costs of the division. The funds held by the treasurer of state for the account of the administrator shall be invested by the treasurer of state and the income derived from these investments shall be credited to the general fund of the state.

The authority to modify allotments provided in section 8.31 shall not apply to funds appropriated from the fund created in this section and held for the administrator.

The administrator shall account for receipts and disbursements according to the separate duties imposed upon the administrator by the laws of this state and each separate duty shall be fiscally self-sustaining.

Sec. 619. Section 534.408, subsection 1, Code 1985, is amended to read as follows:

1. PAYABLE TO ~~STATE~~ AUDITOR OF STATE. Associations shall pay fees by delivering to the supervisor a check payable to the ~~state~~ auditor of state. All fees collected under ~~the provisions of~~ this chapter shall be deposited with the

treasurer of state in a separate fund to be known as the savings and loan revolving fund, except fifteen thousand dollars each fiscal year shall be transferred to the general fund of the state. The amount shall be considered as one of the costs of the savings and loan division. All expenses necessary to carry out ~~the provisions of~~ this chapter shall be paid from the savings and loan revolving fund and appropriated by the general assembly from the fund.

The authority to modify allotments provided in section 8.31 shall not apply to funds appropriated from the savings and loan fund.

Sec. 620. 1986 Iowa Acts, Senate File 540, section 11, is amended to read as follows:

SEC. 11. NEW SECTION. 56.14 POLITICAL ADVERTISEMENTS.

A person who causes the publication or distribution of published material after July 1, 1984 designed to promote or defeat the nomination or election of a candidate for public office or the passage of a constitutional amendment or public measure shall include conspicuously on the published material the identity and address of the person responsible for the material. If the person responsible is an organization, the name of one officer of the organization shall appear on the material. However, if the organization is a committee which has filed a statement of organization under this chapter, only the name of the committee is required to be included on the published material. This section does not apply to the editorials or news articles of a newspaper or magazine which are not political advertisements. For the purpose of this section, "published material" means any newspaper, magazine, shopper, outdoor advertising facility, poster, yard sign including hand lettered signs, direct mailing, brochure, or any other form of printed general public political advertising, however, the identification need not be conspicuous on posters and yard signs including hand lettered signs. This section does not apply to bumper stickers, pins,

buttons, pens, matchbooks and similar small items upon which the inclusion of the disclaimer would be impracticable or to published material which is subject to federal regulations regarding a disclaimer requirement.

Sec. 621. There is appropriated out of the funds made available to this state pursuant to section 903 of the federal Social Security Act, as amended, one million sixty-eight thousand nine hundred forty-two (1,068,942) dollars, to the job services division of the department of employment services for the prepayment of the principal balance of a lease-purchase agreement for data processing equipment used by the department in the performance of departmental functions under chapter 96.

The moneys appropriated in this section shall not be obligated after June 30, 1988. The amount obligated pursuant to this section during any twelve-month period beginning on July 1 and ending on the following June 30 shall not exceed the amount available for obligation pursuant to section 903 of the federal Social Security Act, as amended, and as reflected in the accounts of the department of job service and the United States department of labor.

Sec. 622. Section 96.9, subsection 4, paragraphs a and b, Code 1985, are amended to read as follows:

a. Money credited to the account of this state in the unemployment trust fund by the secretary of the treasury of the United States pursuant to section 903 of the Social Security Act may not be requisitioned from this state's account or used except for the payment of benefits and for the payment of expenses incurred for the administration of this chapter. Such money may be requisitioned pursuant to subsection 3 of this section for the payment of benefits. Such money may also be requisitioned and used for the payment of expenses incurred for the administration of this chapter but only pursuant to a specific appropriation by the legislature and only if the expenses are incurred and the

money is requisitioned after the enactment of an appropriation law which (1) specifies the purposes for which such money is appropriated and the amounts appropriated therefor, (2) limits the period within which such money may be obligated to a period ending not more than two years after the date of the enactment of the appropriation law, and (3) limits the amount which may be obligated during a twelve-month period beginning on July 1 and ending on the next June 30 to an amount which does not exceed the amount by which (i) the aggregate of the amounts credited to the account of this state pursuant to section 903 of the Social Security Act during the same twelve-month period and the ~~twenty-four~~ thirty-four preceding twelve-month periods, exceeds (ii) the aggregate of the amounts obligated for administration and paid out for benefits and charged against the amounts credited to the account of this state during such ~~twenty-five~~ thirty-five twelve-month periods.

b. Amounts credited to this state's account in the unemployment trust fund under section 903 of the Social Security Act which are obligated for administration or paid out for benefits shall be charged against equivalent amounts which were first credited and which are not already so charged; except that no amount obligated for administration during a twelve-month period specified herein may be charged against any amount credited during such a twelve-month period earlier than the ~~twenty-fourth~~ thirty-fourth preceding such period.

Sec. 623. SPECIAL EMPLOYMENT SECURITY CONTINGENCY FUND EXPENDITURES.

1. Notwithstanding the provisions of section 96.13, subsection 3, which restrict the use of moneys in the special employment security contingency fund, moneys in the fund on June 30, 1986, shall not be transferred by the treasurer of state to either the temporary emergency surcharge fund or to the unemployment compensation fund, but shall be available to

the department of job service, for the fiscal year beginning July 1, 1986, and ending June 30, 1987, for expenditure under subsection 2.

2. The department of job service shall only expend moneys, which are credited to the special employment security contingency fund during the fiscal year beginning July 1, 1986, and ending June 30, 1987, including moneys which are available to the department of job service under subsection 1, in accordance with the following restrictions:

a. The department may expend up to fifty thousand (50,000) dollars from the fund for the purchase and installation of an electrical transformer for its state administrative office building.

b. The department may expend up to two hundred thousand (200,000) dollars from the fund for the support of county labor survey economic development teams.

c. Any balance of moneys in the special employment security contingency fund shall be deposited in a separate account in the state treasury to be known as the department approved training fund. Notwithstanding section 453.7, interest and earnings from moneys deposited in the department approved training fund shall be credited to the fund. The department shall use moneys from the fund only to pay the instructional costs of training, relating to tuition and course fees, approved by the department pursuant to section 96.4 and 370 I.A.C. §4.39, §4.40, for individuals who demonstrate, to the department's satisfaction, that they are financially incapable of paying the instructional costs of the approved training. However, the department may expend up to thirty thousand (30,000) dollars from the fund for administrative costs related to payments for department approved training.

The payments shall not be made to the individual receiving approved training but shall be made directly to the institution or person providing the approved training.

Payments shall not exceed one thousand dollars per individual trainee in any two-year period.

The department shall distribute information on the qualification requirements for and availability of payment for department approved training to individuals filing claims for benefits or receiving benefits under chapter 96.

Sec. 624. Notwithstanding the provisions of 1986 Iowa Acts, House File 2181, sections 11 and 13, health insurance coverage provided under House File 2181 needs not be effective until July 1, 1987, and notices required by section 11 need not be given until January 1, 1987.

Sec. 625. 1986 Iowa Acts, House File 2181, section 12, is repealed.

Sec. 626. All federal grants to and the federal receipts of the agencies appropriated funds under this division of this Act are appropriated for the purposes set forth in such federal grants or receipts unless otherwise provided by the general assembly.

DIVISION VIII

STATE GOVERNMENT

Sec. 701. There is appropriated from the general fund of the state to the office of the governor for the fiscal year commencing July 1, 1986 and ending June 30, 1987, the following amounts, or so much thereof as is necessary, to be used for the purposes designated:

	1986-1987 Fiscal Year
1. For salaries, support, maintenance, and miscellaneous purposes of the general office of the governor	$ 643,650
2. For the governor's expenses connected with office	$ 5,439
3. For salaries, support, and miscellaneous purposes of the governor's quarters at Terrace Hill	$ 56,728
4. For the payment of expenses of ad hoc committees, councils, and task forces appointed by the governor to research and analyze a particular subject area relevant to the problems and responsibilities of state and local government, including the employment of professional, technical, and administrative staff and the payment of per diem, not exceeding forty dollars, and actual expenses of committee, council, or task force members	$ 15,706
5. For salaries, support, maintenance, and miscellaneous purposes of the office of administrative rules coordinator	$ 58,053

Sec. 702. There is appropriated from the general fund of the state to the office of the lieutenant governor for the fiscal year beginning July 1, 1986 and ending June 30, 1987, the following amount, or so much thereof as is necessary, to be used for the purposes designated:

	1986-1987 Fiscal Year
For salaries, support, maintenance, and miscellaneous purposes including the lieutenant governor's compensation and expenses as provided in subsection 2 of section 2.10 including service as a member	

of the legislative council
and for per diem and expenses
incurred while performing
duties of the lieutenant gov-
ernor when the general assem-
bly is not in session ..... $ 102,339

Sec. 703. There is appropriated from the general fund of the state to the executive council for the fiscal year beginning July 1, 1986 and ending June 30, 1987 the following amount, or so much thereof as is necessary, to be used for the purposes designated:

1986-1987
Fiscal Year

For salaries, support, main-
tenance, and miscellaneous pur-
poses ..... $ 39,605

Sec. 704. Section 8.20, Code 1985, is amended to read as follows:

8.20 CANCELLATION OF STATE WARRANTS.

The ~~state comptroller~~ director of revenue and finance as of March 31, June 30, September 30, and December 31 of each year shall cancel and request the treasurer of state to stop payment on all state warrants which have been outstanding and unredeemed by the state treasurer for ~~one-year~~ six months or longer.

Sec. 705. There is appropriated from the general fund of the state to the department of general services for the fiscal year beginning July 1, 1986 and ending June 30, 1987 the following amounts, or so much thereof as is necessary, to be used for the purposes designated:

1986-1987
Fiscal Year

1. GENERAL OPERATIONS

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

poses ..... $ 4,590,964

Savings achieved in providing telecommunications services shall be used by the department of general services to increase efficiencies in the provision of those services.

2. DIVISION OF DATA PROCESSING

For salaries, support, main-
tenance, and miscellaneous pur-
poses of the division of data
processing ..... $ 6,217,905

3. CAPITOL PLANNING COMMISSION

For expenses of the members in
carrying out their duties under
chapter 18A ..... $ 1,255

4. UTILITY COSTS

For payment of utility costs ..... $ 1,804,755

5. RENTAL SPACE

For payment of lease or rental
costs of buildings and office
space at the seat of government
as provided in section 18.12,
subsection 9, notwithstanding
section 18.16 ..... $ 890,311

6. To implement a risk
management program ..... $ 184,666

Sec. 706. There is appropriated from the revolving funds designated to the department of general services for the fiscal year beginning July 1, 1986 and ending June 30, 1987, the following amounts, or so much thereof as necessary, to be used for the purposes designated:

1986-1987
Fiscal Year

DEPARTMENT OF GENERAL
SERVICES -- REVOLVING FUNDS

1. From the centralized
printing permanent revolving

fund established by section 18.57 for salaries, support, maintenance, and miscellaneous purposes ..... $ 717,161

2. The remainder of the centralized printing permanent revolving fund is appropriated for the expense incurred in supplying paper stock, offset printing, copy preparation, binding, distribution costs, original payment of printing and binding claims and contingencies arising during the fiscal year beginning July 1, 1986 which are legally payable from this fund.

3. From the general service revolving fund established by section 18.9 for salaries, support, maintenance, and miscellaneous purposes ..... $ 452,915

4. The remainder of the general service revolving fund is appropriated for the payment of expenses incurred through purchases by various state departments and for contingencies arising during the fiscal year beginning July 1, 1986 which are legally payable from this fund.

5. From the vehicle dispatcher revolving fund established by section 18.119 for salaries, support, maintenance, and miscellaneous purposes ..... $ 434,540

6. The remainder of the vehicle dispatcher revolving fund is appropriated for the purchase of gasoline, oil, tires, repairs and all other maintenance expenses incurred in the operation of state-owned motor vehicles and for contingencies arising during the fiscal year beginning July 1, 1986 which are legally payable from this fund.

Sec. 707. There is appropriated from the general fund of the state to the following named agencies for the fiscal year commencing July 1, 1986 and ending June 30, 1987, the following amounts, or so much thereof as necessary, to be used for the purposes designated:

	1986-1987 Fiscal Year
1. NATIONAL CONFERENCE OF STATE LEGISLATURES	
For support of the membership assessment	$ 51,002
2. COMMISSION ON UNIFORM STATE LAWS	
For support of the commission and expenses of the members	$ 8,538
3. PIONEER LAWMAKERS	
For expenses of the biennial meeting	$ 707

Sec. 708. There is appropriated from the general fund of the state for the fiscal year beginning July 1, 1986 and ending June 30, 1987 to the department of management, the following amounts, or so much thereof as necessary, to be used for the purposes designated:

	1986-1987 Fiscal Year
1. DEPARTMENT OF MANAGEMENT	
a. For salaries, support, maintenance, and miscellaneous purposes	$ 1,344,812
b. Juvenile victim restitution program	$ 115,178
2. COUNCIL OF STATE GOVERNMENTS	
For support of the membership assessment	$ 44,806
3. For the payment of per diems	$ 299,915

Sec. 709. There is appropriated from the general fund of the state to the municipal assistance fund, established in section 405.1, for the fiscal year beginning July 1, 1986 and ending June 30, 1987, the following amount, or so much thereof as necessary, to be used for state assistance to municipalities, with distribution in accordance with section 405.1.

1986-1987 Fiscal Year
$ 14,502,280

Sec. 710. There is appropriated from the general fund of the state to the county government assistance fund, established in section 334A.1, for the fiscal year beginning July 1, 1986 and ending June 30, 1987, the following amount or so much thereof as is necessary, to be used for state assistance to counties, with the distribution in accordance with section 334A.2.

1986-1987 Fiscal Year
$ 3,195,236

Sec. 711. The treasurer of state shall apportion all moneys in the county indemnification fund to the county treasurers of the respective counties. The moneys in the fund, including interest income received by the fund, shall be allocated to each county in the same proportion that the county contributed to the fund. The treasurer of state shall apportion and remit the funds on or before July 15, 1986.

Sec. 712. Section 331.660, Code 1985, is amended to read as follows:

331.660 APPROPRIATION -- INDIAN SETTLEMENT OFFICER.

There is appropriated annually from the general fund of the state to the county of Tama the sum of three thousand ~~five~~ three hundred sixty-five dollars to be used by the county only for the payment of the salary and expenses of an additional deputy sheriff for the county. The principal duty of the deputy sheriff is to provide law enforcement on the Sac and Fox Indian settlement in the county of Tama. If possible, the deputy sheriff shall reside on the settlement. Additional funds necessary to pay the salary and expenses of the deputy sheriff shall be paid by the county of Tama.

Sec. 713. 1985 Iowa Acts, chapter 254, section 1, subsection 1, paragraph b, is amended to read as follows:

b. For the fiscal year beginning July 1, 1986 ..... $ ~~48,004,900~~ 44,000,000

Sec. 714. 1985 Iowa Acts, chapter 258, section 9, is amended to read as follows:

SEC. 9. COMPARABLE WORTH PAY ADJUSTMENTS. There is appropriated from the general fund of the state to the salary adjustment fund established in section 8.43 for the fiscal year beginning July 1, 1985 and ending June 30, 1986, the sum of ~~nineteen~~ eighteen million eighty-five thousand eight hundred fifteen (~~19,000,000~~ 18,085,815) dollars, or so much

thereof as is necessary, to be distributed to the various departments to supplement other general fund moneys appropriated by the general assembly to provide salary adjustments resulting from implementing actions taken under 1984 Iowa Acts, chapter 1314, including plans developed for agencies with positions which are exempt or partially exempt from the state merit system pursuant to 1984 Iowa Acts, chapter 1314, section 8.

Sec. 715. COMPARABLE WORTH PAY ADJUSTMENTS. There is appropriated from the general fund of the state to the salary adjustment fund established in section 8.43 for the fiscal year beginning July 1, 1986 and ending June 30, 1987, the sum of sixteen million six hundred seventeen thousand nine hundred forty (16,617,940) dollars, or so much thereof as necessary, to be distributed to the various departments to supplement other general fund moneys appropriated by the general assembly to provide salary adjustments resulting from implementing actions taken under 1984 Iowa Acts, chapter 1314, including plans developed for agencies with positions which are exempt or partially exempt from the state merit system pursuant to 1984 Iowa Acts, chapter 1314, section 8.

Sec. 716. There is appropriated from the general fund of the state, to the department of personnel for the fiscal year beginning July 1, 1986 and ending June 30, 1987, the following amounts, or so much thereof as necessary, to be used for the purposes designated:

	1986-1987 Fiscal Year
1. For salaries, support, maintenance, and miscellaneous purposes	$ 2,928,227
2. To be transferred to the department of corrections for salary, support, maintenance, and miscellaneous purposes of the core personnel staff	$ 222,206
3. To be transferred to the department of human services for salary, support, maintenance, and miscellaneous purposes of the core personnel staff	$ 787,714
4. To be transferred to the department of transportation for salary, support, maintenance, and miscellaneous purposes of the core personnel staff	$ 12,074
5. For salaries, support, maintenance, and other operational purposes for the administration of chapter 97 and chapter 97C and section 294.15	$ 145,785

Sec. 717. There is appropriated from the general fund of the state, to the public employment relations board for the fiscal year beginning July 1, 1986, and ending June 30, 1987, the sum of four hundred ninety-seven thousand six hundred eighty-seven (497,687) dollars, or so much thereof as necessary, for salaries, support, maintenance, and miscellaneous purposes related to the operation of the public employment relations board.

A person who desires to be reimbursed for legitimate costs incurred while performing service to the state must submit a receipt documenting such cost prior to receiving remuneration from the state.

Sec. 718. There is appropriated from the Iowa public employees' retirement system fund to the department of personnel for the fiscal year beginning July 1, 1986 and ending June 30, 1987, the following amount, or so much thereof as is necessary, to be used for the following purposes:

	1986-1987

Fiscal Year

For salaries, support, maintenance, and other operational purposes to pay the costs of administration of the Iowa public employees' retirement system ..... $ 1,773,465

Sec. 719. NEW SECTION. 28.110 IOWA WINE AND BEER PROMOTION BOARD.

An Iowa wine and beer promotion board is created. The board consists of three members appointed by the commission. Each member shall serve a term of two years on the board. One member shall represent the commission, one member shall represent the Iowa wine makers, and one member shall represent the Iowa beer makers. The board shall advise the commission on the best means to promote wine and beer made in Iowa.

Sec. 720. NEW SECTION. 28.111 PROMOTION OF IOWA WINE AND BEER.

The commission shall consult with the Iowa wine and beer promotion board on the best means to promote wine and beer made in Iowa. The commission has the authority to contract with private persons for the promotion of beer and wine made in Iowa. At the direction of the commission, the state comptroller shall issue warrants to the commission on the barrel tax fund created in section 123.143 and the gallonage tax fund created in section 123.183, which moneys may be used by the commission for the purpose of this section, including administrative expenses incurred under this section.

Sec. 721. Section 97B.49, subsection 3, Code Supplement 1985, is amended to read as follows:

3. For each member employed before January 1, 1976, who has qualified for prior service credit in accordance with the first paragraph of section 97B.43, there shall be determined a benefit of eight-tenths of one percent per year of prior service credit multiplied by the monthly rate of the member's total remuneration not in excess of three thousand dollars

annually during the twelve consecutive months of the member's prior service for which ~~such~~ that total remuneration was the highest. An additional three-tenths of one percent of ~~such~~ the remuneration not in excess of three thousand dollars annually shall be payable for prior service during each year in which the accrued liability for benefit payments created by the abolished system is funded by appropriation from the general fund of the ~~state of Iowa as provided under section 97B.56~~.

Sec. 722. Section 97B.49, subsection 7, Code Supplement 1985, is amended to read as follows:

7. Notwithstanding other provisions of this chapter, a member who is or has been employed as a conservation peace officer under section 107.13 and who retires between July 1, 1978 and June 30, 1982 and at the time of retirement is at least sixty years of age and has completed at least twenty-five years of membership service as a conservation peace officer, may elect to receive, in lieu of the receipt of any benefits under subsection 5 of this section, a monthly retirement allowance equal to one-twelfth of forty-seven percent of the member's five-year average covered wage as a conservation peace officer, with benefits payable during the member's lifetime. For each conservation peace officer eligible for benefits under this subsection who retires on or after July 1, 1982, the percent used in computing the monthly retirement allowance is fifty. There is appropriated from the ~~general fund of the state to the Iowa department of job service from funds not otherwise appropriated~~ state fish and game protection fund to the department of personnel an amount determined by the Iowa public employees' retirement system sufficient to pay ~~eight and forty three hundredths percent~~ for the additional benefits to conservation peace officers provided by this section, as a percentage of the covered wages of each conservation peace officer, in addition to the contribution paid by the employer under section 97B.11~~, to~~

~~finance-increased-benefits-to-conservation-peace-officers under-this-subsection.~~

Sec. 723. Section 97B.56, unnumbered paragraph 2, Code 1985, is amended to read as follows:

Commencing July 1, 1967, and each year thereafter, the contributions required to fund the actuarial liabilities from the abolished system shall be determined in accordance with section 97B.54. ~~There-is-hereby-appropriated-from-the-general fund-of-the-state-of-Iowa-the-amount-of-contribution-required under-said-section-but-not-to-exceed-one-million-dollars-per biennium.--The-amount-of-such-contribution-shall-be-deposited in-the-retirement-fund-in-two-annual-installments-not-later than-June-30-of-each-fiscal-year.~~

Sec. 724. Section 123.3, subsection 21, Code Supplement 1985, is amended by striking the subsection.

Sec. 725. Section 123.3, subsection 27, Code Supplement 1985, is amended to read as follows:

27. "Retailer" means any person who shall sell, barter, exchange, offer for sale, or have in possession with intent to sell any alcoholic liquor ~~for-consumption-on-the-premises where-sold~~, wine, or beer ~~or-wine~~ for consumption either on or off the premises where sold.

Sec. 726. Section 123.16, subsection 2, paragraphs a and c, Code Supplement 1985, as amended by 1986 Iowa Acts, House File 2372, section 5, are amended to read as follows:

a. Purchases of alcoholic liquor ~~and-wine~~ for resale by the department.

c. The establishment of ~~retail~~ wholesale prices of alcoholic liquor ~~and-wine-sold-by-the-department~~.

Sec. 727. Section 123.16, subsection 2, paragraph d, Code Supplement 1985, is amended by striking the paragraph.

Sec. 728. Section 123.20, subsection 5, Code Supplement 1985, is amended to read as follows:

5. To appoint ~~vendors,~~ clerks, agents, or other employees required for carrying out the provisions of this chapter; to

dismiss employees for cause; to assign employees to divisions as created by the director within the ~~department~~ division; and to designate their title, duties, and powers. All employees of the department are subject to chapter 19A unless exempt under section 19A.3.

Sec. 729. Section 123.20, subsection 8, Code Supplement 1985, as amended by 1986 Iowa Acts, House File 2372, section 6, is amended to read as follows:

8. To accept intoxicating liquors ordered delivered to the Iowa alcoholic beverage control department pursuant to section 127.8, subsection 1, and offer for sale and deliver such intoxicating liquors ~~and-wine-for-sale-through-the-state liquor-stores~~ to class "E" liquor control licensees, unless the director determines that such intoxicating liquors ~~and wine~~ may be adulterated or contaminated. If the director determines that such intoxicating liquors ~~and-wine~~ may be adulterated or contaminated the director shall order their destruction.

Sec. 730. Section 123.20, subsections 2 and 9, Code Supplement 1985, are amended by striking the subsections.

Sec. 731. Section 123.21, subsections 1 and 6, Code Supplement 1985, are amended to read as follows:

1. Prescribing the duties of officers, ~~vendors,~~ clerks, agents, or other employees of the ~~department~~ division and regulating their conduct while in the discharge of their duties.

6. Providing for the issuance and distribution of price lists which show the price to be paid by ~~purchasers~~ class "E" liquor control licensees for each brand, class, or variety of liquor kept for sale ~~under-this-chapter~~ by the division, providing for the filing or posting of prices charged in sales between class "A" beer and class "A" wine permit holders and retailers, as provided in this chapter, and establishing or controlling the prices based on minimum standards of fill, quantity, or alcoholic content for each individual sale of

intoxicating liquor or beer as deemed necessary for retail or consumer protection. However, the ~~department~~ division ~~does~~ shall not ~~have-the-authority-to~~ regulate markups, prices, discounts, allowances, or other terms of sale at which alcoholic liquor may be purchased by the retail public or liquor control licensees from class "E" liquor control licensees or at which wine may be purchased and sold by class "A" and retail wine permittees, or change, nullify, or vary the terms of ~~any~~ an agreement between a holder of a vintner certificate of compliance and a class "A" wine permittee.

Sec. 732. Section 123.21, subsections 2, 3, and 8, Code Supplement 1985, as amended by 1986 Iowa Acts, House File 2372, section 7, are amended to read as follows:

2. Regulating the management, equipment, and merchandise of state ~~liquor-stores-and~~ warehouses in and from which alcoholic liquors ~~and-wine~~ are transported, kept, or sold and prescribing the books and records to be kept therein.

3. Regulating the purchase of alcoholic liquor generally and the furnishing of the liquor ~~and-wine~~ to ~~state-liquor-stores-established~~ class "E" liquor control licensees under this chapter, and determining the classes, varieties, and brands of alcoholic liquors ~~and-wine~~ to be kept in state warehouses ~~or-for-sale-at-any-state-liquor-store~~.

8. Prescribing, subject to this chapter, the days and hours during which state ~~liquor-stores~~ warehouses shall be kept open for the purpose of the sale and delivery of alcoholic liquors ~~and-wine~~.

Sec. 733. Section 123.22, unnumbered paragraph 1, Code Supplement 1985, is amended to read as follows:

The ~~department~~ division has the exclusive right of importation into the state of ~~all~~ forms of alcoholic liquor, except as otherwise provided in this chapter, and a person shall not import alcoholic liquor, except that an individual of legal age may import and have in the individual's possession an amount of alcoholic liquor not exceeding one

quart or, in the case of alcoholic liquor personally obtained outside the United States, one gallon for personal consumption only in a private home or other private accommodation. No distillery shall sell ~~any~~ alcoholic liquor within the state to any person but only to the department, except as otherwise provided in this chapter. ~~It-is-the-intent-of-this~~ This section ~~to-vest~~ vests in the ~~department~~ division exclusive control within the state ~~both~~ as purchaser ~~and-vendor~~ of all alcoholic liquor sold by distilleries within the state or imported, except beer and wine, and except as otherwise provided in this chapter. ~~The-department-may-continue-to-purchase-wine-from-persons-holding-a-vintner's-certificate-of-compliance-or-a-class-"A"-wine-permit-for-resale-in-state-liquor-stores.~~ The division shall act as the sole wholesaler of alcoholic liquor to class "E" liquor control licensees.

Sec. 734. Section 123.24, Code 1985, is amended to read as follows:

123.24 ~~VENDORS----CASH-SALES~~ ALCOHOLIC LIQUOR SALES BY THE DIVISION -- DISHONORED CHECKS -- LIQUOR PRICES.

1. ~~In-the-conduct-and-management-of-state-liquor-stores,-the-director-is-empowered-to-employ-a-person-who-shall-be-known-as-a-"vendor"-who-shall,-subject-to-the-directions-of-the-director,-observe-all-provisions-of-this-chapter-and-the-rules-and-regulations-of-the-department.--No-vendor-of-any-state-liquor-store-shall-sell-alcoholic-liquor-to-any-person-except-for-cash-or-traveler's-check.~~ The division shall sell alcoholic liquor at wholesale only. The division shall sell alcoholic liquor to class "E" liquor control licensees only. The division shall offer the same price on alcoholic liquor to all class "E" liquor control licensees without regard for the quantity of purchase or the distance for delivery.

2. a. ~~Notwithstanding-the-preceding-paragraph,-a-vendor-may-accept-from-a-class-"A",-"B",-"C"-or-"D"~~ The division may accept from a class "E" liquor control licensee, a cashier's check which shows the licensee is the remitter or a check

issued by the licensee~~,~~ in payment of alcoholic liquor ~~purchased for resale. In the event~~ If a check is subsequently dishonored, the ~~vendor~~ division shall cause a notice of nonpayment and penalty to be served upon the class "E" liquor control licensee or upon any person in charge of the licensed premises. The notice shall state that if payment or satisfaction for the dishonored check is not made within ten days of the service of notice, the licensee's liquor control license shall be suspended ~~by the procedures of~~ under section 123.39. The notice of nonpayment and penalty shall be in a form prescribed by the director, and shall be served by a peace officer.

b. If upon notice and hearing under ~~the procedures specified in~~ section 123.39 and pursuant to the provisions of chapter 17A concerning a contested case hearing, the director determines that the class "E" liquor control licensee failed to satisfy the obligation for which the check was issued within ten days after the notice of nonpayment and penalty was served on the licensee as provided in paragraph "a" of this subsection, the director shall suspend the licensee's class "E" liquor control license for not less than three days but not more than thirty days.

c. Paragraphs "a" and "b" do not apply if a class "E" liquor control licensee tenders the ~~department~~ division three or more checks during a twelve-month period which are dishonored. Following notification to the department of dishonor of ~~any~~ a check after the second check so dishonored from the same licensee, the director shall suspend a licensee's class "E" liquor control license for not less than three nor more than thirty days, after notice and an opportunity for hearing. Payment of ~~any~~ a check whose dishonor subjects the licensee to suspension does not affect the liability of the licensee to suspension.

3. The price of alcoholic liquor sold by the division shall include a markup of up to sixty percent of the wholesale price paid by the division for the alcoholic liquor. The markup shall apply to all alcoholic liquor sold by the division; however, the division may increase the markup on selected kinds of alcoholic liquor sold by the division if the average return to the division on all sales of alcoholic liquor does not exceed the wholesale price paid by the division and the sixty percent markup.

Sec. 735. Section 123.25, Code 1985, as amended by 1986 Iowa Acts, House File 2372, section 8, is amended to read as follows:

123.25 CONSUMPTION ON PREMISES.

~~A vendor~~, An officer, clerk, agent, or employee of the department employed in ~~any state liquor store or~~ a state-owned warehouse shall not allow any alcoholic liquor ~~or wine~~ to be consumed on the premises, nor shall ~~any~~ a person consume any liquor on the premises except for testing or sampling purposes only.

Sec. 736. Section 123.26, Code 1985, is amended to read as follows:

123.26 RESTRICTIONS ON SALES -- SEALS -- LABELING.

Alcoholic liquor shall not be sold by the ~~department~~ division to ~~a purchaser~~ a class "E" liquor control licensee except in a sealed container with identifying markers as prescribed by the director and affixed on the premises of a state warehouse ~~or store~~ and no such container shall be opened upon the premises of a state warehouse ~~or store~~. Possession of alcoholic liquors which do not carry the prescribed identifying markers is a violation of this chapter except as provided in section 123.22~~, and except as authorized by the council pursuant to section 123.56, subsection 4~~.

Sec. 737. Section 123.27, Code Supplement 1985, as amended by 1986 Iowa Acts, House File 2372, section 9, is amended to read as follows:

It is unlawful to transact the sale or delivery of alcoholic liquor ~~or wine~~ in, on, or from the premises of a state ~~liquor store or~~ warehouse:

1. After the closing hour as established by the director.

2. On any legal holiday except those designated by the director and approved by the executive council.

3. On any Sunday.

4. During other periods or days as designated by the director.

Sec. 738. Section 123.28, unnumbered paragraph 1, Code Supplement 1985, is amended to read as follows:

It is lawful to transport, carry, or convey alcoholic liquors from the place of purchase by the department division to a state warehouse, store, or depot established by the department division or from one such place to another and, when so permitted by this chapter, it is lawful for the division, a common carrier, or other person to transport, carry, or convey alcoholic liquor sold by a vendor from a state warehouse, store, depot, or point of purchase by the state to any place to which the liquor may be lawfully delivered under this chapter. The department shall deliver alcoholic liquor purchased by class "E" liquor control licensees. Class "E" liquor control licensees may deliver alcoholic liquor purchased by class "A", "B", or "C" liquor control licensees, and class "A", "B", or "C" liquor control licensees may transport alcoholic liquor purchased from class "E" liquor control licensees. Notwithstanding section 321.230, sections 321.225 and 321.226 do not apply to department division employees in the regular course of their employment. A common carrier or other person shall not break or open or allow to be broken or opened a container or package containing alcoholic liquor or use or drink or allow to be used or drunk any alcoholic liquor while it is being transported or conveyed, but this section does not prohibit a private person from transporting individual bottles or containers of alcoholic liquor exempted pursuant to section 123.22 and individual bottles or containers bearing the identifying mark prescribed in section 123.26 which have been

opened previous to the commencement of the transportation. This section does not affect the right of a special permit or liquor control license holder to purchase, possess, or transport alcoholic liquors subject to the provisions of this chapter.

Sec. 739. Section 123.29, subsections 1 and 2, Code Supplement 1985, are amended to read as follows:

1. To a physician, pharmacist, dentist, or veterinarian, entitling the holder to purchase and import alcohol from distillers and wholesalers or from the state liquor stores department or a class "E" liquor control licensee for use medicinally and in compounding prescriptions and to sell the same alcohol for use medicinally in the compounded prescription only upon the prescription of a licensed physician or surgeon, or to use such the alcohol in manufacturing or compounding lotions, compounds, and like commodities not susceptible for beverage purposes, and to sell the same commodities for public use.

2. To a veterans home, sanitarium, hospital, college, or home for the aged which will entitle the holder to purchase and import alcohol from distillers and wholesalers or from the state liquor stores division or a class "E" liquor control licensee for use for medicinal, laboratory, and scientific purposes only.

Sec. 740. Section 123.29, unnumbered paragraph 5, Code Supplement 1985, is amended to read as follows:

Every person holding a special liquor permit under this chapter shall fill out in duplicate, on forms furnished by the department, the amount and kinds of liquors purchased, and shall retain one copy in the person's establishment for a period of two years. The vendor of the state liquor store at which class "E" liquor control licensee from whom the purchase was made shall monthly forward the other copy to the department.

Sec. 741. Section 123.30, subsection 3, paragraphs a, b, and c, Code Supplement 1985, are amended to read as follows:

a. CLASS "A". A class "A" liquor control license may be issued to a club and shall authorize the holder to purchase alcoholic liquors from class "E" liquor control licensees only ~~the department~~, wine from ~~the department or~~ class "A" wine permittees only, and native wines from native wine manufacturers, and to sell liquors, wine, and beer, to bona fide members and their guests by the individual drink for consumption on the premises only.

b. CLASS "B". A class "B" liquor control license may be issued to a hotel or motel and shall authorize the holder to purchase alcoholic liquors from class "E" liquor control licensees only ~~the department~~, wine from ~~the department or~~ class "A" wine permittees only, and native wines from native wine manufacturers, and to sell liquors, wine, and beer, to patrons by the individual drink for consumption on the premises only~~, however~~. However, beer may also be sold for consumption off the premises. Each license shall be effective throughout the premises described in the application.

c. CLASS "C". A class "C" liquor control license may be issued to a commercial establishment but must be issued in the name of the individuals who actually own the entire business and shall authorize the holder to purchase alcoholic liquors from class "E" liquor control licensees only ~~the department~~, wine from ~~the department or~~ class "A" wine permittees only, and native wines from native wine manufacturers, and to sell liquors, wine, and beer, to patrons by the individual drink for consumption on the premises only~~, however~~. However, beer may also be sold for consumption off the premises.

A special class "C" liquor control license may be issued and shall authorize the holder to purchase wine from ~~the department or~~ class "A" wine permittees only, and to sell wine and beer to patrons by the individual drink for consumption on the premises only~~, however~~. However, beer may also be sold

for consumption off the premises. The license issued to holders of a special class "C" license shall clearly state on its face that the license is limited.

Sec. 742. Section 123.30, subsection 3, Code Supplement 1985, is amended by adding the following new lettered paragraph:

NEW LETTERED PARAGRAPH. e. CLASS "E". A class "E" liquor control license may be issued and shall authorize the holder to purchase alcoholic liquor from the division only and to sell the alcoholic liquor to patrons for consumption off the licensed premise and to other liquor control licensees. A class "E" license shall not be issued to premises at which gasoline is sold. A holder of a class "E" liquor control license may hold other liquor control licenses or wine or beer permits, but the premises licensed under a class "E" liquor control license shall be separate from other licensed premises. However, the holder of a class "E" liquor control license may also hold a class "B" wine or class "C" beer permit or both for the premises licensed under a class "E" liquor control license.

Sec. 743. Section 123.32, subsection 1, Code Supplement 1985, is amended to read as follows:

1. Filing of application. An application for a class "A", class "B", ~~or~~ class "C", or class "E" liquor control license, for a retail beer permit as provided in sections 123.128 and 123.129, or for a class "B" retail wine permit as provided in section 123.176, accompanied by the required fee and bond, shall be filed with the appropriate city council if the premises for which the license or permit is sought are located within the corporate limits of a city, or with the board of supervisors if the premises for which the license or permit is sought are located outside the corporate limits of a city. An application for a class "D" liquor control license and for a class "A" beer or class "A" wine permit, accompanied by the required fee and bond, shall be filed with the department,

which shall proceed in the same manner as in the case of an application approved by local authorities.

Sec. 744. Section 123.36, Code Supplement 1985, is amended by adding the following new subsections:

NEW SUBSECTION. 9. Class "E" liquor control license, a sum of not less than seven hundred and fifty dollars, and not more than seven thousand five hundred dollars as determined on a sliding scale as established by the division taking into account the factors of square footage of the licensed premises, the location of the licensed premises, and the population of the area of the location of the licensed premises. Notwithstanding subsection 6, the holder of a class "E" liquor control license may sell alcoholic liquor for consumption off the licensed premises on Sunday subject to section 123.49, subsection 2, paragraph "b".

NEW SUBSECTION. 10. There is imposed a surcharge on the fee for each class "A", "B", or "C" liquor control license equal to thirty percent of the scheduled license fee. The surcharges collected under this section shall be deposited in the beer and liquor control fund, and notwithstanding subsection 8, no portion of the surcharges collected under this section shall be remitted to the local authority.

Sec. 745. Section 123.50, subsection 5, Code Supplement 1985, is amended by striking the subsection.

Sec. 746. Section 123.51, Code Supplement 1985, is amended to read as follows:

123.51 ADVERTISEMENTS FOR ALCOHOLIC LIQUOR, WINE, OR BEER.

~~1.--Except-as-permitted-by-federal-statute-and-regulations,-there-shall-be-no-public-advertisement-or-advertising-of-alcoholic-liquors-in-any-manner-or-form-within-the-state.~~

~~2.--No-person-shall-publish,-exhibit,-or-display-or-permit-to-be-displayed-any-other-advertisement-or-form-of-advertisement,-or-announcement,-publication,-or-price-list-of,-or-concerning-any-alcoholic-liquors,-or-where,-or-from-whom-the-same-may-be-purchased-or-obtained,-unless-permitted-so-to-do-by-the-regulations-adopted-by-the-department-and-then-only-in-strict-accordance-with-such-regulations.--This-subsection-shall-not-apply,-however:~~

~~a.--To-the-department.~~

~~b.--To-the-correspondence,-or-telegrams,-or-general-communications-of-the-department,-or-its-agents,-servants,-and-employees.~~

~~c.--To-the-receipt-or-transmission-of-a-telegram-or-telegraphic-copy-in-the-ordinary-course-of-the-business-of-agents,-servants,-or-employees-of-any-telegraph-company.~~

~~3~~ 1. No signs or other matter advertising any brand of alcoholic liquor, beer, or wine shall be erected or placed upon the outside of any premises occupied by a licensee or permittee authorized to sell alcoholic liquor, beer, or wine at retail. This subsection does not prohibit the use of signs or other matter inside a fence or similar enclosure which wholly or partially surrounds the licensed premises.

2. A person shall not advertise the price or selection of alcoholic liquor for sale at retail other than within premises operated under a liquor control license.

~~4~~ 3. Violation of this section ~~shall be~~ is a simple misdemeanor.

Sec. 747. Section 123.53, subsections 3, 7, and 8, Code Supplement 1985, are amended to read as follows:

3. The treasurer of state shall semiannually distribute a sum of money equal to at least ten percent of the gross sales made by the ~~state liquor stores~~ division but not less than six million four hundred thousand dollars to the cities of the state. ~~Such~~ The amount shall be distributed to the cities of the state in proportion to the population that each incorporated city bears to the total population of all incorporated cities of the state as computed by the latest federal census. A city may have one special federal census taken each decade, and the population figure thus obtained shall be used in apportioning amounts under this subsection

beginning the calendar year following the year in which the special census is certified by the secretary of state. ~~Such~~ The apportionment shall be made semiannually as of July 1 and January 1 of each year. Warrants for the ~~same~~ apportionment shall be issued by the ~~state comptroller~~ director of revenue and finance upon certification of the treasurer of state and mailed to the city clerk of each incorporated city of the state and shall be made payable to ~~such~~ the incorporated city and ~~shall be~~ are subject to expenditure under the direction of the city council or other governing bodies of ~~such~~ the incorporated city for any lawful municipal purpose. It ~~shall~~ be is a lawful municipal purpose for cities to allocate a portion of the ~~above-funds~~ moneys received for the purpose of financing the activities of a city commission or committee on alcoholism, ~~such commission or committee~~ to be appointed by the mayor or by the council or both. The commission or committee may use any funds so allocated for the treatment, rehabilitation, and education of alcoholics in Iowa.

7. The treasurer of state shall credit to the military service tax fund described in chapter 426A, a sum of money equal to at least five percent of the gross amount of sales made by the ~~state liquor stores in the cities of the state~~ division but not less than six million four hundred thousand dollars. Any amount thus credited shall be allocated to the various taxing districts of the state as reimbursement for losses of revenue due to exemption or remission of property taxes which would be imposed upon property upon which soldiers' exemptions or soldiers' tax credits are provided under ~~such~~ terms as the general assembly ~~may provide~~ provides.

8. The treasurer of state shall transfer into a special revenue account in the general fund of the state, a sum of money at least equal to seven percent of the gross amount of sales made by the ~~state liquor stores in the cities of the state~~ division from the beer and liquor control fund on a monthly basis but not less than nine million dollars annually,

and any amounts so transferred shall be used by the ~~department of~~ substance abuse division of the department of public health for substance abuse treatment and prevention programs in an amount determined by the general assembly and any amounts received in excess of the amounts appropriated to the ~~department of~~ substance abuse division of the department of public health shall be considered part of the general fund balance. ~~This subsection is repealed June 30, 1987.~~

Sec. 748. Section 123.55, Code Supplement 1985, is amended to read as follows:

123.55 ANNUAL REPORT.

The council shall cause to be prepared an annual report to the governor of the state, ending with June 30 of each year, showing fully the results of the operations of the department covering the period since the last previous report. Such report shall show:

1. Amount of profit or loss from ~~state liquor store~~ division operations.

~~2. Number of state liquor stores opened, the number closed, and the number operating on last day included in report.~~

~~3. Amount of fees received from such stores, separately and in gross.~~

~~4~~ 2. The current balance of the beer and liquor control fund, and the amount transferred from ~~such~~ the fund to the treasurer of state during the period covered by the report.

~~5~~ 3. All other funds on hand and the source from which derived.

~~6~~ 4. The total quantity and particular kind of alcoholic liquor sold.

~~7~~ 5. The increase or decrease of liquor sales from the previous reporting period.

~~8~~ 6. The number of liquor control licenses, wine permits, and beer permits issued, by class, the number in effect on the last day included in the report, and the number which have

been suspended or revoked during the period covered by the report.

9 7. Amount of fees paid to the ~~department~~ division from liquor control licenses, wine permits, and beer permits, in gross, and the amount of liquor control license fees returned to local subdivisions of government as provided under this chapter.

Sec. 749. Section 123.57, Code 1985, is amended to read as follows:

123.57 EXAMINATION OF ACCOUNTS.

The financial condition and transactions of all offices, departments, ~~stores,~~ warehouses, and depots of the ~~department~~ division shall be examined at least once each year by the state auditor and at shorter periods if requested by the director, governor, or executive council.

Sec. 750. Section 123.58, Code 1985, is amended to read as follows:

123.58 AUDITING.

All provisions of sections 11.6, 11.7, 11.10, 11.11, 11.14, 11.18, 11.21, and 11.23, relating to auditing of financial records of governmental subdivisions which are not inconsistent ~~herewith~~ with this chapter are ~~hereby made~~ applicable to the ~~department~~ division and its offices, ~~stores,~~ warehouses, and depots.

Sec. 751. Section 123.136, unnumbered paragraph 1, Code 1985, is amended to read as follows:

In addition to the annual permit fee to be paid by all class "A" permittees under the provisions of this chapter there shall be levied and collected from such permittees on all beer manufactured for sale or sold in this state at wholesale and on all beer imported into this state for sale at wholesale and sold in this state at wholesale, a tax of ~~four~~ five and ~~thirty-four~~ eighty-nine hundredths dollars for every barrel containing thirty-one gallons, and at a like rate for any other quantity or for the fractional part of a barrel.

However, no tax shall be levied or collected on beer shipped outside this state by a class "A" permittee or sold by one class "A" permittee to another class "A" permittee.

Sec. 752. Section 123.178, subsection 3, Code Supplement 1985, is amended to read as follows:

3. A person holding a class "B" wine permit may purchase wine for resale only ~~from the department or~~ from a person holding a class "A" wine permit.

Sec. 753. Section 123.183, Code Supplement 1985, is amended to read as follows:

123.183 WINE GALLONAGE TAX.

In addition to the annual permit fee to be paid by each class "A" wine permittee, there shall be levied and collected from each class "A" wine permittee on all wine manufactured for sale and sold in this state at wholesale and on all wine imported into this state for sale at wholesale and sold in this state at wholesale, a tax of one dollar and ~~fifty~~ seventy-five cents for every wine gallon and a like rate for the fractional parts of a wine gallon. A tax shall not be levied or collected on wine sold by one class "A" wine permittee to another class "A" wine permittee. Revenue derived from the wine tax collected on wine manufactured for sale and sold in this state shall be deposited in the gallonage tax fund hereby created in the office of the treasurer of state. All other revenue derived from the wine tax shall be deposited in the liquor control fund established by section 123.53 and shall be transferred by the state comptroller to the general fund of the state. ~~The price of wine sold or offered for sale in state liquor stores which was not purchased by the department from a class "A" wine permittee shall include a markup over the wholesale price at least equal to the tax levied under this section.~~

Sec. 754. Section 123.48, Code 1985, and sections 123.23 and 123.96, Code Supplement 1985, are repealed.

Sec. 755. The alcoholic beverages control division of the department of commerce shall establish a program for employees of the division whose positions are terminated as a result of this Act and who do not qualify for or who choose not to accept early retirement. The program shall provide retraining for other positions within the division or otherwise within state government. The division shall give a preference to qualified persons previously employed by the division whose jobs were terminated as a result of this Act when hiring to fill vacant positions within the division. If after exhausting the requirements of collective bargaining agreements a vacancy still exists in any other state department, the other state department shall give preference to qualified persons previously employed by the alcoholic beverage control division whose jobs were terminated as a result of this Act.

Sec. 756. The alcoholic beverages control division of the department of commerce shall adopt reasonable procedures to expedite the release of lease obligations and to otherwise minimize expenses incurred as a result of this Act. The division shall continue to operate one or more state liquor stores after June 30, 1986 for the purpose of ensuring an efficient and orderly transition to a system of private retailers. The division shall not close a state liquor store before June 30, 1987 unless a class "E" liquor control licensee begins operations within the particular store's market area. However, the division shall not operate a liquor store after June 30, 1987. However, the division shall not operate a state liquor store after June 30, 1987. The provisions of the Code concerning the operation of state liquor stores shall remain in effect to the extent applicable in the form as they existed prior to the effective date of this Act and they shall so remain in effect until the division ceases operation of any liquor stores. The division shall maintain the existing warehouse distribution personnel for the transition period of July 1, 1986 through June 30, 1987.

Sec. 757. Effective July 1, 1986 the division shall cease offering for sale and selling wine at wholesale to liquor control licensees and class "B" wine permittees. The state shall continue to sell wine at retail to purchasers at state liquor stores as provided by this Act.

Sec. 758. Notwithstanding section 742 of this Act which creates a new lettered paragraph "e" to section 123.30, subsection 3, Code Supplement 1985, a person operating an agency store may obtain a class "E" liquor control license for the premises designated as an agency store despite the fact that gasoline is also sold on the premises.

Sec. 759. The division shall not contract for any other agency stores nor allow the operation of any other agency stores other than those agency stores operating on May 1, 1986.

Sec. 760. No state liquor store shall be discontinued before March 1, 1987 and no class "E" liquor control licensee shall be allowed to begin doing business before March 1, 1987. However, the division shall not operate a liquor store after June 30, 1987.

Sec. 761. The division shall adopt rules prior to October 1, 1986 for the approval of applications for class "E" liquor control licenses.

Sec. 762. There is appropriated from the general fund of the state for the fiscal year beginning July 1, 1986 and ending June 30, 1987 to the department of public defense, the following amounts, or so much thereof as necessary, to be used for the purposes designated:

	1986-1987 Fiscal Year
1. For salaries, support, maintenance, and miscellaneous purposes	$ 3,191,828

Notwithstanding section 29A.33, the per capita annual allowance to units will be five dollars per capita to be paid

on a semiannual basis in installments of two dollars fifty cents per capita for the fiscal year beginning July 1, 1986 and ending June 30, 1987. The per capita allowance shall be used for morale purposes and be for the welfare of the troops and in no circumstances expended for support and maintenance.

2. For the war orphans educational aid fund ..... $ 14,278

Sec. 763. NEW SECTION. 477A.1 DEFINITIONS.

As used in this chapter unless the context otherwise requires:

1. "911 service" means a service which provides the user of a public telephone system the ability to reach a public safety answering point by dialing the digits 9-1-1.

2. "Public agency" means the state government and any unit of local government or special purpose district located in whole or in part within the state that provides or has authority to provide fire fighting, law enforcement, ambulance, medical, or other emergency services.

3. "Public safety agency" means a functional unit of a public agency that provides fire fighting, law enforcement, ambulance, medical, or other emergency services.

4. "Private safety entity" means a private entity which provides emergency fire, ambulance, or medical services whether by full or part-time employees or on a volunteer basis.

5. "Public safety answering point" means a communications facility operated on a twenty-four hour basis and serving participating jurisdictions, that initially receives 911 calls and either directly dispatches emergency response services, or relays the calls to the appropriate public safety agency.

6. "Commission" means the state emergency telephone number commission established by section 477A.3.

Sec. 764. NEW SECTION. 477A.2 911 SERVICE.

1. After the effective date of this Act, when 911 service is established in a service area each public agency, public

safety agency, and private safety entity serving territory within the service area shall participate in providing the 911 service. The 911 service shall be established according to a written plan which has the written approval of the governing bodies of each public agency, public safety agency, and private safety entity serving territory within the 911 service area.

2. This chapter does not prohibit or discourage participation in or the provision of 911 service covering the territory of more than one public agency, public safety agency, or private safety entity. A system established pursuant to this section may serve the territory of more than one public agency, public safety agency, or private safety entity or may include a part of their respective territories. Public agencies, public safety agencies, and private safety entities may enter into agreements under chapter 28E to provide 911 service.

3. The digits "911" shall be the primary emergency telephone number within the 911 service areas established under this section. A public safety agency or a private safety entity whose services are available through a 911 system may maintain a separate secondary backup number for emergencies, and shall maintain a separate number for nonemergency telephone calls.

4. A 911 system shall be capable of transmitting requests for law enforcement, fire fighting, and emergency medical and ambulance services to a public safety agency or agencies that provide the requested service at the place where the call originates. A 911 system may also provide for transmitting requests for disaster services, poison control, suicide prevention, and other emergency services. The public safety answering point shall be capable of receiving calls from hearing impaired persons through a telecommunications device for the deaf. Conferencing capability with counseling, aid to handicapped, and other services as deemed necessary for

identifying appropriate emergency response services may be provided by the 911 service.

A public safety answering point may transmit emergency response requests to private safety entities.

Sec. 765. NEW SECTION. 477A.3 STATE EMERGENCY TELEPHONE NUMBER COMMISSION CREATED.

The state emergency telephone number commission is created in the office of disaster services of the department of public defense. The director of the office of disaster services shall serve as chairperson of the commission. The office of disaster services shall provide the meeting facilities for the commission. The division of communications, department of general services, shall provide administrative and technical support for the commission with the support of the staff of the respective members of the commission. The members of the commission are as follows:

1. One person appointed by the commissioner of public safety.

2. One person appointed by the league of Iowa municipalities.

3. One person appointed by the Iowa state association of counties.

4. One person appointed by the legislative communications review committee.

5. One person from the Iowa commerce commission.

6. Twelve persons appointed by the governor as follows:

a. Two persons representing fire departments, one representing a paid fire department and the other representing a volunteer fire department.

b. Two persons representing city police departments, one representing a city with a population of fifty thousand or more, and the other from a smaller city.

c. Two persons representing county sheriff departments, one representing a county with a population of twenty-five thousand or more, and the other representing a smaller county.

d. Two persons representing emergency ambulance and medical service departments, one representing a public ambulance and medical service, and the other representing a private ambulance and medical service.

e. Two persons representing exchange carriers providing public telephone service in Iowa, one representing a telephone company subject to rate regulation under section 476.1 and one representing a telephone company that is not subject to rate regulation under section 476.1.

f. Two persons who are qualified by education or employment experience to evaluate alternative financing methods.

Vacancies shall be filled in the same manner as the original appointments are made. Terms shall commence upon appointment and shall run until the commission is abolished by repeal.

Sec. 766. NEW SECTION. 477A.4 MEETINGS.

1. The chairperson shall call the first meeting of the commission within thirty days of the appointment of the members. A majority of the members of the commission constitute a quorum and the concurrence of a quorum is required on any question relating to the commission's official duties. Commission members shall serve without compensation. Members who are not government employees shall be reimbursed from funds appropriated in section 7 of this Act for actual expenses incurred in the performance of duties. The commission shall meet as necessary, but at least once each month until the report required by section 477A.5 is completed.

2. Public agencies and exchange carriers providing public telephone service in Iowa shall cooperate, within time, personnel, and budgetary limitations, in providing information, data, surveys, and studies as requested by the commission.

3. The commission may apply for, receive, and expend any private or public funds to implement this chapter.

4. The commission shall hold public hearings, prior to making its recommendations to the general assembly, and shall provide Iowans with information on 911 service to stimulate public interest and comment.

Sec. 767. NEW SECTION. 477A.5 RECOMMENDATIONS TO GENERAL ASSEMBLY.

The commission shall submit a written report and recommendations for an overall plan to implement 911 service to the general assembly not later than January 10, 1987. The recommendations shall include, but are not limited to:

1. The responsibilities that should be assumed by state and local public agencies and public safety agencies and by exchange carriers providing public telephone service in implementing statewide 911 service.

2. The size of 911 service areas necessary to operate effectively and to achieve economies of scale and the local government coordination necessary to establish 911 service.

3. Whether it is necessary or desirable for an existing or new state agency to be given the responsibility for monitoring, reviewing, supervising, or coordinating the implementation of statewide 911 service.

4. The equipment, capability and operational standards that should be established for 911 service, including procedures for transmitting calls, that will result in the shortest response time in emergencies and the best service to the public.

5. An estimate of the cost to state and local public agencies to plan, implement, and operate 911 systems throughout the state. The cost reported should indicate the current costs of telephone and related services as well as the incremental costs of 911 implementation.

6. Whether it is necessary or desirable for the general assembly to establish a deadline by which every public agency

and public or private safety agency must establish or participate in 911 service.

7. Whether it is necessary or desirable for the general assembly to allow a public agency or utility to seek a waiver of all or some of the time limits for implementing 911 service.

8. Identification and listing of all existing federal, state, local, and private funding sources available for implementation of 911 service. The report shall discuss the merits of alternative methods of collecting the necessary revenues including an increase in taxes, an imposition of a surcharge on the amounts paid by every person in the state for intrastate telephone service, and combinations of these methods.

9. How public agency costs for the planning, installation, and continued operation of the 911 system should be met and from which sources.

10. Legislation needed to implement statewide 911 services.

Sec. 768. NEW SECTION. 477A.6 REPEAL.

Sections 477A.3 through 477A.6 are repealed effective six years from the effective date of this Act.

Sec. 769. There is appropriated to the office of disaster services from the general fund the sum of five thousand (5,000) dollars for the purposes of sections 477A.1 to 477A.5.

Sec. 770. Section 8.33, unnumbered paragraph 2, Code 1985, is amended to read as follows:

No payment of an obligation for goods and services shall be charged to an appropriation subsequent to the last day of the fiscal term for which the appropriation is made unless such goods or services are received on or before ~~September 15~~ the last day of the ~~following~~ fiscal year, except that repair projects, purchase of specialized equipment and furnishings, and other contracts for services and capital expenditures for the purchase of land or the erection of buildings or new

construction or remodeling, which were committed and in progress prior to the end of the fiscal term are excluded from this provision.

Sec. 771. Section 29A.9, unnumbered paragraph 2, Code 1985, is amended to read as follows:

The governor shall also provide for the participation of the national guard, or any part of it, in training at such times and places as ~~designated by the secretary of defense~~ necessary to insure readiness for public defense or federal service.

Sec. 772. Section 18.117, Code 1985, is amended to read as follows:

18.117 PRIVATE USE -- RATE FOR STATE BUSINESS.

A state officer or employee shall not use a state-owned motor vehicle for personal private use, nor shall the officer or employee be compensated for driving a privately owned motor vehicle unless it is done on state business with the approval of the state vehicle dispatcher, and in that case the officer or employee shall receive ~~twenty-two cents per mile effective July 1, 1981, and twenty-four~~ twenty-one cents per mile ~~effective July 1, 1982~~. A statutory provision stipulating necessary mileage, travel, or actual expenses reimbursement to a state officer falls under the mileage reimbursement limitation provided in this section unless specifically provided otherwise. Any peace officer employed by the state as defined in section 801.4 who is required to use a private vehicle in the performance of official duties shall receive reimbursement for mileage expense at the rate specified in this section. However, the state vehicle dispatcher may delegate authority to officials of the state, and department heads, for the use of private vehicles on state business up to a yearly mileage figure established by the director of general services and approved by the executive council. If a state motor vehicle has been assigned to a state officer or employee, the officer or employee shall not collect mileage

for the use of a privately owned vehicle unless the state vehicle assigned is not usable.

This section does not apply to officials and employees of the state whose mileage is paid by other than state agencies and this section does not apply to elected officers of the state, judicial officers, or court employees.

Sec. 773. Section 79.9, Code 1985, is amended to read as follows:

79.9 CHARGE FOR USE OF AUTOMOBILE BY OTHER THAN STATE OFFICER OR EMPLOYEE.

When a public officer or employee, other than a state officer or employee, is entitled to be paid for expenses in performing a public duty, a charge shall be made, allowed and paid for the use of an automobile, as determined by the local governing body, in an amount not exceeding ~~twenty-two cents per mile for actual and necessary travel effective July 1, 1981, and in an amount not exceeding twenty-four~~ twenty-one cents per mile ~~effective July 1, 1982~~. A statutory provision stipulating necessary mileage, travel, or actual reimbursement to a local public officer or employee falls within the mileage reimbursement limitation specified in this section unless specifically provided otherwise. A political subdivision may authorize the use of private vehicles for the conduct of official business of the political subdivision at an annual amount in lieu of actual and necessary travel expense reimbursement provided in this section. A peace officer, other than a state officer or employee, as defined in section 801.4 who is required to use a private vehicle in the performance of official duties shall receive reimbursement for mileage expense at the rate specified in this section.

Sec. 774. If after exhausting the requirements of collective bargaining agreements a vacancy still exists in any other state department or agency, the other state department or agency shall give preference to qualified persons previously employed by the executive branch of state

government whose jobs are terminated as a result of reorganization.

Sec. 775. Section 331.404, Code 1985, is repealed.

Sec. 776. All federal grants to and the federal receipts of the agencies appropriated funds under this division of this Act, not otherwise appropriated, are appropriated for the purposes set forth in the federal grants or receipts unless otherwise provided by the general assembly.

Sec. 777. Section 770 of this Act is retroactive to March 1, 1986.

Sec. 778. Section 144 of this Act takes effect retroactive to April 30, 1986.

DONALD D. AVENSON
Speaker of the House

ROBERT T. ANDERSON
President of the Senate

I hereby certify that this bill originated in the House and is known as House File 2484, Seventy-first General Assembly.

Item Veto

JOSEPH O'HERN
Chief Clerk of the House

Approved 5/31, 1986

TERRY E. BRANSTAD
Governor

H.F. 2484